

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
WEDNESDAY, OCTOBER 20, 2021

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:30 a.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, Interim County Manager John Mitchell, Assistant County Manager Amy Brantley (acting for the Clerk), and Attorney Russ Burrell.

Also present were: Finance Director Samantha Reynolds, Sheriff Lowell Griffin, Recreation Director Carleen Dixon, Planning Director Autumn Radcliff, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Manager Sonya Flynn, Social Services Director Jerrie McFalls, HR Director Karen Ensley, Assistant Engineer Deb Johnston & PIO Kathy Finotti – videotaping, and Deputy Chris Stepp as security.

Absent was: Engineer Marcus Jones (with Fentress Architects), and Clerk to the Board Denisa Lauffer (Clerk School).

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was provided by Bob Kretzu with Edneyville United Methodist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Chairman Lapsley.

INFORMAL PUBLIC COMMENT

1. Terry Bozon – thanked the Board for the recent revisions to the Land Development Code pertaining to conditional rezonings and withdrawal periods/
2. Ramona Bryson – spoke in opposition to the use of property in Mills River as a firing range.
3. Ray Bryson – yielded his time to Ramona Bryson.
4. Lisa Roberts – spoke in opposition to the use of property in Mills River as a firing range.
5. Holly Harris – spoke in opposition to the use of property in Mills River as a firing range.
6. Jere Brittain – yielded his time, but agreed with the previous speakers opposing the use of property in Mills River as a firing range.
7. Mahala Orren - yielded her time, but agreed with the previous speakers opposing the use of property in Mills River as a firing range.

SWEARING IN CEREMONY

Chairman Lapsley informed the audience that the Board of Commissioners had determined that John Mitchell had successfully completed his first four months serving as the Interim County Manager. Chairman Lapsley made the motion to ratify the contract with Mr. Mitchell to serve as the County Manager. All voted in favor and the motion carried. Chairman Lapsley swore Mr. Mitchell in as the County Manager, with the Mitchell family in attendance for the ceremony.

APPROVED: November 1, 2021

DISCUSSION/ADJUSTMENT OF DISCUSSION AGENDA

Commissioner Edney requested the Board remove Discussion Item C – Approval of Lease with Ecusta Rails2Trails, and Discussion Item D – Approval of charter and bylaws for Henderson County Rail – Trail Advisory Committee, for discussion at a future meeting. *Commissioner Edney made the motion to adopt the discussion agenda as adjusted removing Discussion Items C and D. All voted in favor and the motion carried.*

DISCUSSION/ADJUSTMENT OF CONSENT AGENDA

Commissioner McCall made the motion to adopt the consent agenda as presented. 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):
 October 4, 2021 - Regularly Scheduled Meeting

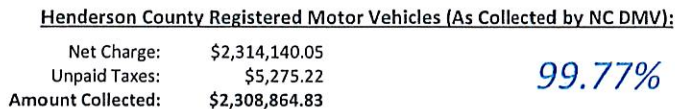
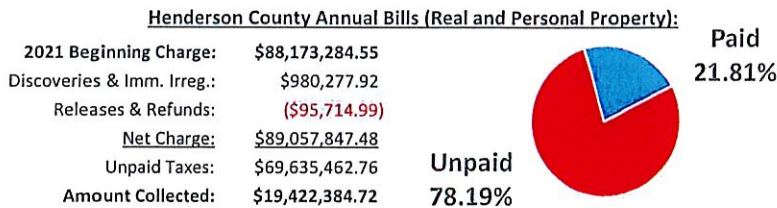
Motion:

I move the Board approves the minutes of October 4, 2021.

Tax Collector’s Report

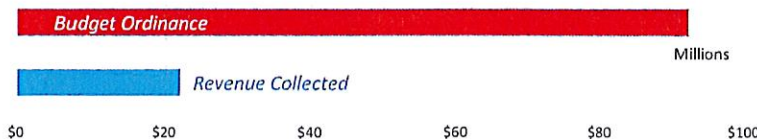
The October 12, 2021 report from the office of the Tax Collector is provided for the Board’s information.

Please find outlined below collections information through October 11, 2021 for 2021 real and personal property bills mailed on August 27th. Vehicles taxes are billed monthly by NC DMV.



Henderson County FY22 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$91,127,728.00	\$21,731,249.55
Prior Years:	\$980,000.00	\$310,881.24
Budget Total:	\$92,107,728.00	YTD Revenue: \$22,042,130.79



County Financial Report/Cash Balance/Cash Balance Report – August 2021

The August 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 August:

- Non-profit contributions – payment of 1st quarter Board approved appropriations
- County Manager – Timing of leave payout for retiring county manager
- Information Technology – timing of payment for annual subscriptions

- Emergency Management –timing of Board approved purchases
- Rescue Squad – timing of 1st quarter Board approved appropriation
- Mental Health – payment of 1st quarter Board approved maintenance of effort (MOE)
- Public Education – payment of 2nd of 10 annual appropriations made to the public school system
- Non-Departmental – Occupancy tax collections not yet budgeted for FY22.

