

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, SEPTEMBER 18, 2019**

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 Grady Hawkins, Vice-Chairman William Lapsley, Commissioner Mike Edney (arrived later in the meeting), Commissioner Rebecca McCall, Commissioner Charlie Messer, County Manager Steve Wyatt, Assistant County Manager Amy Brantley, Attorney Russ Burrell and Clerk to the Board Teresa Wilson.

Also present were: Finance Director Samantha Reynolds, Director of Business and Community Development John Mitchell, Engineer Marcus Jones, Planning Director Autumn Radcliff, Budget Manager Megan Powell, Planner Eric Warren, Major Steve Carter, Chief Deputy Vanesa Gilbert, HCSO Account Technician Lisa Ward, Public Health Director Steve Smith, Capital Projects Manager David Berry, Capital Projects Manager Thad Ninnemann, HR Director Jan Prichard, DSS Director Jerrie McFalls, Emergency Management/Rescue Coordinator Jimmy Brissie, IT Director Mark Seelenbacher, Budget Analyst Sonya Flynn, Project Engineer Natalie Berry & PIO Kathy Finotti – videotaping, Deputy Dan Terry as security.

CALL TO ORDER/WELCOME

Chairman Hawkins 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 by Chairman Hawkins.

PUBLIC HEARING

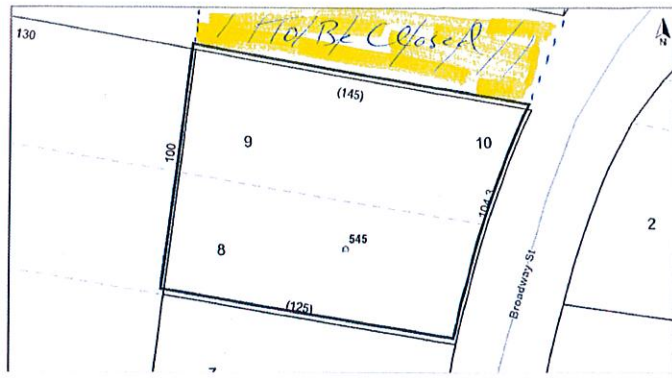
2019.76 Public Hearing for Proposed Right of Way Closure

Chairman Hawkins made the motion to go into public hearing. All voted in favor and the motion carried.

Planning Director Autumn Radcliff stated planning staff received a petition from Mr. and Mrs. Walter Johnson to close a portion of a right of way in the Laurel Park area of Henderson County. The petitioners are requesting a portion of a shared right of way to be closed and the property resurveyed to show the closure. On August 5, 2019 the Board approved a resolution of intent to close the right of way and to hold a public hearing on this closure.



Approved:



Public Input

There was none.

Commissioner Lapsley 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 approves the closure of the un-opened right of ways and sign the Order of Closure. All voted in favor and the motion carried.

INFORMAL PUBLIC COMMENT

1. Curtis Newman is opposed to Rezoning Application #R-2019-03-C, Blue Ridge Gen Stone Mine Educational Park.
2. Anitra Newman is opposed to Rezoning Application #R-2019-03-C, Blue Ridge Gen Stone Mine Educational Park.
3. Cindy Dorn is opposed to Rezoning Application #R-2019-03-C, Blue Ridge Gen Stone Mine Educational Park.
4. Dennis Dorn is opposed to Rezoning Application #R-2019-03-C, Blue Ridge Gen Stone Mine Educational Park.
5. Brian Gulden, attorney representing those opposed to Rezoning Application #R-2019-03-C, Blue Ridge Gen Stone Mine Educational Park, reinforced their opposition.
6. Judy McCracken is opposed to Rezoning Application #R-2019-03-C, Blue Ridge Gen Stone Mine Educational Park.

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner Messer made the motion to approve Consent Agenda minus (Item G) Purchase of a Drone for Emergency Operations, to be discussed at a future meeting. 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):

September 3, 2019 - Regularly Scheduled Meeting

Motion:

I move the Board approves the minutes of September 3, 2019.

Tax Collector’s Report

Deputy Tax Collector Luke Small had presented the Tax Collector’s Report to the commissioners dated September 5, 2019 for information only. No action was necessary.

Henderson County Public Schools Financial Report – July 2019

The Henderson County Public Schools July 2019 Local Current Expense Fund / Other Restricted Funds Report

was provided for the Board's information.

Motion:

I move that the Board of Commissioners approve the Henderson County Public Schools July 2019 Financial Reports as presented.

County Financial Report/Cash Balance Report – July 2019

The July 2019 County Financial and Cash Balance Reports were provided for the Board's review and approval.

The following are explanations for departments/programs with higher budget to actual percentages for the month of July:

- Non-profit contributions – payment of 1st quarter Board approved non-profit contributions to agencies
- Garage – fuel costs to be allocated to user departments
- Rescue Squad – payment of 1st quarter Board approved contribution payment
- Mental Health – payment of 1st quarter Board approved maintenance of effort (MOE)

The project to date deficit in the Hendersonville High School Project (2019) is due to the payment of architect fees and other expenditures for the project in the Capital Projects Fund that will be reimbursed from a future financing.

The project to date deficit in the Oklawaha Greenway Project is due to the timing of the grantor's reimbursement of expenditures incurred.

Motion:

I move that the Board of Commissioners approves the July 2019 County Financial Report and Cash Balance Report as presented.

2019.77 Budget Amendment – Village of Flat Rock Donation

The Sheriff's Department is requesting that the Board accept \$14,500 donated by The Village of Flat Rock, specifically for the purchase of a new K9 unit. The donated funds will be deposited into the K9 Revenue line item (114431-492010) with the expenditure budgeted in the K9 Supplies (115431-526003) for the purchase and training of a new K9 Unit.

The K9 will be purchased from, and trained at, Shallow Creek Kennels.

Motion:

I move the Board of Commissioners approves the contract with Shallow Creek Kennels, and the Budget Amendment as presented

Offer to Purchase Tax-foreclosed Property

Clarence Baldwin and Angela Baldwin have offered to purchase a parcel of real estate which was subjected to a tax foreclosure by the County.

The property is located on Texas Street, and described as lots 4 and 12, Block 20, of Osceola Lake Park subdivision., with real estate identification number 9937439 (PIN 9567397763), with a tax value of \$9,800.00. The offered price is the sum of One Thousand Five Hundred Dollars (\$1,500.00).

This property was originally foreclosed by the County in 1960. No taxes have been received on the property since that time.

If the Board agrees to provisionally accept this offer, it would be subject to newspaper advertisement, and further subject to ten-day period for upset bids. Although not required, as a courtesy it is the custom of the County to also give regular mail notice to adjoining property owners at addresses shown on GIS.

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

Motion:

I move that the Board provisionally accept the offer of Clarence Baldwin and Angela Baldwin to purchase the parcel described in this agenda item, subject to the procedures required by this Board for tax foreclosure sales and subject to the condition stated in this agenda item.

Purchase of a Drone for Emergency Operations – pulled for discussion at a future meeting

Upward Elementary Work

During the Fiscal Year 2019/2020 budget process the Board approved a list of projects to be completed throughout Henderson County's public schools. One of the approved projects on the list for this fiscal year is an addition and safety improvements to Upward Elementary. After the selection process according to General Statute and inclusive of Henderson County Public Schools staff, Novus Architecture was selected and has produced a proposal to complete the work. The proposal is within the approved budget.

The proposal is for a new addition which will include additional square footage to expand the cafeteria and provide for additional corridor circulation for the school. The main visitor entrance of the school will be relocated by reconfiguring the parking lots on each side of the school to route bus traffic and car traffic on opposite sides. Site work for this change includes restriping existing parking lots and expansion of drives as required to accommodate maneuverability of buses. Interior modifications at the main entrance include the creation of a new secure, vestibule adjacent to the existing administration suite for the school.

The total cost is proposed at \$698,392 with a construction budget of \$599,392.00. Novus's proposed fee for the project is 6.5% of the construction budget: \$39,000.

Substantial Completion is projected for August 1st, 2020.

Motion:

I move to accept the contract with Novus Architects for Upward Elementary School.

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Chairman Hawkins made the motion to adopt the discussion agenda as presented. All voted in favor and the motion carried.

NOMINATIONS

Notification of Vacancies

1. Nursing/Adult Care Home Community Advisory Committee –1 vac.
Chairman Hawkins recognized the vacancies and opened the floor for nominations.

Nominations

1. **Asheville Regional Housing Consortium – 1 vac.**

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

2. **Cane Creek Water and Sewer District Advisory Committee – 1 vac.**

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

3. Cemetery Advisory Committee – 7 vac.

Commissioner Lapsley nominated Carroll Scott for position #1, Jennie Giles to position #2, James Jackson for position #3, James Miller for position #4, David Hill for position #6 and Leon Pace for position #7. *Chairman Hawkins made the motion to accept the reappointments of Carroll Scott to position #1, Jennie Giles to position #2, James Jackson to position #3, James Miller to position #4, David Hill to position #6 and Leon Pace to position #7 by acclamation. All voted in favor and the motion carried.*

4. Hendersonville City Zoning Board of Adjustment – 3 vac.

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

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

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

6. Juvenile Crime Prevention Council – 2 vac.

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

7. Library Board of Trustees – 1 vac. & Chair

Commissioner Hawkins nominated Vance Yoder for Chair. *Chairman Hawkins made the motion to accept the reappointment of Vance Yoder as Chair by acclamation. All voted in favor and the motion carried.*

8. Mountain Area Workforce Development Board – 2 vac.

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

9. Mountain Valleys Resource Conservation and Development Program – 1 vac.

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

10. Nursing/Adult Care Home Community Advisory Committee – 11 vac.

Commissioner McCall nominated Sandra Rodriguez for position #2, Lynn Herget for position #13 and Nadine Christensen for position #14. *Chairman Hawkins made the motion to accept the reappointment of Sandra Rodriguez to position #2, Lynn Herget to position #13 and Nadine Christensen to position #14 by acclamation. All voted in favor and the motion carried.*

11. Recreation Advisory Committee – 2 vac.

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

12. Senior Volunteer Services Advisory Council – 3 vac.

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

INTRODUCTION OF IT DIRECTOR

Amy Brantley introduced Mark Seelenbacher the new Henderson County IT Department Director. Mark comes with 20 years of experience from Robinson County. It was a very competitive selection process and Mark rose to the top. He began with the County September 3, 2019.

