

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MONDAY, AUGUST 2, 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 Daniel Andreotta, Commissioner David Hill, Commissioner J. Michael Edney, Interim County Manager John Mitchell, Assistant County Manager Amy Brantley, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Also present were: Engineer Marcus Jones, Planning Director Autumn Radcliff, Senior Planner Janna Bianculli, Code Enforcement Director Matt Champion, Recreation Director Carleen Dixon, HR Director Karen Ensley, Finance Director Samantha Reynolds, Emergency Services Director Jimmy Brissie, Budget Manager/Internal Auditor Megan Powell, Budget Analyst Sonya Flynn, PIO Kathy Finotti, Site Development Technician/Assistant Engineer Deborah Johnson – videotaping, and Deputy Sheriff Mike Marsteller as security.

### CALL TO ORDER/WELCOME

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

### INVOCATION

The invocation was provided by Vice-Chair Rebecca McCall

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Eli Motes

### INFORMAL PUBLIC COMMENT

1. Terry Bozon spoke in opposition of current zoning application procedures regarding the number of times applicant may apply for the same business at the same location.
2. Michelle Tennant with the friends of East Flat Rock has formed a neighborhood watch group at the request of Vice-Chair Rebecca McCall.
3. Barbara Cromar regarding her application to serve on the Hendersonville Zoning Board and the Board's consideration.

### DISCUSSION/ADJUSTMENT OF AGENDA

Motion:

*Chairman Lapsley made the motion to approve the agenda as presented. All voted in favor and the motion carried 5-0.*

### CONSENT AGENDA

#### MINUTES

Draft minutes were presented for board review and approval of the following meeting: July 21, 2021.

Motion:

*I move the Board approve the minutes of July 21, 2021.*

### PENDING RELEASES AND REFUNDS

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.

APPROVED: August 18, 2021

| <b>Type:</b>                                    | <b>Amount:</b> |
|---|----------------|
| Total Taxes Released from the Charge            | \$ 1,278.36    |
| Total Refunds as a Result of the Above Releases | \$ 291.88      |

Motion:

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

#### **HENDERSON COUNTY SCHOOLS FINANCIAL REPORT – MAY 2021**

Request that the Board consider approving the Henderson County Public Schools May 2021 Financial Reports as presented.

Motion:

*I move that the Board of Commissioners approve the Henderson County Public Schools May 2021 Financial Reports as presented.*

#### **ABC PERMIT RESPONSE POLICY**

The Board has not considered its ABC Permit Response Policy since prior to the 2012 adoption of a policy making the County Attorney a contact point for such applications.

The attached resolution stating the Board's policy is recommended for the Board's review and potential adoption.

Motion:

*I move that the Board adopt the proposed resolution.*

#### **95 COURTHOUSE/DETENTION CENTER CONCEPTUAL PLAN - FIRM SELECTION**

At the Board's January 20, 2021 Budget Workshop, the Board was presented with the results of Space Allocation Studies that had been conducted on the 95 Courthouse, and the Detention Center. These studies were conducted by two separate firms. At the March 1, 2021 meeting, the Board directed Staff to request proposals from qualified firms to provide a Conceptual Plan for the Henderson County Courthouse (95 Courthouse) and Detention Center additions, renovations, or new construction. It was the consensus of the Board to utilize one architectural firm for both projects.

Staff subsequently developed a Request for Qualifications for the facilities, which was approved by the Board of Commissioners at the April 5, 2021 meeting. The Request for Qualifications for the Detention Center Needs Assessment was posted on April 6, 2021. Proposals were due on April 28, 2021.

Proposals were subsequently received and reviewed by representatives from the 95 Courthouse and Detention Center. Following that review, the firm of Fentress Incorporated was selected as the most qualified firm to conduct the assessment.

Motion:

*I move the Board direct Staff to negotiate an agreement with Fentress Inc. for the 95 Courthouse/Detention Center Conceptual Plan, to be brought back to the Board for final approval.*

#### **HENDERSON COUNTY TITLE VI PROGRAM**

Henderson County operates Apple Country Public Transit to provide transportation services to the community. This service is federally funded. The Federal Transit Administration (FTA), under the US Department of Transportation, requires all recipients of FTA financial assistance to adopt a Title VI Program.

Henderson County's Title VI plan is a Federal statute that states no person shall be discriminated against, excluded from participation, denied the benefits of, or be subjected to discrimination due to race, color, or

national origin. Title VI falls under the Civil Rights Act of 1964 and covers all the operations of entities without regard to whether specific portions of the activities are Federally funded.

This Program must be certified every three years to remain in compliance with the FTA. The Board of Commissioners approved the last Title VI Program in 2018.

Motion:

*I move the Board adopt the Henderson County 2021 Title VI Program resolution.*

**RESOLUTION OF DESIGNEE CERTIFICATION**

Western Carolina Community Action (WCCA) is required by NCDOT to receive County authorization to apply for Section 5311 federal grant funds. These funds are designated for rural transportation by NCDOT. WCCA is the current, sole provider of rural transportation independent of the County’s contract for urban transportation. WCCA was authorized by the County to perform this function since 2004. The adopted resolutions expire every four years.

Motion:

*I move that the Board adopt the resolution certifying Western Carolina Community Action as the 5311 designee.*

**GRANT AGREEMENT & BUDGET AMENDMENT FOR ECUSTA TRAIL PE**

On June 29, 2021, the Surface Transportation Board issued a Notice of Interim Trail Use for the 19 miles of the TR line spanning from Hendersonville to Brevard. In the Summer of 2020, Henderson County was awarded federal grant funds administered by NCDOT for the preliminary engineering and construction of the first three phases of the rail-to-trail.

A grant agreement is required to receive funding authorization. At the request of NCDOT, staff intend to complete all necessary documentation prior to the state’s Board of Transportation meeting on August 5<sup>th</sup>. Prior to entering into a grant agreement, a budget amendment must be made to verify the availability of funds.