Motion:

I move that the Board of Commissioners approve the August 2021 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Reports – August 2021

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

Motion:

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

2021. 83 Library Fund Balance Appropriated – Budget Amendment

The Board is requested to approve a Budget Amendment, transferring \$11,860 from Restricted Fund Balance that is comprised of library donations to fund a landscaping project at the Edneyville Library. No County dollars are being used for the project.

Motion:

I move to approve the budget amendment as presented, appropriating restricted fund balance to fund a landscaping project for the Edneyville Library.

Notification of Vacancies

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

1. Henderson County Rail – Trail Advisory Committee – 9 vac.
Positions #1, #2, #3, #4, and #5 (County Appointees)
Position #6 (Representative from Hendersonville)
Position #7 (Representative from Laurel Park)
Position #8 (Representative from Conserving Carolina)
Position #9 (Representative from Friends of Ecusta)
2. Home and Community Care Block Grant Committee – 1 vac.
Position # 7 (Position Requirement: Older Adult)
3. Juvenile Crime Prevention Council – 1 vac.
Position #13 (Position Requirement: Juvenile Defense Attorney)

2021.84 Conveyance of Real Estate

Pursuant to N.C. Gen. Stat. §160A-279, Henderson County Hospital Corporation asks for the County to convey 3.3 acres in the Mills River area (on N.C. Highway 280, across from the Ingles Markets shopping center) to WNC Specialties, LLC, an entity controlled by the Hospital Corporation. The real estate is a part of a parcel previously acquired by the Hospital Corporation with its funds (but required to be titled in the County). The entity will build an ambulatory surgical center on the property.

Motion:

I move that the Board approve the proposed land transfer of real estate to WNC Specialties, LLC.

2021.85 Set Public Hearing for Land Development Code (LDC) Text Amendments (TX-2021-07) Removing Private Driveway Easement Option in Major Subdivisions

During the August 19th Planning Board meeting, the Board requested staff to draft a text amendment to remove the private driveway easement option in major subdivisions. This concern was due to emergency access in these larger developments if roads did not minimum standards under the LDC for local roads.

The Henderson County Planning Board discussed the draft text amendment and voted unanimously to send forward a favorable recommendation. Attached is the draft text amendment recommended by the Planning Board.

Motion:

I move that the Board set a public hearing on the proposed Land Development Code Text Amendment (TX-2021-07) for Wednesday, November 17, 2021 at 9:30 a.m.

2021.86 Set Public Hearing for Land Development Code (LDC) Text Amendments (TX-2021-08) Special Use Permit Restrictions

Recent special use permit (SUP) applications have identified inconsistencies in the Land Development Code for SUP requirements or limitations in non-residential zoning districts that do not apply to the same use in residential zoning districts.

The Henderson County Planning Board discussed the issue and draft text amendment at its September 16, 2021 and voted unanimously to send forward a favorable recommendation. Attached is the draft text amendment recommended by the Planning Board.

Motion:

I move that the Board set a public hearing on the proposed Land Development Code Text Amendment (TX-2021-08) for Wednesday, November 17, 2021, at 9:30 a.m.

Facility Use Policy Exemption – Special Needs Sports

The County has received an application from Special Needs Sports to use the Historic Courthouse lawn on Saturday, November 6th, 2021 from 11:00am – 3:00pm for a Special Needs Craft Fair. The event will include the sale arts and crafts.

To allow for this use on County grounds, the Board is requested to grant a one-time exemption to rule #4 of the County Facility Use Policy, which prohibits solicitation on the grounds. This exemption, if granted, would cover the date and time specified on the application, and outlined above.

Motion:

I move that the Board grant an exemption to the County Facility Use Policy for Special Needs Sports, allowing for the sale of arts and crafts on the Historic Courthouse lawn, or within the Courthouse if necessary, on Saturday, November 6th, 2021 from 11:00am – 3:00pm.

2021.87 Budget Amendment – VFW Architect Services

At the Board's October 4, 2021 meeting, the Board approved a proposal from McMillan, Pazdan, Smith to complete the schematic design phase for the VFW Facility. The proposed budget amendment will cover the lump sum fee for this phase of the project.

Motion:

I move the Board approve the budget amendment appropriating fund balance for the development of the schematic design phase for the VFW Facility.