CONSIDERATION OF REZONING APPLICATION R-2019-03-C – BLUE RIDGE GEM STONE MINE EDUCATIONAL PARK

Russ Burrell stated the Board completed the public hearing required for consideration of this rezoning request. Today, the Board can direct any further inquiry and deliberation it wishes on the matter. If the Board is so inclined, it can require conditions on its approval of the rezoning. (NOTE: The applicant must agree to these conditions in writing prior to the Board's vote, if any.) Mr. Burrell recommends not voting on conditions until the Board has received a signed document by the applicant of the conditions per legislation.

Commissioner Lapsley noted at the last meeting the Board of Commissioners discussed a number of conditions that were requirements for approval of the Rezoning Application. The information was given to the County Attorney and shared with the applicant. There were twelve conditions, and the applicant did not agree to four of the conditions. He called to question.

Chairman Hawkins made the motion that the Board deny rezoning R-2019-03-C. The motion passed 4-0.

Commissioner Edney arrived after the motion at 9:30 a.m.

SUBSTANCE ABUSE PREVENTION INITIATIVE UPDATE

Steve Smith, Public Health Director, updated the Board on an upcoming Substance Abuse Prevention Initiative. HopeRx is coordinating "An Evening with Ryan Hampton", scheduled for November 5, 2019, 7:00pm, at Blue Ridge Community College. Mr. Smith discussed some of the details of the event, including potential sponsorship opportunities.

Julie Huneycutt was also in attendance. She informed the Board of the Event, with speaker Ryan Hampton. A Champion of the Recovery Movement.

Steve Wyatt stated the last event with Sam Quinines was the first time in decades that he has seen an event that brought in people from so far away. Substance abuse will be a continual problem because it cannot be fixed, and we must keep it within the for-front. The upcoming event is a great opportunity, but hosting an event with a national reputable speaker is not cheap. The County is being asked that we participate with responsibility as a sponsor. He suggests the Hope Champion sponsorship at \$10,000.

Chairman Hawkins noted this is the County taking responsibility and the sponsorship's return will be worth the investment.

Commissioner Lapsley stated the Task Force completed work in April 2019. Since the adoption of the County budget, the Public Health Department and others have worked hard with the first effort being the Detention Center. Things are moving forward but we cannot let this be forgotten. The event is another step, and he recommends the County be a major supporter.

Commissioner McCall agrees the County needs to show we are behind the effort to make a change and sponsor the event. She is concerned about vaping becoming a major issue also.

Commissioner Messer is in agreement with supporting the event. He noted new signage is being placed in businesses by the state to help with vaping issue.

Commissioner Edney agrees to support the sponsorship.

Commissioner Edney made the motion to approve the necessary budget amendment, funding the sponsorship of the event in the amount of \$10,000. All voted in favor and the motion carried.

HURRICANE DORIAN UPDATE

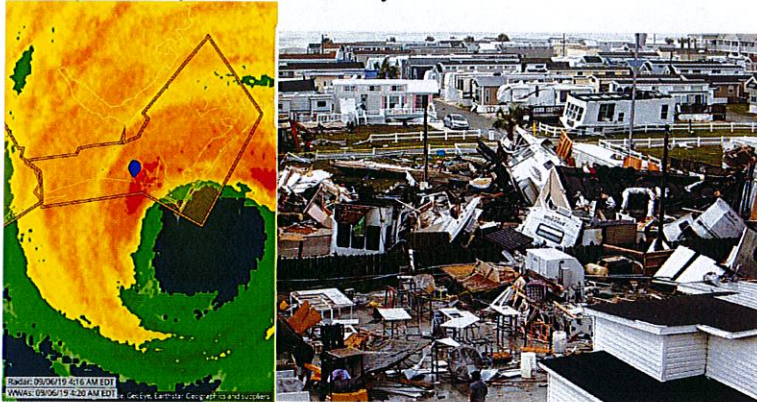
Jimmy Brissie, Henderson County's Emergency Services Director, provided the Board with an update on the County's response to Hurricane Dorian.

- Sunday Sept. 1st – Discussions begin within NCEM and partners regarding potential resource needs. Internal discussion start with Henderson County Technical Rescue Team Agencies regarding the potential of deployment to Eastern NC
- Monday Sept. 2nd - NC Emergency Management begins to evaluate the overall needs in Eastern NC based on storm models, plans are developed to pre-deploy resources are reduced based on anticipated impacts

- Tuesday Sept. 3rd - Henderson County Swiftwater Rescue Team is deployed to Williamston, NC for assignment. EM Director deployed to Morehead City for EOC Coverage
- Thursday Sept. 5th - EM Logistics Officer deployed to Salisbury as part of the NC Helo-Aquatic Rescue Team
- Friday Sept. 6th - Based on limited impacts Swiftwater Rescue Team released to return home. EM Director re-tasked to Ocracoke Island
- Sunday Sept 8th - Board of Elections Staff deployed to Robeson County for support

In all, 21 personnel from Henderson County answered the call for help in Eastern NC.

Carteret County – Morehead City



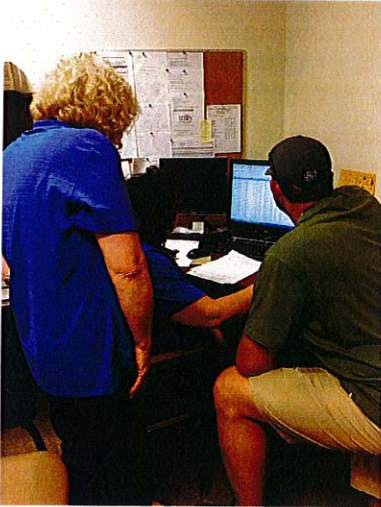
Henderson County Technical Rescue Team
Williamston, NC



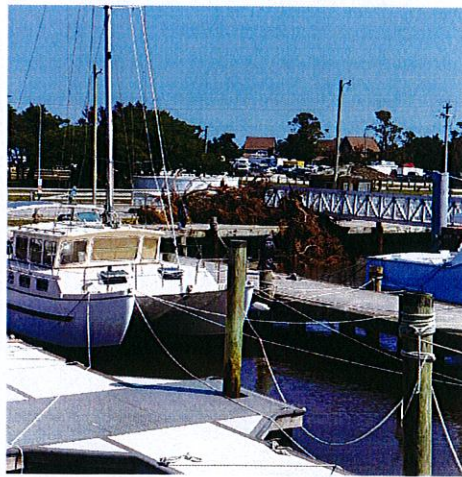
Henderson County Board of Elections
Robeson County, NC



- Jimmy was alerted on Wednesday afternoon that we might be called out to help some of the counties in the 3rd and 9th Congressional Districts to help complete the elections that were being affected by Dorian. The 9th Congressional election was a Special Election that was called after a massive election fraud ring was uncovered after the 2018 Congressional Elections and was brought about especially because of corruption in Bladen and Robeson Counties.
- Beverly Cunningham, Karen Hebb and Aaron Troutman left Hendersonville at 5AM Saturday for Robeson County. They worked with local officials to close six one-stop voting sites which remained open Saturday due to the storm.
- They worked 14-17 hour days and helped local officials close out the polls and audit the results, a State Elections Official was pleased to share the election went without errors.



Ocracoke Island
Hyde County, NC



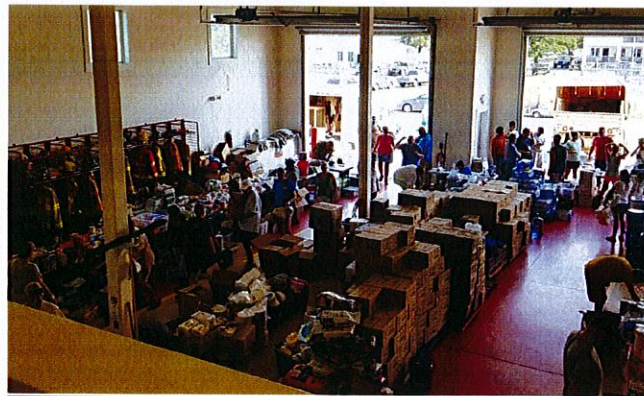
- Visitors and residents were asked to evacuate, approximately 800 remained
- Up to seven foot storm surge impacted half the homes and businesses on the island

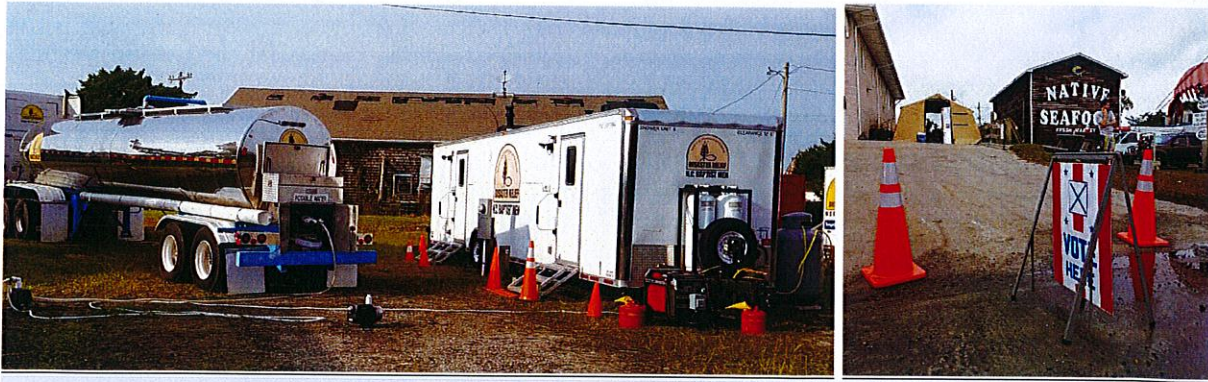


- Three EM personnel flew into the island Friday and one SAR Team staged at Kinson Airport
- Four more EM and another SAR Team Saturday along with a surge of infrastructure personnel

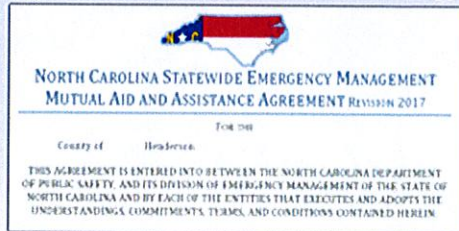


- Saturday the surge of donations began, requiring dozens of personnel and trucks to manage
- The FD became the community hub where supplies could be picked up, phones charged and a brief period of respit could be found in the air conditioning





NC Statewide Mutual Aid Agreement



Statewide “Mutual Aid” is coordinated through County & City Associations, Trade Associations and County Emergency Management Offices.

