

DRAFT

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MONDAY, APRIL 5, 2021**

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.

Those present were: Chairman William Lapsley, Vice-Chair Rebecca McCall, Commissioner Mike Edney, Commissioner Daniel Andreotta, Commissioner David Hill, Assistant County Manager Amy Brantley, Attorney Russ Burrell, Clerk to the Board Teresa Wilson, and Clerk in Training Denisa Lauffer.

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, Purchasing Agent Doug Guffey, DSS Director Jerrie McFalls, Code Enforcement Director Matt Champion, Facilities Services Director Andrew Griffin, Budget Analyst Sonya Flynn, Project Engineer Natalie Berry, PIO Kathy Finotti – videotaping, Deputies Andrew Anderson and Jeffrey Corn as security.

Absent was: County Manager Steve Wyatt.

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was provided by Pastor Scott Crandall of the First Church of the Nazarene.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Emma Barber from the LIT 4-H Club.

RESOLUTIONS AND RECOGNITIONS

Resolution in support of the myFutureNC Attainment Goal

Nathan Ramsey, Executive Director for Land-of-Sky, requests the Board of Commissioners adopt a Resolution supporting the myFutureNC attainment Goal.

myFutureNC is a state-led nonprofit created to move the state's educational attainment goal of 2 million by 2030 into action. Achieving this goal will only be possible with cross-sector support at the local level. Over 120 organizations, including in our region AB Tech, Blue Ridge Community College, Land of Sky Regional Council and Mountain Area Workforce Development Board, have endorsed the goal and work of myFutureNC and they are hoping to have endorsements from all Local Education Agencies, Chambers, Boards of County Commissioners, Colleges and Universities, Economic Development organizations, as well as business and industry across the state.

Dr. Laura Leatherwood, President of Blue Ridge Community College, has been involved with this work over the last 1 1/2 years at a regional and local level, and feels this is an economic and workforce development imperative for not only Henderson County but the region and state, and respectfully requests consideration.

Chairman Lapsley made the motion that the Board adopts the Resolution supporting the myFutureNC Attainment Goal. All voted in favor and the motion carried.

Chairman Lapsley read the resolution aloud.

APPROVED:

RESOLUTION TO SUPPORT THE MYFUTURENC ATTAINMENT GOAL

Whereas, the myFutureNC Commission (the Commission) was chartered to involve the leaders of the education, business, Philanthropy, faith-based and non-profit communities from across North Carolina in developing an educational goal for our state, and

Whereas, the Commission has concluded that North Carolina should have a goal that 2 million North Carolinians will have a high-quality post-secondary degree or credential by 2030 (up from 1.3 million today); and

Whereas, the Henderson County Board of Commissioners is committed to helping employers in our region meet their workforce needs while helping job seekers and youth find a rewarding career pathway; and

Whereas, most jobs in our region that pay a family sustaining wage will require some type of education and training beyond a high school diploma; and

Whereas, employers in advanced manufacturing, healthcare, hospitality and tourism, technology, skilled trades, and other sectors in the region depend on a highly skilled workforce; and increasing post-secondary credential attainment will help employers meet their talent needs; and

Whereas, a post-secondary credential will help individuals find a rewarding career that will pay a family-sustaining wage; and

Whereas, the Land of Sky Education & Workforce Collaborative in our region of Buncombe, Henderson, Madison, and Transylvania Counties is the first multi-county regional attainment effort in North Carolina and is the regional pilot for North Carolina; and

Whereas the Land of Sky Education & Workforce Collaborative has developed a regional partnership with employers, educators, local governments, nonprofits, and other partners to increase post-secondary credential attainment in our region; and

Whereas, the Land of Sky Education & Workforce Collaborative has developed a strategic plan focused on regional best practices to support the education continuum from early-childhood education to adult learners.

Now, Therefore Be It Resolved by the Henderson County Board of Commissioners as follows:

1. That the Henderson County Board of Commissioners strongly supports the myFutureNC Commission post-secondary credential attainment goal that 2 million North Carolinians will have a high-quality degree or post-secondary credential by 2030.
2. That this Board will continue to foster partnerships across our region's education continuum and with leaders in business, philanthropy, and government to achieve that goal.
3. That this Board will work with employers, educators, government, non-profits, and workforce partners to increase the number of high-quality, post-secondary credentials awarded in the region to help meet the statewide myFutureNC attainment goal.
4. That this Board enthusiastically endorses the Land of Sky Education & Workforce Collaborative efforts to increase post-secondary credential attainment in our region.
5. That this resolution shall be effective upon its adoption.

Proclamation – Child Abuse and Neglect Prevention Month

The Department of Social Services has requested the Board of Commissioners adopt a Proclamation, designating April as Child Abuse and Neglect Prevention Month in Henderson County. Vice-Chair McCall read the proclamation aloud.

Vice-Chair McCall made the motion that the Board adopts the Proclamation, designating April as Child Abuse and Neglect Prevention Month in Henderson County. All voted in favor and the motion carried.

PROCLAMATION

DESIGNATING APRIL AS CHLD ABUSE AND NEGLECT PREVENTION MONTH

Whereas, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community; and

Whereas, our children are our most valuable resources and will shape the future of Henderson County, and

Whereas, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

Whereas, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

Whereas, effective child abuse prevention activities succeed because of the partnerships created between child welfare, education, health, community- and faith-based organizations, and businesses and law enforcement agencies; and

Whereas, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment; and

Whereas, prevention remains the best defense for our children and families.