2021.88 Budget Amendment – Occupancy Tax Collections

Staff is requesting the Board approve the attached budget amendment for FY2022 Occupancy Tax

Collections. Occupancy taxes are collected by the Henderson County Finance Department on behalf of the Henderson County Tourism Development Authority (TDA). Henderson County retains a fee on gross amounts of occupancy tax collected, with the net amount remitted monthly to the TDA. This budget amendment serves to appropriate revenue for gross collections and expenditures for net amounts transmitted to the TDA.

Motion:

I move the Board approve the budget amendment for 2022 Occupancy Tax Collections.

2021.89 Lease Agreement with the City of Hendersonville

During the construction period of a new fire station for the City of Hendersonville, the City will be in need of space to house firefighting apparatus and firefighters in an area that will be near where they are likely to be needed. This proposal would allow currently available space in the County’s Thompson Emergency Services Center to be used for that purpose.

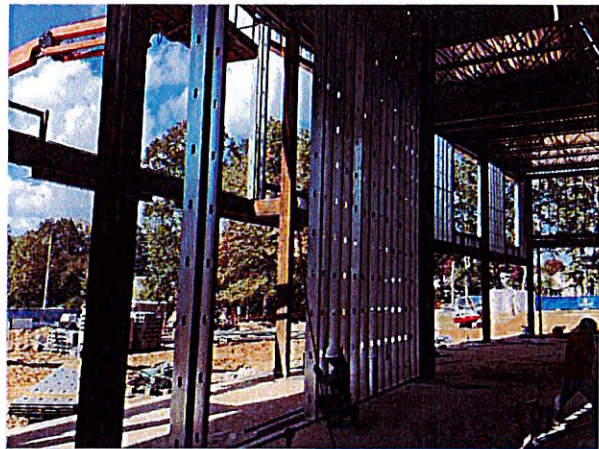
Motion:

I move the Board approve the proposed lease with the City of Hendersonville.

CONSTRUCTION PROJECTS UPDATE

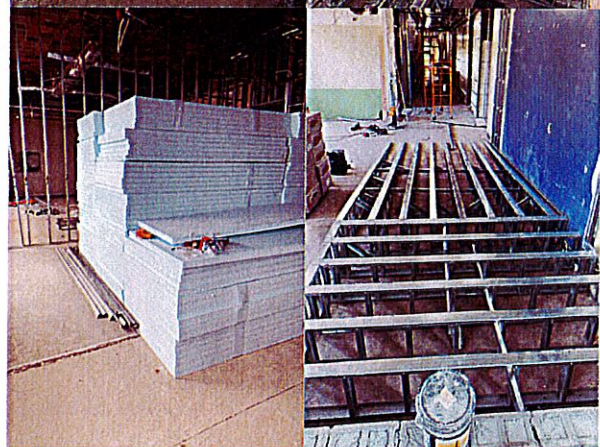
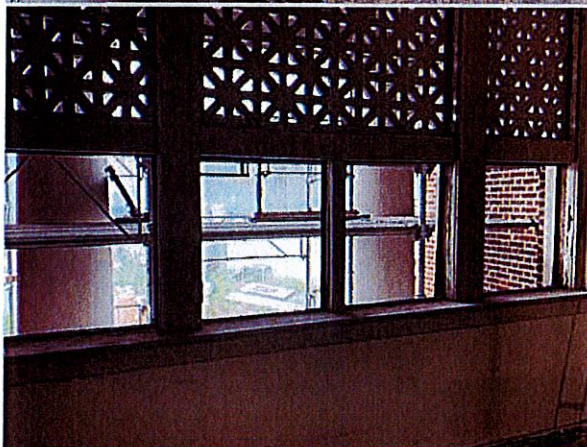
David Berry provided the Board of Commissioners with an update on the following construction projects around Henderson County. This monthly report is a review of the scope and statuses of assigned construction management responsibilities and includes specific updates in regard to County funded construction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

Blue Ridge Community College – Patton Building





Hendersonville High School



John Bryant then discussed the Novus Architect study that had been performed a few years ago, and how elements of that assessment were being addressed via individual projects funded by the Maintenance, Repair, Technology and Security (MRTS) Initiative.

HENDERSON COUNTY PUBLIC SCHOOLS

MRTS UPDATE

HENDERSON COUNTY BOARD OF COMMISSIONERS

OCTOBER 20, 2021

GRATITUDE AND APPRECIATION

- 10 YEAR FACILITY ASSESSMENT
- JOINT FACILITIES COMMITTEE
- ASSET PRESERVATION
- RENOVATIONS
- NEW CONSTRUCTION
- MAINTENANCE, REPAIRS, TECHNOLOGY, AND SAFETY [MRTS]
- RESOURCES TO ADDRESS PRIORITY NEEDS



