

## MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
MONDAY, JUNE 1, 2020

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

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

Also present were: Director of Business and Community Development John Mitchell, Emergency Management/Rescue Coordinator Jimmy Brissie, Construction Manager David Berry, Public Health Director Steve Smith, Finance Director Samantha Reynolds, Budget Analyst Sonya Flynn, Budget Manager Megan Powell, Engineer Marcus Jones, Planning Director Autumn Radcliff, DSS Director Jerrie McFalls, Parks & Recreation Director Carleen Dixon, Sheriff Lowell Griffin, Cooperative Extension Director Dr. Terry Kelly, HR Director Karen Ensley, Environmental Programs Coordinator Christine Wittmeier, PIO Kathy Finotti – videotaping, Deputies Mike Marsteller and Jeffrey Corn as security.

### CALL TO ORDER/WELCOME

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

### INVOCATION

The invocation was provided by the Director of Family Ministries at Mills River United Methodist Church, Ms. Danielle Hortelano.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Commissioner Messer.

### PUBLIC HEARING

#### **FY 2020-2021 Budget Public Hearing**

The Board of Commissioners is requested to hold the Public Hearing on the FY 2020-2021 Budget at this meeting. Following the public hearing, the Board is requested to continue discussions with regard to the FY 2020-2021 Budget.

#### Public Notice

The Henderson County Fiscal Year 2020-2021 Proposed Budget will be submitted to the Board of Commissioners and a copy will be available for public inspection starting May 20, 2020 in the office of the Clerk to the Board and on-line at [www.hendersoncountync.gov](http://www.hendersoncountync.gov). The Board of Commissioners will hold a budget workshop at 9:30 am on May 20, 2020 in the Commissioners' Board Room at 1 Historic Courthouse Square, Hendersonville. The Board will hold a public hearing on the budget at 5:30 pm on June 1, 2020 in the Commissioners' Board Room at 1 Historic Courthouse Square, Hendersonville.

*Chairman Hawkins made the motion to go into public hearing on the FY 2020-2021 Budget. All voted in favor and the motion carried.*

#### Public Input

1. David Marshall (Board member of Bullington Gardens) via email - Bullington Gardens has the opportunity to leverage additional funds from the NC State Extension Service to add a much needed Executive Director position. NC State will provide \$17,500 for fringe benefits if Henderson County will provide \$15,600 in salary. Bullington Gardens will provide the remaining \$34,400, or approximately one

DATE APPROVED: June 17, 2020

half the total compensation package. Bullington Gardens has been understaffed for years, this 2nd full time position would allow for expanded educational programs, partnering with community organizations and providing increased amenities to the public.

2. Becky Polonsky (Relationship Manager of United Community Bank) via email – As a board member, I would like to express my support of the value of this garden to the residents of Henderson County. Like a garden, there are many facets to the Gardens and the great work that is done there. Many people come to the public garden to enjoy the native plants, the therapy garden, the Fairy Trail, the dahlias and the beautifully maintained flowers. There are so many dedicated volunteers that help to keep the gardens and grounds in such great shape. The volunteers also spend hundreds of hours preparing for the fundraisers including multiple plant sales and the spectacular Dahlia Days. The funds raised through their hard efforts help to cover expenses of operating this non-profit, as well as to provide educational opportunities for the youth of our county. Elementary students from all over the county benefit from the educational programs that go hand in hand with their science studies. For middle and high school students, there is a horticultural therapy program directed toward those with special needs. These students work together through the school year to research and plan a themed garden, grow the seeds in the greenhouse and eventually plant their gardens. Their excitement level at the end of the year program exudes their pride and support of each other and the work they have accomplished together. John Murphy has worn many hats at Bullington through the years, but it is increasingly apparent that he can't oversee the gardens, offer educational and horticultural therapy and take care of administration, finances and marketing by himself. To bring another fulltime person on could allow him to focus on the educational piece. The funding from the County could help make this a reality and I would appreciate your consideration of fitting this request into your upcoming budget. If you haven't visited Bullington recently, take a look at their Facebook page, where you will see thank you notes from students and an array of beautiful pictures of the grounds. The benefits are for everyone.
3. Beth Carden (Travel and Tourism Director) via email - Henderson County Tourism Development Authority (HCTDA) recognizes Bullington Gardens as one of our tourism destination's natural treasures and important attractors of visitors and locals alike. During our thirty plus year history, HCTDA has promoted Bullington Gardens as a unique must-see attraction. Over the years, a strong and supportive relationship has been formed between John Murphy and HCTDA staff to encourage the public to experience what the gardens have to offer. John has always been dedicated to the educational mission of the gardens and his horticulture knowledge has proven invaluable to the sustainability of the property. We are aware of the many financial and labor challenges that John has dealt with over the years. We believe that if John had someone to assist him, more opportunities for revenue generation and program development would become possible and enhance Bullington Gardens as a contender for one of Henderson County's top attractions. Please consider funding a second position at Bullington Gardens to enable that attraction to, not only sustain, but expand programs and revenue generating opportunities for sustainability.
4. Christine Raymond via email - I wanted to express the importance of promoting horticulture in Henderson County. Horticulture is an integral and important component in the economy. Our world, especially at this time, is highly dependent on horticulture to provide the technology and people necessary to meet the rapidly increasing global demand for food. Horticulture also plays a critical role in the positive mental and physical health of our community. The need to get our youth involved in plants and careers in the horticulture field today is critical for our tomorrow. Thank you for your consideration in supporting and funding this position at Bullington Gardens.
5. Sherri Metzger via email - I am writing in support of the request from Cooperative Extension for funding a Bullington Gardens ED position. This organization is an incredible gem in Henderson County. They operate on a "shoestring" with only one full time person, John Murphy. Over a hundred volunteers make this program come alive - with classes for our school children, handicapped individuals plus many education classes for the general public. Bullington Gardens has been understaffed for years and this 2nd full time position would allow for expanded educational programs, partnering with community organizations and providing increased amenities to the public. I have been amazed at the increase in the

number of visitors to the gardens over the past 2 years. We are seeing more and more folks from outside the area who have heard about the gardens, native woodland plants, dahlias, pollinator garden and therapy garden. There is an amazing assortment of trees and perennials on the campus. Bullington provides hands-on educational programs to hundreds of elementary school students every year on plant science that correspond with their grade's curriculum. It also provides a horticultural therapy program to middle and high school students with special needs. It is a joy to watch the awe in the children's eyes as John Murphy conducts outdoor learning sessions. So much more could be accomplished with the addition of this position. Thank you for considering funding for this program.

