

## MINUTES

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 7, 2020

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

Those present were: Commissioner Mike Edney, Commissioner David Hill, Commissioner Rebecca McCall, Commissioner Daniel Andreotta, Commissioner William Lapsley, 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, Sheriff Lowell Griffin, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Manager Megan Powell, Planning Director Autumn Radcliff, Budget Analyst Sonya Flynn, 911 Director Lisha Stanley, Planner Janna Peterson, HR Director Karen Ensley, Registrar of Deeds Lee King, Purchasing Agent Doug Guffey, Wellness Manager Jamie Gibbs, Public Health Director Steve Smith, DSS Director Jerrie McFalls, Project Engineer Natalie Berry & PIO Kathy Finotti – videotaping, Lieutenant Mike Marsteller and Deputy Jeff Corn as security.

Absent was: County Manager Steve Wyatt

### INVOCATION

The invocation was provided by Aaron Andreotta, son of Commissioner Daniel Andreotta.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Charlie Brake of the Leaders in Training 4-H Club.

### SWEARING IN CEREMONY

Newly Elected Commissioner Daniel J. Andreotta was sworn in by Registrar of Deeds Lee King, while his grandson Lawson Norman, Jones Andreotta, and granddaughter McKenna Norman held the Bible for the ceremony.

His wife Candy, daughter Alyssa & her husband Jeff Norman, son Aaron Andreotta & his wife Hannah & son John-Ralph, were in attendance.

Newly Elected Commissioner David H. Hill was sworn in by Registrar of Deeds Lee King while his wife Lisa, daughter Michaela and daughter Marissa held the Bible.

His son-in-law Cale Maybin, sister Sandra Erwin, brother-in-law Rodney Erwin, Niece Hope, Nephew Isaac, sister Sheila Bishop, brother-in-law Wayne Bishop, and his mother Martha Hill were present.

### CALL TO ORDER/WELCOME

Attorney Russ Burrell called the organizational meeting to order and welcomed all in attendance.

### ELECTION OF CHAIR

County Attorney Russ Burrell stated according to Section 153A-39 of the North Carolina General Statutes, on the first regular meeting of this Board during December this Board must select a chairman. The chairman will serve until a successor is elected on the first Monday evening of December in 2021. After

DATE APPROVED:

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the chairman is selected, he will preside over the meeting.

Mr. Burrell opened the floor for nominations.

Commissioner McCall nominated Commissioner Lapsley for chairman.

Hearing no further nominations, *Commissioner Edney made the motion to close nominations and accept the appointment of William Lapsley as chairman by acclamation. All voted in favor and the motion carried.*

The meeting was turned over to Chairman Lapsley.

### **ELECTION OF VICE-CHAIR**

Commissioner Edney nominated Commissioner McCall for vice-chair.

Hearing no further nominations, *Commissioner Edney made the motion to close nominations and accept the appointment of Rebecca McCall as vice-chair. All voted in favor and the motion carried.*

### **RECOGNITION of Colonel Grady Hawkins / RESOLUTION in Appreciation and Recognition 2020.107**

Chairman Lapsley stated Colonel Grady Hawkins was initially elected to the Board of Commissioners from District 5 in 1996 and served from December 2, 1996 through December 6, 2004. Colonel Hawkins was re-elected to the Board of Commissioners in 2012 and served from December 3, 2012 through December 7, 2020.

Chairman Lapsley read the resolution aloud.

**Whereas**, Colonel Grady Hawkins was initially elected to the Board of Commissioners from District 5 in 1996, and served from December 2, 1996 through December 6, 2004; and

**Whereas**, Colonel Hawkins was re-elected to the Board of Commissioners in 2012, and served from December 3, 2012 through December 7, 2020; and

**Whereas**, throughout his sixteen years of service to the citizens of Henderson County he has worked diligently to honor the best interests of his district and to improve the quality of life of all Henderson County North Carolinians; and

**Whereas**, during his tenure as a member of the Board of Commissioners, Colonel Hawkins has served as Chairman and Vice-Chairman of the Board, has served on the Governmental Financing Corporation, Local Government Committee for Cooperative Action, Henderson County Planning Board and the Land-of-Sky Regional Council; and

**Whereas**, Colonel Hawkins also serves as the liaison on the Mountain Area Workforce Development Board and the Fire and Rescue Advisory Committee; and

**Whereas**, it is fitting and proper that Colonel Grady Hawkins be rightfully honored on this day for a life dedicated to the service to the people of Henderson County, North Carolina, and the United States of America;

**Now, Therefore, Be It Resolved** that the Henderson County Board of Commissioners hereby express their sincere appreciation to Colonel Grady Hawkins for his contributions to Henderson County, the State of

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North Carolina, and the citizens of the United States through his legacy of military service.

Chairman Lapsley presented Grady Hawkins with a letter from Senator Richard Burr. Senator Tom Tillis' representative Jordan Barns presented a letter from Senator Tom Tillis to Grady Hawkins. Each Commissioner presented a token of appreciation to Colonel Hawkins. He was given a standing ovation.

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

**RESOLUTION commemorating the 79<sup>th</sup> Anniversary of the Attack on Pearl Harbor 2020.108**

Chairman Lapsley read the Resolution aloud.

- Whereas,** seventy-nine years ago on December 7, 1941 the military installations of the United States at Pearl Harbor and elsewhere on the island of Oahu, Hawaii were attacked without warning by aircraft of the Imperial Japanese Navy; and
- Whereas,** that attack lasted for approximately 5 hours, during which 2,403 members of the United States military were killed or mortally wounded, 1,247 members were wounded, and 57 civilians lost their lives; and
- Whereas,** during that attack by Japanese aircraft, the United States also suffered losses of facilities, naval vessels and aircraft; and
- Whereas,** on December 8, 1941, the day after the attack on Pearl Harbor, Congress declared war against Japan, and three days later against Germany, beginning the involvement of the United States in a global conflict that would shape our world for years to come; and
- Whereas,** after nearly four years of warfare the Japanese surrendered, and World War II came to an end on September 2, 1945; and
- Whereas,** in 1950, the USS Arizona, one of the battleships of the United States sunk at Pearl Harbor, which became a final resting place for many of the 1,177 crew members of that battleship, was recognized as a national monument and educational site for citizens of the United States and international visitors alike; and
- Whereas,** in 1994, Congress designated December 7<sup>th</sup> of each year as National Pearl Harbor Remembrance Day and requested that the day be observed by a Presidential proclamation calling on the people of the United States, including all departments, agencies, and instrumentalities of the Federal Government, interested organizations, groups and individuals, to fly the flag of the United States at half-staff and to observe the day with appropriate ceremonies, in honor of the individuals who died as a result of their service at Pearl Harbor;

**Now, Therefore Be It Resolved,** that the Henderson County Board of Commissioners declare December 7<sup>th</sup> a day for Henderson County local government and its citizens to observe and remember this important day in history.

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

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**PUBLIC HEARING**

**Public Hearing for Consideration of Final approval of a Financing Contract for Projects at Blue Ridge Community College 2020.109**

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

A public hearing has been scheduled on December 7, 2020, at 5:30 p.m. in the above matter. Notice was published in the *Hendersonville Lightning* on November 11, 2020, and again on November 18, 2020.