Motion:

*I move that the Board of Commissioners approve the County Budget Amendment and authorize staff to sign the necessary agreements with NCDOT and subsequent required documents.*

**NON-PROFIT PERFORMANCE AGREEMENT**

Subsequent to the approval of the FY 2021-2022 Budget, staff has distributed the funding agreements to the non-profit agencies receiving County allocations.

Motion:

*I move the Board authorize the Chairman to execute the attached funding agreement thereby authorizing the release of the first of the quarterly installments to the named agency.*

**APPROVAL OF CONSENT AGENDA**

Motion:

*Chairman Lapsley made the motion to approve the consent agenda as presented. All voted in favor and the motion carried 5-0.*

**DISCUSSION – OLD BUSINESS ITEMS**

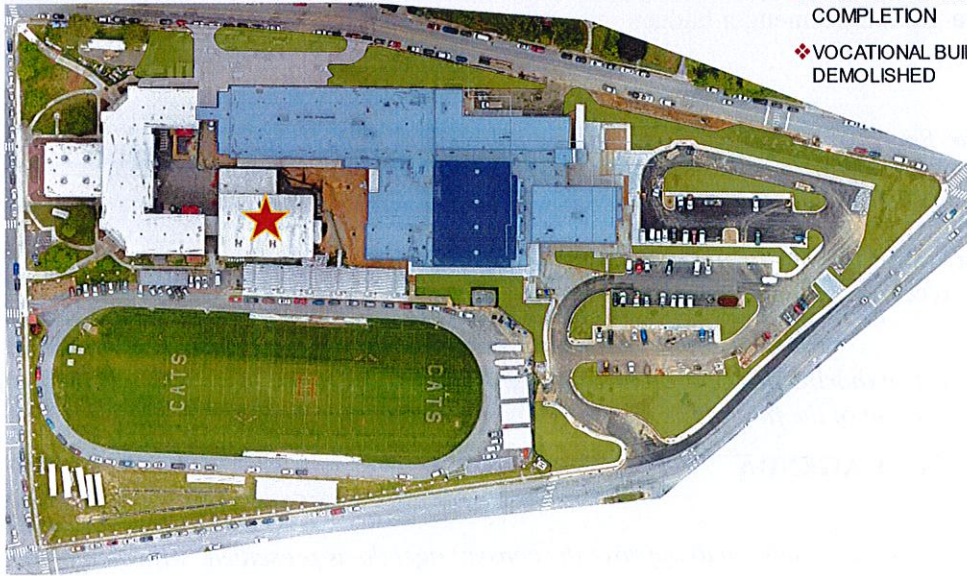
**HENDERSONVILLE HIGH SCHOOL – STADIUM RENOVATIONS**

At the Board’s June 7, 2021 meeting, the Board authorized PFA Architects to provide options related to the renovation of the stadium at Hendersonville High School. Maggie Carnevale and Amy Dowdy, with PFA Architects, provided the Board with four options, and the associated costs, for the stadium renovations.





**HHS: CURRENT PROJECT**



- ❖ NEW ADDITION NEARING COMPLETION
- ❖ VOCATIONAL BUILDING & PRESSBOX DEMOLISHED



## POTENTIAL STADIUM IMPROVEMENTS



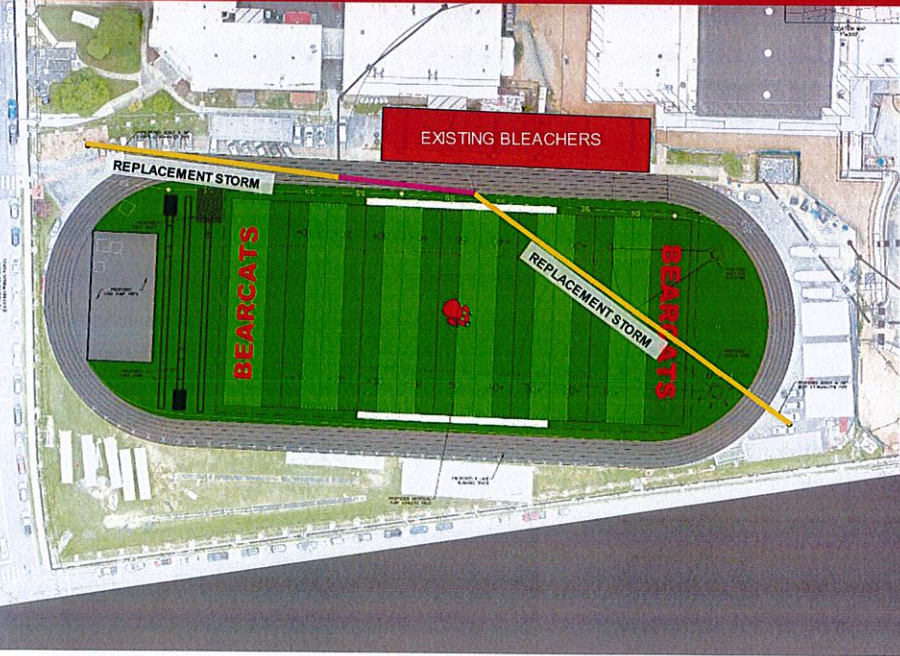
**BASIC OBJECTIVE**

- ARTIFICIAL TURF & RUBBERIZED TRACK

**UNIQUE CONDITIONS AT HHS**

- DAMAGED STORMWATER LINE UNDER FIELD
- DAMAGED ASPHALT TRACK
- HOME BLEACHERS TOO CLOSE TO OUTSIDE LANE OF TRACK; TRACK SHOULD ROTATE FOR STUDENT SAFETY
- ENDZONE BORDERS ON TRACK; FIELD SHOULD SHIFT SOUTH FOR STUDENT SAFETY
- ADJUST STADIUM LIGHTS FOR SHIFTED FIELD
- SANITARY SEWER LINE UNDER FIELD