6. Lori Connet via email - I am writing to you on behalf of Bullington Gardens as they are trying to secure partial funding from you for a new Executive Director position. I am assuming you have already been made aware that Bullington Gardens has been understaffed for years, and they are simply hoping to add a second full-time position in order to expand educational programs and provide increased amenities to the public, both locals and tourists. Bullington Gardens has personally impacted my family because my older daughter is in the Occupational Course of Study program at Hendersonville High School. As a part of this program, she visited Bullington Gardens weekly from September through March learning about plants but also learning job skills and building relationships with the incredible employees at Bullington. Last week, I saw the benefit of Bullington Gardens firsthand when I had the opportunity to take her to Bullington to assist with Hendersonville High School's garden. She was so excited to see the Bullington employees that she had not been able to see since March, and I was amazed at how she just lit up when she realized that they were going to allow her to incorporate her love of rock stacking into the garden design. She struggles academically and doesn't have a lot of close friendships in school, but I know her weekly trip to Bullington was a highlight of her week, and she may even do her junior year internship there because of the positive experiences she has had there. If a new position can be added at Bullington Gardens, then I feel that even more students will have the opportunity to benefit from this special place. Thank you so much for considering funding this request.
7. Constance Smith via email - I am treasurer of the Board of Directors and a 15-year volunteer at Bullington Gardens. I urge the commissioners to approve the line item of approximately \$15,600 for Bullington. This amount will allow us to leverage other funding sources to create the new position of Executive Director. Bullington has operated for over 20 years with one director and in recent years, some part-time staff. At present, we are constrained by the lack of staff and cannot respond to all the requests and opportunities for our educational and therapeutic programs. Creating this new position will allow John Murphy to focus on expanding our services to the community at a time when people desire a renewed connection to nature to rebalance and restore their lives as the community slowly emerges from the pandemic. In addition, as a free public garden, Bullington has become a destination for both residents and visitors. Creating this new position will help us manage these visitors safely. Thank you for your consideration.
8. Patrice German via email - I am a board member for Bullington Gardens. Our "Garden with Heart" serves the youth and adults in our community with special needs and challenges, supporting them through horticultural therapy programs. In addition, we educate hundreds of elementary school students every year, coordinating with Henderson County schools to match the curriculum. We also offer special seminars and classes on gardening which are open to the public. Our gardens serve the entire community, as we are open to visitors six days a week. Our therapy and education programs are in need of more full-time attention from our director, who is also our horticultural educator. Engulfed in these two responsibilities, John Murphy has been shouldering the load on everything that goes on around Bullington: from mowing the grounds and pruning, to maintaining the buildings, to greeting visitors, grant-writing, and so many daily details that are too many to number. For years we have been understaffed and greatly in need of another full-time staff person to see to the administrative, maintenance and fiscal elements of this institution. The demand for our unique programs has grown and will continue to grow as our county's population increases. Please vote to approve the \$15,600.00 budget allotment toward the salary for this new position this year. Not only would this amount cover about 25% of the total compensation; your approval would help leverage support for the remaining amount needed. Thank you

for your time and consideration of this important request.

9. Bill Burdett - Chairman of the Board of Directors of Bullington Gardens via email - I am writing this message to encourage the Henderson County Commissioners to approve a request for \$15,600 toward the salary position for the Executive Director at Bullington Gardens. The Gardens, in partnership with the Henderson County School System and County Extension Agency, continue to be a vital asset to the community in terms of education, horticultural therapy and recreation. The organization has been understaffed for years and this 2nd full time position would allow for expanded educational programs, together with other community organizations and provide increased amenities to the public. Bullington's public garden attracts people from all over the country. It's features, among others, are native woodland plants, nature trails, dahlias, pollinator plants, a wealth of mature and unique trees as well as the Fairy Garden and the Therapy Garden. Bullington Gardens provides hands on educational programs to hundreds of elementary school students every year on plant science that corresponds with their grade's curriculum. It also provides a horticultural therapy program to middle and high school students with special needs and offers programs and workshops to the public on gardening and related topics. The funding from Henderson County would fulfill approximately 25% of the total cost of the position and would help leverage support for the remaining 75%. Thank you for your consideration.

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

#### **INFORMAL PUBLIC COMMENT**

1. Gregg McMinn feels the Solid Waste Master Plan as written will franchise the county and hurt the future livelihood of the independent haulers in Henderson County. He asked the Board to look into the costs for haulers, as he doesn't feel it is done fairly.
2. Debbie Hicks is concerned with the 10 Year Solid Waste Plan. She feels it will put haulers out of business and franchising is not the answer.
3. Mauricio Mercado asked the Board to review the 10 Year Solid Waste Plan further, and consider the haulers who go to houses that the big trucks cannot get to.
4. Jeremy McMinn agreed with Gregg McMinn. He does not feel the bag for bag program works and hurts the garbage haulers. He asked the Board to make the system fair for all.
5. Dwight Lively is in agreement with the other speakers and against franchising.
6. Gale Kemp felt everyone should take the time to mourn the death of George Floyd. She asked for a moment of silence in his memory and prayers for his family.

Chairman Hawkins responded the 10 Year Master Plan is to come, and there will be additional time in July for haulers to speak.

#### **Discussion/Adjustment of Consent Agenda**

*Chairman Hawkins made the motion to approve Consent Agenda with the addition of Environmental Advisory Committee - Henderson Eco Hero's Awards Program Guidelines, Budget Amendment - Mobile Command Center, and minus the Home and Community Care Block Grant - FY21County Funding Plan pulled for discussion. 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):

May 20, 2020 - Regularly Scheduled Meeting


Motion:

*I move the Board approves the minutes of May 20, 2020.*

**Tax Collector’s Report**

Collections Specialist Luke Small had presented the Tax Collector’s Report to the Commissioners dated May 21, 2020 for information only. No action was required.

Henderson County Annual Bills (Real and Personal Property):

2019 Beginning Charge:	\$84,275,773.18	
Discoveries & Imm. Irreg.:	\$1,255,978.67	
Releases & Refunds:	(\$1,009,764.44)	
<u>Net Charge:</u>	<u>\$84,521,987.41</u>	
Unpaid Taxes:	\$1,305,811.50	
<b>Amount Collected:</b>	<b>\$83,216,175.91</b>	<b>Paid 98.46%</b>

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

Net Charge:	\$5,781,293.98	<b>99.74%</b>
Unpaid Taxes:	\$14,887.22	
<b>Amount Collected:</b>	<b>\$5,766,406.76</b>	

Henderson County FY20 Budget Analysis:

<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem: \$86,093,532.00	Ad Valorem: \$88,982,582.67
Prior Years: \$1,035,000.00	Prior Years: \$923,308.56
<b>Budget Total: \$87,128,532.00</b>	<b>YTD Revenue: \$89,905,891.23</b>

**2020.45 Pending Releases and Refunds**

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

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

<u>Type:</u>	<u>Amount:</u>
Total Taxes Released from the Charge	\$ 2,994.64
Total Refunds as a Result of the Above Releases	\$ 1,403.30

Motion:

*I move the Board approves the Combined Release/Refund Report as presented.*

**County Financial Report/Cash Balance Report**

The April 2020 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 April:

- Dues/Non-Profit Contributions – payment of 4<sup>th</sup> quarter Board approved appropriations
- Rescue Squad – payment of 4<sup>th</sup> quarter Board approved appropriations
- Agri-Business – excess operating expenditures to be covered by membership fees
- Mental Health – payment of 4th quarter Board approved maintenance of effort (MOE)
- Juvenile Justice Programs – timing of disbursements to programs.
- Public Education – payment 10 of 10 of annual appropriation made to the public school system

The project to date deficit in the Hendersonville High School Project (2019) is due to the payment of architect fees and general construction for the project in the Capital Projects Fund, to be reimbursed from the financing, which closed May 2020.