Finance Director Samantha Reynolds stated the Board gave notice that this hearing would be conducted concerning the approval of the execution and delivery of the Financing Contract and the County's the acquisition, construction and equipping of the Project. Under the proposal, the County would pay the capital costs of partial demolition, partial renovation and construction a new buildings on the grounds of the Flat Rock, North Carolina, campus of Blue Ridge Community College as anticipated in North Carolina Session Law 2019-66 (the "Project"). This would be done pursuant to an installment financing contract (the "Contract"), in a principal amount not to exceed \$26,000,000 under which the County will make certain installment payments in order to make the Project available to Blue Ridge Community College.

At the conclusion of the public hearing, the Board may choose to take action, delay action to a subsequent meeting, or take no action.

Public Input:

There was none.

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

*Commissioner Edney made the motion to approve the Resolution and Financing Contract for Projects at Blue Ridge Community College. All voted in favor and the motion carried.*

The Finance Director of the County of Henderson, North Carolina (the "County") reported to the Board of Commissioners of the County (the "Board") that notice of a public hearing was published on November 11 and 18, 2020, stating that the Board would hold a public hearing at 5:30 p.m. on December 7, 2020 to receive public comments on the proposed execution and delivery by the County of (1) an installment financing contract in a principal amount not to exceed \$26,000,000 (the "Contract"), the proceeds of which would be used to finance the renovation and expansion of the Patton Building on the campus of Blue Ridge Community College (the "BRCC Facility") and the construction and equipping of a police training facility (collectively, the "Project"), and (2) a deed of trust, security agreement and fixture filing (the "Deed of Trust") under which the County would grant a lien on the County's fee simple interest in the real property on which the BRCC Facility is located, together with the improvements thereon, as may be required for the benefit of the entity providing the funds to the County under the Contract.

The Chairman of the Board then announced that the Board would hear anyone who wished to be heard on the questions of the proposed Contract, the Deed of Trust and the Project to be financed thereby.

After the closing of the public hearing, Commissioner Edney moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted, by reading the title thereof (further reading waived without objection):

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**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON,  
NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND  
PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

*WHEREAS*, the County of Henderson, North Carolina (the “*County*”) is a political subdivision validly existing under the Constitution, statutes and laws of the State of North Carolina (the “*State*”);

*WHEREAS*, the County has the power, pursuant to the General Statutes of North Carolina, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase or improvement of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased or improved to secure repayment of the purchase price;

*WHEREAS*, the Board of Commissioners of the County (the “*Board*”) has previously determined that it is in the best interest of the County to enter into an Installment Financing Contract dated as of February 1, 2021 (the “*Contract*”) with the Henderson County Governmental Financing Corporation (the “*Corporation*”) in order to (1) finance the renovation and expansion of the Patton Building on the campus of Blue Ridge Community College (the “*BRCC Facility*”) and the construction and equipping of a police training facility (collectively, the “*Project*”), and (2) pay certain costs incurred in connection with the execution and delivery of the Project;

*WHEREAS*, to secure its obligations under the Contract, the County will execute and deliver a Deed of Trust, Security Agreement and Fixture Filing dated as of February 1, 2021 (the “*Deed of Trust*”), granting a lien on the County’s fee simple interest in the real property on which the BRCC Facility will be located, together with the improvements thereon;

*WHEREAS*, the Corporation will execute and deliver an aggregate principal amount not to exceed \$26,000,000 of its Limited Obligation Bonds (collectively, the “*Bonds*”), each evidencing proportionate undivided interests in rights to receive certain Revenues (as defined in the Contract) pursuant to the Contract;

*WHEREAS*, in connection with the sale of the Bonds to PNC Capital Markets LLC (the “*Underwriter*”), the Corporation will enter into a Contract of Purchase to be dated on or about January 28, 2021 (the “*Purchase Contract*”) between the Corporation and the Underwriter relating to the Bonds, and the County will execute a Letter of Representation to the Underwriter (the “*Letter of Representation*”);

*WHEREAS*, there have been described to the Board the forms of the following documents (collectively, the “*Instruments*”), copies of which have been made available to the Board, which the Board proposes to approve, enter into and deliver, as applicable, to effectuate the proposed installment financing:

- (1) the Contract;
- (2) the Deed of Trust;
- (3) an Indenture of Trust dated as of February 1, 2021 (the “*Indenture*”) between the Corporation and U.S. Bank National Association, as trustee; and
- (3) the Purchase Contract and the Letter of Representation.

*WHEREAS*, to make an offering and sale of the Bonds, there will be prepared a Preliminary Official Statement with respect to the Bonds (the “*Preliminary Official Statement*”), a draft thereof having

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been presented to the Board, and a final Official Statement relating to the Preliminary Official Statement (together with the Preliminary Official Statement, the “*Official Statement*”), which Official Statement will contain certain information regarding the County;

*WHEREAS*, it appears that each of the Instruments and the Preliminary Official Statement is in an appropriate form and is an appropriate instrument for the purposes intended;

*WHEREAS*, the Board has conducted a public hearing on this date to receive public comment on the proposed Contract and the transactions contemplated thereby; and

*WHEREAS*, the County has filed an application to the LGC for approval of the Contract;

***NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:***

Section 1. ***Ratification of Instruments.*** All actions of the County, the Chairman of the Board (the “*Chairman*”), the Clerk to the Board (the “*Clerk*”), the County Manager, the Finance Director, the County Attorney and their respective designees, whether previously or hereinafter taken, in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. ***Authorization of the Official Statement.*** The form, terms and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and of the final Official Statement by the Underwriter in connection with the sale of the Bonds is hereby in all respects authorized, approved and confirmed. The Chairman, the County Manager and the Finance Director are each hereby authorized and directed, individually and collectively, to deliver, on behalf of the County, the Official Statement in substantially such form, with such changes, insertions and omissions as each may approve.

Section 3. ***Authorization to Execute the Contract.*** The County approves the financing of the Project in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The form and content of the Contract are hereby in all respects authorized, approved and confirmed, and the Chairman, the Clerk, the County Manager and the Finance Director and their respective designees are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Contract, including necessary counterparts, in substantially the form and content presented to the Board, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of the County’s approval of any and all changes, modifications, additions or deletions therein from the form and content of the Contract presented to the Board. From and after the execution and delivery of the Contract, the Chairman, the Clerk, the County Manager and the Finance Director are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

Section 4. ***Authorization to Execute the Deed of Trust.*** The County approves the form and content of the Deed of Trust, and the Deed of Trust is in all respects authorized, approved and confirmed. The Chairman, the Clerk, the County Manager, the Finance Director and their respective designees are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Deed of Trust, including necessary counterparts, in substantially the form and content of the Deed of Trust presented to the Board, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of the

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County's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Deed of Trust presented to the Board. From and after the execution and delivery of the Deed of Trust, the Chairman, the Clerk, the County Manager and the Finance Director are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Deed of Trust as executed.

Section 5. **Purchase Contract and Letter of Representation.** The form and content of the Purchase Contract are hereby approved in all respects, and the County Manager or the Finance Director is authorized to execute the Letter of Representation for the purposes stated therein. The County Manager and the Finance Director and their respective designees are hereby authorized, empowered and directed, individually and collectively, to execute and deliver the Letter of Representation, including necessary counterparts, in substantially the form and content of the Letter of Representation presented to the Board, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of the County's approval of any and all changes, modifications, additions or deletions therein from the form and content of the Letter of Representation presented to the Board. From and after the execution and delivery of the Letter of Representation, the County Manager and the Finance Director are hereby authorized, empowered and directed, individually and collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Letter of Representation as executed.