Now, Therefore, Be It Resolved that the Henderson County Board of Commissioners, at their meeting on April 5, 2021 does hereby designate the month of April as Child Abuse and Neglect Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

INFORMAL PUBLIC COMMENTS

There was none.

INTRODUCTION OF CLERK TO THE BOARD IN TRAINING

Chairman Lapsley introduced Denisa Lauffer. Denisa comes with 17 years of experience with Henderson County and is currently training to replace the retiring clerk effective June 1, 2021.

DISCUSSION/ADJUSTMENT OF AGENDA

Commissioner Edney made the motion to approve Consent Agenda as presented, and Discussion Agenda minus NC Cooperative Extension update to be tabled to a future meeting. All voted in favor and the motion carried.

CONSENT AGENDA consisted of the following:

Minutes

Draft minutes were presented for board review and approval of the following meeting(s):
March 17, 2021 - Regularly Scheduled Meeting

Motion:

I move the Board approves the minutes of March 17, 2021.

Tax Collector’s Report

The March 26, 2021 report from the office of the Tax Collector is provided for the Board’s information.

Please find outlined below collections information through March 25, 2021 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):

2020 Beginning Charge:	\$86,176,774.09
Discoveries & Imm. Irreg.:	\$289,699.54
Releases & Refunds:	(\$440,225.00)
Net Charge:	\$86,026,248.63
Unpaid Taxes:	\$1,485,126.99
Amount Collected:	\$84,541,121.64



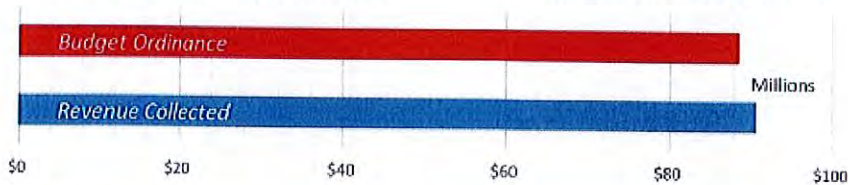
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$5,447,828.05
Unpaid Taxes:	\$40,856.62
Amount Collected:	\$5,406,971.43

99.25%

Henderson County FY21 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$87,594,211.00	Ad Valorem: \$89,948,093.07
Prior Years:	\$1,035,000.00	Prior Years: \$863,153.08
Budget Total:	\$88,629,211.00	YTD Revenue: \$90,811,246.15



2021.19 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	\$ 2,031.16
Total Refunds as a Result of the Above Releases	\$ 526.94

Motion:

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

Notification of Vacancies

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

- EMS Peer Review Committee – 1 vac.**
Position #18

2. **Governmental Financing Corporation – 1 vac.**
Position #2
3. **Henderson County Planning Board – 3 vac.**
Positions #2, 4 & 7
4. **Henderson County Transportation Advisory Committee – 1 vac.**
Position #1
5. **Home and Community Care Block Grant Advisory Committee – 1 vac.**
Position #5
6. **Juvenile Crime Prevention Council – 1 vac.**
Position #7

County Financial Report/Cash Balance Report – February 2021

The January 2021 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 January:

- Dues/Non-profit contributions – payment of 3rd quarter Board appropriations
- Elections – timing of expenditures related to 2020 elections
- Emergency Management – timing of Board approved purchases
- Rescue Squad – payment of 3rd quarter Board appropriations
- Economic Development – payment of 3rd quarter Board appropriation and timing of payment of incentives
- Medical Services – Autopsies – timing and quantity of services provided
- Mental Health – payment of 3rd quarter Board approved maintenance of effort (MOE)
- Juvenile Justice – timing of provider appropriations
- Public Education – payment of 8th of 10 annual appropriations made to the public school system
- Interfund Transfers – transfer for HCPS MRTS

The project to date deficit for 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 financing which closed in February 2021. Budget and accounting will be updated and reported on the March report.

Motion:

I move the Board approves the February 2021 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Reports – February 2021

The Henderson County Public Schools February 2021 Local Current Expense Fund / Other Restricted Funds Report was provided for the Board's information.

Motion:

I move that the Board approves the Henderson County Public Schools February 2021 Financial Reports as presented.

2021.20 Budget Amendment – Fund Balance Appropriated

During the Board's January 20, 2021 Budget Retreat there was discussion of the Board's Substance Abuse Initiative. As background, in 2018, the Board of Commissioners established the Henderson County Task

Force on Substance Abuse. The Task Force was charged with providing “a summary assessment of the situation and a determination of the action items which they could consider in a unified effort to protect the public safety and welfare.” When the final report was provided to the Board, one of those action items included working in conjunction with law enforcement to “ascertain the best approach to educating and directing known abusers into a program that could lead to recovery and an exit from the criminal justice system.”

The Board is requested to establish a pilot program, in which the Detention Center and First Contact Ministries will work in conjunction to direct substance abusers toward placement appropriate to their circumstances. To fund the establishment of this program, the Board is requested to approve a Budget Amendment, appropriating \$50,000 from Fund Balance.

Motion:

I move the Board approves the budget amendment as presented, appropriating \$50,000 from Fund Balance.