Year to Date Net Revenues over expenditures for the Solid Waste Landfill Fund is due to Board approved capital outlay and maintenance and repair of equipment.

Year to Date Net Revenues over expenditures for the Cane Creek Water and Sewer District Fund is due to expenditures related to the Mud Creek Interceptor Project.



Motion:

*I move the Board approves the April 2020 County Financial Report and Cash Balance Report as presented.*

**Home and Community Care Block Grant – FY21 County Funding Plan (pulled for discussion)**

Each year, the Board of Commissioners is required to adopt a Funding Plan for the Home & Community Care Block Grant for Older Adults and identify the lead office or agency responsible for coordinating the County Funding Plan. The Home & Community Care Block Grant is a State/Federal program administered at the local level. The proposed Funding Plan supports the service priorities identified for the current planning cycle. At this time, the HCCBG funding for FY2021 is estimated to be \$778,152.

**HOME & COMMUNITY CARE BLOCK GRANT COMMITTEE  
FY 2021 HCCBG ALLOCATION RECOMMENDATIONS**

A	B	C	H	M	N
SERVICE PROVIDER	SERVICE CATEGORY	FY2020 ACTUAL ALLOCATION	FY2021 REQUESTED ALLOCATION	FY2021 RECOMMENDED ALLOCATION	% OF FY2021 HCCBG
HENDERSON COUNTY DSS	In Home Aide Level I	\$ 32,553	\$ 30,000	\$ 30,000	3.88%
MOUNTAINCARE	Adult Day Care	\$ 10,000	\$ 12,000	\$ 12,000	1.55%
MOUNTAINCARE	Adult Day Healthcare	\$ 32,000	\$ 35,000	\$ 35,000	4.52%
PREMIER HOME HEALTH SERVICES, INC.	In Home Aide Level II	\$ 58,000	\$ 67,000	\$ 67,000	8.66%
PREMIER HOME HEALTH SERVICES, INC.	In Home Aide Level III	\$ 40,000	\$ 50,800	\$ 50,800	6.56%
BAYADA HOME HEALTH, INC.	In Home Aid Level II	\$ 100,000	\$ -	\$ -	0.00%
<b>SUBTOTAL: IN-HOME SERVICES ALLOCATION:</b>		<b>\$ 272,553</b>	<b>\$ 194,800</b>	<b>\$ 194,800</b>	<b>25.17%</b>
WESTERN CAROLINA COMMUNITY ACTION	General Transportation	\$ 131,000	\$ 138,627	\$ 138,627	17.91%
WESTERN CAROLINA COMMUNITY ACTION	Medical Transportation	\$ 26,000	\$ 32,783	\$ 32,783	4.24%
MOUNTAINCARE	General Transportation	\$ 7,000	\$ 10,000	\$ 10,000	1.29%
<b>SUBTOTAL: ACCESS SERVICES ALLOCATION:</b>		<b>\$ 164,000</b>	<b>\$ 181,410</b>	<b>\$ 181,410</b>	<b>23.44%</b>
PISGAH LEGAL SERVICES	Elder Law Program	\$ 35,000	\$ 36,650	\$ 36,650	4.74%
<b>SUBTOTAL: LEGAL SERVICES ALLOCATION:</b>		<b>\$ 35,000</b>	<b>\$ 36,650</b>	<b>\$ 36,650</b>	<b>4.74%</b>
COUNCIL ON AGING	Home Delivered Meals	\$ 234,000	\$ 246,000	\$ 246,000	31.79%
COUNCIL ON AGING	Congregate Meals	\$ 28,900	\$ 30,000	\$ 30,000	3.88%
COUNCIL ON AGING	Liquid Nutrition	\$ 28,000	\$ 28,000	\$ 28,000	3.62%
JEWISH FAMILY SERVICES OF WNC, INC.	Group Respite	\$ -	\$ 7,020	\$ 7,020	0.91%
HOUSING ASSISTANCE CORPORATION	Home Repair	\$ 20,000	\$ 30,000	\$ 30,000	3.88%
HENDERSON COUNTY HABITAT FOR HUMANITY	Home Repairs	\$ 10,000	\$ 20,000	\$ 20,000	2.58%
<b>SUBTOTAL: OTHER HCCBG SERVICES ALLOCATION:</b>		<b>\$ 320,900</b>	<b>\$ 361,020</b>	<b>\$ 361,020</b>	<b>46.65%</b>
<b>TOTAL</b>		<b>\$ 792,453</b>	<b>\$ 773,880</b>	<b>\$ 773,880</b>	<b>100.00%</b>

**Comments:**

The last column entitled "% of FY2021 HCCBG Funding" indicates the percentage of total FY2021 HCCBG funding recommended by the Committee to be allocated for each provider. This includes the allocation for Legal Services, which is a statutory amount that must be allocated to Legal Services.

HCCBG Services have been categorized in accordance with priority services established by Title III-B of the Older Americans Act. Specific services falling within each priority service category are set forth above and color coded for your convenience.

Commissioner Edney asked about funding for the Pisgah Legal Services and whether it was mandated by the State.

Megan Powell responded the State requires a certain amount appropriated to provide service by Pisgah Legal Services. The Committee voted unanimously in the decisions.

*Commissioner Edney made the motion that the Board appoints the County Manager's office as the Lead Agency and approve the proposed FY2021 Funding Plan. All voted in favor and the motion carried.*

**2020.46 Hazard Mitigation Plan Approval – Resolution**

The South Mountains Regional Hazard Mitigation Plan has been developed in cooperation with Henderson, Polk, Rutherford and Transylvania Counties along with the municipalities within the region. The planning

team has surveyed the community electronically and held public meetings to solicit input for the proposed plan. The plan has been reviewed and approved by North Carolina Emergency Management and submitted to the Federal Emergency Management Agency for compliance with the North Carolina Emergency Management Act and the Robert T. Stafford Disaster Relief and Emergency Assistance Act. An approved Hazard Mitigation Plan is required in order to receive state and federal disaster assistance.