Terms for providing and receiving mutual aid are identified in a Statewide Mutual Aid Agreement. Reimbursements are available in many cases based on actual costs incurred.



All mutual aid provided is based on meeting the needs of the local jurisdictions first.

After Action Review

- **All disasters begin & end at the local level**
- Preparedness is key to enhancing the resiliency of the community
- Community members should be prepared to be self sufficient for 72 hours minimum
- Response and Recovery require a community-wide approach of Citizens, Non-Profits and Government Agencies
- Henderson County is blessed to have a strong culture of teamwork and collaboration across all disciplines



CONSTRUCTION PROJECT UPDATE

David Berry provided the Board of Commissioners with an update on the following construction projects around Henderson County. This monthly report is a review of the scope and statuses of assigned construction management responsibilities and includes specific updates in regard to County funded construction activities.

DSS Renovation

David Berry noted at the last update he had informed the Board that this work had been advertised as a Design/Build project, that Cooper Construction had been selected, and we were awaiting a proposal from them. A proposal was received, and shared with the Commissioners along with a drawing which depicts the planned projects in two phases. Cooper Construction's proposal includes pricing in two phases. Phase I is estimated at a cost range of \$318,000 to \$338,000 and Phase II at an estimated cost range of \$158,000 to \$178,000, with a total cost of approximately \$510,000. Staff had estimated and hoped the cost would in the \$300,000 range for both phases but the HVAC scope and cost is much more than anticipated. Phase I includes a break room area, conference rooms, and the pricing for the HVAC for both Phases. Included in the pricing of Phase I is approximately 2239 sq. ft. at \$151 per square foot, in Phase II approximately 1,501 sq. ft. at \$119 per sq. ft. Combined average for 3,740 sq. ft. is \$136 per sq. ft.

Staff requests directive from the Board to whether to proceed with approving Cooper's proposal, allowing them to complete their drawings and designs. Once staff receives the completed drawings and designs, they will be presented to the Board for approval with a firm price for Phase I, or Phase I & II combined. If the Board determines they do not wish to proceed with Cooper Construction, the design expense thus far is not to exceed \$13,635.

Additional paved parking is planned for DSS in FY21. The Board may consider escalation of that project, and David Berry feels it can be added at any time.

It was consensus of the Board to continue with Cooper Construction.

95 Courthouse Skylight Project

A firm proposal, utilizing the Cowl Wall system, for the 95 Courthouse skylight replacement was shared with the Board. Staff was directed to bring a proposal back to the Board after much discussion about more expensive resolutions for the existing skylights. The total pricing from Carolina Architectural Products (same company used for Cowl Wall system at Library), inclusive of the required demolition and scaffolding is \$103,852.

Staff requests directive from Board of whether to proceed with acceptance of this proposal to enter into a contract and have the work done.

Mr. Berry informed the Board that additional lighting has been found around the skylights that does not work. He feels once these lights have been repaired there will be ample lighting. Once the skylights have been repaired and the lights repaired, staff will see if additional lighting is necessary.

It was consensus of the Board to construct the project as presented.

Hendersonville High School

David Berry stated as previously reported, staff in conjunction with our Architects, Vannoy Construction and Henderson County Public Schools, have completed the GMP #1 work, the early summer work, and are now working together to complete and finalize the site and building designs, and budget components to be able to move on to the next stage of all the required permitting and bidding.

PFA Archtict Maggie Carlyle stated they have spent the better part of this summer going through the steps of the required approval process for the school campus. Along with the Planning Board they were able to get approval by the City of Hendersonville. They have attended a City Council meeting, held the neighborhood

compatibility meeting, and applied for a driveway permit with NCDOT. The site plan shared with the Board is very similar to what the Board has seen in the past with one exception. As part of the communication and review with NCDOT, they have requested that we relocate the entry drive to the campus on Highway 25 to align with North Main Street. It previously aligned with 9th Avenue. This does not reduce parking spaces. Everything else on the site plan has been developed further over the summer and remains as in the past.

Commissioner Edney was concerned with the traffic pattern and safety.

Ms. Carlyle asked Lonnie Watkins of NCDOT to explain the change.

Lonnie Watkins explained at the beginning of the process, the school project had a consulting firm do a traffic impact analysis. The outcome of that analysis was a number of recommendations on the various intersections surrounding the school. In addition they recommended that the signal at North Main and Highway 25 be evaluated and also evaluated the pedestrian accommodations. When NCDOT looked at it they felt it made more sense to shift the driveway directly across from North Main. Their signal unit in Raleigh evaluated it also and a number of benefits were quickly realized. Previously with the other location it would have been a right in right out at 9th Avenue. Shifting it to North Main we are able to control the movement much better and provide a signalized access to the school, not just a right in right out. Pedestrian crossing will also be safer because they can coordinate the pedestrian traffic with the vehicular traffic, and there will less signal fazes reducing delay time for the different turning movements. By bringing the intersection closer together it reduces the clearance time to travel through the actual intersection. The north bound traffic can make a left turn into the school and not have to circle all the way around the school.

Another benefit that has not even been looked at is the right turn lane that was recommended by the TIA on Oakland Street on Highway 25 and the right lane turn into the school may not be necessary.

Commissioner Edney asked what improvements NCDOT would be doing within their right of way to assist, would they keep it divided, continue with the island, or make it all solid.

Mr. Watkins responded the island will be solid and going north you will be able to make a U-turn (where it is currently located) at the first break, but the break across from 9th Avenue will be closed off. The island will be continuous. Up at the intersection there will be a left turn lane into the school that will be constructed. You will be able to do a U-turn or turn left into the school with the proposed left turn lane.

The traffic light at 9th Avenue will be removed, and everything will be controlled from the intersection of North Main and Highway 25. The Board of Education and Superintendent have not seen the plan yet. The Board of Commissioners is first to see the plan and once approved it will be provided to them next.

Commissioner Messer's greatest concern is safety and agrees that twice a day the pedestrian traffic is heavy.

Mr. Watkins noted the other intersections around the school will be evaluated as well for pedestrian improvements.

Ms. Carlyle confirmed for Commissioner McCall that this would provide a left and right hand turn out of the school campus. Dealing with the internal working of the campus parking lot, they have as much space as they do for cueing, significantly more than there has ever been on this campus. Of course there was no parking lot before. They have split the exit at Highway 25 into several lanes so that if you are going right and travel allows you can turn right and not hold up traffic. The space they have to work with is limited. They are doing the best they can with what they've got. They could do better if they had more space.

They believe the right turn lane from Oakland onto Highway 25 entering the campus still serves a safety

purpose although DOT does not require them anymore based on the TIA, so they are still included with the site and the design of the project.

County Manager Steve Wyatt looking at the one entrance and one exit of the school questioned if and when an accident happens that blocks the entrance exit, what is the contingency for getting people out during beginning or ending of school.

Ms. Carlyle stated they do have an alternative entrance/exit farther north on Highway 25 where there will be a gate and a connection to Highway 25 in case there is some internal hold up or something along Highway 25 across from Patton Street. It is gated but will be used in case of emergency. The two turn lanes previously mentioned are also on the plan that was approved by the City process by City Council.

She feels people will still drop off kids along Oakland Street. The majority of the parallel parking that exists there today is still going to remain with the exception to an entrance and exit to visitor parking at the main entrance of the school. They have discussed the possibility of a traffic light at 9th Avenue and Oakland Street but it was not recommended by TIA or NCDOT, it is however a city street. (Commissioner Edney is concerned this will be a huge problem).

Ms. Carlyle believes the old gym will be torn down June 2020. They plan to use very limited amounts of the granite. They have an allowance in the budget to salvage the stone from the gym. They plan to use some for the monumental sign farthest north corner of the property. With the rest of the allowance they plan to salvage other stone and figure out how to best use that within the school. They have discussed benches in the courtyard and things like that. It is a very expensive prospect to get it down, clean it and then reuse it within the buildings themselves. They will use as much as they can with the \$50,000 in budget.

Commissioner Edney feels there will be disappointed individuals that more was not utilized. He feels they are driving everything by numbers not by results.

The work done over the summer was storm water and sewer work. Commissioner Edney asked John Mitchell to provide an update on what was found the previous day on site relating to additional water.

John Mitchell stated yesterday the City came out and used cameras to go through some storm water lines and there are some storm water catchments that do have water in them below the Stillwell building. We expect to have a video in hand today. Our civil engineer and the architect have been asked to review the footage to give us some kind of direction about what the implications are of the water that we found in those pipes, and where they may need to go in the future. There are a number of things that Commissioner Edney will need to discuss, notably how that will impact future development of the football field. Looking in a manhole at the edge of the Stillwell building and the career and technical education building are, there is what John would characterize as a robust trickle. There is water in the catchment and it goes to the right. There is a belly in the storm water pipe and cracking within the pipe which is causing water to come into the pipe, affectively acting like a French drain for water that exists below the water table there.

David Berry noted the first catch basin they looked into was above the current one being looked at and it has a small amount of stagnant water in the bottom that is not moving. The line between it and the next one could not be videoed because it is half full of debris. After the first line the water picked up significantly at the second line before going under the football field. Simultaneously while checking these lines, staff went under the Stillwell building and there was no flow in the basement. Therefore the water we are seeing here is independent of what we see under Stillwell from time to time. They were only able to go about 10 feet before they were under water, obviously indicating that there is a belly in the line. Repairs to that line at this point would not be recommended because you would stop it from doing a job of taking ground water away from the footings of the building. When the building is torn down, WGLA's new design has catch basins in the courtyard, which is in the last phases of the construction project. They will have drain tiles tied into them that

will do the same thing that this pipe is doing. It will still run at this point under the football field.