## POTENTIAL STADIUM IMPROVEMENTS



**OPTION A**

- STORMWATER LINE REPLACEMENT
- NEW RUBBERIZED ASPHALT TRACK, ROTATED FOR SAFETY
- NEW ARTIFICIAL TURF FIELD, **SHIFTED** FOR SAFETY
- ALL FIELD EVENTS RELOCATED TO D-ZONES
- REALIGNMENT OF FIELD LIGHTS



## POTENTIAL STADIUM IMPROVEMENTS



### OPTION B

- STORMWATER LINE REPLACEMENT
- NEW RUBBERIZED ASPHALT TRACK, ROTATED FOR SAFETY
- NEW ARTIFICIAL TURF FIELD, CENTERED IN TRACK
- ALL FIELD EVENTS RELOCATED TO D-ZONES
- REALIGNMENT OF FIELD LIGHTS

## POTENTIAL STADIUM IMPROVEMENTS



### ADDITIONAL CHALLENGES

- POOR SIGHT LINES FROM EXISTING HOME BLEACHERS CENTERED ON 31 OR 38 YARD LINE
- HOME CONCESSIONS NO LONGER ON PATH OF TRAVEL FROM NEW MAIN ENTRY & PARKING TO BLEACHERS
- HOME & VISITOR BATHROOMS INADEQUATE AND NOT HC ACCESSIBLE
- EXTENSIVE GRADING WOULD BE NEEDED TO PROVIDE REGULATION SLOPE TO TRACK
- POOR SIGHT LINES FROM VISITOR BLEACHERS
- NO HC ACCESSIBLE VISITOR SEATING
- VISITOR BLEACHERS IN POOR CONDITION, OVERHANGING SIDEWALK



## POTENTIAL STADIUM IMPROVEMENTS

### OPTION C

- STORMWATER LINE REPLACEMENT
- NEW RUBBERIZED ASPHALT TRACK, ROTATED FOR SAFETY
- NEW ARTIFICIAL TURF FIELD, SHIFTED OR CENTERED
- ALL FIELD EVENTS RELOCATED TO D-ZONES
- REALIGNMENT OF FIELD LIGHTS
- RECONFIGURE HOME BLEACHERS
- NEW HOME CONCESSIONS
- RENOVATE EXISTING HOME CONCESSIONS FOR ENLARGED BATHROOMS

## POTENTIAL STADIUM IMPROVEMENTS

### OPTION D

- STORMWATER LINE REPLACEMENT
- NEW RUBBERIZED ASPHALT TRACK, ROTATED FOR SAFETY
- NEW ARTIFICIAL TURF FIELD, SHIFTED OR CENTERED
- ALL FIELD EVENTS RELOCATED TO D-ZONES
- REALIGNMENT OF FIELD LIGHTS
- RECONFIGURE HOME BLEACHERS
- REGRADE TRACK & FIELD TO REGULATION SLOPE, RETAINING WALLS AT PERIMETER OF TRACK
- NEW HOME CONCESSIONS & BATHROOMS
- NEW VISITOR BLEACHERS
- NEW VISITOR CONCESSIONS
- RENOVATE EXISTING VISITOR CONCESSIONS FOR ENLARGED BATHROOMS



**POTENTIAL STADIUM IMPROVEMENTS**

|   |                    |
|---|--------------------|
| <p><b>OPTION A</b></p> <ul style="list-style-type: none"> <li>▪ NEW TRACK &amp; <i>SHIFTED</i> FIELD</li> <li>▪ STORMWATER LINE REPLACEMENT, FIELD LIGHT ADJUSTMENT</li> </ul>  | <b>\$2,144,609</b> |
| <p><b>OPTION B</b></p> <ul style="list-style-type: none"> <li>▪ NEW TRACK &amp; <i>CENTERED</i> FIELD</li> <li>▪ STORMWATER LINE REPLACEMENT, FIELD LIGHT ADJUSTMENT</li> </ul>   | <b>\$2,138,419</b> |
| <p><b>OPTION C</b></p> <ul style="list-style-type: none"> <li>▪ NEW TRACK &amp; FIELD</li> <li>▪ STORMWATER LINE REPLACEMENT, FIELD LIGHT ADJUSTMENT</li> <li>▪ HOME BLEACHERS REWORK</li> <li>▪ NEW HOME CONCESSIONS, EXPANDED HOME BATHROOMS</li> </ul>   | <b>\$3,344,752</b> |
| <p><b>OPTION D</b></p> <ul style="list-style-type: none"> <li>▪ NEW TRACK &amp; FIELD AT REGULATION SLOPE, RETAINING WALLS AT PERIMETER</li> <li>▪ STORMWATER LINE REPLACEMENT, FIELD LIGHT ADJUSTMENT</li> <li>▪ HOME BLEACHERS REWORK, VISITOR BLEACHERS REPLACEMENT</li> <li>▪ NEW HOME CONCESSIONS &amp; BATHROOMS, NEW VISITOR CONCESSIONS &amp; EXPANDED VISITOR BATHROOMS</li> </ul> | <b>\$5,201,370</b> |

A Joint School Facilities Meeting was held Tuesday, July 27, 2021, at 1:00 p.m. to discuss the options detailed above.

Commissioner Edney shared with the Board details of the meeting. Overall, the committee did not come up with a recommendation. The School Board recommends Option D minus the visitor concessions.

Chairman Lapsley shared his opinion that the Board should wait until further work has been completed on the Stillwell Building to make the decision. This would allow the Board to know how much, if any, contingency money would be available to help pay for the Athletic Field.

Commissioner Andreotta stated The Stillwell Building is 100 years old and no one knows what problems may arise in the course of the construction currently being done. Vannoy is not far into the Stillwell Building construction and there are many opportunities for an expensive problem to arise and use all of the contingency money that was set aside for this project. Especially when the demolition in the basement is yet to be done.