Motion:

*I move the Board approves the resolution to adopt the South Mountains Regional Hazard Mitigation Plan.*

#### Resolution to Adopt the South Mountains Regional Hazard Mitigation Plan

Whereas, Henderson County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

Whereas, Henderson County desires to seek ways to mitigate situations that may aggravate such circumstances; and

Whereas, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

Whereas, it is the intent of the Board of Commissioners to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

Whereas, it is also the intent of the Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322:

Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Henderson County; and

Whereas, Henderson County, in coordination with Polk, Rutherford and Transylvania Counties and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

Whereas, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency are reviewing the South Mountains Regional Hazard Mitigation Plan for legislative compliance and will approve the plan pending the completion of local adoption procedures;

Now, therefore, be it resolved that the Board of Commissioners of Henderson County hereby:

1. Adopts the South Mountains Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

#### **FEMA Public Assistance Grant Request – COVID-19**

As part of the State and Federal response to the COVID-19 pandemic federal support is available for response activities related to COVID-19. Henderson County has filed a preliminary application for federal assistance for "Category B Emergency Protective Measures". Part of the formal application process includes the adoption of a Disaster Assistance Agreement and assignment of authorized agents to work with NCEM and FEMA on behalf of the County. These documents are being presented to the Board for consideration. Staff will be evaluating current and anticipated expenses to determine which expenses will be eligible for FEMA reimbursement and which may be applicable for the CARES Act.

Motion:

*I move the Board approves the Disaster Assistance Agreement and Designation of Applicant's Agent and authorize the Emergency Services Director and County Manager to execute the necessary documents for the grant application.*

#### **Set Public Hearing for Amendment to Conditional District CD-2019-07 Skylaranna**

Skylaranna was approved as a conditional zoning district on March 2, 2020 (CD-2019-07). The subject area is located on PIN: 9651-07-2408 at 2075 N. Rugby Road (SR1365) about a ½ mile north of Rugby Drive



(SR1417). The property owner and applicant are Highway, LLC. Due to regulations with the NC Department of Insurance (NCDOI) and NC Fire Code, the applicant is requesting an amendment to the approved site plan. The amendment includes the following:

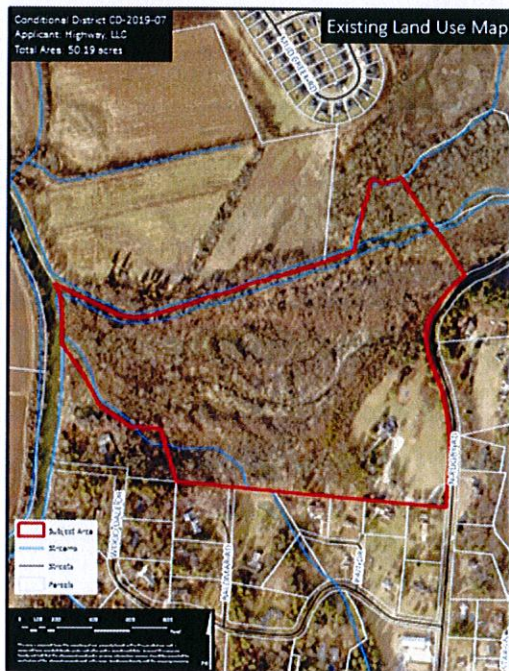
1. Proposed yurts (20 total) will be replaced with onsite, stick built cabins (20 total) with a bathroom and kitchen efficiency (includes a coffee pot, refrigerator, microwave, toaster oven and sink). These dwellings will meet the required NCDOI and NC Building Code requirements.
2. The proposed bathhouses will be removed. According to the project engineer, the existing septic system will support the individual bathrooms in the cabins.
3. The existing logging road will be utilized for emergency service access to the cabins, with an additional gated one-way exit onto N. Rugby Road.
4. The applicant has proposed the addition of a gazebo on the property.
5. Due to improvements required for stormwater permits, the applicant has requested to remove all or a portion of the required 2' berm along southern boundary as it is no longer necessary to correct the water runoff issues.

Since the conditional rezoning is approved with an associated site plan, any changes to the proposed site plan requires the Board of Commissioners to approve the amendment.

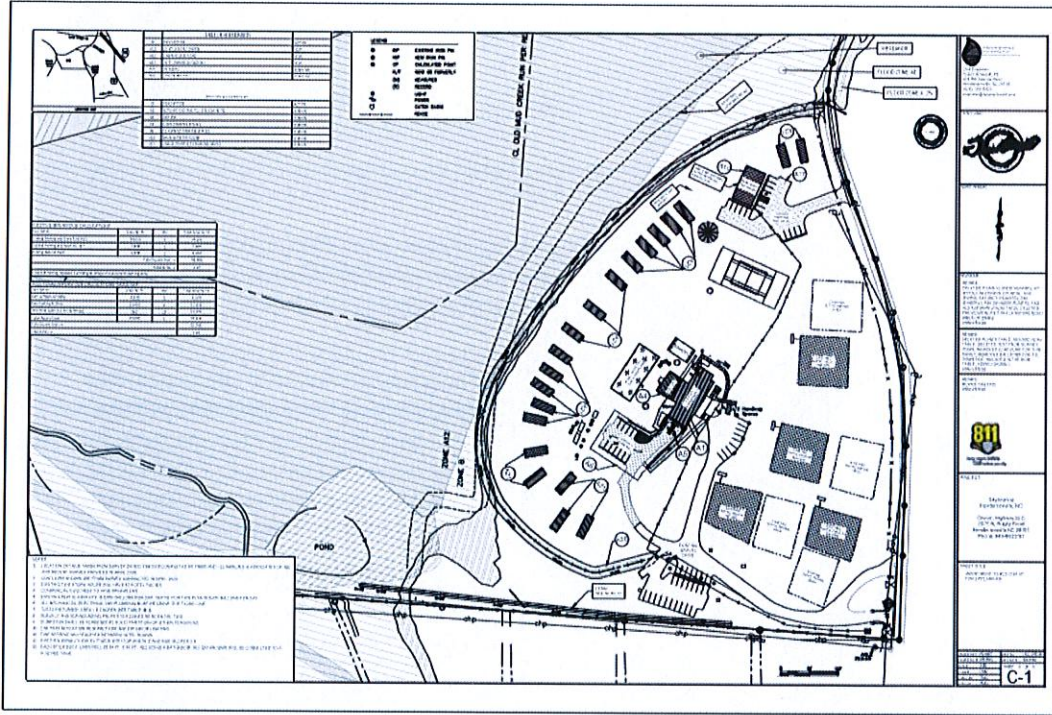
A neighbor compatibility meeting was held on Monday, May 18, 2020 electronically on the proposed amendments.