2021.21 Budget Amendment – Animal Shelter Roof Project

The Board is requested to approve a Budget Amendment, transferring \$124,775 from the General Fund planned projects account to the Capital Projects Fund, in anticipation of the project crossing into the next fiscal year. These monies will be used to fund the Animal Shelter roof project.

Motion:

I move the Board approves the budget amendment as presented, transferring funds from General Fund to Capital Projects Fund.

Purchase and Installation of Delta Control DDC System at Historic Courthouse

The Board is requested to approve the attached proposal and authorize staff to proceed with the procurement, installation, and integration of a Delta Control DDC System at the Historic Courthouse via the sole source exception as allowed under N.C.G.S 143-129 (e)(6). As a sole source contract with County government, approval of this agreement by the Board of Commissioners is required.

The sole proposal was received from Champion Systems, Inc. for a total price of \$54,700.00. The Historic Courthouse currently utilizes Carrier equipment and system controls, whereas the Historic Courthouse Annex utilizes the Delta Controls DDS system. The integration and consolidation of the Delta Controls DDS system offers a holistic approach to the needs of the entire structure and provides standardization for staff and maintenance programs in the future. Additionally, no other system will provide the same capability, as these features are proprietary to Delta Controls front end and the Delta Control Hardware currently existing in the Historic Courthouse Annex.

The purchase and installation of the control system is a part of the FY21 Planned Projects budget.

Motion:

I move the Board award the contract for the purchase, installation, and integration of a Delta Control DDC System to the sole bidder, Champion Systems for \$54,700.00 and authorize staff to proceed with the purchase using the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6).

2021.22 Edneyville Library Porch Enclosure Project - Budget Amendment

Henderson County Project Management advertised as per the attached Request for Proposal and received bids on March 12, 2021 for the Edneyville Library Porch Enclosure project. A low bid of \$79,300 was received from the local general contracting firm, J. Bartholomew Construction, LLC. The Board is

requested to accept and approve the low bid price and include a 5% contingency for a total cost of \$83,300.

The Board is also requested to approve a Budget Amendment, transferring \$83,300 from Restricted Fund Balance that is comprised of library donations from the General Fund to the Capital Projects Fund in anticipation of the project crossing into the next fiscal year.

No County dollars are being used for the project.

Motion:

I move the Board accepts J. Bartholomew Construction's low bid price plus 5% contingency and direct staff to proceed with the project and budget amendment as presented, appropriating restricted fund balance and transferring funds from the General Fund to the Capital Projects Fund.

2021.23 Ratify Amendment to Articles of Incorporation and Bylaws of Henderson County Hospital Corporation

Under the current Articles of Incorporation of Henderson County Hospital Corporation (the "Corporation"), the membership of its Board of Directors includes "[t]he President of UNC hospitals or his/her designee". Under the current Bylaws of the Corporation, "[t]e President of the University of North Carolina Health Care System or his/her designee" serves as an *ex officio* member of the Board of Directors, with full voting privileges.

UNC hospitals/University of North Carolina Health Care System no longer has a position of "President", such position having been replaced with the position "CEO".

The Board of Directors of the Corporation has unanimously voted to modify the Articles of Incorporation (and Bylaws) of the Corporation to change "President" to "CEO", as stated above.

The approval of the Board of County Commissioners is required for a change to the Articles of Incorporation of the Corporation.

Motion:

I move the Board ratify the proposed amendment of the Articles of Incorporation of Henderson County Hospital Corporation and directs the County Attorney to work with counsel for the Hospital Corporation to accomplish the same.

Set Public Hearing LDC Text Amendments (#TX-2021-02)

On March 17, 2021, the Board of Commissioners directed the Planning Board to provide a recommendation on the draft language for shooting ranges as discussed by the Board. The Planning Board was given 30 days to review the draft language and provide a recommendation on the proposed text amendment. The proposed amendment to the Land Development Code (#TX-2021-02) is related to indoor and outdoor shooting ranges.

The Planning Board discussed the proposed text amendments at its meeting on March 18, 2021 and voted to hold a special called meeting on March 24, 2021 to continue its discussion. At the special called meeting the Planning Board voted unanimously to send forward a favorable recommendation on the proposed amendments.

Board Action Requested:

State law and the LDC requires the Board of Commissioners to hold a public hearing prior to acting on a text amendment. Planning Staff requests the Board set a public hearing for Wednesday, April 21, 2021 at 9:30 a.m.

3-24-21 Planning Board Recommended Changes

Remove the current definition for shooting range and replace with a definition for commercial shooting range.

Shooting Range. A facility designed or used for archery and/or the discharging of firearms for the purposes of target practice or temporary competitions. A shooting range may be indoors (completely enclosed within a building/structure) or outdoors.

Shooting Range, Commercial. - An area, indoors or outdoors, designed and operated for profit for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting. This includes any such area owned and/or operated by a for-profit or non-profit entity which requires membership dues to be a member, or which requires any remuneration (including “donations”) in exchange for access to the area, or any other organization that meets the requirements of the exception to the Noise Ordinance in Section 18-4.A.3. For the purpose of this chapter, private shooting on individual property that does not meet the above standards for commercial shooting ranges shall be allowed by right without a zoning permit provided that it complies with Chapter 23 of the Henderson County Weapons Ordinance, 23-10.C.

Add a provision on HOA’s to the LDC as a general requirement for all uses.
§42-13

In the event a parcel is subject to restrictive covenants, homeowners or property owner’s association rules, in a situation where those covenants or rules are more restrictive in terms of permitted land use than this Ordinance, the provisions of such covenants or rules would be unaffected by this Ordinance.