Commissioner Lapsley feels that when you do go under the Stillwell building on occasion, maybe during three days of heavy rain, he suggested putting dye in the water to see if it shows up at this manhole and verify if there is a connection.

Henderson County School folks did do a dye test at some point years ago and the water did come out at the manhole.

Jared DeRidder, PE, a WGLA Engineer clarified that they did look at the existing elevations of the Stillwell basement and this pipe is located beneath the basement elevation. It is logical that during construction if they encountered ground water of some sort in basement construction that some series of French drains or dewatering was tied in to the lower elevated pipe. The City has directed them if they would like to re-camera the lines (which he feels is wise) we need to get the lines cleaned out by jetting them and vacuuming them. We can request the City to provide this service for us or there are independent contractors that provide that service as well.

Commissioner Edney requested that someone speak with the former Superintendent Byrd about what they did in the 90's as far as covering up water under Stillwell.

Ms. Carlyle has the drawings but has not spoken to Mr. Byrd.

Commissioner Edney stated several months ago we talked about repairing the line under the football field. We were told we did not have to because the City was going to abandon that line. If we have all this water running it can't be abandoned unless you redo the entire thing. So we have to go back to what are we going to do about the sink whole under the football field. This needs to be taken care of sooner than later.

Mr. DeRidder stated under the football field as it stands today there is a pretty large tributary of the City of Hendersonville that goes there...all the way from Pardee Hospital, Immaculata School and beyond gets piped beneath the football field. Part of the summer work they attempted to do obviously was to get it out from under the campus directly routed around the campus. They have been told, similar to the sewer project, that the City of Hendersonville would like to route that storm water that was routed in the summer to US 25 and not go beneath the football field. There would arguably be water still flowing in that pipe, however he would argue that the volume is tremendously less than was previously enacted for.

Commissioner Edney stated he would say there is almost no water in the pipes redone in the summer and tons of water is coming from somewhere else.

Mr. DeRidder stated the intent is that all the water that comes from the streets (a 30 inch pipe) is now going to be moved to US 25 and no longer go beneath the football field. The only water that will be captured underneath the football field is whatever we put on it from our campus, which they are working to determine at this time. The decision to reroute the water somewhere other than the football field is not up to him. Hendersonville High School has documented that a turf field is planned. As part of a turf field you must do drainage improvements. Basically the entire field becomes an underdrain where you get water off it very fast due to the water infrastructure. He feels when this project is done, he recommends upgrade, change out or modify any kind of storm drain which sits underneath the field currently.

Commissioner Edney feels the storm water would have to come down and cross Highway 25 and go into the stream where it currently goes. As the water goes under Highway 25, there is a 1920's era rock structure which belongs to NCDOT, is this something that needs to be upgraded as a part of the project? Mr. DeRidder feels it would need to be looked at and studied.

Mr. Watkins stated if there is additional water that is coming into the system and it needs to be upgraded they

can work with the County and go in and evaluate the condition of the pipe to see if it is in adequate condition to accommodate the drainage.

Ms. Carlyle provided an update on the design process. October 2nd they submit 95% construction documents to Vannoy Construction, Henderson County, HC Public Schools, and to DOI in Raleigh for review. The GMP #2 that Vannoy Construction is pulling together will be based on the 95% documents. On November 27th they will submit 100% construction documents to John Mitchell, David Berry the HC Public Schools.

Steve Wyatt feels we could anticipate this Board seeing the finalized draft documents subject to approval of occupants by October 2nd which would be share electronically to the Board. Mr. Wyatt would like to see the Board meet in small groups along with the architect by the first two weeks of November, to walk through the process which would expedite the question and answer session.

It was consensus of the Board to move forward with project.

Commissioner Edney stated this is the best they can do with what they've got.

COUNTY MANAGER'S REPORT

The County Manager reminded the Board of the upcoming merger of CCWSD and MSD.

Chairman Hawkins feels since we will continue to receive zoning requests that the Comprehensive Land Use Plan needs to be updated. He would like to see a timeline of the Comprehensive Land Use Plan from the Planning Department with plans that are to be completed in three years, and would like it to be on the next meeting for discussion.

CANE CREEK WATER AND SEWER DISTRICT

Chairman Hawkins made the motion for the Board to convene as Cane Creek Water & Sewer District Board. All voted in favor and the motion carried.

Please see separate minutes for Cane Creek Water and Sewer District.

ADJOURN

Chairman Hawkins made the motion to adjourn at 11:25 a.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

Grady Hawkins, Chairman

DURING THE SEPTEMBER 18, 2019 MEETING, THE BOARD ENACTED THE FOLLOWING

2019-76 Public Hearing for Proposed Right of Way Closure

2019.77 Budget Amendment – Village of Flat Rock Donation

**Henderson County
North Carolina**

Before the Board of Commissioners

ORDER CLOSING THE UNOPENED

RIGHT-OF-WAY FOR MR. AND MRS. WALTER JOHNSON

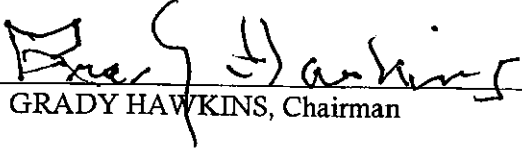
THIS MATTER came on for hearing before the Henderson County Board of Commissioners at its regular September 18, 2019 meeting, pursuant to N.C. Gen. Stat. §153A-241, on the issue of closing of an unopened right-of-way near Mr. and Mrs. Walter Johnson property, and was heard by the Board after public hearing. The Board of Commissioners makes the following findings:

1. This matter first came before the Board of Commissioners on at the Board's regular meeting on August 5, 2019 on the petition of Mr. and Mrs. Walter Johnson to close the unopen ROW in the Laurel Park area of Henderson County.
2. At the Board's August 5, 2019 the Board adopted a resolution "declaring its intent to close" the said unopened right of way.
3. A notice of this Board's September 18, 2019 hearing was published once a week for three successive weeks before the hearing in the *Hendersonville Lightning* a copy of the resolution was sent by registered or certified mail to each owner as shown on the county tax records of property adjoining the public road or easement who did not join in the request to have the road or easement closed, and a notice of the closing and public hearing to be prominently posted along the road or easement.
4. Before the Board on September 18, 2019 the Board heard "all interested persons who appear with respect to whether the closing would be detrimental to the public interest or to any individual property rights" are required by N.C. Gen. Stat. §153A-241.
5. After such hearing, the Board is satisfied and finds:
 - A. That closing the right of way or easement is not contrary to the public interest;
and,
 - B. That no individual owning property in the vicinity of the right of way or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property.

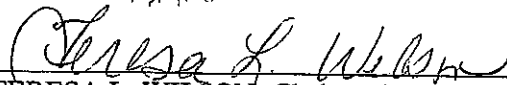
WHEREFORE IT IS ORDERED that the unopened right of way in the Laurel Park area of Henderson County as shown on the attached map is hereby closed. It is further ordered that a certified and notarized copy of this Order shall be filed in the office of the register of deeds of the county.

Adopted by the Board by motion duly made, this the 18th day of September, 2019.

BOARD OF COMMISSIONERS
OF HENDERSON COUNTY

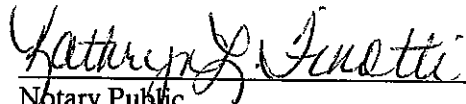
By: 
GRADY HAWKINS, Chairman

Attest:


TERESA L. WILSON, Clerk to the Board

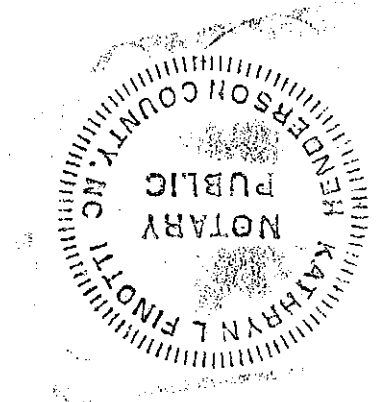
I, Kathryn L. Finotti, Notary Public for said County and State, certify that Teresa L. Wilson personally appeared before me this day and acknowledged that she is the Clerk to the Board of Commissioners of Henderson County, a political subdivision of the State of North Carolina having corporate powers, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Chairman of the Board of Commissioners, sealed with its corporate seal and attested by her as its Clerk.

THIS the 18th day of September, 2019.


Notary Public

My Commission Expires: 3-23-23

[NOTARIAL SEAL]



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

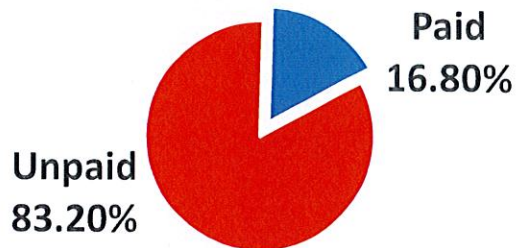
Thursday, September 5, 2019

Re: Tax Collector's Report to Commissioners - Meeting Date September 18, 2019

Please find outlined below collections information through September 4, 2019 for 2019 real and personal property bills mailed on August 1, 2019. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2019 Beginning Charge:	\$82,322,086.77
Discoveries & Imm. Irreg.:	\$936,618.60
Releases & Refunds:	(\$602,303.42)
<u>Net Charge:</u>	<u>\$82,656,401.95</u>
Unpaid Taxes:	\$68,773,576.87
Amount Collected:	\$13,882,825.08



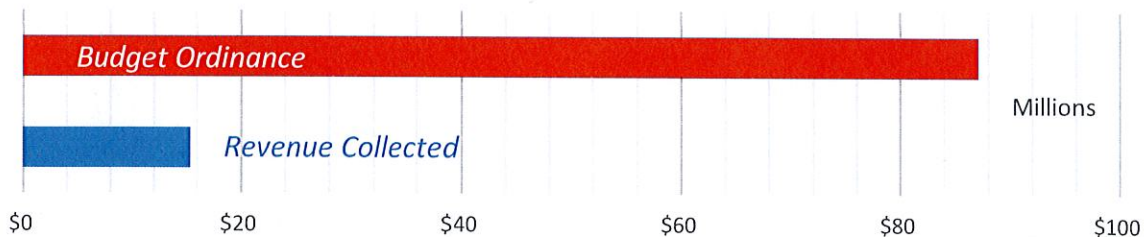
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$1,212,908.68
Unpaid Taxes:	\$2,779.30
Amount Collected:	\$1,210,129.38

99.77%

Henderson County FY20 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$86,093,532.00	Ad Valorem: \$15,092,954.46
Prior Years:	\$1,035,000.00	Prior Years: \$271,479.98
Budget Total:	\$87,128,532.00	YTD Revenue: \$15,364,434.44



Respectfully Submitted,

Luke Small
Deputy Tax Collector

Darlene Burgess
Tax Administrator

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Sheriff

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115431-526003</u>	<u>K9 Program Supplies</u>	<u>\$14,500.00</u>
<u>Total</u>		

What expense line-item is to be decreased? Or what additional revenue is now expected?