The Technical Review Committee reviewed the proposed amendments on May 19, 2020 electronically and made a motion to forward the application to the Planning Board with conditions as discussed.

The Planning Board reviewed the conditional district amendment at its May 21, 2020 meeting electronically. The Planning Board voted 7-1 to forward a favorable recommendation.







**Motion:**

I move that the Board schedules a public hearing for an amendment to the Conditional District CD-2019-07, Skylaranna for Wednesday, July 15, 2020, at 9:30 AM.

**Environmental Advisory Committee - Henderson Eco Hero's Awards Program Guidelines – Add on**

The Environmental Advisory Committee has drafted guidelines for the Henderson Eco Heroes Awards Program for review by the Board of Commissioners. Through the annual Henderson Eco Heroes Awards Program, the Henderson County Environmental Advisory Committee will recognize individuals in Henderson County that demonstrate actions of sound environmental practice. The goals for the program are to honor these individuals who can serve as an example and inspire others to preserve the environmental health of the County. Their hope is that this award will provide opportunities to bring environmental awareness to new people and demonstrate that a healthy environment improves the quality of life for all people.

**Motion:**

*I move that the Board approves the Environmental Advisory Committee's Henderson Eco Hero's Awards Program Guidelines as submitted.*

**2020.47 Budget Amendment – Mobile Command Center – Add on**

The Sheriff's Department is requesting that the Board approve the Sheriff's Office purchase of a 2009 40' Dual Slide-out Coach on a Spartan Chassis to be used as a Mobile Command Center and back-up PSAP (backup 911 Center). This unit includes an additional backup towable 20KW generator trailer. This will directly benefit every fire, rescue, and EMS agency in Henderson County for years to come. It will be housed in the new Emergency Management/EMS building and be available to all as needed. The cost of this unit should not exceed \$130,000 (to include shipping) and we would need approximately \$50,000 in additional funds to upfit this vehicle with radios and the needed equipment.

The Sheriff's Department is requesting that the Board approve a total in \$180,000 in a budget amendment to transfer funds from the US DOJ revenues (114431-451005) in order to make this purchase. Since the purchase is in excess of \$90,000, formal bidding under [N.C. Gen. Stat. §143-129\(a\)](#) will be completed before purchase of this unit.

**Motion:**

*I move the Board of Commissioners approves the Sheriff's Office to purchase a Mobile Command Center with the available funds from the United States Department of Justice Federal Asset Forfeiture Funds. I further move the Board approve two budget amendments for the purchase: the first for the purchase of the vehicle in an amount not to exceed \$130,000, and the second to be effective in FY21 to upfit the vehicle, in an amount not to exceed \$50,000.*

**DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA**

*Commissioner Messer made the motion to adopt the discussion agenda minus the 2020 Solid Waste Master Plan to be tabled to a later date. All voted in favor and the motion carried.*

**2020.48 FY 2021 BUDGET ORDINANCE**

The Board continued discussions with regard to the FY2020-2021 Budget. Should the Board wish to adopt the budget following the discussion, Staff was prepared to present the FY 2021 Budget Ordinance.

Steve Wyatt noted that the County is challenged with the unknown at this time. The following is a list of items brought up by the Commissioners at the budget work session.

1. Zero out NACO (\$1,966)
  - ✓ Completed May 20, 2020
2. Send copies of Non-Profits Amplifund applications to the Board of Commissioners
  - ✓ Completed May 21, 2020
  - Board discussion of non-profit funding continued to June 1, 2020
3. Fund Sheriff's request for Bodycams
  - ✓ Approved by the Board utilizing Asset Forfeiture Funds for the \$67,072 purchase
4. Fund Detention Deputies reclassification (\$33,057)
  - ✓ Completed May 20, 2020
5. Make copies of Debt Service slides from County Manager's presentation and give to Board
  - ✓ Completed May 20, 2020
6. Determine if cleaning & janitorial increases for Recreation are included or funded under "Cares" Act.
  - Megan Powell is researching in conjunction with Jimmy Brissie
7. Conduct a Risk Management assessment for Jackson Park house, playground equipment & cost to laser level the soccer fields.
  - The assessment is complete with a report being generated currently
  - Cost to laser level soccer fields at Jackson Park, as of August, 2019 - \$115,849
8. Approve rate increase request for Gerton Fire District (\$0.135) per Board of Commissioners
  - ✓ Changed in Munis May 20, 2020
  - Correct in Budget Ordinance
9. Study on running sewer to Edneyville as far as the school (\$50,000)
  - Prepare RFQs and sent out (Marcus Jones)
  - ✓ Fund in FY21 Budget – Added \$50,000 to #114301-538100

10. Add Solid Waste Master Plan to June 1, 2020 Agenda
  - ✓ Added to Working Agenda May 21, 2020
11. Review Spay/Neuter Assistance Program fee
  - Marcus Jones and Brad Rayfield to review
12. Determine how to reflect the cost for Project Management in Project Budgets
  - ✓ Personnel costs cannot be financed, so another method of visualizing cost allocation should be determined
  - John Mitchell and David Berry to review

Commissioner Lapsley requested the following budget additions:

- \$10,000 funding for the Boys and Girls Club.
- \$5,000 for Interfaith Assistance
- \$11,100 and \$38,905 to WCCA

#### **Non-Profits**

*Commissioner Lapsley made the motion to add to the proposed budget, \$10,000 to the Boys and Girls Club, \$5,000 to Interfaith Assistance, \$11,100 to the WCCA: Medical Transportation, and \$38,905 to WCCA: Community Transportation Grant Match. All voted in favor and the motion carried.*

Chairman Hawkins stated the County has received an allocation request from The Chamber of Commerce in the amount of \$10,000 for a Shop & Dine advertising campaign in order to boost the local economy.

*Commissioner Lapsley made the motion to add to the proposed budget \$5,000 toward The Chamber of Commerce campaign. All voted in favor and the motion carried.*

Commissioner Edney requested a reduction in funding for Pisgah Legal Services in the amount of \$20,000 with redirection of the budget funds of \$5,000 to the Hendersonville Community Theater, \$10,000 to Flat Rock Playhouse, and \$5,000 to Camplify.

*Commissioner Edney made the motion to reduce funding to Pisgah Legal Services by \$20,000 and redirect the funds with \$5,000 to Hendersonville Community Theater, \$10,000 to Flat Rock Playhouse, and \$5,000 to Camplify. All voted in favor and the motion carried.*

Commissioner Messer requested funding of \$10,000 be added to the proposed budget for Eliada Homes, Inc.