*It was the consensus of the Board to table the matter until there is more information available. This allows the School Board additional time to discuss and Vannoy more time to get further into the Stillwell Building project. The Board will discuss this item at a future meeting.*

**2045 COMPREHENSIVE PLAN**

The County contracted with Stewart Inc. to provide consulting services for the 2045 Comprehensive Plan. Jake Petrosky provided an informational presentation to the Board as their official “kick-off” meeting.

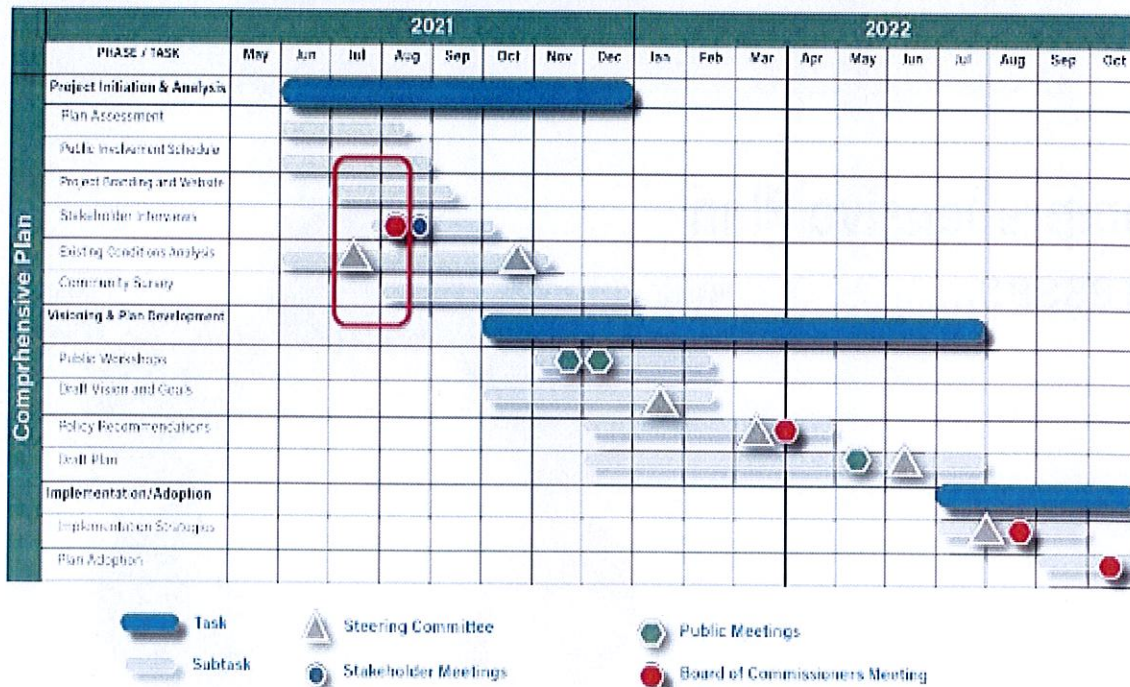


# MEET THE CONSULTING TEAM



|   |   |                                       |  |  |
|---|---|---------------------------------------|--|--|
|   |   |                                       |  |  |
| <b>Chad Sary, AICP</b><br>Principle in Charge | <b>Jake Petrosky, AICP</b><br>Project Manager | <b>Allison Evans, AICP</b><br>Planner | <b>Jaquasha Colón, AICP</b><br>Planner | <b>Stephen Faber, PLA</b><br>Landscape Architect |

# DETAILED SCHEDULE





# A COMPREHENSIVE PLAN IS...

## Long-range

- Makes forecasts based on past trends and data
- 10-20 year time frame

## Guidance

- Land uses, intensity, design
- Staff, programs and infrastructure investment

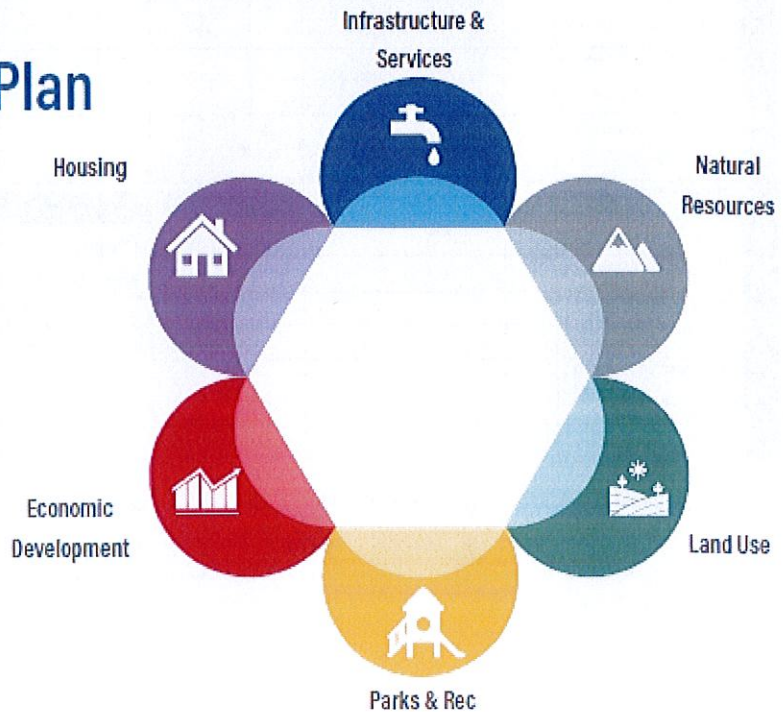
## Collaborative

- Documents a community conversation

## Policy, not regulatory

- Lays the groundwork for current and future regulations

## A Comprehensive Plan addresses...





## Public Engagement



## SURVEY

- Addresses land use, recreation, housing, vision and priorities
- Included with August 1<sup>st</sup> tax bill and will be sent to all property owners in the county
- Online option will also be available and promoted



## BIG TOPICS



Agriculture



Economic Development



Housing



Natural Resources

The Comprehensive Plan will address these and other topics such as recreation, transportation, infrastructure and resiliency