Amend the Table of Permitted and Special Uses for shooting ranges.

USE TYPE	GENERAL USE DISTRICT P=Permitted; S=Special Use Permit										
	R1	R2	R2R	R3	R4	OI	LC	CC	RC	I	SR
4. RECREATIONAL USES											
<i>Shooting Ranges, Indoor</i>			S	S	S		S	S	S	S	4.17
<i>Shooting Ranges, Outdoor</i>				S	S					S	4.18
Commercial Shooting Ranges, Indoor			P	P	P	S	P	P	P	P	4.17
Commercial Shooting Ranges, Outdoor			P	P	P	S	P	P	P	P	4.18

SR 4.17. Commercial Shooting Ranges, Indoor

1. Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
2. Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
3. Structure. Indoor *shooting ranges* shall be designed to contain all projectiles fired within portions of the *structure* specifically designated for firearm discharge.

SR 4.18. Commercial Shooting Ranges, Outdoor

- (1) Site Plan. Major *Site Plan* required in accordance with §42-331 (Major Site Plan Review).
- (2) Lighting. *Adequate lighting* shall be placed in areas used for vehicular/pedestrian access including, but not limited to stairs, sidewalks, crosswalks, intersections, or changes in grade. *Lighting mitigation* required.
- (3) Dust Reduction. Unpaved *roads, travel ways* and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.
- (4) Separation. An outdoor *shooting range* shall not be constructed or newly located within:

- a. One-half (½) mile of an existing *school, library, day care facility, healthcare facility and/or religious institution*; and
 - b. One thousand (1,000) feet of an existing *dwelling unit* (located in a *residential zoning district* and not located on the same property as the *use*).
- (5) Security. The operations of an outdoor *shooting range* shall be totally enclosed by:
 - (1) a security fence at least eight (8) feet in height; or (2) a wall at least eight (8) feet in height. Entrances and exits should be secured and locked during non-operating hours.
 - (6) Perimeter Setback. Two hundred (200) feet. (Storage of debris, equipment and other materials shall not be permitted in the *perimeter setback*).
 - (7) Perimeter Buffer. Fifty (50) feet.
 - (8) Structure. Outdoor *shooting ranges* must be designed to contain all projectiles fired on-site.
 - (9) Hours of Operation. 9:00 a.m. to 8:00 p.m.
 - (10) **Special events that include, but not limited to, turkey shoots, competitions, etc., shall be allowed with a Special Events Permit provided it complies with SR 11.5 and/or SR 11.6. These events are allowed in all zoning districts.**

Motion:

I move the Board schedules a public hearing on the proposed LDC Text Amendments (#TX- 2021- for Wednesday, April 21, 2021 at 9:30 a.m.

Set Public Hearing to close portion of Courtland Boulevard, Mountain Home Street, and Cosmos Drive Right of Way

Planning and Property Addressing staff have received the attached petitions to close unopened portions of Courtland Boulevard, Mountain Home Street, and Cosmos Drive. Under North Carolina General Statute (NCGS) 153A-241, counties have the power to close any public road or easement not within a city, except public roads or easements for public roads under control of the Department of Transportation. To close any road, the Board must:

- Vote to adopt a resolution declaring its intent to close the public road or easement.
- Call and notice a public hearing on closing the road or easement, with notice “reasonably calculated to give full and fair disclosure of the proposed closing to be published once a week for three successive weeks before the hearing, a copy of the resolution to be sent by registered or certified mail to each owner as shown on the county tax records of property adjoining the public road or easement who did not join in the request to have the road or easement closed, and a notice of the closing and public hearing to be prominently posted in at least two places along the road or easement”.
- Hold the public hearing, where the Board must “hear all interested persons who appear with respect to whether the closing would be detrimental to the public interest or to any individual property rights”.
- Then, if the Board “is satisfied that closing the public road or easement is not contrary to the public interest and (in the case of a road) that no individual owning property in the vicinity of the road or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the Board may adopt an order closing the road or easement.”
- File a copy of the Board’s order with the Register of Deeds.

Motion:

I move the Board approves the proposed resolution and set the public hearing for May 3, 2021.



2021.24 Budget Amendment – VFW Acquisition and Design Services

The Board is requested to approve a Budget Amendment, transferring \$52,715 from Capital Reserve Fund to the Capital Projects Fund. These monies will be used to for the acquisition of the VFW property and subsequent design services.

Motion:

I move the Board approves the budget amendment as presented, transferring funds from Capital Reserve Fund to the Capital Projects Fund.

DISCUSSION - OLD BUSINESS ITEMS

HENDERSON COUNTY COURTHOUSE AND JAIL CONCEPTUAL PLANNING

John Mitchell stated at the Board’s direction, staff have prepared a Request for Qualifications to solicit responses from qualified firms to provide a Conceptual Plan for the Henderson County Courthouse (95 Courthouse) and Jail planning effort.

Potential firms will provide planning services to the Board for possible additions, renovations, or new construction associated with the facilities.

Chairman Lapsley would like to include language in the RFQ that Henderson County does not discourage joint ventures of two firms.

It was the consensus of the Board to allow joint ventures in RFQ proposals.

Commissioner Edney made the motion that the Board accepts the RFQ as amended.