*Commissioner Messer made the motion to add to the proposed budget \$10,000 to Eliada Homes, Inc. The motion passed 4-1 with Chairman Hawkins voting nay.*

Chairman Hawkins was against funding agencies outside of Henderson County.

Chairman Hawkins reminded the Board of the position funding request from Bullington Gardens.

#### **Cooperative Extension**

Commissioner McCall noted this request was part of the Cooperative Extension's budget request. The school system utilizes a lot of this program for their special needs individuals. She feels with the right person in charge, they could bring in enough money to support the position. The TDA can fund programs, but not salaries. Commissioner McCall suggested funding them at \$12,000.

*Commissioner McCall made the motion to add to the proposed budget \$12,000 in funding for the position.*



*All voted in favor and the motion carried.*

**City SRO**

Commissioner Lapsley requested to go on record for the third year, that he feels the County should fund all SRO positions, even within the City.

Chairman Hawkins stated the County would fund the positions, if the Sheriff were responsible for the SRO positions. The City wants to be in charge of the SRO within the City.

**Emergency Management**

Commissioner Edney questioned if Emergency Management could utilize the Sheriff's Command Post approved earlier in the meeting, instead of the Emergency Command Tent Expansion Kit & HVAC Units requested in the Emergency Management budget.

Jimmy Brissie explained that tents are set up and used for extensive period of time, and heating and cooling are where the expense comes in. Tents are being used during pandemic for testing sites, and they do not have what is needed during this event.

Steve Wyatt stated tents are needed for LTCF's for employees to be tested – on scene, and in a controlled environment. It is possible to look at funding for the tents with FEMA funds. Staff will look first at funding by FEMA and report back to the Commissioners.

Commissioner McCall suggested putting some of the large ticket items off until January, such as the phone system.

*Chairman Hawkins made the motion that the Board approves the adoption of the FY2020-2021 Budget, and further move that the Chairman be authorized to execute the Budget Ordinance to be effective July 1, 2020. All voted in favor and the motion carried.*

The proposed FY2020-2021 Budget	\$151,906,849
Fund Balance	\$ 13,575,569
Tax Rate (no change)	56.1 cent
Collection Rate estimate used for budgeting purposes	97%

**2020 SOLID WASTE MASTER PLAN – removed from agenda and tabled to a later date**

County manager Steve Wyatt explained there was no plan to exclusively franchise. He has discussed this with the commissioners and none of the them would support that decision.

**SET PUBLIC HEARING FOR CONDITIONAL REZONING APPLICATIONS #R-2020-01-C TAP ROOT FARMS**

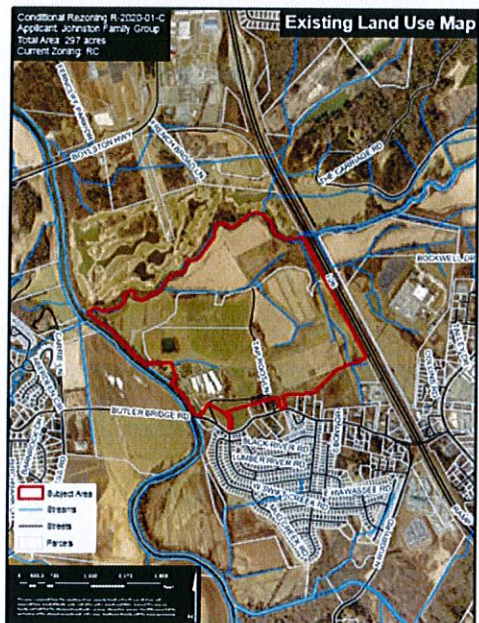
Autumn Radcliff stated Conditional Rezoning Application #R-2020-01-C was initiated on January 31, 2020 and requests that the County conditionally rezone approximately 297 acres of land from Regional Commercial (RC) to a Conditional District (CD-2020-01). The project consists of 3 parcels located off Butler Bridge Road with a total acreage of 319.66 acres. The proposed rezoning does not include approximately 22.66 acres located directly adjacent to Butler Bridge Road. The property owners and applicants are Johnston Family Group, and the agent is William Alexander.

The applicant is proposing a residential development with a mix of single-family lots and townhomes that total 699 units. The development is required to be approved as a conditional rezoning due to the number of units. Conditional Districts allows for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses.

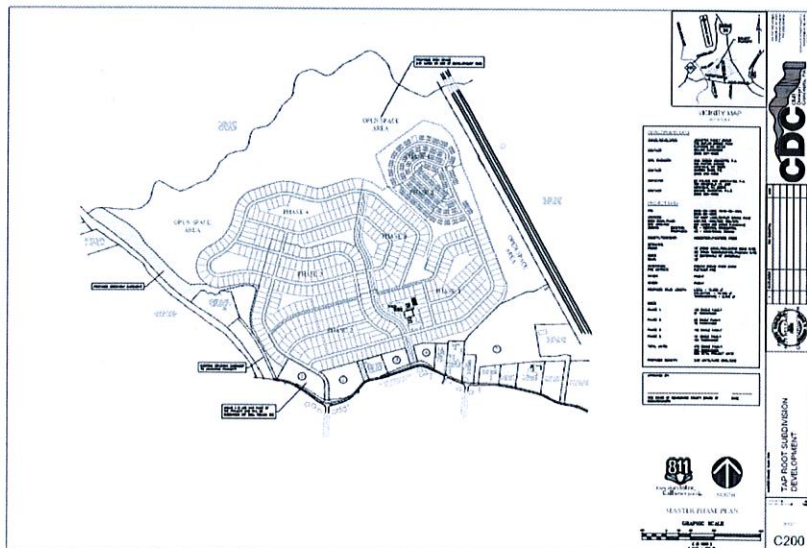
As required by the LDC, a neighbor compatibility meeting was held on Friday, February 21, 2020 in the King Street Meeting Room.

The Technical Review Committee (TRC) reviewed the application on March 3, 2020 and made a motion to forward the application to the Planning Board with conditions as discussed.

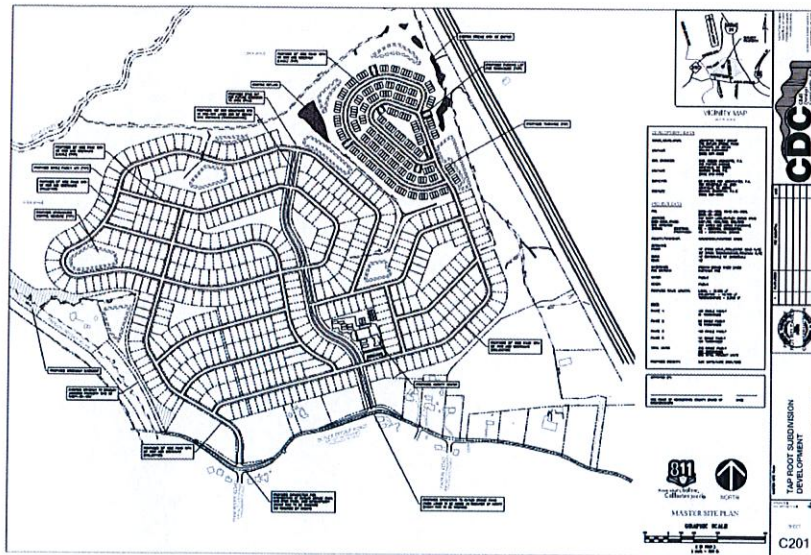
The Planning Board reviewed the conditional rezoning request at its May 21, 2020 meeting electronically. The Planning Board voted 6-2 to forward a favorable recommendation.