MRTS – 10 YEAR OVERVIEW ELEMENTARY SCHOOLS

ELEMENTARY SCHOOLS	Short Term				Mid Term			Long Term		
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Atkinson \$3,543,100			RENOVATIONS & ADDITION \$3,543,100		ASPHALT PAVING					
Bruce Drysdale \$534,600	BUILDING REPAIRS \$534,600				LOW VOLTAGE					
Clear Creek \$667,700	BUILDING REPAIRS \$667,700					LOW VOLTAGE				
Dana \$343,200	BUILDING REPAIRS \$343,200				LOW VOLTAGE ASPHALT PAVING					BOOK REPLACEMENT
Etowah \$530,200	BUILDING REPAIRS \$530,200						HVAC REPLACEMENT LOW VOLTAGE			
Fletcher \$418,000	BUILDING REPAIRS \$418,000				ASPHALT PAVING		HVAC REPLACEMENT LOW VOLTAGE			
Glenn Marlow \$1,357,400	BUILDING REPAIRS \$1,357,400				LOW VOLTAGE		HVAC REPLACEMENT			
Hendersonville \$4,604,600		RENOVATIONS & ADDITION \$4,604,600			ASPHALT PAVING					
Hillandale \$115,900	BUILDING REPAIRS \$115,900						PAVING & ROOF LOW VOLTAGE			
Mills River \$500,500	BUILDING REPAIRS \$500,500						PAVING & ROOF LOW VOLTAGE			
Sugarloaf \$134,200	BUILDING REPAIRS \$134,200				LOW VOLTAGE PAVING & HVAC					
Upward \$772,200	RENOVATIONS & ADDITION \$772,200				LOW VOLTAGE HVAC & FLOORING					



MRTS – 10 YEAR OVERVIEW ELEMENTARY SCHOOLS

ELEMENTARY SCHOOLS	Short Term			
	2019	2020	2021	2022
Atkinson \$3,543,100			RENOVATIONS & ADDITION \$3,543,100	
Bruce Drysdale \$534,600	BUILDING REPAIRS \$534,600			
Clear Creek \$667,700	BUILDING REPAIRS \$667,700			
Dana \$343,200	BUILDING REPAIRS \$343,200			
Etowah \$530,200	BUILDING REPAIRS \$530,200			
Fletcher \$418,000	BUILDING REPAIRS \$418,000			
Glenn Marlow \$1,357,400	BUILDING REPAIRS \$1,357,400			
Hendersonville \$4,604,600		RENOVATIONS & ADDITION \$4,604,600		
Hillandale \$115,900	BUILDING REPAIRS \$115,900			
Mills River \$500,500	BUILDING REPAIRS \$500,500			
Sugarloaf \$134,200	BUILDING REPAIRS \$134,200			
Upward \$772,200	RENOVATIONS & ADDITION \$772,200			

MRTS – 10 YEAR OVERVIEW MIDDLE SCHOOLS

MIDDLE SCHOOLS					BLDG RENOVATIONS	ROOF REPLACEMENT		
Apple Valley	\$0							
Flat Rock	\$25,888,500		RENOVATIONS & ADDITION \$7,581,200	PHASE 2 BLDG RENOVATIONS \$18,307,300		ROOF REPLACEMENT		
Hendersonville	\$635,800		BUILDING REPAIRS \$635,800					WHITE REPLACEMENT
Rugby	\$28,707,800		RENOVATIONS & ADDITION \$10,478,600	PHASE 2 BLDG RENOVATIONS \$18,229,200		ROOF REPLACEMENT		

MRTS – 10 YEAR OVERVIEW MIDDLE SCHOOLS

MIDDLE SCHOOLS				
Apple Valley	\$0			
Flat Rock	\$25,888,500		RENOVATIONS & ADDITION \$7,581,200	PHASE 2 BLDG RENOVATIONS \$18,307,300
Hendersonville	\$635,800		BUILDING REPAIRS \$635,800	
Rugby	\$28,707,800		RENOVATIONS & ADDITION \$10,478,600	PHASE 2 BLDG RENOVATIONS \$18,229,200

MRTS – 10 YEAR OVERVIEW HIGH SCHOOLS

HIGH SCHOOLS		RENOVATIONS & ADDITION	PHASE 2 MAJOR CONSTRUCTION	NEW CLASSROOMS	BUS RENOVATIONS	PHASE 2 SCIENCE BUILDING	BOSS REPLACEMENT	OTHER
East Henderson	\$10,858,100							
North Henderson	\$0							
West Henderson	\$2,167,000							
OTHER								
Bus Garage	\$2,406,800							