DISCUSSION - NEW BUSINESS ITEMS

NC COOPERATIVE EXTENSION UPDATE – This item was removed from the agenda and tabled to a later date.

NOMINATIONS AND APPOINTMENTS

Cemetery Advisory Committee – 2 vac.

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

Hendersonville Business Advisory Committee – 1 vac.

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

Hendersonville City Zoning Board of Adjustment – 1 vac.

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

Hendersonville Planning Board – 1 vac.

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

Industrial Facilities and Pollution Control Financing Authority – 1 vac.

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

Juvenile Crime Prevention Council – 2 vac.

Chairman Lapsley nominated Kim Gasperson-Justice for position #14.

Chairman Lapsley made the motion to accept the appointment of Kim Gasperson-Justice to position #14 by acclamation. All voted in favor and the motion carried.

Laurel Park Planning Board – 1 vac.

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

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.

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.

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.

COMMISSIONER UPDATES

Routine Updates from Commissioners

Commissioner updates include current and ongoing items of interest in the County and allow

commissioners an opportunity to bring the full Board up to date on issues that occur between meetings. Commissioners may also use this opportunity to report on related committee work and assignments.

Topics for this meeting are as follows:

Chairman Lapsley

1. American Recovery Act

Chairman Lapsley has requested the inclusion of this update, to discuss American Rescue Plan Act funding.

Staff Research:

\$22,770,000 is the estimated allocation amount for Henderson County. In addition to the County's allocation, municipalities will receive their own allocations directly from the Federal government.

Funds will be distributed by the U.S. Department of Treasury, and the deadline to spend the funds is December 31, 2024. The County will receive the first half of the funding no later than 60 days after enactment, and the second payment will come no earlier than 12 months after the first payment.

Local governments, including counties, will be required to provide "periodic reports" providing a detailed account of the use of the funds. If a state, county or municipality does not comply with any provision of the bill, they will be required to repay the U.S. Treasury an equal amount to the funds used in violation.

Guidance from the US Department of Treasury on specific provisions as mentioned above has not yet been issued.

2. Fee Schedule Revisions – Animal Shelter

Sheriff Griffin has concerns with some of the revisions and would like to address the issues prior to being on an agenda. This item will be tabled for a couple of months.

3. House Bill 119

The Board requested the Chairman to correspond with the Governor regarding House Bill 119 (property tax relief – COVID 19 businesses). A reply has been received from the Governor thanking us for our interest.

4. Stewart Consulting Firm

The county comprehensive plan meetings with Stewart Consulting Firm went well. More information to come later.

5. Purchase of VFW Property

The Board of Commissioners closed on the VFW property on Thursday, April 1, 2021, and are now owners of that property. Direction will need to be given to staff regarding architectural services for the extent of improvement and a timetable. This item will be discussed at the April 21, 2021 meeting.

6. Public Hearing for LDC Text Amendments – Shooting Ranges

Consent agenda of this meeting approved setting a Public Hearing for consideration of LDC Text Amendments regarding shooting ranges for April 21, 2021 at 9:30 a.m.

7. Closed Session – County Manager position discussion

The Board will be discussing the County Manager position during closed session today.

Vice Chair McCall

1. Henderson County Beautification Project

A banner is displayed on the front balcony of the Historic Courthouse promoting Litter Sweep. Christine Wittmeier made the banner reusable allowing the dates to be changed.

2. HCPED Steering Committee

The Henderson County Partnership for Economic Development Steering Committee is comprised of members from Blue Ridge Community College, Henderson County Public Schools, The Chamber of Commerce, and Land-of-Sky. The committee is striving to make North Carolina a North Carolina Works Certified Community. This means the community is work ready with trained employees. To receive the certification 71 North Carolina counties must sign up.

3. Retirement of Roy Williams

UNC basketball coach Roy Williams has retired and moved to the Flat Rock Community.

Commissioner Edney

1. TDA Executive Director

The Executive Director position for the Tourism Development Authority has been narrowed down to two candidates with a starting date in May 2021.

2. Finance Department – Allocation of COVID Funding

Samantha Reynolds stated money received for COVID-19 will be set up in a separate fund and not part of the operational general fund. It will be completely segregated and not in our budget with auditors involved in the process.

Commissioner Hill

1. Sale of Morris Broadband

Morris Broadband has been sold to Altice Corporation. A representative from Altice corporate will be present at the May 19, 2021 Board Meeting at 9:30 a.m.

Commissioner Andreotta

1. Fletcher Fire Department 24/7

An architect is looking at plans for the upgrade to this facility for living space for both male and female workers. We hope to have more information by the next meeting and a cost analysis by May.

GENERAL ASSEMBLY UPDATES

General Assembly updates include current and ongoing items of interest to the County related to the North Carolina General Assembly.

Assistant County Manager Amy Brantley noted no notable updates this week due to spring break.

COUNTY MANAGER’S REPORT

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

Assistant County Manager Amy Brantley stated to follow tradition, she is polling the Board to get their predictions on the winner of tonight’s NCAA Basketball tournament final between Baylor University and Gonzaga.