*Commissioner Lapsley made the motion that the Board schedules a public hearing for conditional rezoning application #R-2020-01-C, Tap Root Farms on Thursday, July 16, 2020, at 6:00 p.m. at West Henderson High School auditorium. All voted in favor and the motion carried.*







**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.



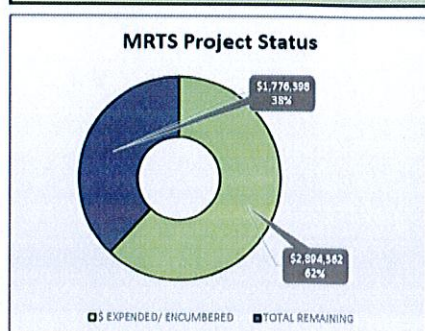
**FACILITIES MAINTENANCE AND REPAIR, TECHNOLOGY AND SECURITY INITIATIVES**

HENDERSON COUNTY PUBLIC SCHOOLS  
May, 2020

**Detailed Project Report**

PROJECT	FY20 BOC APPROVED	\$ EXPENDED/ ENCUMBERED	% EXPENDED/ ENCUMBERED	PROJECT STATUS	TOTAL REMAINING
<b>Elementary Schools</b>					
Dana - Gym Roof	\$ 140,000	\$ 62,300	44.50%	Completed	\$ 77,700
Etowah - Gym Roof	\$ 110,000	\$ 61,810	56.19%	Completed	\$ 48,190
Hendersonville - iWorks Control System	\$ 40,000	\$ 32,500	81.25%	Completed	\$ 7,500
Upward - Entrance/Cafeteria	\$ 702,000	\$ 46,724	6.66%	ON HOLD	\$ 655,276
<b>Middle Schools</b>					
Flat Rock HVAC - Phase I	\$ 1,000,000	\$ 1,000,021	100.00%	In Progress	\$ (21)
Flat Rock - Paving	\$ 50,000	\$ 49,792	99.58%	In Progress	\$ 208
Rugby HVAC - Phase I	\$ 1,000,000	\$ 1,000,021	100.00%	In Progress	\$ (21)
Rugby - Paving	\$ 100,000	\$ 102,677	102.68%	In Progress	\$ (2,677)
Rugby - Main Entrance	\$ 500,000	\$ 37,350	7.47%	ON HOLD	\$ 462,650
<b>High Schools</b>					
East - Paving	\$ 100,000	\$ 65,993	65.99%	In Progress	\$ 34,007
West - iWorks and fan coil replacement	\$ 70,000	\$ 63,237	90.34%	Completed	\$ 6,763
West - Paving	\$ 100,000	\$ 126,964	126.96%	In Progress	\$ (26,964)
<b>Other</b>					
ADA Study - Stadiums	\$ 25,000	\$ -	0.00%	ON HOLD	\$ 25,000
Former Highland - Demolition	\$ 197,000	\$ 196,800	99.90%	Completed	\$ 200
Contingency	\$ 200,000	\$ 48,173	24.09%	ON HOLD	\$ 151,827
Johnson Farm Sewer Improvement	\$ -	\$ 48,173	-	Completed	\$ -
Project Empower Chromebooks	\$ 300,000	\$ -	0.00%	ON HOLD	\$ 300,000
Unallocated	\$ 36,760	\$ -	0.00%	ON HOLD	\$ 36,760
<b>TOTAL</b>	<b>\$ 4,670,760</b>	<b>\$ 2,894,362</b>	<b>61.97%</b>	<b>-----</b>	<b>\$ 1,776,398</b>

**At A Glance - Summary Report**



<b>FY20 BOC APPROVED</b>	\$4,670,760
<b>EXPENDED/ENCUMBERED</b>	\$2,894,362
<b>TOTAL REMAINING</b>	\$1,776,398





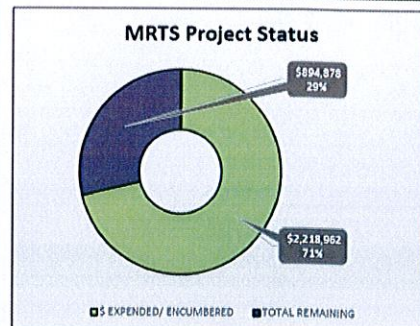
FACILITIES MAINTENANCE AND REPAIR, TECHNOLOGY AND SECURITY INITIATIVES

BLUE RIDGE COMMUNITY COLLEGE  
May, 2020

Detailed Project Report

PROJECT	FY20 BOC APPROVED	\$ EXPENDED/ ENCUMBERED	% EXPENDED/ ENCUMBERED	PROJECT STATUS	TOTAL REMAINING
<b>Continuing Education</b>					
Renovation for BLET	\$ 405,872	\$ 79,147	19.50%	In Progress	\$ 326,725
Replace Chiller	\$ 121,400	\$ 115,602	95.22%	In Progress	\$ 5,798
<b>Grounds/Maintenance</b>					
Replace heaters and circular fans	\$ 6,312	\$ 5,913	93.68%	Complete	\$ 399
Re-Coat Roof	\$ 8,440	\$ 8,119	96.20%	Complete	\$ 321
<b>Industrial Skills Center</b>					
Install Ventilation System	\$ 22,500	\$ 19,255	85.58%	Complete	\$ 3,245
Install Welding Booth	\$ 35,000	\$ 11,305	32.30%	ON HOLD	\$ 23,695
<b>Sink</b>					
Replace Chiller	\$ 225,000	\$ 181,062	80.47%	In Progress	\$ 43,938
New Furniture	\$ 262,500	\$ 245,363	93.47%	Complete	\$ 17,137
<b>Spearman</b>					
Replace Boiler	\$ 80,000	\$ 65,820	82.28%	In Progress	\$ 14,180
Install Generator	\$ 21,000	\$ 19,694	93.78%	Complete	\$ 1,306
Renovation for Trades Programs	\$ 24,657	\$ 22,022	89.31%	Complete	\$ 2,635
New Furniture	\$ 168,356	\$ 167,118	99.26%	In Progress	\$ 1,238
<b>TEDC</b>					
Replace Compressors	\$ 21,529	\$ 20,168	93.68%	Complete	\$ 1,361
Replace Conference Hall Tables and Chair	\$ 165,314	\$ 164,846	99.72%	Complete	\$ 468
<b>Campus Wide Improvements</b>					
Outdoor Lighting Improvements	\$ 134,250	\$ 68,843	51.28%	In Progress	\$ 65,407
Sidewalk Installation	\$ 83,710	\$ 83,255	99.46%	Complete	\$ 455
Update Wayfinding and Monument Signs	\$ 300,000	\$ -	0.00%	In Progress	\$ 300,000
<b>Additional Classroom Space</b>					
Surveyor Fee	\$ 52,854	\$ 60,382	114.24%	In Progress	\$ (7,528)
Architect Fee	\$ 975,146	\$ 881,050	90.35%	In Progress	\$ 94,096
<b>TOTAL</b>	<b>\$ 3,113,840</b>	<b>\$ 2,218,962</b>	<b>71.26%</b>		<b>\$ 894,878</b>