Legend

- Minor Repairs
- Major Renovation
- Routine Maintenance
- Low Voltage Upgrades

MRTS – 10 YEAR OVERVIEW HIGH SCHOOLS

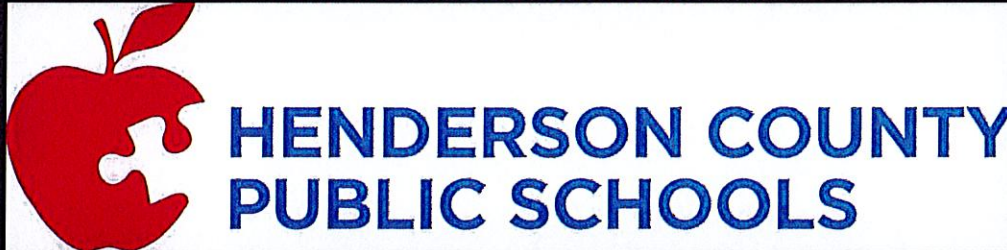
HIGH SCHOOLS		RENOVATIONS & ADDITION	NEW SITE & BUILDING
East Henderson	\$10,858,100	\$10,858,100	
North Henderson	\$0		
West Henderson	\$2,167,000	\$2,167,000	
OTHER			
Bus Garage	\$2,406,800		\$2,406,800

2021 – 2022 OVERVIEW

Henderson County Public Schools FY2022 MRTS

Site	Project	Category	Anticipated Cost
Middle Schools	Security Cameras	Safety and Security	\$350,000
High Schools	Security Cameras	Safety and Security	\$400,000
Deferred MRTS PY	Roofing & Paving	Annual Maintenance	\$650,000
East Henderson	Building Roof (Old Gym)	Scheduled Replacement	\$200,000
West Henderson	Renovation & Addition	New Construction	\$2,000,000
Technology	Chromebooks	Project Empower	\$300,000
Transportation	Bus Garage	Advanced Planning & Design	\$325,000
Maintenance	Warehouse	New Construction	\$350,000
Central Office	Contingency/Strategic Capital	All Projects	\$317,792
TOTAL BUDGET			\$4,892,792

THANK YOU FOR YOUR SUPPORT



Amy Brantley noted that the 95 Courthouse/Detention Center Conceptual Plan was underway. County Engineer Marcus Jones was on site with the Architects, and would be the following day as well.

HENDERSON COUNTY 2045 COMPREHENSIVE PLAN

In May of 2021, the Board of Commissioners approved the contracting of Stewart Consultants for the facilitation of the new Henderson County 2045 Comprehensive Plan. This plan, required by NC General Statutes, will provide a guideline for growth and development in the County.

The plan requires extensive public input and involvement, which equates to a long planning process. The consultants have divided the estimated 18-month process into three phases. We are currently in Phase 1. The Board will receive regular monthly updates throughout the process.

2021.90 REIMBURSEMENT OF CITY OF HENDERSONVILLE SRO COSTS

Commissioner Edney proposed an agreement reimbursing the City of Hendersonville for the cost of School Resource Officers (SRO) supplied by the City in public schools located within the city limits of Hendersonville. There was discussion among the Board regarding continuity of services to the students given the different agencies involved and reporting structures. Sheriff Griffin and Henderson County School Superintendent Dr. John Bryant were present to discuss those issues and address questions. Dr. Bryant noted that to his knowledge, the Board of Education had not expressed a preference for Police versus Sheriffs Deputy for provision of this service.

Following additional discussion, Commissioner Edney made the motion that the Board adopt the proposed agreement for reimbursement of SRO cost to the City of Hendersonville for a period of one year. He further moved approval of a Budget Amendment appropriating Fund Balance, with the cost to be budgeted with the Public School expenditures. The motion carried 3-2, with Commissioner Andreotta and Commissioner Hill voting on opposition.

FLETCHER EMS BASE – UPDATE

Emergency Management Director Jimmy Brissie continued discussions with the Board on the Fletcher based EMS Station. He provided the Board with the history of the crew stationed at what is known as Station #6. The crew stationed at Fletcher Fire and Rescue only operate during the day, then shift to back to the Emergency Management Services Center at night. Staff has been looking for available land in Fletcher, to construct an EMS facility in that area to provide 24/7 coverage, and the County currently has an active contract in place while due diligence is conducted.

Staff has also communicated with the Town of Fletcher regarding the possibility of partnering on acquisition of the land for construction of a new facility.

Following discussion, it was the consensus of the Board to have Chairman Lapsley, Vice-Chair McCall and Manager Mitchell continue discussions with the Town of Fletcher about opportunities to utilize land currently owned by the Town.

Commissioner Andreotta then made the motion to direct the real estate agent to attempt to extend the option on the property the County has under contract for an additional 30 days. All voted in favor and the motion carried.