Section 6. **County Representative.** The Chairman, the County Manager and the Finance Director are hereby designated as the County's Representative to act on behalf of the County in connection with the transactions contemplated by the Instruments and the Preliminary Official Statement, and the Chairman, the County Manager and the Finance Director are authorized, individually and collectively, to proceed with the transactions contemplated by the Contract in accordance with the Instruments and to seek opinions as a matter of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated by this Resolution as required by law. The County's representatives or designees are in all respects authorized on behalf of the County to supply all information pertaining to the County for use in the Official Statement and the transactions contemplated by the Instruments or the Preliminary Official Statement. The County's representatives or their respective designees are hereby authorized, empowered and directed, individually and collectively, to do any and all other acts and to execute any and all other documents which they, in their discretion, deem necessary or appropriate to consummate the transactions contemplated by the Instruments or the Preliminary Official Statement or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution. Without limiting the foregoing, the Finance Director is hereby authorized and directed to select one or more financial institutions to serve as an additional Underwriter for the Bonds if the Finance Director determines, in his discretion, that such an appointment is necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 7. **Severability.** If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 8. **Repealer.** All motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 9. **Effective Date.** This Resolution is effective on the date of its adoption.

On motion of Commissioner Edney, the foregoing resolution entitled "**RESOLUTION OF THE**

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**BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS”**  
was duly adopted by the following vote:

AYES: 5  
NAYS: 0

**INFORMAL PUBLIC COMMENT**

There was none.

**DISCUSSION/ADJUSTMENT OF CONSENT AGENDA**

*Commissioner Edney made the motion to accept the consent agenda with comments regarding Budget Amendment – dues and NonProfits, Lease Agreement – Congressional District Office, Schedule Special Called Meeting, and Ratification of Contract. All voted in favor and the motion carried.*

**CONSENT AGENDA**

**Review of Public Officials’ Bond**

Pursuant to N.C. Gen. Stat. §58-72-20 (and the Board’s Rules of Procedure), the next order of business at the Board’s annual organizational meeting is the annual review and approval of the size and issuer of the bonds for county public officials for the coming year.

Under §58-72-20:

The bonds of the officers named in G.S. 58-72-10 shall be carefully examined on the first Monday in December of every year, and if it appears that the security has been impaired, or for any cause become insufficient to cover the amount of money or property or to secure the faithful performance of the duties of the office, then the bond shall be renewed or strengthened, the insufficient security increased within the limits prescribed by law, and the impaired security shall be made good; but no renewal, or strengthening, or additional security shall increase the penalty of said bond beyond the limits prescribed for the term of office.

The following are the current bond amounts, all of which meet the requirements of the General Statutes:

<b>PUBLIC OFFICIAL</b>	<b>BOND AMOUNT</b>	<b>BOND COMPANY</b>
Lowell Griffin, Sheriff	\$25,000.00	Fidelity and Deposit Co.
Lee King, Register of Deeds	\$50,000.00	Fidelity and Deposit Co.
Darlene Burgess, Tax Collector	\$1,000,000.00	Fidelity and Deposit Co.
Deputy Tax Collectors	\$250,000.00	Fidelity and Deposit Co.
Samantha Reynolds, Finance Director	\$1,000,000.00	Fidelity and Deposit Co.

Motion:

*I move that the Board approve the public officials’ bonds as proposed.*

**Minutes – November 18, 2020 Regularly Scheduled Meeting**

The Board is requested to adopt the Minutes from the November 18, 2020 meeting as presented.

Motion:

*I move the Board approves the Minutes of November 18, 2020.*



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**Tax Collector’s Report**

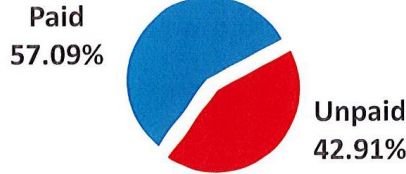
Collections Specialist Luke Small had presented the Tax Collector’s Report to the Commissioners dated November 24, 2020 for information only. No action was required.

Re: Tax Collector’s Report to Commissioners - Meeting Date December 7, 2020

Please find outlined below collections information through November 23, 2020 for 2020 real and personal property bills mailed on August 1, 2020. Vehicles taxes are billed monthly by NC DMV.

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

<b>2020 Beginning Charge:</b>	<b>\$86,167,918.44</b>
Discoveries & Imm. Irreg.:	\$258,716.14
Releases & Refunds:	(\$395,444.84)
<u>Net Charge:</u>	<u>\$86,031,189.74</u>
Unpaid Taxes:	\$36,912,277.79
<b>Amount Collected:</b>	<b>\$49,118,911.95</b>



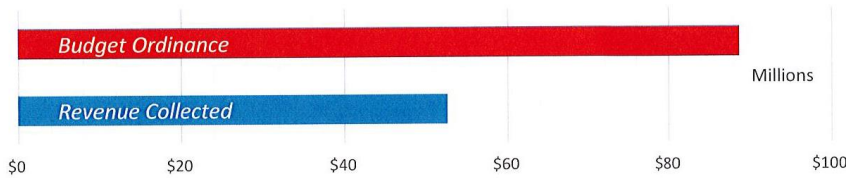
**Henderson County Registered Motor Vehicles (As Collected by NC DMV):**

Net Charge:	\$3,076,611.64
Unpaid Taxes:	\$32,082.22
<b>Amount Collected:</b>	<b>\$3,044,529.42</b>

**98.96%**

**Henderson County FY21 Budget Analysis:**

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$87,594,211.00	\$52,163,441.37
Prior Years:	\$1,035,000.00	\$461,289.01
<b>Budget Total:</b>	<b>\$88,629,211.00</b>	<b>YTD Revenue: \$52,624,730.38</b>



**Pending Releases and Refunds 2020.111**

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.

<b>Type:</b>	<b>Amount:</b>
Total Taxes Released from the Charge	\$ 6,230.97
Total Refunds as a Result of the Above Releases	\$ 48.71

Motion:

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

**County Financial Report/Cash Balance Report – October 2020**

The October 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 October:

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- Non-profit contributions – payment of 2<sup>nd</sup> quarter Board approved appropriations
- Elections – timing of expenditures related to 2020 elections
- Emergency Management – FEMA expenditure reimbursement to partner agencies and timing of Board approved purchases
- Rescue Squad – payment of 2<sup>nd</sup> quarter Board approved appropriations
- Heritage Museum – timing of monthly Board approved appropriations
- Medical Services – Autopsies – timing and quantity of services provided
- Mental Health – payment of 2<sup>nd</sup> quarter Board approved maintenance of effort (MOE)
- Juvenile Justice – timing of provider appropriations
- Public Education – payment of 4<sup>th</sup> of 10 annual appropriations made to the public school system

The project to date deficit the BRCC Patton Building Project is due to the payment of architect fees and other expenditures for the project in the Capital Projects Fund, to be reimbursed from a future financing.

Motion:

*I move that the Board of Commissioners approves the October 2020 County Financial Report and Cash Balance Report as presented.*

### **Henderson County Public Schools Financial Reports – October 2020**

The Henderson County Public Schools October 2020 Local Current Expense Fund / Other Restricted Funds Report was provided for the Board's information.

Motion:

*I move that the Board of Commissioners approves the Henderson County Public Schools October 2020 Financial Reports as presented.*

### **2021 Proposed Schedule of Regular Meeting Dates**

The proposed 2021 Schedule of Regular Meeting Dates for Henderson County Board of Commissioners.