## AGRICULTURE

2012-2017



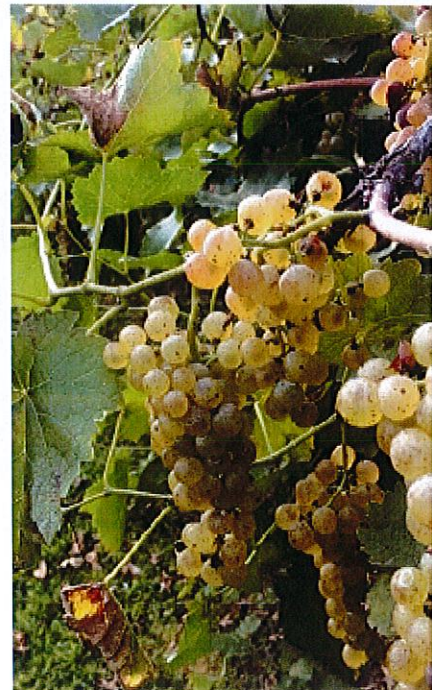
Land in farms: 41,099 acres  
Up **15%** from 2012!



36% "New or beginning" farmers



35% Increase in per-farm net income





# EMPLOYMENT

Top Industries

## Growing Sectors



Manufacturing



Construction



Wholesale Trade

## Top Sectors



Manufacturing



Agriculture



Professional services  
(Engineering, Financial, Tech)

Source: Henderson County Relocation Guide and US census

# HOUSING



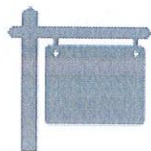
58,811

Housing Units



\$853/month

Median Gross Rent  
(\$907 for NC)



\$290,850

Median Home Sale  
Price (2020)



572

Building Permits

Developments in Henderson County are set to add more than 2,600 HOUSING UNITS in the county over the next several years. Source: BlueRidgeNow.com



## NEXT STEPS

- Survey going live - August 1
- Stakeholder meetings (late August)
- SC #2 - October
- Public meetings - November/December

### EDNEYVILLE ELEMENTARY SCHOOL SEWER

County Engineer Marcus Jones offered a brief preview of the presentation of the information to be shared at the Special Called Meeting scheduled Tuesday, August 3, 2021. The scheduled meeting is an informational meeting to allow citizens in the Edneyville area to see the proposed alternatives and ask questions or raise any concerns they have regarding the project.

Prior to the Public Input Session on August 3, this agenda item provided an opportunity for the Board to receive an update on the Preliminary Engineering Report (PER) and discuss the alternatives. Note, the recent revision to the PER has two new alternatives: 3B and 5.

### Alternatives from KCI Preliminary Engineering Report, rev 1:

| Alternative   | Capital Cost <sup>a</sup><br>(\$ Million) | ADF<br>(MGD) | Cost /<br>Gal <sup>b</sup> | Wastewater<br>Treatment<br>Entity |
|---|---|--------------|----------------------------|-----------------------------------|
| 1. New PS @ Camp Judaea, Gravity from Edneyville, FM to COH   | \$3.58                                    | 0.020        | \$ 179.00                  | COH                               |
| 1A. New PS @ Edneyville Elem., FM to COH  | \$2.20                                    | 0.009        | \$ 244.44                  | COH                               |
| 2. New WWTF @ Camp Judaea, Gravity from Edneyville  | \$3.44                                    | 0.020        | \$ 172.00                  | HC                                |
| 3. 3 PS Along Hwy 64, Gravity to COH  | \$8.57                                    | 0.35         | \$ 24.49                   | COH                               |
| 3A. 3 PS Along Hwy 64, Gravity to COH, New PS @ WNC Justice Academy   | \$9.48                                    | 0.37         | \$ 25.85                   | COH                               |
| 3B. 4 PS Along Hwy 64, Gravity to COH, Add WNC Justice Academy  | \$14.7                                    | 0.80         | \$ 17.16                   | COH                               |
| 4. Regional Gravity System from Edneyville to New WWTF@ N. Henderson High School  | \$29.58                                   | 1.4          | \$ 21.11                   | HC                                |
| 4A. Regional Gravity System from Edneyville, WNC Justice Academy & Fruitland Baptist to New WWTF @ N. Henderson High School.                  | \$47.32                                   | 2.1          | \$ 22.53                   | HC                                |
| 4B. Regional Gravity System from Edneyville, New PS @ WNC Justice Academy & Fruitland Baptist to New WWTF @ N. Henderson High School.         | \$33.19                                   | 1.4          | \$ 23.71                   | HC                                |
| 4C. Regional Gravity System from Edneyville to New WWTF @ N. Henderson High School, including minor gravity sewer lines to serve developments | \$61.85                                   | 2.1          | \$ 29.45                   | HC                                |
| 5. Regional Gravity System and New PS @ Fruitland Baptist to New WWTF at the confluence of streams near Edneyville                            | \$26.13                                   | 0.6          | \$ 43.55                   | HC                                |

### NOMINATIONS AND APPOINTMENTS

Chairman Lapsley opened the floor for nominations.

#### **Cemetery Advisory Committee – 2 vac.**

Vice-Chair McCall nominated Ernest “Bud” McCall for position #4.

Motion:

*Vice-Chair McCall made the motion to appoint Ernest “Bud” McCall for position #4. All voted in favor and the motion carried.*



**Environmental Advisory Committee – 2 vac.**

Vice-Chair McCall nominated Joseph Criscione for position #6.

Motion:

*Vice-Chair McCall made the motion to appoint Joseph Criscione for position # 6 by acclamation. All voted in favor and the motion carried.*

**Fire and Rescue Advisory Committee – 1 vac.**

Chairman Lapsley Nominated Michael Miller to be reappointed to position #7

Motion:

*Chairman Lapsley made the motion to reappoint Michael Miller for position #7 by acclamation. All voted in favor and the motion carried.*

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

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

**Hendersonville City Zoning Board of Adjustment – 1 vac.**

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

**Hendersonville Planning Board – 1 vac.**

Commissioner Edney nominated Barbara Huber for position #3.