Account	Line-Item Description	Amount
<u>114431-492010</u>	<u>K9 DONATION</u>	<u>\$14,500.00</u>
<u>Total</u>		

Justification: *This is to transfer donation from The Village of Flat Rock into the expense line item*

Chief Deputy
James R. Gillist
Authorized by Department Head

8/29/2019
Date

Authorized by Budget Office

Date

Authorized by County Manager

Date

<i>For Budget Use Only</i>	
Batch #	_____
BA #	_____
Batch Date	_____

SHALLOW CREEK KENNELS INC.

6572 Seneca Road
Sharpsville, PA 16150

CONTRACT FOR SERVICES

Narcotics Detection/Patrol Police Service Dog

And now this 25th Day of June 2019 this agreement is entered into between Shallow Creek Kennels, Inc. hereinafter referred to as "Contractor" of and Henderson County Sheriff's Office hereinafter referred to as "Department" and in consideration thereof agree as follows:

ARTICLE I

This agreement will become effective on the date of execution of same and will remain in full force and effect for a period of six weeks which is agreed to be six weeks from the commencement of training, or unless earlier terminated as provided in Article IV of this agreement. Training shall commence no later than September 30th, 2019, and is estimated to conclude on or before November 8th, 2019.

ARTICLE II

The contractor will perform the services specified in the description of services attached to this agreement and incorporated herein by reference. The Contractor shall provide the pre-training of One (1) canines supplied by the Contractor and the training of One (1) handler chosen by the Department. It is specifically agreed that the Contractor shall have sole and exclusive discretion to determine the methods, details and means of performing the services more fully described in Article IV.

ARTICLE III

In consideration for the services to be performed by the Contractor, the Department agrees to pay the Contractor the sum of \$14,500.00 said to be paid as follows: \$10,000.00 deposit to be paid by August 19th, 2019, and the balance of \$4,500.00 at the conclusion of the training session, no later than November 8th, 2019. In the event that the Department desires to terminate the Agreement prior to the conclusion of the six week training session, the Department shall forfeit any and all sums of money paid to the Contractor.

ARTICLE IV

The Contractor agrees to devote his time, expertise and effort to the performance of his services to the Department as contracted to under the terms of the Agreement; however, it is specifically understood by the parties that the Contractor may at his discretion engage in and provide other services for additional clients, departments and individuals who may not be a party to this Agreement during the length of this Agreement.

The contractor will supply all of the food and board for the canines who are participating in pre-training under the terms of this Agreement. Further, the Contractor will supply all tools and instruments required to perform the services as contracted to under the terms of the Agreement.

The Department assumes sole and complete responsibility and liability for any and all injuries that may be sustained by either the canines or handlers which may occur during the training sessions or after the conclusions of the training sessions.

It is specifically understood and agreed that the Contractor will not be providing worker's compensation insurance to the handler's who may be participating in the training sessions. It is specifically understood and agreed upon by the parties that the Department shall at all times maintain a liability insurance policy on behalf of their canines.

The Contractor will not be liable to the Department or any other individuals who may claim any right due to a relationship with the Department for any act or omission in the performance of the services contracted for under the terms of this Agreement.

Neither this Agreement nor any of the duties or obligations provided for under the terms of the same may be assigned by the Contractor without the prior written consent of the Department.

ARTICLE V

Contractor agrees to train the respective canines possessing the proper drives and characteristics, in the following areas: tracking, area search, article search, building search, criminal apprehension, obedience work, handler protection and narcotics detection with respect to marijuana, cocaine, heroin, methamphetamines and all of their derivatives. Provided that the canine team(s) meets the standards and requirements of the North American Police Work Dog Association at the conclusion of the training sessions contracted for under the terms of this Agreement, the Contractor agrees to certify said canine(s) and handler(s).

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officer, intending to be legally bound hereby.

WITNESS:

PARTIES OF THE FIRST PART:

C. John Brannon II

Shallow Creek Kennels, Inc. Agent

ATTEST:

PARTY OF THE SECOND PART:

Head of Department

From the desk of - BOB STATON

**VILLAGE OF FLAT ROCK
110 Village Center Drive
Flat Rock, NC 28731
(828) 697-8100**

TO: Sheriff Griffin

DATE: August 15, 2019

RE: K-9 purchase/training

Sheriff:

I am pleased to enclose a check for \$14,500.00 from the Village of Flat Rock for the purchase of a new dog and related training for your K-9 unit. I understand the purchase is about to occur.

I wish the best for the dog and its handler, and we look forward to meeting both when the time is right.

Regards,



PROPOSAL TO PROVIDE
ARCHITECTURAL SERVICES

For

Henderson County Government
213 1st Ave. E
Hendersonville, NC 28792

Addition & Renovations to
Upward Elementary School

September 5, 2019

By:



NOVUS BEW ASHEVILLE, LLC
14 SOUTH PACK SQUARE
SUITE 400
ASHEVILLE, NC
828-236-9992
www.novusarchitects.com

PROJECT DESCRIPTION

Novus BEW Asheville, PLLC. will provide design services for the construction of new work and renovations at Upward Elementary School. A new addition will include additional square footage to expand the cafeteria and provide for additional corridor circulation for the school. The main visitor entrance of the school will be relocated by reconfiguring the parking lots on each side of the school to route bus traffic and car traffic on opposite sides. Site work for this change includes restriping existing parking lots and expansion of drives as required to accommodate maneuverability of buses. Interior modifications at the main entrance include the creation of a new secure, vestibule adjacent to the existing administration suite for the school. Novus will provide basic architectural services as described below and will include architectural, site design, structural, mechanical and electrical as part of our contract. Novus will coordinate the design and documents with Henderson County Government (Owner) and Henderson County Public School representatives and all regulatory agencies as required. Drawings will be provided in PDF format and hard copy if required. It is understood that the schedule and the budget for the project are critical.

SCOPE OF BASIC SERVICES

WORK STEP A – SCHEMATIC DESIGN (SD)/DESIGN DEVELOPMENT (DD)

1. Novus will develop drawing information based on the 2019 10 Year Strategic Conditions Assessment recommendations.
2. Novus will attend a meeting on site with the Owner and consultants to review the program, existing site conditions and develop design.
3. Novus will coordinate all consultant design efforts.
4. Novus will meet and coordinate with the Owner and Consultants as required for the further development of the project.
5. Novus will develop a design in accordance with all applicable building code and life safety requirements.
6. Novus will provide a 100% DD review set to the Owner and to confirm the scope of the project.
7. Novus will comply with all NC DPI review requirements.

WORK STEP B – CONSTRUCTION DOCUMENTS (CD)

1. Novus will meet with the Owner at 50% completion of construction documents for final approval of the project scope and details.
2. Novus will develop architectural and engineering construction drawings suitable for project bidding, permitting and construction.
3. Novus will coordinate construction documents with engineering consultants.
4. Novus will provide the Owner with a copy of the construction documents for final review prior to bidding and permitting.
5. Novus will comply with all NC DPI review requirements.

WORK STEP C – BIDDING AND PERMITTING

Novus will facilitate the bid process, attend a pre-bid meeting on site, and prepare meeting minutes.

1. Novus will respond to requests for information during bidding from contractors and Owner.
2. Novus will submit plans to permitting authorities for approval and will answer questions and respond as necessary to review comments.
3. Novus will assist in facilitating the collection and reading of bids, provide a certified Bid Tabulation.
4. Novus will assist as necessary in the preparation of the contract for construction between the successful contractor and Owner.

WORK STEP D –CONSTRUCTION ADMINISTRATION (CA)

1. Novus will attend construction progress meetings with Owner and Contractor once monthly.
2. Novus will visit the construction site bi-weekly for observation of the construction process. A written field report with photos will be submitted to the owner after each site visit.
3. Novus will attend a pre-construction conference as required.
4. Novus will coordinate with the General Contractor.
5. Novus will review contractor shop drawings and submittals as required by the Construction Documents.
6. Novus will respond to contractor’s requests for information (RFI).
7. Novus will review and approve the general contractor’s applications for payment as required.
8. Novus will compile a punch list at substantial completion of the project.
9. Novus will review GC closeout documents.

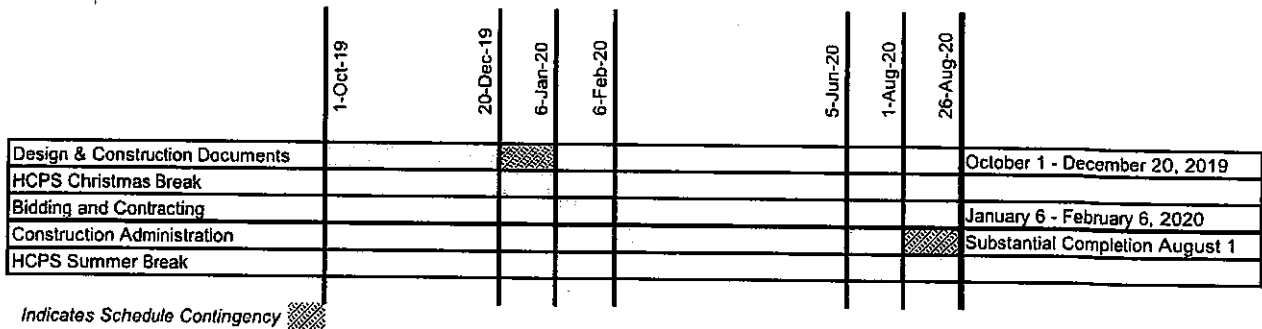
BASIC SERVICES FEES

TOTAL FEES: Lump Sum \$39,000 (based on 6.5% of a construction budget of \$599,392)

Design Development = 35%	\$13,650
Construction Documents = 70%	\$13,650
Bidding & Permitting = 75%	\$1,950
Construction Administration = 100%	\$9,750

Fees are billed monthly for the percentage of work complete in the prior month, according to the project phase and project schedule.