Monday, January 4, 2021	5:30 p.m.
(Budget Retreat) Wednesday, January 20, 2021	9:30 a.m.
Monday, February 1, 2021	5:30 p.m.
Wednesday, February 17, 2021	9:30 a.m.
Monday, March 1, 2021	5:30 p.m.
Wednesday, March 17, 2021	9:30 a.m.
Monday, April 5, 2021	5:30 p.m.
Wednesday, April 21, 2021	9:30 a.m.
Monday, May 3, 2021	5:30 p.m.
Wednesday, May 19, 2021	9:30 a.m.
Monday, June 7, 2021	5:30 p.m.
Wednesday, June 16, 2021	9:30 a.m.
<b>NO FIRST MONDAY MEETING IN JULY</b>	
Wednesday, July 21, 2021	9:30 a.m.
Monday, August 2, 2021	5:30 p.m.
Wednesday, August 18, 2021	9:30 a.m.

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<b>Tuesday, September 7, 2021</b>	5:30 p.m.
Wednesday, September 15, 2021	9:30 a.m.
Monday, October 4, 2021	5:30 p.m.
Wednesday, October 20, 2021	9:30 a.m.
Monday, November 1, 2021	5:30 p.m.
Wednesday, November 17, 2021	9:30 a.m.
Monday, December 6, 2021	5:30 p.m.
<b>NO THIRD WEDNESDAY MEETING IN DECEMBER</b>	

Motion:

*I move that the Board approves the 2021 Proposed Schedule of Regular Meeting Dates as presented.*

**Purchase of 50 Computer Workstations**

The Board is requested to approve the low bid and authorize staff to proceed with the procurement of 50 Computer Workstations. Bidding was conducted between September 23, 2020 and October 2, 2020. The bidder with the lowest overall cost was Dell for a total price including taxes of \$96,561.24

Fifty computer replacements were approved for the Department of Social Services as part of the FY2021 Information Technology listing. \$110,000.00 was budgeted in the FY2021 Budget for the purchase of these computer workstations.

Motion:

*I move the Henderson County Board of Commissioners to accept the low bid from Dell and authorize Henderson County staff to proceed with the purchase of 50 computer workstations in the amount of \$96,561.24.*

**Local Emergency Planning Committee (LEPC) Annual Report**

Pursuant to Article 2-7 of the Local Emergency Planning Committee By-Laws, the 2020 annual report is hereby submitted. The membership roster for 2021 is also submitted for approval.

**LEPC MEETINGS**

The Henderson County LEPC held quarterly meetings during 2020. The January meeting was hosted by LEPC member Sierra Nevada at their facility. Attendees were provided an overview of Sierra Nevada’s safety programs. Remaining quarterly meetings were held virtually to maintain safe practices during the pandemic.

**I-26 CONSTRUCTION**

During each 2020 LEPC meeting NCDOT staff provided updates and requested feedback from stakeholders regarding the I-26 widening project. DOT Staff continue to regularly coordinate with emergency responders and local hospitals during the project.

**HAZARD MITIGATION PLAN**

The South Mountains Regional Hazard Mitigation Plan was finalized and adopted by local authorities. This plan was also approved by NCEM and FEMA. Mitigation plans enable communities to be better prepared for disasters and ensure eligibility for state and federal assistance after a disaster. [A copy of the plan may be viewed here.](#)

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## CORONAVIRUS (COVID-19)

The Henderson County Department of Public Health, working with partner agencies such as Pardee Hospital, Advent Health, Blue Ridge Health and Emergency Management conducted regular coordination calls with the medical community to discuss strategies and impacts for the response to COVID-19. Pardee Hospital and Henderson County sponsored one of the first drive through testing clinics during March in collaboration with Blue Ridge Community College.

## CORONAVIRUS (COVID-19) FACTS

- The Public Health EPI team hosted several workshops during the early stages of COVID impacts in the US. These meetings enhanced community coordination and communications.
- By the end of the summer EM processed over 300 resource requests for PPE and supplies in Henderson County.
- Public Health hosts a regular Zoom meeting for collaboration of all community partners including non-profits and service providers.
- Working with local doctors, EM and the Health Department the Rescue Squad developed one of the first Long Term Care Strike Teams in the nation. The Henderson County model has been shared nationwide.



## HAZARDOUS MATERIALS - RIGHT TO KNOW

North Carolina Emergency Management works with local governments, industry, and residents to mitigate and manage hazardous materials incidents following guidelines outlined in the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Clean Air Act.

These laws require companies to report certain threshold quantities of chemicals for use by first responders, residents, the state, and local government. The collaboration created through these reports opens channels for communities to be informed and better prepare for chemical hazards.

Reports for a specific facility may be requested by contacting the Henderson County Emergency Management office at 828-674-4728.

During 2019, a total of 95 facilities submitted the required reports for the use of chemicals in their facilities. These reports are immediately available for emergency responders for response and training.

## LEPC Schedule of Meetings 2021

The Henderson County LEPC will continue with quarterly scheduled meetings for 2021. The meetings will follow the State of North Carolina's guidelines for assembly in place at the time of the meeting, either in-person or virtual.

Meeting Dates: January 14<sup>th</sup>, April 8<sup>th</sup>, July 8<sup>th</sup>, October 14<sup>th</sup>

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Industry partners who wish to be included in the LEPC meetings should contact Cathy Justice in the Emergency Management office to be added to the roster.

Call 828-697-4728 or email [cjustice@hednersoncountync.gov](mailto:cjustice@hednersoncountync.gov)

Motion:

*I move to approve the 2020 Local Emergency Planning Committee annual report and 2021 membership roster as presented.*

**Budget Amendment – 911 Secondary PSAP 2020.112**

Staff is requesting the Board approve the attached budget amendment which appropriates Fund Balance for the County's Secondary Public Safety Answering Point (PSAP), Hendersonville Police Department Communications, for the purchase of new Zetron radio consoles from Kimball Communication. These consoles will be installed as part of the Hendersonville Police Department construction project. This purchase has been approved by the North Carolina 911 Board.

Motion:

*I move the Board approves the budget amendment to appropriate 911 Fund Balance.*

**Budget Amendment – Capital Reserve Fund 2020.113**

The Board is requested to approve a Budget Amendment, appropriating \$30,000 from the Capital Reserve Fund. These monies will be used to fund renovations at the 95 Courthouse for the Congressional District Office.

Motion:

*I move the Board approves the budget amendment as presented, appropriating \$30,000 from the Capital Reserve Fund.*

**Budget Amendment – Dues and NonProfits 2020.114**

The Board is requested to approve a Budget Amendment, appropriating \$20,000 from Fund Balance. These monies will be used to fund a request from the American Legion, to replace uniforms for 25 volunteer members.

Motion:

*I move the Board approves the budget amendment as presented, appropriating fund balance.*

Commissioner Mike Edney noted that this budget amendment was approved in order to replace much needed uniforms for the honor guard.

**Notification of Vacancies**

The Notification of Vacancies is being provided for the Board's information. They will appear on the next agenda under "Nominations".

1. **Henderson County Board of Health – 1 vac.**  
Position #10
2. **Historic Resources Commission – 1 vac.**  
Position #8
3. **Juvenile Crime Prevention Council – 1 vac.**  
Positions #13 & 14

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**Lease Agreement – Congressional District Office**

A lease proposal was provided for Board approval for the Congressional District Office for Madison Cawthorn. The proposed monthly rental income to the County would be \$500.00 for the lease the +/- 2,038 square feet in the 1995 Courthouse. The term of the lease would be for the full term of the 117<sup>th</sup> Congress (January 3, 2021 through January 2, 2023).