At A Glance - Summary Report



<b>FY20 BOC APPROVED</b>	<b>\$3,113,840</b>
<b>EXPENDED/ENCUMBERED</b>	<b>\$2,218,962</b>
<b>TOTAL REMAINING</b>	<b>\$894,878</b>

David Berry stated most construction projects are almost finished with the exception of a few and those on hold.

Steve Wyatt explained the issue with projects on hold is whether or not we will have money if or when sales tax dollars come in. We may be able to revisit these projects later, we just don't know at this time.

**HVAC Project**

David Berry stated the HVAC projects at Rugby and Flat Rock were scheduled to be in phases, however, with the kids not in school we took advantage of the opportunity and expect to be done before August with the exception of the chillers. It is possible that the chillers may also be complete by August. The total project cost is \$3.4m with \$2.6m estimated to be paid out in the current budget. Staff is asking that \$794,224 be included in the FY21 budget, utilizing funds from projects originally approved for FY20 that have been placed on hold, to allow the project to continue into, and be completed after, July 1, 2020.

Superintendent Beau Caldwell informed the Board that he understands the current crisis, and the School Board will be looking at other funding for Chromebooks.

**HHS**

David Berry reported that demolition of the old gym at HHS is complete. There are many things going on with no students on the campus. We are making good progress during a bad situation. Progress is also being made on sealing of the brick, with the majority of the work complete.

**Edneyville Elementary**

David Berry noted that Edneyville Elementary looks completely different with the old school removed. All work should be complete and final by June 11, 2020.

**DSS Expansion**

The DSS Expansion is in progress and should be complete no later than July 1, 2020.

**95 Courthouse Holding Cell Project**

The 95 Courthouse Holding Cell project is on hold and has not been bid yet. The drawings are at 95% and will be shared with the Board once complete.

**95 Courthouse Skylights**

This project is set to begin June 15, 2020.

**CORONAVIRUS RELIEF FUND AND COVID-19 UPDATE**

Steve Wyatt stated the Coronavirus Relief Fund (CRF) established under the CARES Act allocates \$4.07 billion to the State of North Carolina to be used on behalf of the State and local governments who did not receive direct distribution from the US Treasury. The amount allocated to Henderson County is \$2,160,413.

The federal government requires reporting on the use of these funds according to the Federal Funding Accountability and Transparency Act (FFATA). The State will require quarterly reporting of funds to the NC Pandemic Recovery Office beginning on October 1, 2020 and will report on behalf of the county to the federal government.

To ensure accurate reporting, all counties have been requested to submit a plan to the State on how the county proposes to use its share of the funds, which is to be sent to the state by June 1, 2020. However, it is important to note that due to the short time period available to develop the plan, it can be modified if necessary following submission.

Amy Brantley shared the requests for expenses. She noted that over the last 5 payroll periods, the County has already spent \$100,000 per payroll for emergency personnel. That comes in at \$500,000 in payroll alone.

Planned Expenditures	
Categories	Amount
<p><b>1. Medical expenses such as:</b></p> <ul style="list-style-type: none"> <li>• COVID-19-related expenses of public hospitals, clinics, and similar facilities.</li> <li>• Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.</li> <li>• Costs of providing COVID-19 testing, including serological testing.</li> <li>• Emergency medical response expenses, including emergency medical transportation, related to COVID-19.</li> <li>• Expenses for establishing and operating public telemedicine capabilities for COVID-19 related treatment.</li> </ul>	\$ 100,000.00
<p><b>2. Public health expenses such as:</b></p> <ul style="list-style-type: none"> <li>• Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.</li> <li>• Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.</li> <li>• Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency.</li> <li>• Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.</li> <li>• Expenses for public safety measures undertaken in response to COVID-19.</li> <li>• Expenses for quarantining individuals.</li> </ul>	\$ 310,413.00
<p><b>3. Payroll expenses</b> for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.</p>	\$ 1,500,000.00

<p><b>4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:</b></p> <ul style="list-style-type: none"> <li>• Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.</li> <li>• Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.</li> <li>• Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.</li> <li>• Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.</li> <li>• COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.</li> <li>• Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.</li> </ul>	<p>\$ 200,000.00</p>
<p><b>5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:</b></p> <ul style="list-style-type: none"> <li>• Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.</li> <li>• Expenditures related to a State, territorial, local, or Tribal government payroll support program.</li> <li>• Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.</li> </ul>	<p>\$ -</p>
<p><b>6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.</b></p>	<p>\$ -</p>
<p><b>7. Grants to municipalities and nonprofits. List each planned subaward (add more rows if necessary)</b></p>	
<p>a. Flat Rock</p>	<p>\$ 2,800.00</p>
<p>b. Fletcher</p>	<p>\$ 11,400.00</p>
<p>c. Hendersonville</p>	<p>\$ 25,400.00</p>
<p>d. Laurel Park</p>	<p>\$ 4,600.00</p>
<p>e. Mills River</p>	<p>\$ 5,800.00</p>
<p><b>Grand Total</b></p>	<p>\$ 2,160,413.00</p>

*Chairman Hawkins made the motion that the Board approves the submission of the Coronavirus Relief Fund (CRF) County Plan to the North Carolina Office of State Budget and Management. All voted in favor and the motion carried.*

**COUNTY MANAGER'S REPORT**

The County Manager provided the Board of Commissioners with a brief update concerning any issues that should be brought to the attention of the Board.

**ADJOURN**

*Chairman Hawkins made the motion to adjourn at 7:30 p.m. All voted in favor and the motion carried.*

Attest:

\_\_\_\_\_  
Teresa L. Wilson, Clerk to the Board

\_\_\_\_\_  
Grady H. Hawkins, Chairman