SCHEDULE:



Novus will create a detailed schedule for approval upon commencement within the overall guidelines provided. Failure by others outside of Novus contracted responsibility to achieve schedule dates will be cause for delay in the overall schedule.

Excluded From Fees

- Work at other schools/sites
- Acoustical consulting
- Transportation engineering
- Daylighting specialist/studies
- AV design specialist
- School safety specialist
- Extensive redesign and changes in scope
- Building programming
- Energy dashboard design

REIMBURSABLE EXPENSES

Reimbursable Expenses are in addition to the fees noted above and will be included at Novus's cost plus an additional 10% of the cost. Such costs include – reproduction of documents, mail and express delivery. Travel expense reimbursement is reserved only for travel requested by the Owner above and beyond routine travel by the design team for project meetings and to the job site between Buncombe and Henderson counties. Prior authorization from the Owner is required for any expenditures for reimbursable expenses.

ADDITIONAL SERVICES

Additional time spent on architectural services excluded or not included above shall be performed at our standard hourly rates noted below or as otherwise agreed upon. Additional Services include drastic changes in the scope after approval of design. Prior authorization by the Owner is required for any additional services expenditures.

ARCHITECT'S STAFF HOURLY RATES FOR ADDITIONAL SERVICES

Managing Principal	\$180/hour
Principal	\$ 160/hour
Project Manager	\$ 140/hour
Project Architect	\$ 120/hour
Staff Architect	\$ 100/hour
Interior Designer	\$ 110/hour
Intern/Drafting	\$ 90/hour
Construction Administrator	\$ 90/hour
Clerical	\$ 65/hour

PROBABLE PROJECT BUDGET

Construction Costs	
Site Improvements, Main Entrance	\$20,580.00
Secure Entry Vestibule	\$27,562.00
Cafeteria Addition (\$350/SF)	\$551,250.00
Sitework	\$92,000.00
Building Shell	\$188,307.00
Building Interior	\$135,000.00
Plumbing/HVAC	\$91,342.00
Electrical	\$45,478.00
Construction Sub-Total	\$599,392.00
Project Contingency (10%)	\$60,000.00
Design Fees (6.5%)	\$39,000.00
Total	\$698,392.00

We thank you for the opportunity to work with you on this project.

Sincerely,



Emily J. Kite, AIA
Principal
NOVUSARCHITECTS


Henderson County

Conditions – R-2019-03-C for Henderson County

- All restrictions (including the business to be operated) listed in the application.

- Agree

- All structures and operations as shown on the site plan provided by the applicant.

- Agree

- Hours of Operation: Hours of operation limited to 9:00 am to 6:00 pm Monday through Saturday. Extended hours of operation (with closing time not later than 10:00 pm) will be permitted for special events occurring no more often than two evenings each month.

- Will not agree to 9 AM to 6 PM operating hours.
- Will not agree to be closed on Sundays.

-These hours are too restrictive to be successful. It will sabotage the business.

-The Planning Board cannot identify another business that has restrictive hours or days in the county. No other business is restricted to having only two special events a month.

-Saturday and Sunday are commonly known to be the best retail days of the week; closing on Sunday would take away the opportunity for many guests to explore the park.

-The property itself and all adjacent properties are zoned R2R and would have no hourly restrictions if any other project on the 42-62 Table of Permitted and Special Uses.

For example, we could put:

- Overnight campground (24 hours)
- RV Park (24 hours with up to 50 park-style RVs)
- Manufacturing up to 10,000 sq. ft. (24 hours)
- Mini storage units (24-hour access)
- Miniature golf course. (Retail, no hourly restrictions)
- Automobile service center. (Loud, no restrictive hours)
- Kennel- no restrictive hours (No restrictions)
- Landscape material sales/storage (No restrictions)
- Open-air market (No restrictive hours)
- Land cleaning debris storage
- Solid waste facility (No restrictions)
- etc.

-Other Commercial Businesses that are next to residential homes have no restrictions or agreements with the county over business hours.

-There is no precedent for hourly restrictions anywhere in the county.

- A. To be singled out to have restrictive hours/ days is discriminatory, biased and unfair to me and my proposal. When expanding the industrial zoning in January and May across the interstate did the county restrict business hours?

B. A miniature golf course is permitted under a special permit under R2R which is a retail sale of a club and ball and given the right to walk the course.

I am proposing the retail sale of a bucket and shovel and the right to walk the educational trail.

How are we different?

How can you restrict our business and not theirs?

- Farmland Protection: Applicant shall sign an acknowledgment of nearby farmland and farm operations and will waive rights to any nuisance complaints for agricultural uses.

- Agree

- Dumpster Relocation: The standard business size dumpster shall be located on the west side of the proposed activity building. The dumpster shall be properly screened. Collection of solid waste shall be limited to normal business hours.

- Agree

- Lighting Mitigation: Lighting mitigation shall be installed in accordance with county code to ensure that lighting on the subject area does not project onto adjacent properties.

- Agree

- Adjacent Neighbor Protection: A standard 6-foot high-security fence shall be provided along the common boundary with the McCracken, Lappin and Loggin properties. Fence shall be set on the inside of the vegetative buffer strip.

- Will not agree to build a 6' tall cyclone fence

-It will take away from the country setting that surrounds the park and properties.

-We agree to put up a split-rail fence with chicken wire for security and aesthetic purposes that will perform the same function as the cyclone fence requested.

- 20-foot Henderson County standard type vegetative buffer strip shall be established along the common boundary with the McCracken, Loggin and Lappin properties.

- Will not agree

-20 foot Henderson County Buffer should only be located against the McCracken property line noted on the site plan that was approved by the TRC, Planning Board and has been in circulation for four months.

-There is a proposed 10-foot buffer as shown and agreed to by Heidi Upton that is required by county code for the remaining boundary area.

- 30-foot setback from the stream that runs parallel with the edge of the property.

- Agree

- 45-foot vegetative buffer along the I-26 boundary shall be properly maintained. No existing trees larger than a 3-inch diameter may be trimmed or removed.

- Will not agree to tree removal.

-No restriction should be placed on tree removal because we may need to cut a tree here or there as needed.

-We do not plan to clear-cut any part of this lot and we will agree not to clear-cut any trees.

- The addition of manicured street trees, plants, bushes, mulch, etc. along the front entrance as a buffer at Tracy Grove Road to enhance its curb appeal and blend in seamlessly with the neighborhood. Street trees shall be placed following NCDOT guidelines for sight triangles for public roads.

- Agree

- The current sign will be used, and the billboard on the property will be removed and turned into an on-premise sign.

- Will not agree

-We would like to retain the billboard status until the park is finished. At this time, we will turn the billboard into an on-premise sign.

Please note that Heidi Upton has sent you an email regarding specific conditions that she would like to see happen. These conditions coincide with our notes made above.

It is our hope that we can come to an agreement on these conditions and that Henderson County leaders see the long-term value in this project and educational park that will benefit the students, elderly, disabled of Henderson County, and visitors alike.

Thank you kindly for your time and consideration.

-Matt & Michelle Banz

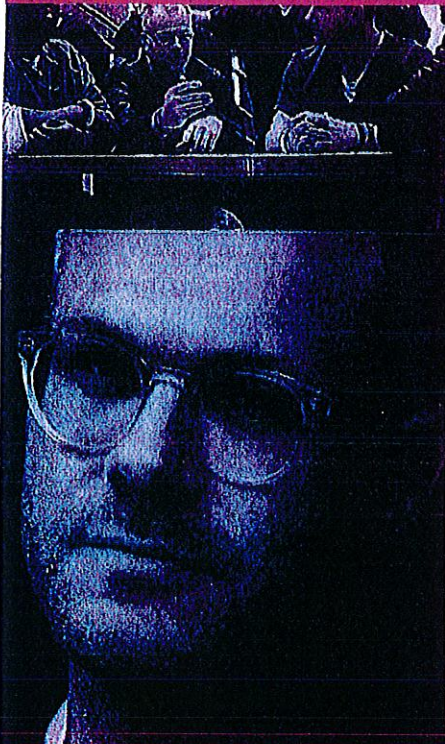
AN EVENING WITH RYAN HAMPTON

A Champion of the
Recovery Movement

HOPE_{RX}

Partnering to Prevent Substance Misuse

INSPIRING RECOVERY IN HENDERSON COUNTY



"THE OPIOID CRISIS AFFECTS SO MANY ALL ACROSS AMERICA.
I'M PROUD THAT RYAN FOUND HELP AND IS NOW HELPING OTHERS."
—PRESIDENT BILL CLINTON

INSIDE THE
OPIOID ADDICTION CRISIS
AND HOW TO END IT

AMERICAN FIX

RYAN HAMPTON

NEED HELP?
OPIOID ADDICTION TREATMENT CENTER

**7:00PM
TUESDAY**
November 5, 2019

at the Blue Ridge
Community College
Technology Building

\$5 GENERAL
ADMISSION

Visit Eventbrite or contact
hoperxhc@gmail.com for
more info and tickets.

LIMITED RESERVE SPONSORSHIP PACKETS AVAILABLE:
(includes a pre-reception with heavy hors d'oeuvres from 5:30-6:45pm)

Over four years into recovery from a decade-long opioid addiction, Ryan Hampton has been rocketed to the center of America's rising recovery advocacy movement. A former White House staffer, he is a leading face and voice of addiction recovery and is changing the national dialog about addiction. Ryan is breaking down cultural barriers that have kept people suffering in silence and is inspiring a new generation of people recovering out loud through his Voices Project. He's also advocating for solutions and holding public policy makers accountable.