Daniel Andreotta	Gonzaga
David Hill	Gonzaga
William Lapsley	Gonzaga
Rebecca McCall	Baylor
Mike Edney	Gonzaga

Russ Burrell Gonzaga
Steve Wyatt (via text) Baylor

Final Score
Baylor 86 - Gonzaga 70

CONDOLENCES

Amy Brantley shared the loss of two retired county employees Bert McCall on April 1, 2021 and Charlie Ball on March 31, 2021. Both employees were regarded highly and will be missed.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(1) & (a)(6), as allowed pursuant to NCGS 143-318.11 for the following reason:

(a)(1) To prevent disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, in accordance with and pursuant to NCGS 143-318.10(e) and Article II of Chapter 11 of the Henderson County Code.

(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Commissioner Edney made the motion to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(1) & (a)(6), as noted in the agenda package. All voted in favor and the motion carried.

ADJOURN

Commissioner McCall made the motion to go out of closed session and adjourn at 7.45 p.m. All voted in favor and the motion carried.

Attest:

Teresa L. Wilson, Clerk to the Board

William Lapsley, Chairman

Henderson County Board of Commissioners

1 Historic Courthouse Square • Suite 1 • Hendersonville, NC 28792
Phone (828) 697-4808 • Fax (828) 692-9855 • www.hendersoncountync.gov

William G. Lapsley
Chairman
Rebecca K. McCall
Vice-Chairman



J. Michael Edney
Daniel J. Andreotta
David H. Hill

RESOLUTION TO SUPPORT THE MYFUTURENC ATTAINMENT GOAL

WHEREAS, the myFutureNC Commission (the Commission) was chartered to involve the leaders of the education, business, philanthropy, faith-based and non-profit communities from across North Carolina in developing an educational goal for our state, and

WHEREAS, the Commission has concluded that North Carolina should have a goal that 2 million North Carolinians will have a high-quality post-secondary degree or credential by 2030 (up from 1.3 million today); and

WHEREAS, the Henderson County Board of Commissioners is committed to helping employers in our region meet their workforce needs while helping job seekers and youth find a rewarding career pathway; and

WHEREAS, most jobs in our region that pay a family sustaining wage will require some type of education and training beyond a high school diploma; and

WHEREAS, employers in advanced manufacturing, healthcare, hospitality and tourism, technology, skilled trades, and other sectors in the region depend on a highly skilled workforce; and increasing post-secondary credential attainment will help employers meet their talent needs; and

WHEREAS, a post-secondary credential will help individuals find a rewarding career that will pay a family-sustaining wage; and

WHEREAS, the Land of Sky Education & Workforce Collaborative in our region of Buncombe, Henderson, Madison, and Transylvania Counties is the first multi-county regional attainment effort in North Carolina and is the regional pilot for North Carolina; and

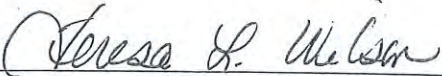
WHEREAS, the Land of Sky Education & Workforce Collaborative has developed a regional partnership with employers, educators, local governments, nonprofits, and other partners to increase post-secondary credential attainment in our region; and

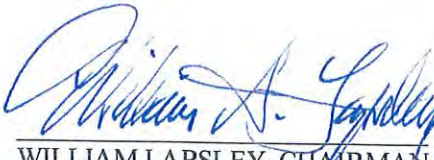
WHEREAS, the Land of Sky Education & Workforce Collaborative has developed a strategic plan focused on regional best practices to support the education continuum from early-childhood education to adult learners.

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

1. That the Henderson County Board of Commissioners strongly supports the myFutureNC Commission post-secondary credential attainment goal that 2 million North Carolinians will have a high-quality degree or post-secondary credential by 2030.
2. That this Board will continue to foster partnerships across our region's education continuum and with leaders in business, philanthropy, and government to achieve that goal.
3. That this Board will work with employers, educators, government, non-profits, and workforce partners to increase the number of high-quality, post-secondary credentials awarded in the region to help meet the statewide myFutureNC attainment goal.
4. That this Board enthusiastically endorses the Land of Sky Education & Workforce Collaborative efforts to increase post-secondary credential attainment in our region.
5. That this resolution shall be effective upon its adoption.

Adopted this the 5th day of April, 2021.


Attest: Teresa L. Wilson, Clerk to the Board


WILLIAM LAPSLEY, CHAIRMAN

Henderson County Board of Commissioners

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PROCLAMATION

DESIGNATING APRIL AS CHLD ABUSE AND NEGLECT PREVENTION MONTH

WHEREAS, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community; and

WHEREAS, our children are our most valuable resources and will shape the future of Henderson County, and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

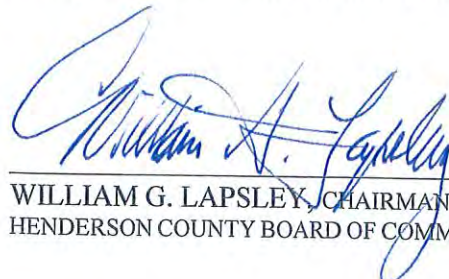
WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare, education, health, community- and faith-based organizations, and businesses and law enforcement agencies; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment; and


WHEREAS, prevention remains the best defense for our children and families.

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners, at their meeting on April 5, 2021 does hereby designate the month of April as Child Abuse and Neglect Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Adopted this the 5th day of April, 2021.


WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

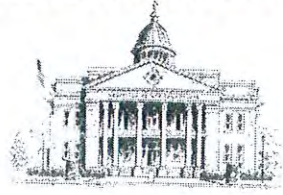
ATTEST:


TERESA L. WILSON, CLERK TO THE BOARD

Henderson County Board of Commissioners

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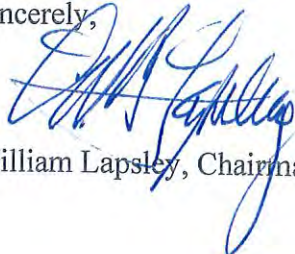
April 5, 2021

Darlene Burgess, Assessor
HENDERSON COUNTY ASSESSOR'S OFFICE
200 N. Grove Street, Suite 102
Hendersonville, N. C. 28792

Dear Mrs. Burgess:

Attached please find tax release requests in the amount of \$2,031.16 and tax refund requests in the amount of \$526.94 reviewed at the Henderson County Board of Commissioners' Meeting on Monday, April 5, 2021. All releases and refunds were approved.

Sincerely,


William Lapsley, Chairman

Enclosures (1)

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF
COMMISSIONERS**

MEETING DATE: April 5, 2021
SUBJECT: Pending Releases & Refunds
PRESENTER: Darlene Burgess, Tax Administrator
ATTACHMENT: Yes
1. Pending Release/Refund Combined Report

SUMMARY OF REQUEST:

The attached 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.

Type:	Amount:
Total Taxes Released from the Charge	\$ 2,031.16
Total Refunds as a Result of the Above Releases	\$ 526.94

BOARD ACTION REQUESTED:

The Board is requested to approve this pending release and refund report as presented.

Suggested Motion:

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

NCPTS Pending Release/Refund Report. Friday, March 19, 2021 *

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	STATUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND		
CRAWFORD, LAWRENCE ALLEN	0003090754-2020-2020-0000	WATERCRAFT DOUBLE BILLED ON ABSTRACTS 3090754 AND 3091594. ABSTRACT 3090754 VOIDED.	(\$24,921)	7601	H-SALTER	35 LITTLE HUNGRY CREEK LN HENDERSONVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL:	\$139.81 \$13.98 \$153.79	\$139.81 \$13.98 \$153.79	\$139.81 \$13.98 \$153.79	\$139.81 \$13.98 \$153.79		
OWNER TOTAL:														
DEPARTMENT OF TRANSPORTATION	0003099202-2020-2020-0000	OWNER OF RECORD AS OF JANUARY 1, 2020 WAS DEPARTMENT OF TRANSPORTATION.	(\$213,900)	7602	K-HENSLEY	205 UPWARD RD EAST FLAT ROCK NC 28726	COUNTY	TAX LATE LIST FEE TOTAL:	\$1,199.98 \$0.00 \$1,199.98	\$0.00 \$0.00 \$1,199.98	\$1,199.98 \$0.00 \$1,199.98	\$192.17 \$0.00 \$192.17		
OWNER TOTAL:														
PARIS, WAYNE C	0000681160-2020-2020-0000	MANUFACTURED HOME WAS DESTROYED IN 2019.	(\$213,900)	7603	K-HENSLEY	102 MOUNTAIN RD HENDERSONVILLE NC 28791	COUNTY	TAX LATE LIST FEE TOTAL:	\$15.15 \$1.51 \$16.66	\$0.00 \$0.00 \$16.66	\$15.15 \$1.51 \$16.66	\$0.00 \$0.00 \$0.00		
OWNER TOTAL:														
PLUMP BROTHERS LLC	0002431674-2020-2020-0000	BUSINESS CLOSED IN 2019.	(\$45,797)	7605	K-DECKARD	624 7TH AVE E HENDERSONVILLE NC 28792	COUNTY	TAX LATE LIST FEE TOTAL:	\$257.03 \$0.00 \$257.03	\$257.03 \$0.00 \$257.03	\$256.92 \$0.00 \$256.92	\$256.92 \$0.00 \$256.92		
OWNER TOTAL:														
SALDUTTI, STEVEN ROSS	0002484954-2020-2020-0000	WATERCRAFT SOLD 7/5/19.	(\$801)	7600	SMORROW	98 JUSTUS VIEW DR HENDERSONVILLE NC 28739	COUNTY	TAX LATE LIST FEE TOTAL:	\$4.49 \$0.45 \$4.94	\$0.00 \$0.00 \$4.94	\$4.49 \$0.45 \$4.94	\$0.00 \$0.00 \$0.00		
OWNER TOTAL:														
GRAND TOTALS:														
											(\$288,119)	\$5.95	\$2,031.16	\$526.94

*Adjustments submitted for approval on or before

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Finance

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>405400-538100-2008</u>	<u>PROFESSIONAL SERVICES</u>	<u>\$580</u>
<u>405400-538106-2008</u>	<u>ARCHITECT FEES</u>	<u>\$16,500</u>
<u>405400-555000-2008</u>	<u>CAPITAL OUTLAY - BLDGS AND IMPROVEMENT</u>	<u>\$35,635</u>
<u>215400-598040</u>	<u>TRANSFER TO CAPITAL PROJECT FUND</u>	<u>\$52,715</u>

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

Account	Line-Item Description	Amount
<u>404400-402100-2008</u>	<u>TRANSFER FROM CAPITAL RESERVE FUND</u>	<u>\$52,715</u>
<u>214400-401000</u>	<u>FUND BALANCE APPROPRIATED</u>	<u>\$52,715</u>

Justification: *Please provide a brief justification for this line-item transfer request.*
 TO BUDGET FOR THE PURCHASE AND DESIGN SERVICES RELATED TO THE VFW BUILDING.
 BOARD APPROVED ON 4.5.2021

<u>Finance</u>	<u>4.5.2021</u>
<u>Authorized by Department Head</u>	<u>Date</u>
<u>Authorized by Budget Office</u>	<u>Date</u>
<u>Authorized by County Manager</u>	<u>Date</u>

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: Detention

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115432 - 539000</u>	<u>Contracted Services</u>	<u>\$50,000</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>114990 - 401000</u>	<u>Fund Balance Appropriated</u>	<u>\$50,000</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Justification: *Please provide a brief justification for this line-item transfer request.*
 To contract with First Contact Ministries for provision of placement services for referrals from the Detention Center. Approved by the Board 4.5.2021.