Motion:

*Commissioner Edney made the motion to appoint Barbara Cromar for position #3 by acclamation.. All voted in favor and the motion carried.*

**Historic Resources Commission – 1 vac.**

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

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

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

**Juvenile Crime Prevention Council – 6 vac.**

Vice-Chair McCall nominated Brooked Mauney for position #12.

Motion:

*Vice-Chair McCall made the motion to appoint Brooke Mauney for position #12 by acclamation.. All voted in favor and the motion carried.*

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

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

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

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

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

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

**COMMISSIONER UPDATES**

Vice-Chair McCall acknowledged the School Board for their decision regarding masks in schools. Masks will be optional in the upcoming school year. Vice-Chair McCall encouraged parents to keep their children at home if they are showing any symptoms of sickness.

**GENERAL ASSEMBLY UPDATE**

Megan Powell informed the Board the finalization of the State budget is expected and is to be released within the next couple of weeks.

**COUNTY MANAGER UPDATE**



John Mitchell informed the Board that the paving at Etowah Park has been completed and there will be a ribbon cutting ceremony Monday, August 9, 2021, at 4 p.m. In closing he added that NC House Representative Jake Johnson has requested to visit the Board at an upcoming meeting in September.

**CLOSED SESSION**

A motion was made to go into closed session pursuant to N.C. Gen. Stat. § 143-318.11(a)(5) To establish, or to instruct staff or negotiating agents, concerning the position to be taken in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract; N.C. Gen. Stat. § 143-318.11(a)(5)

Motion:

*Commissioner Edney Made the motion to go into closed session at 8:31 p.m. All voted in favor and the motion carried.*

**ADJOURN**

Motion:

*Commissioner Edney made the motion to go out of closed session and adjourn at 9:38 p.m. All voted in favor and the motion carried 5-0.*

Attest:

  
\_\_\_\_\_  
Denisa A. Lauffer, Clerk to the Board

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

# HENDERSON COUNTY NORTH CAROLINA

Before the Board of Commissioners

## RESOLUTION OF THE BOARD OF COMMISSIONERS REGARDING REQUESTS FOR RECOMMENDATIONS REGARDING ALCOHOLIC BEVERAGE CONTROL PERMIT APPLICATIONS

BOARD OF COMMISSIONERS ENACTMENT 2021-54

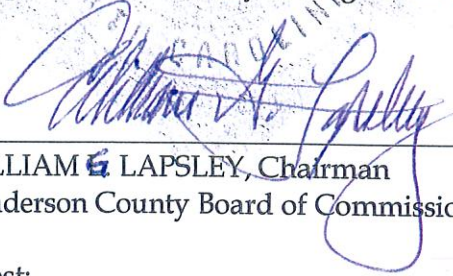
WHEREAS, the Board of Commissioners has by resolution dated June 20, 2012, designated the County Attorney to communicate the Board's recommendations concerning the suitability of persons or locations for Alcoholic Beverage Control permits to the North Carolina Alcoholic Beverage Control Commission; and

WHEREAS, the Board of Commissioners wishes to formalize a process for arriving at such recommendations;


BE IT THEREFORE RESOLVED as follows:

1. Upon the receipt of a proper request for the recommendations of the Board of Commissioners as to the suitability of the applicant or business location for the issuance of an Alcoholic Beverage Control permit, a copy of such request shall be provided by email to each Commissioner, and to the deputy designated by the Sheriff.
2. The matter shall be placed on the consent agenda for the next Board of Commissioners meeting after receipt of the request together with a draft motion "not objecting" to the permit grant.
3. Such agenda item shall be subject to the normal procedural rules of the Board for the removal of such item from the consent agenda, its amendment, debate and vote.
4. The County Attorney shall continue to be responsible for communicating the Board's recommendations to the North Carolina Alcoholic Beverage Control Board.

Adopted this the 2<sup>nd</sup> day of August, 2021.

  
\_\_\_\_\_  
WILLIAM G. LAPSLEY, Chairman  
Henderson County Board of Commissioners

Attest:

  
\_\_\_\_\_  
DENISA LAUFFER, Clerk to the Board of Commissioners



5311 DESIGNEE CERTIFICATION FORM

Enactment Number 2021.52

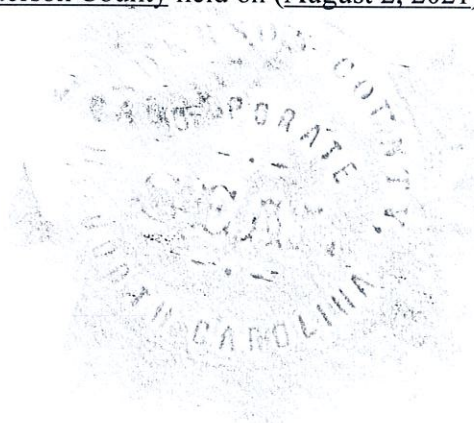
Resolution authorizing the filing of applications with the North Carolina Department of Transportation– Integrated Mobility Division for grant years FY2023– FY2027, for federal transportation assistance authorized by 49 U.S.C. 5311, United States Code, other federal statutes administered by the Federal Transit Administration or state statutes administered by the State of North Carolina.

WHEREAS, the North Carolina Department of Transportation has been delegated authority to award federal financial assistance for transit projects as allocated throughout North Carolina by County;

NOW, THEREFORE, BE IT RESOLVED BY HENDERSON COUNTY

1. That the CEO of Western Carolina Community Action, Inc. (WCCA) is authorized to execute and file an application for federal assistance on behalf of WCCA with the State of North Carolina for federal assistance authorized by 49 U.S.C. Chapter 5311 United States Code, other federal statutes or state statutes authorizing a project administered by the Federal Transit Administration.
2. That the CEO of Western Carolina Community Action, Inc. (WCCA) is authorized to execute and file with its applications the annual certifications and assurances and other documents the State of North Carolina requires before awarding a federal assistance grant or cooperative agreement.
3. That the CEO of Western Carolina Community Action, Inc. (WCCA) is authorized to execute grant and cooperative agreements with the State of North Carolina on behalf of Western Carolina Community Action, Inc. (WCCA).