SPONSORSHIP OPPORTUNITIES



HOPE CHAMPION: \$10,000 (ONE AVAILABLE)

- Recognition as leading Hope Benefactor for one full year on website and all collateral materials.
- Recognition on all on-site banner and overhead advertising and literature
- Opportunity to thank guests in attendance from the podium
- 20 VIP Reserved Seats for event
- 20 invitations to pre-reception with Ryan Hampton
- Promotional acknowledgement on all social media, press and website before and after the event.
- Exhibitor table

RECOVERY CHAMPION: \$7,500

- Recognition as sponsor of the event on all on-site signage and literature, including special mention during event.
- Logo included on banner at event
- Recognition from the podium as a Recovery Champion
- 16 VIP Reserved seats for event
- 16 invitations to pre-reception with Ryan Hampton
- Promotional acknowledgement on social media, press and website before and after the event
- Exhibitor table

RECOVERY ADVOCATE: \$5,000

- Recognition at the event
- 12 VIP Reserved seats for event
- 12 invitations to pre-reception with Ryan Hampton
- Logo included on banner at event

RECOVERY PARTNER: \$2,500

- Recognition at event
- 8 VIP reserved seats for event
- 8 invitations to pre-reception with Ryan Hampton
- Logo included on banner at event

STAKEHOLDER SHARE: \$1,000

- Recognition at event
- 4 VIP reserved seats for event
- 4 invitations to pre-reception with Ryan Hampton
- Listing on banner at event



August 20, 2019

Henderson County Project Management
100 N. King Street, Suite 206
Hendersonville, NC 28792

Re: DSS 2nd Floor Expansion – Henderson Co Human Services Building

Mr. Thad Ninnemann,

We would like to take this opportunity to thank you for considering Cooper Construction Company, Inc. as your contractor for this project. The purpose of this letter is to move forward & enter into a negotiated Design/Build Contract to construct your new offices located in the Human Services Building, 1200 Spartanburg Highway, Hendersonville, NC.

From the information provided us by your Preliminary Floor Plan and conversation during our site visit we have determined our Design Basis consist of (20) Offices, (2) Conference Rooms, (1) Shower Room, (1) File Storage Room and (1) Breakroom located on the Second Floor within an occupied building.

It is our professional opinion that your project costs based on your Preliminary Floor Plan for will be in the range of \$318,000 to \$338,000 for Phase I. Phase II is approximately \$158,000 to \$178,000 and is based on savings from doing both Phases simultaneously. We have included a 1% Construction Contingency and 2.5% Professional Services Contingency. Factors that may influence project costs are Final Construction Documents and local and state requirements. We would also recommend you carry a Contingency Fund at this stage of estimating.

Our company will engage an Architectural firm and complete the plans necessary to obtain a building permit. This completed design will allow us to obtain the most competitive bids from our major subcontractors and suppliers, assuring you of the most economical price possible.

All costs instructed by you to be part of the final estimate will be included. If you decided to abandon the project at any time during the design phase your only obligation to us would be reimbursing us for all of our expenses, not to exceed \$13,635. Cooper Construction would also retain the ownership of any plans completed until the construction has been completed.

Drawings included in this package are as follows:

Architectural (Signed and Sealed)

- Construction Documents
- Client meetings

Drawings included in this package (continued)

- Life Safety Plan
- Architectural Floor Plans
- Enlarged Plans and Wall Sections as necessary
- Assemble and Issue for Permits and Respond to Comments



Drawings included in this package (continued)

Mechanical/Plumbing (Signed and Sealed)

- Necessary sealed drawings required to obtain a building permit and properly construct the project relative to the HVAC/Plumbing systems which will include equipment and ductwork plans, equipment's and related component schedules, code review engineering data, section details necessary for installation clarity, necessary sequences of operation, and installation and material specifications

Electrical (Signed and Sealed)

- Electrical power and lighting plan
- Service riser diagram and panel schedule with details and notes

Pre-Construction Services

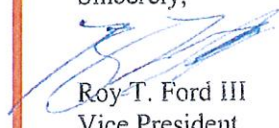
- Review project requirements with owner, architects, engineers and other consultants.
- Meet with the building owner/agent to ascertain regulations, procedures, construction standards, approval processes, approved construction list and procedures for coordinating the construction work with the building staff.
- Review drawings throughout the design period for conformance with the owner's requirements and schedule
- Make recommendations consistent with these requirements and sound construction practices.
- Assist owner and architect in reviewing the requirements of governmental agencies having jurisdiction.

***By Others If Required**

- Interior Design
- Equipment plans, layout, etc.

Should you have any questions, please feel free to call at any time. Again, thank you for choosing Cooper Construction Company, Inc. as your Design/Build Contractor. We look forward to working with you on this project.

Sincerely,



Roy T. Ford III
Vice President

Accepted & Approved: _____

By: _____

Printed Name & Title: _____



COOPER
CONSTRUCTION COMPANY, INC.



OFFICE 761 S. Allen Road, Flat Rock NC 28731
MAIL PO Box 806, Hendersonville NC 28793
PHONE (828) 692-7238 FAX (828) 696-9978
WEB www.cooperconst.com

AGRICULTURAL
COMMERCIAL
INDUSTRIAL
INSTITUTIONAL
MEDICAL
PROFESSIONAL

A THIRD GENERATION
FAMILY-OWNED
GENERAL CONTRACTOR

EXCLUSIONS

Escalation and unforeseen tariffs, etc. are not included. The cost included in this proposal are based on current pricing and do not include any unknown or unforeseen cost increases charged by our suppliers and vendors.

Payment and performance bond.

Premium, weekend, 3rd shift or holiday hours are not included.

Owner's protective liability insurance.

Temporary water and electric cost will be provided by the owner.

Interior, building or pylon signage is to be "by others".

Exterior improvements of any kind not specifically mentioned above.

In wall blocking for art, owner furnished equipment is excluded.

Wood, vinyl or other base in areas other than the office and public restroom.

Painting of any metal framing members (columns, girts, purlins, bracing, etc.) is excluded from this proposal.

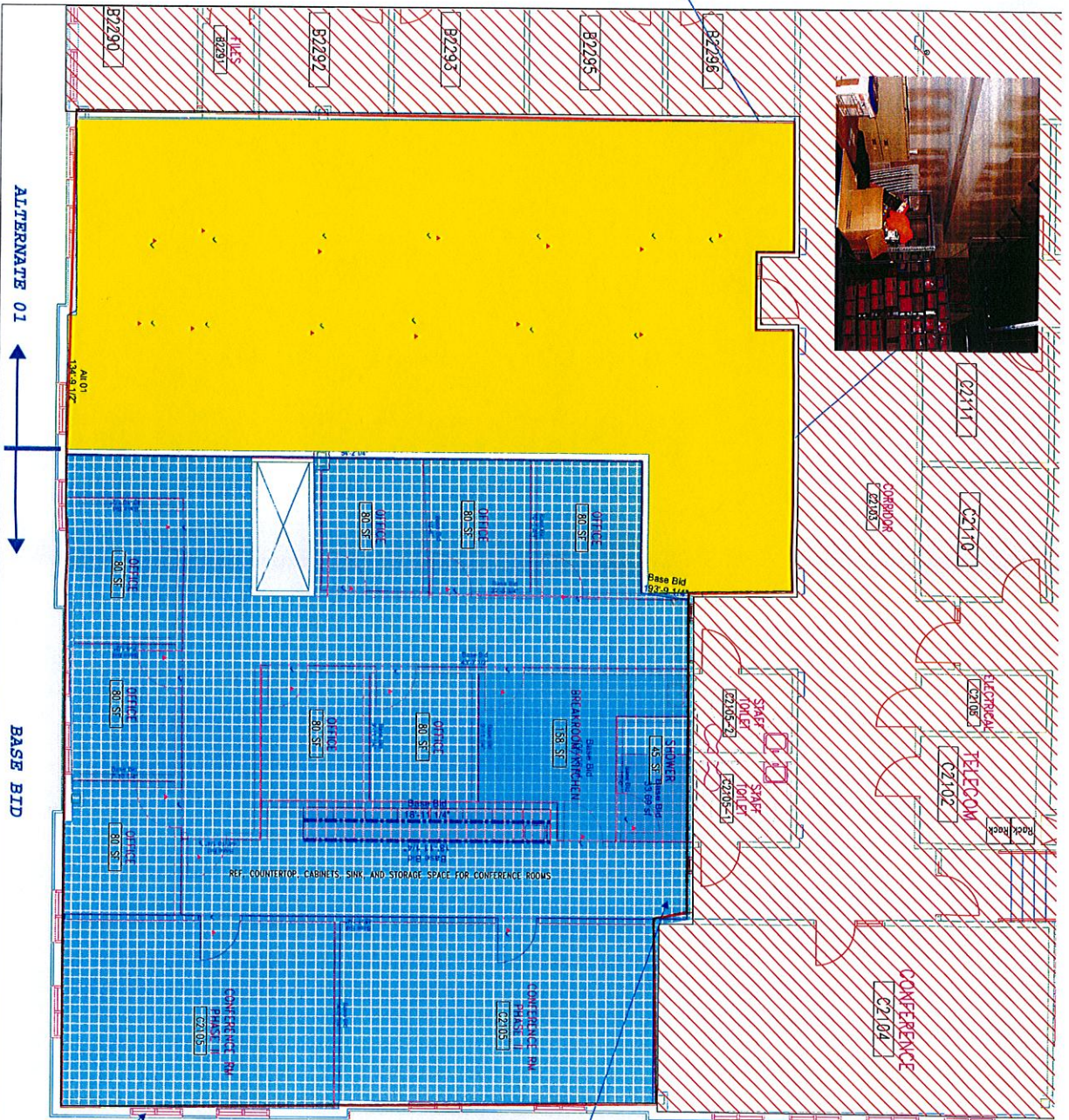
Office or other type furniture.

Window treatment or coverings.

Automated building control system.

High voltage electrical wiring of any kind.

Phone, security & cameras, PA, data wiring & back boards, conduit, devices, testing and final connections are to be "by others".