Fletcher EMS Station

- BOC approved a 24-hour truck and staff during 2016
- Working with Fletcher Fire & Rescue we identified space at their main station for the crew to utilize (daytime only). The living space the EMS crew is occupying at the Fire Station limits the Fire Department’s ability to provide additional quarters for female firefighters or additional staff
- The staffing for this truck operate out of the EMSC at night
- The Fletcher Community is partially served by ambulances out of Mills River, Edneyville or the EMSC at night
- Staff recommend a permanent solution to enhance coverage in a rapidly growing part of the County and allow the Fire Department to continue to use their space as they have needs



PERFORMANCE SUMMARY	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Estimate	FY 2022 Goal	TARGET
Annual EMS Dispatches	13,563	14,233	15,063	15,414	14,350	15,000	15,000	15,000
Average response time (min/sec)	7:51	7:52	7:41	7:56	8:33	9:00	9:00	9:00

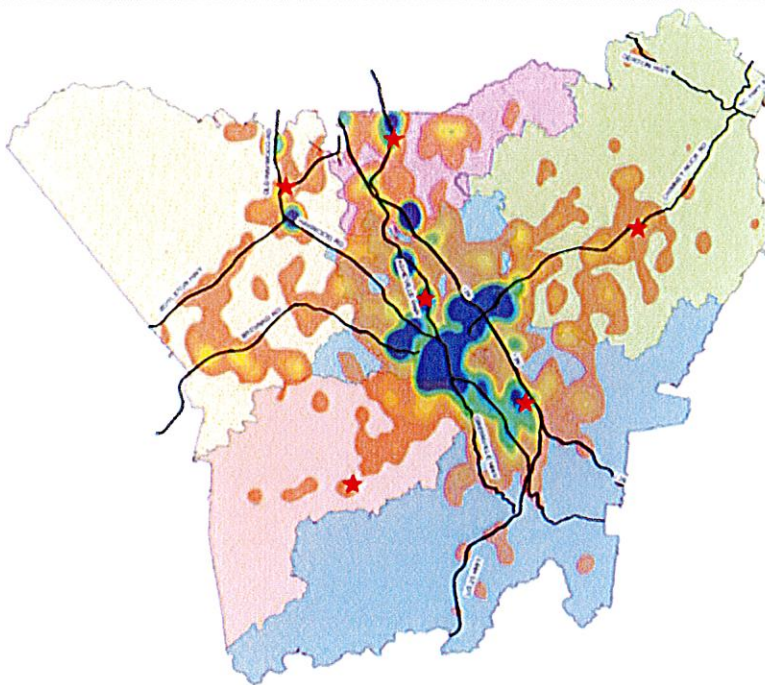
EMS Response Heat Map

Data shows areas of multiple/repeat calls that are in close proximity to each other.

Areas not colored do not have multiple EMS calls in close proximity of each other.

Blue areas represent the highest EMS call volume in an area.

Data is from October 1, 2020 to January 31, 2021



NOMINATIONS AND APPOINTMENTS

Chairman Lapsley opened the floor for nominations.

1. Cemetery Advisory Committee – 3 vac.
2. Henderson County Board of Equalization and Review – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.
3. Henderson County Zoning Board of Adjustment – 1 vac.

4. Hendersonville City Zoning Board of Adjustment – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.
5. Home and Community Care Block Grant Advisory Committee – 1 vac.
6. Juvenile Crime Prevention Council – 1 vac.
7. Laurel Park Planning Board – 1 vac.
There were no nominations at this time and this item was rolled to the next meeting.
8. Nursing/Adult Care Home Community Advisory Committee – 10 vac.

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

COMMISSIONER UPDATES

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.

Commissioner Edney noted the services the Rescue Squad provides to the community, and asked Jimmy Brissie to update the Board on a sonar training course that had recently been held. He also asked about the status of upgrades to the A/V equipment in the Board room. Amy Brantley stated that we were seeking three quotes. One had been received, one vendor had determined they could not provide a quote, and the third was underway.

Vice-Chair McCall stated that one of the County's paramedics, Tyler Upton, that had recently been injured was doing better. His family had set up a "GoFundMe" page, and the support was overwhelming. She also noted that she had just conducted the first Disconnected Youth Task Force meeting in the community.

Commissioner Andreotta reminded those in attendance that the bi-monthly meeting of the Water and Sewer Committee was coming up later in the month, for those who wanted to attend.

GENERAL ASSEMBLY UPDATES

General Assembly updates include current and ongoing items of interest to the County related to the North Carolina General Assembly. Staff will update the Commissioners of any items that may affect the County as they arise while the General Assembly is in session.

The County Manager briefed the Board on the status of the State Budget, which has yet to be adopted.

COUNTY MANAGER'S REPORT

The County Manager reminded the Board that Halloween will be celebrated on October 31st, which falls on a Sunday. Staff from the Recreation Department will be present at the Historic Courthouse to participate in the Treat Street festivities.