Motion:

*I move the Board approves a lease proposal between Henderson County and the Representative Cawthorn for the period of January 3, 2021 through January 2, 2023, and authorize the County Manager to execute documentation on behalf of Henderson County.*

Chairman Hawkins noted this lease will be for Madison Cawthorn's office to be located in the 1995 Courthouse on Grove Street. This is only the second time in history that Henderson County has had a representative from our County, and our citizens will be well served.

**Schedule Special Called Meeting**

The Board is requested to schedule a Special Called Meeting for Monday, December 14, 2020 at 5:30 p.m. to discuss Board priorities and future agenda items.

Motion:

*I move the Board schedule a Special Called Meeting on Monday, December 14, 2020 at 5:30 pm.*

Chairman Hawkins noted the special called meeting will be utilized to discuss issues coming up in the next few months.

**Ratification of Contract**

Pursuant to the Board's direction, staff has negotiated and executed a contract for the purchase of real estate located at 900 North Main Street in Hendersonville, the Hedrick-Rhodes post of the Veterans of Foreign War. The contract was executed "SUBJECT TO FINAL APPROVAL BY THE BOARD OF COMMISSIONERS".

Motion:

*I move that the Board ratify the contract with Hedrick-Rhodes Post 5206 Incorporated for the purchase of the real estate located at 900 North Main Street.*

Commissioner Edney noted in support of our Veterans and their sacrifices, the Board is making an effort to purchase the VFW building and property. The building can be used in many ways for Veteran's Services. Clark Nexsen is looking at the property for due diligence. It is still in the investigative stage and will require close work with the City of Hendersonville. The Board should receive a report in January or February, with hope to close in February.

**DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA**

*Commissioner Edney made the motion to adopt the discussion agenda with the addition of an update by the HCPED on Project Wheel – Jabil Healthcare. All voted in favor and the motion carried*

**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. Cemetery Advisory Committee – 1 vac.**

Commissioner McCall nominated Elizabeth Owens for position #4.

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*Chairman Lapsley made the motion to accept the appointment of Elizabeth Owen to position #4 by acclamation. All voted in favor and the motion carried.*

**3. EMS Peer Review Committee – 1 vac.**

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

**4. Fire Commission – 1 vac.**

Commissioner Edney nominated Martin Harris for position #1.

*Chairman Lapsley made the motion to accept the reappointment of Martin Harris to position #1 by acclamation. All voted in favor and the motion carried.*

**5. Henderson County Zoning Board of Adjustment – 3 vac.**

Commissioner McCall nominated Hilliard Staton for position #1, Willard Fishburne for position #2, and Louise St. Romain for position #8.

*Chairman Lapsley made the motion to accept the reappointments of Hilliard Staton to position #1, Willard Fishburne to position #2, and Louise St. Romain to position #8 by acclamation. All voted in favor and the motion carried.*

**6. Henderson Tourism Development Authority – 1 vac.**

The Chamber of Commerce nominated David Adams for position #9. Commissioner Edney ratified the nomination.

*Chairman Lapsley made the motion to accept the nomination and appointment of David Adams to position #9 by acclamation. All voted in favor and the motion carried.*

**7. Hendersonville Business Advisory Committee – 1 vac.**

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

**8. Hendersonville Planning Board – 1 vac.**

Commissioner Edney nominated Steven Orr for position #3.

*Chairman Lapsley made the motion to accept the reappointment of Steven Orr to position #3 by acclamation. All voted in favor and the motion carried.*

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

Commissioner McCall nominated Donna Lovelace for position #3.

*Chairman Lapsley made the motion to accept the reappointment of Donna Lovelace to position #3 by acclamation. All voted in favor and the motion carried.*

**10. Juvenile Crime Prevention Council – 1 vac.**

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

**11. Laurel Park Planning Board – 1 vac.**

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

**12. 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.

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**13. Nursing/Adult Care Home Community Advisory Committee – 13 vac.**

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

**14. WCCA Board of Directors (Western Carolina Community Action) – 1 vac.**

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

**UPDATE - PROJECT WHEEL – JABIL HEALTHCARE – add on**

Brittany Brady, President and CEO of the Henderson County Partnership for Economic Development stated the County and community have aligned. This project will bring 150 new jobs and a \$38m investment to Henderson County. Jabil Healthcare provides healthcare solutions and is one of the largest in industry. In attendance were City Mayor Barbara Volk, Council members Jeff Miller and Jennifer Hensley. HCPED members Chip Could and Beau Waddell.

Jim Cormas, the General Manager, was introduced. He stated an East Flat Rock location has been selected. Their headquarters is located in St. Petersburg, Florida. They are a huge company bringing in \$26b in revenues in 2020. The manufacturing company does injection molding and design solutions. Most of their product is for diabetic care. The Arden site is at its limit, so the search began a few months ago for a site to expand. The site is 160,000 square feet and will house an 80,000 square feet clean room with 50,000 to expand in the future. The plan is to become operational in 2022.

HR Manager Amy Smith stated this company has been in Arden since 1995 under two prior names. They have already been hiring for the 150 new positions.

Commissioner Hill informed the Board that he is the surveyor of record on the property and has been since 2019.

Chairman Lapsley did not see a conflict.

Mayor Barbara Volk thanked the Company on behalf of the Hendersonville Council. She noted thanks for the Golden Leaf Grant which had provided money for water to the facility. She presented Mr. Cormas with a City of Hendersonville flag.

Chairman Lapsley thanked the Company and presented Mr. Cormas with a Henderson County flag.

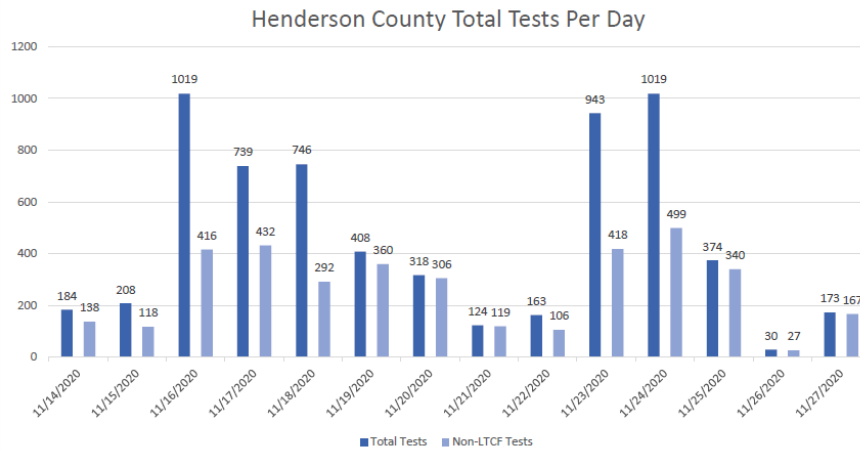
**COVID-19 UPDATE**

Jimmy Brissie provided the Board with the most current information pertaining to COVID-19 in Henderson County. All data based on date tested as of 8:00 am 12.4.2020