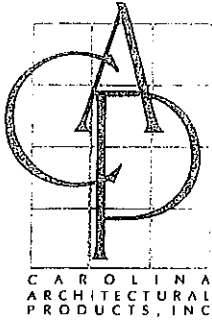




ALTERNATE 01

BASE BID





648 KANNAPOLIS PARKWAY
CONCORD, NC 28027
PHONE: (704) 721-3445 • FAX: (704) 721-3462
EMAIL: caparc@mindspring.com

August 23, 2019

TO: Chad Roberson, AIA
Clark Nexsen - Asheville

RE: Henderson County Courthouse
Hendersonville, North Carolina

We propose to furnish and install the Kalwall Corporation 2 3/4" translucent panel system on the above referenced project as noted below:

Skylight Replacement:
(1) 66'-8" x 18'-4" OCD flat (6:12 pitch)

WE PROPOSE TO DO THIS WORK FOR THE SUM OF.....\$ 62,000.00
TAX INCLUDED

Pricing is valid for size and scope noted only. IF SIZE AND/OR SCOPE DIFFER, RE-PRICING MAY BE REQUIRED. In addition, the materials are subject to Kalwall standard details and construction.

Notes:

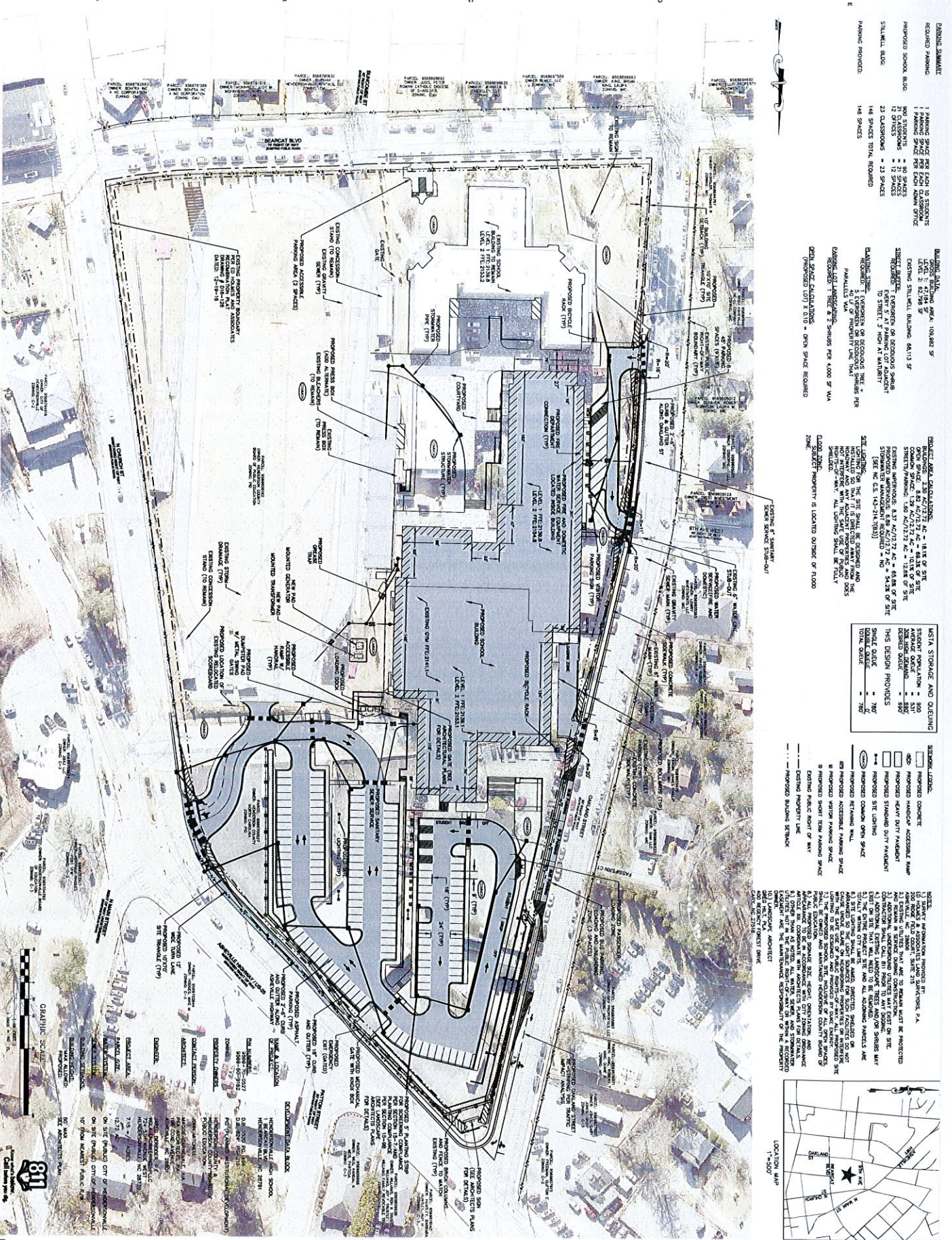
1. Protection, after installation and final cleaning to be provided by others.
2. Demolition of the existing Skylight curb and confirmation of adequacy of the curb structure are to be by others, all necessary modification to the curb are to be by others. Building (interior and exterior) and roof protection are to be by others.
3. All exposed aluminum shall be Kalwall's standard corrosion resistant painted finish, Bronze #85, which meet performance requirements of AAMA 2604.
4. Translucent panels to have .070" Crystal or White super-weathering exterior faces, .045" S-171 Crystal or White interior faces, 12" x 24" shoji grid pattern and .29 "U" Factor by NFRC Method.
5. This quote is valid for 60 days.

If demolition and removal/disposal of the existing Skylight system is to be by Carolina Architectural Products, Inc., including interior protection, scaffolding and "dance floor"ADD.....\$41,852.00

Respectfully submitted,

John Wiese
CAROLINA ARCHITECTURAL PRODUCTS, INC.





EXISTING SUMMARY

REQUIRING PARKING: 1 PARKING SPACE PER EACH 10 STUDENTS

REQUIRING SCHOOL BUS: 1 PARKING SPACE PER EACH CLASSROOM

STANDARD BUS: 21 CLASSROOMS = 21 SPACES

148 SPACES TOTAL REQUIRED

BUILDING DATA

DATE: 10/20/2017

PROJECT: HENDERSONVILLE CAMPUS RENOVATIONS

LOT: 1.00 AC

EXISTING SCHOOL BUILDING: 68,111 SF

REQUIREMENTS: 21 CLASSROOMS

EXISTING 3 AT PARKING LOT ADJACENT TO STREET, 3 HIGH AT WALKWAY

DESIGN DATA

DESIGN SPEED: 35 MPH

DESIGN WIND: 15 MPH

DESIGN SNOW: 0.50

DESIGN FLOOD: 100 YEAR FLOOD

DESIGN EARTHQUAKE: 0.20g

DESIGN SOILS: 1.5

DESIGN WIND: 15 MPH

DESIGN SNOW: 0.50

DESIGN FLOOD: 100 YEAR FLOOD

DESIGN EARTHQUAKE: 0.20g

DESIGN DATA (CONT.)

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WGLA Engineering

724 SW AVENUE WEST
HENDERSONVILLE, NC 28751
WGLA.COM
NC LICENSE # 1842

Polymetry

114 WEST HIGHTOWER STREET
HENDERSONVILLE, NC 28751
POLYMETRY.COM
NC LICENSE # 1842

LSJP

114 WEST HIGHTOWER STREET
HENDERSONVILLE, NC 28751
LSJP.COM
NC LICENSE # 1842

pfa Architects, p.a.

1400 EAST AVENUE, SUITE 100
HENDERSONVILLE, NC 28751
PFAARCHITECTS.COM
NC LICENSE # 1842

HENDERSONVILLE

HENDERSONVILLE
CAMPUS
RENOVATIONS

C-200

DESIGN DEVELOPMENT

811

811



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

September 5, 2019

Mr. John Mitchell
Henderson County
100 N. King Street
Hendersonville, NC 28792

RE: NCDOT Response to the Hendersonville High School Traffic Impact Analysis (TIA)

Dear Mr. Mitchell:

After extensive reviews of the related TIA by the District Office and consulting with the NCDOT Municipal and School Transportation Assistance Unit (MSTA), the decision has been made to recommend only requirements to the highway network surrounding the school that improve safety for vehicular and pedestrian traffic. The recommended requirements are as follows:

- The school driveway on US 25 is to be located directly across from N. Main St. This requirement will be designed and constructed by the school system. ✓
- The signal at the intersection of US 25 and N. Main St. will be modified to include the school driveway and a left turn lane on US 25 north for traffic to enter the school. The signal modification design will be performed by NCDOT but constructed by the school system. The left turn lane (approximately 120 feet in length and 12 feet in width) will be designed and constructed by the school system. ?
- The opening in the island on US 25, at the previous intersection with 9th Ave. N., is to be closed. This requirement will be designed and constructed by the school system. ?
- Pedestrian accommodations will be installed or upgraded as necessary at the four intersections adjacent to the school, to include crosswalks, pedestrian signals, and wheelchair ramps. All pedestrian accommodation requirements will be designed by NCDOT but constructed by the school system. ?

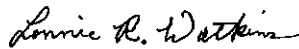
The plans for the requirements that are designed by NCDOT will be submitted to the school system to be incorporated into the architectural/engineering firm's plans and contract.

The "recommended requirements" are requirements that will be submitted by the NCDOT District Office to the MSTA Unit and the State Traffic Engineer for the initial approval of reimbursement funding to the school system. Once funding is approved for the requirements, the actual reimbursement will take place by the school system submitting paid invoices to the NCDOT for the completed highway improvement requirement. The normal timeframe for this process is 60 to 90 days after the invoice is submitted to the MSTA Unit.

The highway improvements outlined in the TIA that address level of service will not be required by NCDOT. These improvements are the two right turn lanes, one on US 25 into the school and the other one on Oakland St. onto US 25. This is primarily due to this intersection being submitted for improvements in the NCDOT State Transportation Improvement Program (STIP). The school system, at its discretion and cost, may construct the turn lanes. ?

Should you have any questions or need additional information, please feel free to contact me at 828-891-7911.

Sincerely,



Lonnie R. Watkins, PE
District Engineer

LRW/co

Cc: Steven Buchanan, Division Traffic Engineer
Maggie Cavneville, AIA PFA Architects
Amy Dowty, AIA PFA Architects
Jared DeRidder, PE WGLA Engineering
Kimberly Hinton, NCDOT-MSTA