<u>Budget</u>	<u>4.5.2021</u>
Authorized by Department Head _____	Date
Authorized by Budget Office _____	Date
Authorized by County Manager _____	Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY



Department: FINANCE

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115980-598040</u>	<u>TRANSFER TO CAPITAL PROJECTS FUND</u>	<u>\$124,775</u>
<u>405400-539000-5619</u>	<u>CONTRACTED SERVICES</u>	<u>\$124,775</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>115419-535103</u>	<u>PLANNED PROJECTS</u>	<u>\$124,775</u>
<u>404400-403500-5619</u>	<u>TRANSFER FROM GENERAL FUND</u>	<u>\$124,775</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Justification: Please provide a brief justification for this line-item transfer request.

TO TRANSFER FUNDS FROM PLANNED PROJECTS TO THE CAPITAL PROJECTS FUND FOR THE ANIMAL SHELTER ROOF PROJECT (\$124,775), IN ANTICIPATION OF THE PROJECT CROSSING FISCAL YEARS. APPROVED BY THE BOC 4.5.2021.

_____	4.5.2021	_____
Authorized by Department Head	Date	
_____		_____
Authorized by Budget Office	Date	
_____		_____
Authorized by County Manager	Date	

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: FINANCE/LIBRARY

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>115980-598040</u>	<u>TRANSFER TO CAPITAL PROJECTS FUND</u>	<u>\$83,300</u>
<u>405400-555000-5619</u>	<u>CAPITAL OUTLAY - BUILDINGS AND IMPR.</u>	<u>\$83,300</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Account	Line-Item Description	Amount
<u>114990-401005</u>	<u>FUND BALANCE APPROPRAITED -</u>	<u>\$83,300</u>
<u>404400-403500-5619</u>	<u>LIBRARY DONATIONS</u>	<u>\$83,300</u>
_____	<u>TRANSFER FROM GENERAL FUND</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Justification: *Please provide a brief justification for this line-item transfer request.*

TO APPROPRIATED RESTRICTED FUND BALANCE FOR THE EDNEYVILLE LIBRARY PORCH ENCLOSURE PROJECT AND TRANSFER TO CAPITAL PROJECT FUND IN ANTICIPATION OF THE PROJECT CROSSING TO THE NEXT FISCAL YEAR. BOC APPROVED 4.5.2021.

Authorized by Department Head 4.5.2021 _____
Date

Authorized by Budget Office _____
Date

Authorized by County Manager _____
Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

EXTRACT FROM MINUTES

MARGARET R. PARDEE MEMORIAL HOSPITAL

BOARD OF DIRECTORS

December 2, 2020

On December 2, 2020, a regular meeting of the Board of Directors of Margaret R. Pardee Memorial Hospital/Henderson County Hospital Corporation was held.

The following members were present: Tammy Albrecht, Chair – Webex; Greg Burnette, Vice Chair – In Person; Tommy Thompson, Secretary – In Person; Chip Gould, Treasurer – In Person; Jay Kirby – In Person; Jimmy Chandler – In Person; Hall Waddell – In Person; Debbie Bell – In Person; Michael Edney – In Person; Dr. Tom Eisenhauer – Webex; Vivian Bolanos – In Person; Dr. John Bryant – In Person; Brittany Brady – In Person; Dr. Greg McCarty – Webex; Gary Park – Webex

.....
Governance Committee
Presenter: Mr. Thompson

The Governance Committee met on November 4, 2020, and a motion was made as a recommendation to the Board from the Governance Committee to change the wording in Article VII D of the Articles of Incorporation from “The President of UNC hospitals or his/her designee” to “The CEO of UNC Health or his/her designee”. It was noted the Article may only be amended by the consent of the Board, UNCCHS and the Board of Commissioners of Henderson County.

Another motion was made as a recommendation to the Board from the Governance Committee to change the wording of the Bylaws Article 1 Section 8 from “The President of the University of North Carolina Health Care System or that person’s designee may serve as an ex officio, voting Director,” to “The CEO of UNC Health or his/her designee may serve as an ex officio, voting Director.” It was noted that the Bylaws may be amended by an affirmative vote of two-thirds of the voting members of the Board.

A motion was made to revise the wording in Article VII D of the Articles of Incorporation and Article 1 Section 8 of the Bylaws as described in the minutes above upon ratification by the Board of Commissioners of Henderson County.

Moved: Mr. Waddell

Seconded: Ms. Bolanos

None Opposed
CARRIED

This extract is a certified copy of a portion of the minutes submitted by: Tanya Carter, Recording Secretary, and approved by the Board on January 27, 2021.



TANYA CARTER, Recording Secretary