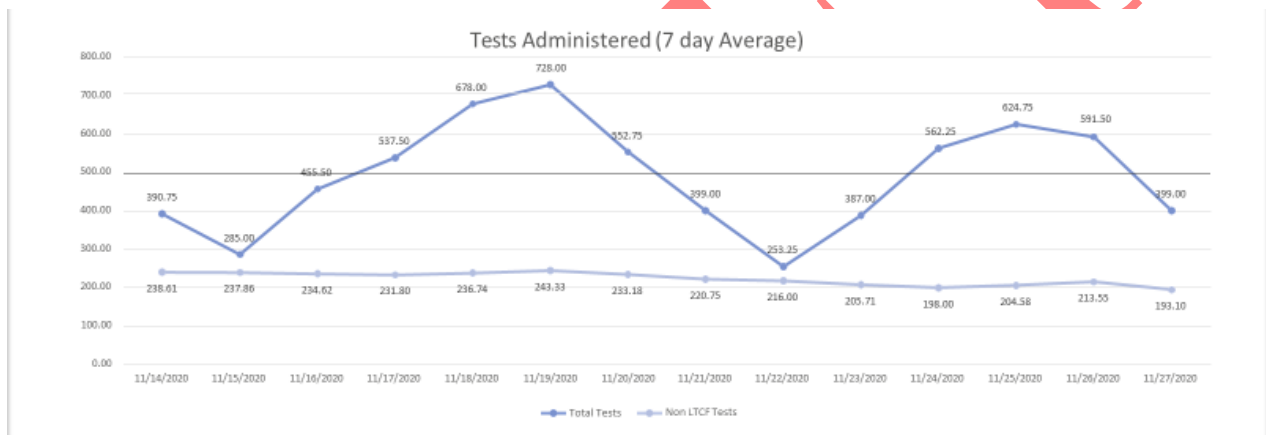


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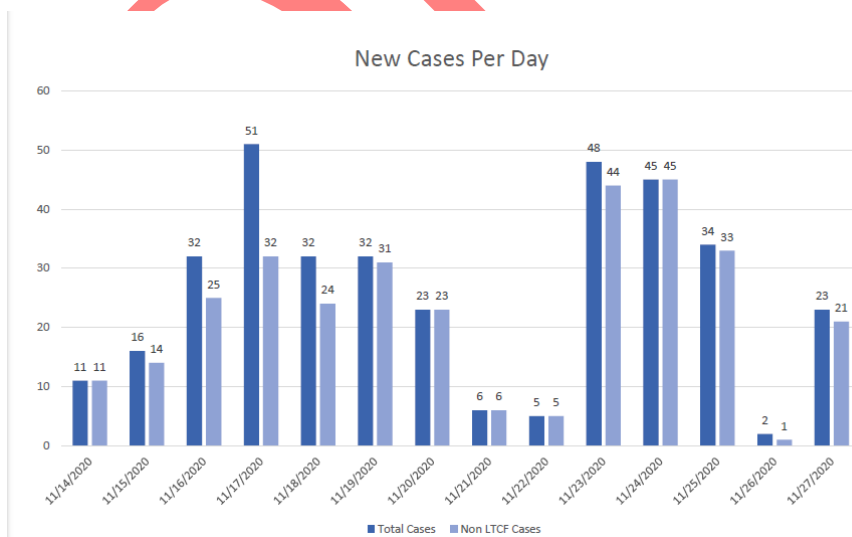
Henderson County Tests



Tests reported to Henderson County Department of Public Health 7 day average

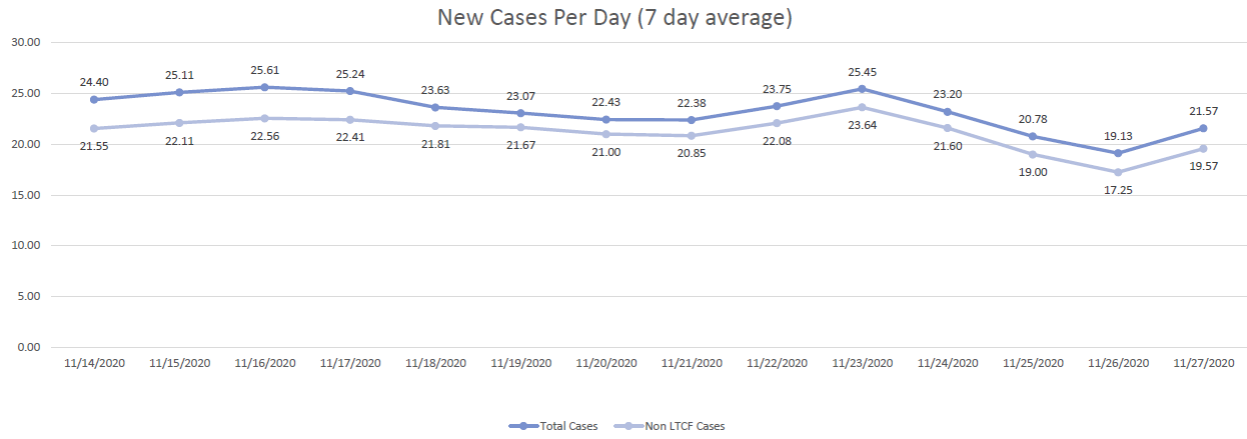


NEW Henderson County Cases (by date tested)

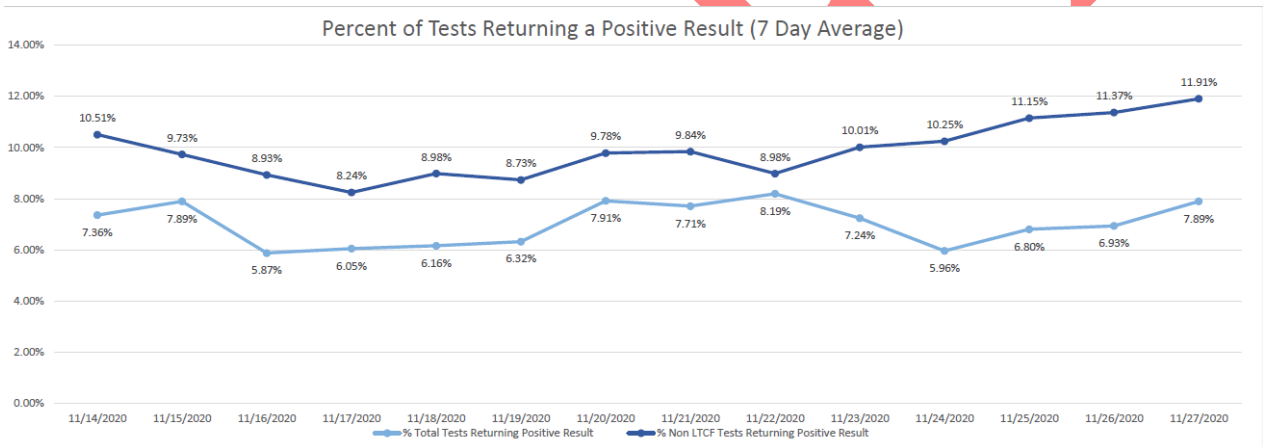


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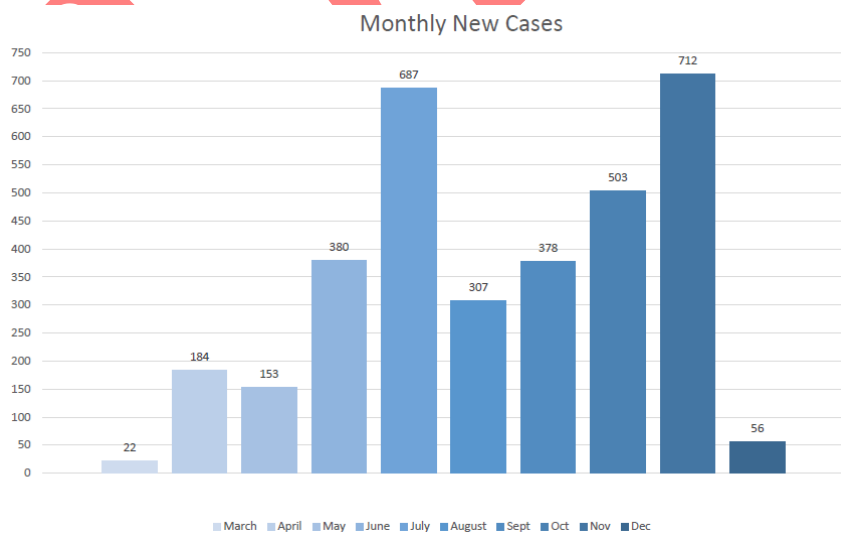
### New Henderson County cases 7 day average