The undersigned duly qualified Chairman of the Board of Commissioners, William Lapsley, acting on behalf of the County Commission of Henderson County, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the County Commission of Henderson County held on (August 2, 2021).



*William A. Lapsley*  
(Signature of Recording Officer)

CHAIRMAN  
(Title of Recording Officer)

8/2/2021  
(Date)

# HENDERSON COUNTY BOARD OF COMMISSIONERS

1 Historic Courthouse Square, Suite 1  
Hendersonville, North Carolina 28792  
Phone: 828-697-4808 • Fax: 828-692-9855  
www.hendersoncountync.gov

WILLIAM LAPSLEY  
Chairman  
REBECCA MCCALL  
Vice-Chairman

DANIEL ANDREOTTA  
DAVID HILL  
J. MICHAEL EDNEY

## RESOLUTION

### RESOLUTION APPROVING HENDERSON COUNTY'S 2021 TITLE VI PROGRAM AS REQUIRED BY THE CITY OF ASHEVILLE FOR THE FEDERAL TRANSIT ADMINISTRATION

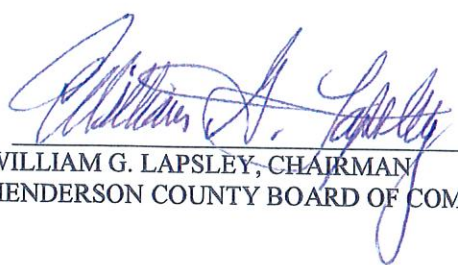
- WHEREAS,** Section 601 of the Title VI of the Civil Rights Act of 1964 states “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”; and
- WHEREAS,** Henderson County receives Federal financial assistance directly from the Federal Transit Administration and is required to have a Title VI program in place; and
- WHEREAS,** Henderson County Board of Commissioners is the elected body responsible for approving Henderson County's Title VI program;

**NOW, THEREFORE BE IT RESOLVED,** by the Henderson County Board of Commissioners that:

The Henderson County Board of Commissioners has reviewed and approved Henderson County's 2021 Title VI Program. The resolution shall become effective upon its adoption and approval.  
Adopted this 2<sup>nd</sup> day of August, 2021.

Attest:

  
DENISA A. LAUFFER, CLERK TO THE BOARD

  
WILLIAM G. LAPSLEY, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS



# PUBLIC COMMENT SIGNUP SHEET

## AUGUST 2, 2021

Pursuant to N.C. Gen. Stat. §153A-52.1, the Henderson County welcomes public comment at its meetings. Please note that each speaker is limited to three (3) minutes, unless a different time limit is announced. Also, the Board may adopt rules limiting the number of persons speaking taking the same position on a given issue, and other rules regarding the maintenance of good order.

Each speaker should be aware and by their signatures hereto they agree that their comments may be recorded (by audio-visual recordings, photography or other means), and may be (but are not required to be) broadcast by the County as a part of the broadcast of this meeting, or as a part of the County's programming on its local video channel(s). By their signature they further agree that Henderson County is and will be the sole owner of all rights in and to such programming. The undersigned hereby indemnifies Henderson County, its employees and agents, against any and all claims, damages, liabilities, costs and expenses arising out of the use of the undersigned's images and words in connection therewith.

1. Terry Bozon  
**PRINTED** NAME  
122 Cinnamon Way  
Flat Rock NC  
MAILING ADDRESS

Terry Bozon  
SIGNATURE  
Zoning + Application reapply  
Topic

2. Michelle Tennant  
**PRINTED** NAME  
3315 spartanburg Hwy  
Flat Rock NC 28731  
MAILING ADDRESS

Michelle Tennant  
SIGNATURE  
Parks + Recreation  
Topic

3. BARBARA CROWAR  
**PRINTED** NAME  
2036 S Stony View  
Hendco 28492  
MAILING ADDRESS

Barbara Crowar  
SIGNATURE  
Planning PD  
Topic

4. \_\_\_\_\_  
**PRINTED** NAME  
\_\_\_\_\_  
\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
SIGNATURE  
\_\_\_\_\_  
Topic

# 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](http://www.hendersoncountync.gov)

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



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

August 2, 2021

Darlene Burgess, Assessor  
Henderson County Assessor's Office  
200 N. Grove Street, Suite 102  
Hendersonville, NC 28792

Dear Mrs. Burgess:

Attached please find tax release requests in the amount of \$1,278.36 and tax refund requests in the amount of \$291.88, reviewed at the Henderson County Board of Commissioners' Meeting on Monday, August 2, 2021. All Releases and refunds were approved.