IMPORTANT DATES

There were none.

CLOSED SESSION

The Board if requested to go into closed session for the following reasons:


1. To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body. (§143-318.11(a)(3))
2. To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body. (§143-318.11(a)(4))

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3) and (a)(4), for the reason(s) set out in the Board's agenda. All voted in favor and the motion passed 5-0.


ADJOURN

Commissioner Edney made the motion to adjourn at 1:30 p.m. All voted in favor and the motion carried.

Attest:



Amy R. Brantley, Acting Clerk to the Board



William Lapsley, Chairman

During the October 20, 2021 meeting, the Board enacted the following:

- 2021.83 Library Fund Balance Appropriated – Budget Amendment**
- 2021-84 Conveyance of Real Estate**
- 2021.85 Set Public Hearing for Land Development Code (LDC) Text Amendments (TX-2021-07)
Removing Private Driveway Easement Option in Major Subdivisions**
- 2021.86 Set Public Hearing for Land Development Code (LDC) Text Amendments (TX-2021-08)
Special Use Permit Restrictions**
- 2021.87 Budget Amendment – VFW Architect Services**
- 2021.88 Budget Amendment – Occupancy Tax Collections**
- 2021.89 Lease Agreement with the City of Hendersonville**
- 2021.90 Reimbursement of City of Hendersonville SRO Costs**

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

OATH OF COUNTY MANAGER


I, John Mitchell, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as County Manager of Henderson County, so help me God.

This the 20th day of October, 2021.



Henderson County Manager

Subscribed and sworn to before me,
this the 20th day of October, 2021.



WILLIAM LAPSLEY, Chairman
Henderson County Board of Commissioners

Presuming that the Board ratifies its decision, then it is proper that the Chairman of the Board administer the oath.

(Section 11-7.1(a)(5a) allows oaths of office to be administered by the “chairman of the board of commissioners of any county”.)

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: October 20, 2021

SUBJECT: Library Fund Balance Appropriated - Budget Amendment

PRESENTER: Samantha Reynolds, Finance Director

ATTACHMENTS: Yes – Budget Amendment

SUMMARY OF REQUEST:

The Board is requested to approve a Budget Amendment, transferring \$11,860 from Restricted Fund Balance that is comprised of library donations to fund a landscaping project at the Edneyville Library. No County dollars are being used for the project.

BOARD ACTION REQUESTED:

The Board is requested to approve the Budget Amendment to appropriate fund balance to fund a landscaping project for the Edneyville Library.

SUGGESTED MOTION:

I move to approve the budget amendment as presented, appropriating restricted fund balance to fund a landscaping project for the Edneyville Library.

**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>115611-538100</u>	<u>LIBRARY: PROFESSIONAL SERVICES</u>	<u>\$11,860</u>
<u> </u>	<u> </u>	<u> </u>
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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 - LIBRARY DONATIONS</u>	<u>\$11,860</u>
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Justification: *Please provide a brief justification for this line-item transfer request.*
 TO APPROPRIATE RESTRICTED FUND BALANCE FOR LIBRARY LANDSCAPING PROJECT TO BE COMPLETED USING RESTRICTED LIBRARY DONATIONS. BOC APPROVED 10.20.2021.

Authorized by Department Head

Date

Authorized by Budget Office

Date

Authorized by County Manager

Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

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

MEETING DATE: October 20, 2021
SUBJECT: Budget Amendment – VFW Architect Services
PRESENTER: Amy Brantley, Assistant County Manager
ATTACHMENTS: Yes
1. Budget Amendment

SUMMARY OF REQUEST:

At the Board's October 4, 2021 meeting, the Board approved a proposal from McMillan, Pazdan, Smith to complete the schematic design phase for the VFW Facility. The proposed budget amendment will cover the lump sum fee for this phase of the project.

BOARD ACTION REQUESTED:

The Board is requested to approve the budget amendment as presented.

Suggested Motion(s):

I move the Board approve the budget amendment appropriating fund balance for the development of the schematic design phase for the VFW Facility.

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: October 20, 2021

SUBJECT: Budget Amendment – Occupancy Tax Collections

PRESENTERS: Samantha R. Reynolds, Finance Director

ATTACHMENTS: Yes
1. Budget Amendment

SUMMARY OF REQUEST:

Staff is requesting the Board approve the attached budget amendment for FY2022 Occupancy Tax Collections. Occupancy taxes are collected by the Henderson County Finance Department on behalf of the Henderson County Tourism Development Authority (TDA). Henderson County retains a fee on gross amounts of occupancy tax collected, with the net amount remitted monthly to the TDA. This budget amendment serves to appropriate revenue for gross collections and expenditures for net amounts transmitted to the TDA.