### Percentage of tests returning A Positive Result

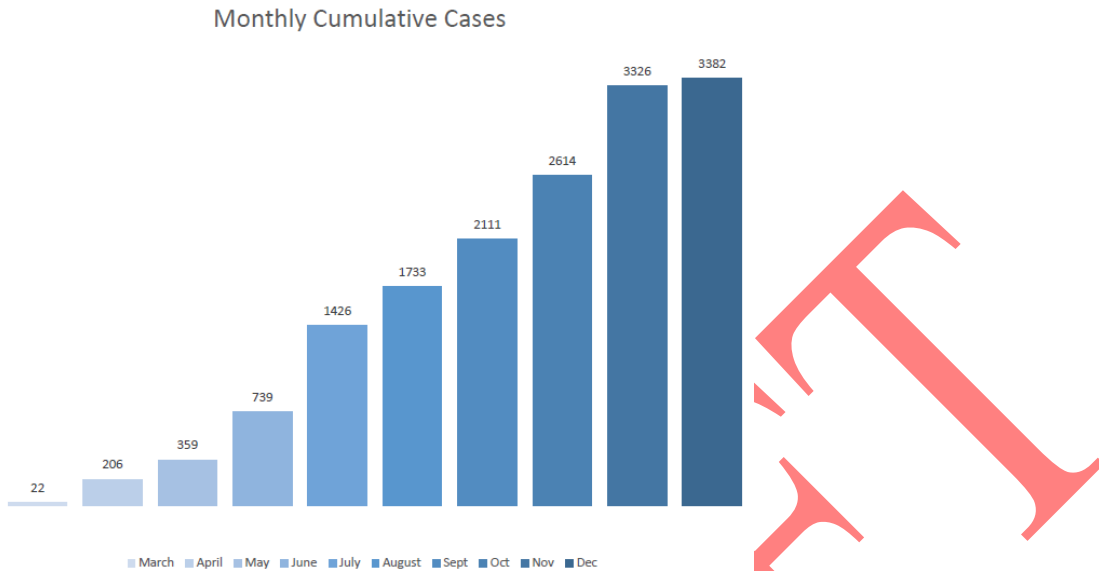


### New Cases Monthly

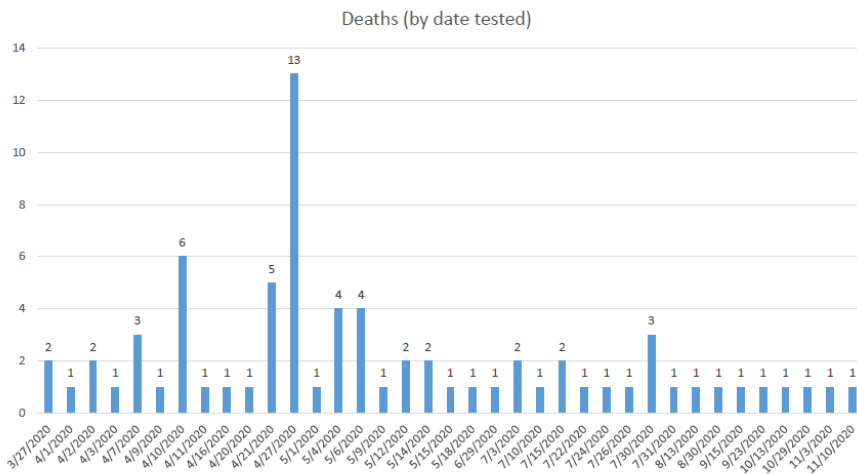


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### Cululative Case Counts



### Deaths by Date Tested



### Summary

Tests Administred: 57,798  
 Cases: 3382  
 Affiliated with LTCF: 734  
 Recoveries: 2633  
 Deaths: 74  
 Active: 675

Public Health Director Steve Smith shared additional information by handouts. He stated that with the cold weather they expected more difficulty. COVID 19 vaccinations should start happening soon. The

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State of North Carolina will receive 85,000 vaccinations. Long Term Care Facilities will be the first to receive the vaccinations, followed by healthcare workers, LTHC staff, Emergency personnel, hospitals, law enforcement, and people with high risks. This will take approximately two months. Two injections are required, the first at 21 days followed by the second at 28 days. Pardee Hospital will be the first hospital to receive vaccinations as they have the capacity to store them at -85 degrees.

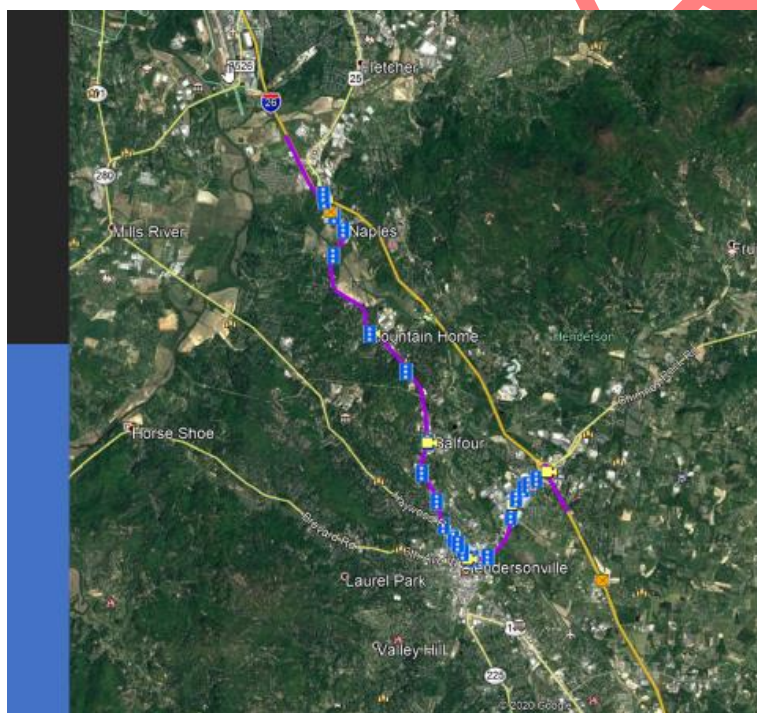
### **I-26 PROJECT UPDATE – BRIDGE DEMOLITION**

Jimmy Brissie, Emergency Management Director and NC Department of Transportation Staff shared information regarding the I-26 Project Update.

NCDOT staff Division 14 Engineer Mitchell Bishop, Project Manager Mike Patton, Chad Franklin, and PIO David Uchiyama provided additional information.

A component of the I-26 widening project includes the demolition of several existing overpass bridges. NCDOT staff will share a proposed concept of operations for this phase of the expansion project.