Sincerely,

William Lapsley, Chairman  
Henderson County Board of

Commissioners

WGL/dal

enclosures



## NCPTS Pending Release/Refund Report. Wednesday, July 21, 2021\*

| OWNER           | ABSTRACT                  | NOTE   | VALUE CHANGE | ADJ. NUMBER | USER ID | SITUS ADDRESS                             | TAX DISTRICT  | LEVY TYPE | BILLED  | PAID    | RELEASE         | REFUND          |
|-----------------|---------------------------|--|--------------|-------------|---------|---|---------------|-----------|---------|---------|-----------------|-----------------|
| BABER, LARRY G  | 0000013137-2020-2020-0000 | MANUFACTURED HOME WAS REMOVED FROM THE PROPERTY IN 2011. ABSTRACT VOIDED FOR 2020. | (\$2,300)    | 7693        | RJONES  | 35 JESSE LN<br>HENDERSONVILLE NC<br>28792 | TAX           |           | \$12.90 | \$12.90 | \$12.90         | \$12.90         |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$1.29  | \$1.29  | \$1.29          | \$1.29          |
|                 |                           |  |              |             |         |   | TOTAL:        |           |         |         | \$14.19         | \$14.19         |
|                 |                           |  |              |             |         |   | TAX           |           | \$2.65  | \$2.65  | \$2.65          | \$2.65          |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$0.26  | \$0.26  | \$0.26          | \$0.26          |
|                 |                           | TOTAL:   |              |             |         |   |               |           |         | \$2.91  | \$2.91          |                 |
|                 |                           | ABSTRACT TOTAL:  |              |             |         |   |               |           |         |         | \$17.10         | \$17.10         |
| PACE, ELIZABETH | 0000013137-2019-2019-0000 | MANUFACTURED HOME WAS REMOVED FROM THE PROPERTY IN 2011. ABSTRACT VOIDED FOR 2019. | (\$2,300)    | 7694        | RJONES  | 35 JESSE LN<br>HENDERSONVILLE NC<br>28792 | TAX           |           | \$12.90 | \$12.90 | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$1.29  | \$1.29  | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   | TOTAL:        |           |         |         | \$14.19         | \$0.00          |
|                 |                           |  |              |             |         |   | TAX           |           | \$2.65  | \$0.00  | \$2.65          | \$0.00          |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$0.26  | \$0.00  | \$0.26          | \$0.00          |
|                 |                           | TOTAL:   |              |             |         |   |               |           |         | \$2.91  | \$0.00          |                 |
|                 |                           | ABSTRACT TOTAL:  |              |             |         |   |               |           |         |         | \$17.10         | \$0.00          |
| PACE, JONATHAN  | 0000026238-2019-2019-0000 | MANUFACTURED HOME WAS REMOVED FROM THE PROPERTY IN 2011. ABSTRACT VOIDED FOR 2019. | (\$2,300)    | 7696        | RJONES  | 35 JESSE LN<br>HENDERSONVILLE NC<br>28792 | TAX           |           | \$61.71 | \$61.71 | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$6.17  | \$6.17  | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   | TOTAL:        |           |         |         | \$67.88         | \$0.00          |
|                 |                           |  |              |             |         |   | TAX           |           | \$12.65 | \$0.00  | \$12.65         | \$0.00          |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$1.27  | \$0.00  | \$1.27          | \$0.00          |
|                 |                           | TOTAL:   |              |             |         |   |               |           |         | \$13.92 | \$0.00          |                 |
|                 |                           | ABSTRACT TOTAL:  |              |             |         |   |               |           |         |         | \$81.80         | \$0.00          |
| SHORT, WALTER   | 0000026238-2020-2020-0000 | MANUFACTURED HOME WAS REMOVED FROM THE PROPERTY IN 2011. ABSTRACT VOIDED FOR 2020. | (\$11,000)   | 7695        | RJONES  | 35 JESSE LN<br>HENDERSONVILLE NC<br>28792 | TAX           |           | \$61.71 | \$61.71 | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$6.17  | \$6.17  | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   | TOTAL:        |           |         |         | \$67.88         | \$0.00          |
|                 |                           |  |              |             |         |   | TAX           |           | \$12.65 | \$0.00  | \$12.65         | \$0.00          |
|                 |                           |  |              |             |         |   | LATE LIST FEE |           | \$1.27  | \$0.00  | \$1.27          | \$0.00          |
|                 |                           | TOTAL:   |              |             |         |   |               |           |         | \$13.92 | \$0.00          |                 |
|                 |                           | ABSTRACT TOTAL:  |              |             |         |   |               |           |         |         | \$81.80         | \$0.00          |
|                 |                           | <b>OWNER TOTAL:</b>  |              |             |         |   |               |           |         |         | <b>\$153.60</b> | <b>\$0.00</b>   |
|                 |                           |  |              |             |         |   |               |           |         |         | \$751.74        | \$221.48        |
|                 |                           |  |              |             |         |   |               |           |         |         | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   |               |           |         |         | \$751.74        | \$221.48        |
|                 |                           |  |              |             |         |   |               |           |         |         | \$180.90        | \$53.30         |
|                 |                           |  |              |             |         |   |               |           |         |         | \$0.00          | \$0.00          |
|                 |                           |  |              |             |         |   |               |           |         |         | \$180.90        | \$53.30         |
|                 |                           | <b>OWNER TOTAL:</b>  |              |             |         |   |               |           |         |         | <b>\$932.64</b> | <b>\$274.78</b> |
|                 |                           |  |              |             |         |   |               |           |         |         | \$932.64        | \$274.78        |

\*Adjustments submitted for approval on or before







**REQUEST FOR BOARD ACTION  
HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** August 2, 2021

**SUBJECT:** Grant Agreement & Budget Amendment for Ecusta Trail PE

**PRESENTERS:** Autumn Radcliff, Planning Director  
Marcus Jones, County Engineer

**ATTACHMENTS:** 1. Budget Amendment Spreadsheet

**SUMMARY OF REQUEST:**

On June 29, 2021, the Surface Transportation Board issued a Notice of Interim Trail Use for the 19 miles of the TR line spanning from Hendersonville to Brevard. In the Summer of 2020, Henderson County was awarded federal grant funds administered by NCDOT for the preliminary engineering and construction of the first three phases of the rail-to-trail.

A grant agreement is required to receive funding authorization. At the request of NCDOT, staff intend to complete all necessary documentation prior to the state's Board of Transportation meeting on August 5<sup>th</sup>. Prior to entering into a grant agreement, a budget amendment must be made to verify the availability of funds.

**BOARD ACTION REQUESTED:**

Formal action by the Board of Commissioners is necessary for staff to complete the budget transfer and authorize staff to sign the necessary documents.

**Suggested Motion:**

*I move that the Board of Commissioners approve the County Budget Amendment and authorize staff to sign the necessary agreements with NCDOT and subsequent required documents.*