BOARD ACTION REQUESTED:

The Board is requested to approve the attached budget amendment for 2022 Occupancy Tax Collections.

Suggested Motion:

I move the Board approve the budget amendment for 2022 Occupancy Tax Collections.

**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>115930-534006</u>	<u>OCCUPANCY TAX TRANSMITTAL</u>	<u>\$2,710,000</u>

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

Account	Line-Item Description	Amount
<u>114839-433000</u>	<u>OCCUPANCY TAXES</u>	<u>\$2,710,000</u>

Justification: *Please provide a brief justification for this line-item transfer request.*
 TO BUDGET FOR OT COLLECTIONS AND TRANSMITTAL FOR FY2022. BOC APPROVED 10.20.2021.

 Authorized by Department Head

 Date

 Authorized by Budget Office

 Date

 Authorized by County Manager

 Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

LEASE AGREEMENT

This Interlocal Agreement, pursuant to Article 12 of Chapter 160A, is made by and between the County of Henderson, a body corporate and politic of the State of North Carolina (the "County") and the City of Hendersonville, a municipal corporation of the State of North Carolina (the "City").

Facts Leading to Agreement

A. The City needs additional space to house firefighting apparatus and firefighters during the period of the construction of their new fire department building in northern Hendersonville.

B. The County has space in its Thomas H. Thompson Emergency Services Center (the "Thompson Center") which could in the short-term house the apparatus and firefighters of the City.

Statement of Agreement

The parties agree, pursuant to N.C. Gen. Stat. §160A-274, as follows:

1. The County hereby leases to the City the following spaces office space in the Thompson Center (hereafter the "leased premises"):

A. Apparatus parking and equipment storage as shown on attachments 1 and 2.

B. Firefighter berthing, equipment storage, and shared kitchen facilities as shown on attachments 1 and 3.

C. Firefighter parking as shown on attachment 4.

2. This lease shall begin October 1, 2021, and shall end September 30, 2023 .

3. The City will pay to the County as rent the sum of One Dollar (\$1.00) per year.

4. The City will be responsible for installation and payment for the cost of the following:

A. Such internet and cable television service as it desires in the leased premises during the term of this Agreement.

B. Such wall and floor coverings, and such additional lighting for the berthing and other space as it desires.

C. Such radio and other communication facilities and equipment (including speakers) as it desires, to the extent that the same does not conflict or interfere with the existing communication facilities and equipment in the Thompson Center.

5. The City will be responsible for the repair of any property damaged by them during the term of this Agreement. It is anticipated by the parties that this may include the repair and repaving of the access (including roads for ingress and egress, and any turn-around area) to the apparatus parking area, at the end of the term of this agreement.

Executed with authority of their respective governing boards, this the _____ day of September, 2021.

COUNTY OF HENDERSON

CITY OF HENDERSONVILLE

By: _____
JOHN MITCHELL
County Manager

By: _____
JOHN F. CONNET
City Manager

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

**FUNDING AGREEMENT FOR
SCHOOL RESOURCE OFFICERS**

THIS AGREEMENT is made between the County of Henderson (the "County"), a body corporate and politic of the State of North Carolina, and the City of Hendersonville (the "City"), a North Carolina municipal corporation.

Facts

A. Each school operated by the Henderson County Board of Education (the "School Board") has a School Resource Officer ("SRO"), a sworn law enforcement officer who works inside the school to assist in the protection of the schools' students.

B. These SROs are required to follow the same standards and act in the same manner in all of the schools operated by the School Board.

C. Inside the municipal limits of the City the School Board operates four schools.

D. Previously the City has paid the cost of the SROs in the schools located within the City's limits, using officers of the City's police department.

E. The County wishes to reimburse the City for fiscal year 2021-2022 costs of the SROs in the schools located inside the City's limits, as stated below.

Agreement

1. The City will continue to provide the SROs for the schools operated by the School Board within the City's limits, using officers from the City's police department.

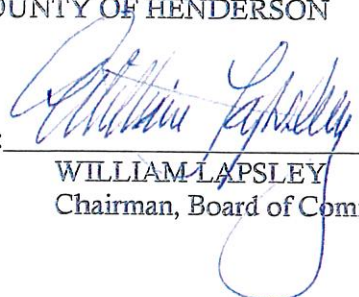
2. The County will reimburse the City the sum of Two Hundred Five Thousand, Four Hundred Fifty-Nine and 44/100s Dollars (\$205,459.44) for the costs of the SROs in the schools operated by the School Board within the City's limits.

This the 20th day of October, 2021.

COUNTY OF HENDERSON

CITY OF HENDERSONVILLE

By: _____


WILLIAM LAPSLEY
Chairman, Board of Commissioners

By: _____

BARBARA G. VOLK
Mayor