Emergency Management has been in contact with NCDOT and several stakeholders regarding the Henderson County project. They are planning the bridge demolitions and are considering complete interstate closures during overnight hours. This process would shorten the demolition to several days per bridge versus several weeks and save over \$650,000 per bridge. The first demolition being planned is Clear Creek Rd, sometime in the Jan/Feb '21 timeframe. If DOT goes that route the Interstate Corridor Management Routes (ICM) would be activated, routing all the traffic through town during the overnight closures. They have done this on several occasions in the evening over the past four months. The primary impact would be increased traffic through town during the overnight hours.



## West Bound Detour Route

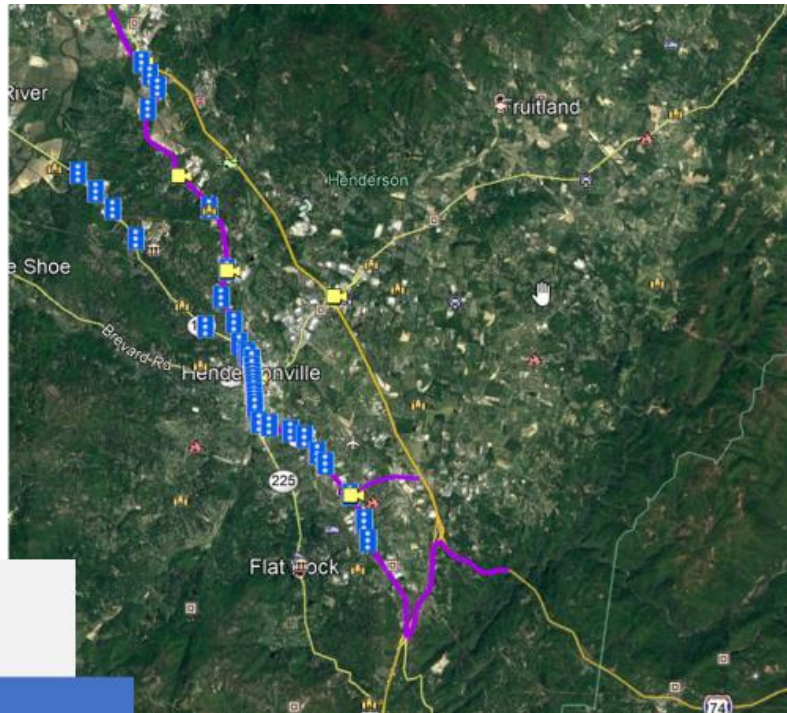
Exit 49 B to US 25 to I-26 at  
Exit 44

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# East Bound Detour Route



Exit 44 to US 25 South to US 176  
to Upward Rd/US 25



**WHY AN  
OVERNIGHT  
CLOSURE**

- **Cost savings on the Project**
  - Estimated cost savings close to \$1,000,000
- **Time savings**
  - Overnight closures will cut the operation down to several nights of slow roll, rolling roadblocks which will effect the traffic and emergency response basically the same.
  - 2 weeks per bridge with a rolling roadblock style operation
  - 2-4 nights with a complete closure
- **We have already successfully completed 4 trial/Dry runs of the ICM routes with previous slow roll operations.**

This project continues to be analyzed by NCDOT staff. The timeframe being considered is 8-9 p.m. until 6:00 a.m. Barrels will be used with 2-way traffic. Using strategic timing during the spring when there are less traveled days in the week. It will take two weeks per bridge (5 bridges) over the next few years. The Clear creek overpass is scheduled for early February. Butler Bridge Road will the be closed for 180 days since the new bridge will goes where the old bridge is currently.

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### **2045 COUNTY COMPREHENSIVE PLAN (CCP) CONSULTANT SELECTION**

John Mitchell stated the County Comprehensive Plan (CCP), adopted July of 2004, provided a guideline for growth in the County. The Board of Commissioners (BOC) authorized staff to start the process on the CCP update in FY20. Due to issues with the COVID-19 outbreak that impacted our residents and public outreach efforts, the CCP process was delayed.

The adopted FY21 budget provided half of the necessary funding to hire a consultant with the remaining funding to be approved in FY22. The consultant is necessary to assist planning staff with the public outreach, plan development, website and virtual outreach, and project completion. The RFP for a planning consultant was released on October 1<sup>st</sup>.

The selection committee reviewed all the proposals, interviewed the top three consultant firms, checked references, and identified Houseal Lavigne as the recommended firm. This firm has experience working with a wide array of governments across the country, putting an emphasis on municipal coordination as a key stakeholder. They employ various data analyzation tools including growth modeling, a working knowledge of state legislation and new requirements in NC, an adept ability for public outreach on multiple platforms including hosting the webpage for the CCP process.

Board approval is required to authorize staff to proceed with the consultant selection and negotiate a contract. This will allow for the CCP update process to begin in January with adoption of the draft 2045 Plan targeted for Fall of 2022.

Once the contracts are signed, planning staff will work with the consultant to revise the project schedule and begin working with targeted stakeholders. Planning staff will update the Board throughout the process.

*It was consensus of the Board that staff provide the top three RFP's to the Board of Commissioners for additional review and add the item to the December 14 agenda.*

### **2021 NCACC LEGISLATIVE GOALS CONFERENCE – VOTING DELEGATE DESIGNATION**

The North Carolina Association of County Commissioners (NCACC) has requested that the Board of Commissioners designate a Voting Delegate for the NCACC Legislative Goals Conference.

The NCACC Legislative Goals Conference will be held by virtual platform Thursday and Friday, January 14-15, 2021. Each county will be entitled to vote on legislative goal proposal submissions brought before the membership.

In order to facilitate the voting process, NCACC request that each county designate one voting delegate (*and also may assign one alternate voting delegate*) prior to the Legislative Goals Conference using the Designation of Voting Delegate form.

*Chairman Lapsley made the motion that the Board designate Commissioner Rebecca McCall as Henderson County's voting delegate to the NCACC Legislative Goals Conference. All voted in favor and the motion carried.*

### **COUNTY MANAGER'S REPORT**

Assistant County Manager Amy Brantley stated with adoption of the consent agenda, the Board adopted the meeting schedule for 2021. The mid-month meeting in January will be utilized for a budget workshop.

On December 2<sup>nd</sup>, Land of Sky awarded Chairman William Lapsley with the Robert G. Parrish Intergovernmental Relations Award.

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**The Robert G. Parrish, Sr. Intergovernmental Relations Award** is given in honor of the late Council Chairman and first Mayor of Fletcher. It is presented at the discretion of the Council's Executive Committee to an elected or appointed official who has made significant contributions to improving intergovernmental relations. This year the award was presented to Henderson County Commissioner, **William Lapsley**, for his contributions to Henderson County, the Land of Sky Region, and the State of North Carolina.

On December 2<sup>nd</sup>, Land of Sky awarded Steve Smith with the Extraordinary Public Service Award.

**Extraordinary Public Service Award**

This year, the Council bestowed this award on 5 outstanding Public Health Directors in the region. **Tammy Cody**, Madison County Public Health Director, **Dr. Jennifer Mullendore**, Buncombe County Interim Public Health Director, **Stacie Saunders**, Buncombe County Public Health Director, **Steven Smith**, Henderson County Public Health Director, and **Elaine Russell**, Transylvania County Public Health Director were given this award in appreciation for their devotion, commitment and exemplary service as Public Health Directors in our region. Their unwavering dedication to our citizens has helped our region respond to the many challenges presented by the COVID-19 pandemic. Land of Sky Regional Council is grateful for their exemplary leadership and dedication to public service.

**ADJOURN**

*Commissioner McCall made the motion to adjourn at 7:40 p.m. All voted in favor and the motion carried.*

Attest:

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

\_\_\_\_\_  
William Lapsley, Chairman