

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
WEDNESDAY JUNE 15, 2022**

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 J. Michael Edney, Commissioner Daniel Andreotta, Commissioner David Hill, County Manager John Mitchell, Assistant County Manager Amy Brantley, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Also present were: Director of Business and Community Development Christopher Todd, Finance Director Samantha Reynolds, Budget Manager/Internal Auditor Sonya Flynn, Engineer Marcus Jones, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Analyst Jennifer Miranda, Planning Director Autumn Radcliff, Senior Planner Janna Bianculli, Planning Intern Landon Coley, Health Department Director Dr. Steve Smith, Environmental Health Supervisor Seth Swift, Register of Deeds Lee King, DSS Director Jerrie McFalls, IT Director Mark Seelenbacher, Human Resources Director Karen Ensley, Parks, and Recreation Director Carleen Dixon, Sheriff Lowell Griffin, Chief Deputy Vanesa Gilbert, Tax Collector Darlene Burgess, Library Director Trina Rushing, Captain Todd McCain, Assistant Engineer Deb Johnston, and PIO Kathy Finotti – videotaping, Deputies John Ashe and Chris Barber provided security.

### **CALL TO ORDER/WELCOME**

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

### **INVOCATION**

Commissioner Andreotta provided the invocation.

### **PLEDGE OF ALLEGIANCE**

Chairman Lapsley led the Pledge of Allegiance to the American Flag.

### **INFORMAL PUBLIC COMMENTS**

1. Doug Dolan spoke regarding the need for a dedicated space in the community for citizens to play pickleball.
2. Debra Romaine spoke in support of dedicated pickleball courts.
3. Al Jones spoke in support of additional facilities for pickleball.
4. William Vine spoke in opposition to the proposed Courthouse and Detention Center Project.
5. Christopher Berg spoke regarding the 2045 Comprehensive Plan.
6. Nancy Diaz spoke regarding the 2045 Comprehensive Plan.

### **DISCUSSION/ADJUSTMENT OF AGENDA**

Consent Agenda Item J, Offer to Purchase Tax-Foreclosed Property, was removed from the Consent Agenda, and tabled to a future meeting.

*Commissioner Andreotta made the motion to approve the consent agenda as presented, with the removal of Item J. All voted in favor, and the motion carried 5-0.*

**CONSENT AGENDA consisted of the following:**

**Approval of Minutes**

Draft minutes were presented for Board review and approval of the following meeting(s):  
 June 5, 2022 - Regularly Scheduled Meeting

Motion:

*I move the Board approve the minutes of June 5, 2022.*

**Tax Collector’s Report**

The report from the office of the Tax Collector was provided for the Board’s information.

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

|                               |                         |
|-------------------------------|-------------------------|
| <b>2021 Beginning Charge:</b> | <b>\$88,218,513.92</b>  |
| Discoveries & Imm. Irreg.:    | \$1,341,302.75          |
| Releases & Refunds:           | <b>(\$1,131,163.62)</b> |
| <u>Net Charge:</u>            | <u>\$88,428,653.05</u>  |
| Unpaid Taxes:                 | \$853,902.76            |
| <b>Amount Collected:</b>      | <b>\$87,574,750.29</b>  |



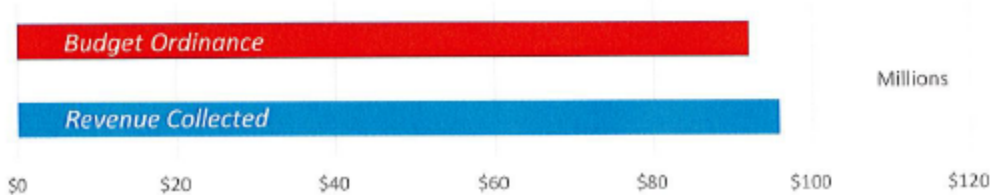
**Henderson County Registered Motor Vehicles (As Collected by NC DMV):**

|                          |                       |
|--------------------------|-----------------------|
| Net Charge:              | \$7,296,409.50        |
| Unpaid Taxes:            | \$16,668.26           |
| <b>Amount Collected:</b> | <b>\$7,279,741.24</b> |

**99.77%**

**Henderson County FY22 Budget Analysis:**

|                      | <u>Budget Ordinance</u> |                     | <u>Revenue Collected</u> |
|----------------------|-------------------------|---------------------|--------------------------|
| Ad Valorem:          | \$91,127,728.00         | Ad Valorem:         | \$94,854,491.53          |
| Prior Years:         | \$980,000.00            | Prior Years:        | \$978,152.68             |
| <b>Budget Total:</b> | <b>\$92,107,728.00</b>  | <b>YTD Revenue:</b> | <b>\$95,832,644.21</b>   |



**Request for Qualifications - Emergency Medical Services Base #6**

Based on the scope presented to the Board of Commissioners during the February 16, 2022 meeting, the attached RFQ was presented for Board approval. The project location is on the Fletcher Elementary School parcel and is modeled after the Valley Hill Fire & Rescue substation on Crab Creek Road. The proposed RFQ is in accordance with NC General Statute 143-64.31 (Procurement of Architectural, Engineering, and Surveying Services). Staff will post the RFQ on the County’s procurement website in accordance with American Rescue Plan requirements. The proposed due date for responses to the RFQ is July 15, 2022.

The estimated project budget is \$3.2 million from American Rescue Plan funds.

Approved:

Motion:

*I move the Board approve the Request for Qualifications for Emergency Medical Services Base #6 and direct the County Engineer to release a Request for Qualifications for architectural services.*

### **GASB 87 - Leases**

The Governmental Accounting Standards Board (GASB) has issued a new standard that is in effect for FY2022. The implementation of GASB Statement No. 87 – Leases requires recognition of certain lease assets and liabilities that previously were classified as operating leases based on payment provisions of the contract. Under this new Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources.

This statement will not require any changes to County operations, nor will it impact any existing or future lease contracts. Rather, this Statement will result in new and comprehensive reporting and disclosure requirements in the County's Annual Comprehensive Financial Report.

The Board was requested to approve the necessary budget amendment to appropriately budget for the revenue and expenditure accounts in accordance with GASB Statement No. 87.

Motion:

*I move the Board approve the budget amendment to comply with GASB Statement No. 87.*

### **2022.73 Budget Amendment – Capital Project Fund**

The Board was requested to approve a Budget Amendment transferring appropriating Fund Balance to transfer funding from the General Fund into the Capital Project Fund for property acquisition.

Motion:

*I move the Board approve the attached Budget Amendment as presented.*

### **2022.74 Ratification of Agreements**

Agreements that were preliminarily approved but subject to ratification by the Board were provided. (Attached to these minutes).

Motion:

*I move that the Board approve the draft agreements with Brite Stars LLC and the Greater Asheville Regional Airport Authority.*

### **2022.75 Budget Amendment – Fire Services/Capital Reserve Fund**

The Board was requested to approve a Budget Amendment transferring \$250,000 from the Fire Services Budget into the Capital Reserve Fund. This appropriation within the FY22 Budget was for Worker's Compensation Insurance the County pays for the volunteer fire departments. Staff has been informed that this cost will be covered by the State for the upcoming FY. Staff requests this transfer to allow these funds to still be used for the benefit of the volunteer fire departments.

Motion:

*I move the Board approve the attached Budget Amendment as presented.*

Approved:

**2022.76 Library Meeting Room Use Policy – Proposed Revisions**

The Henderson County Public Library Meeting Room Use Policy has been revised to include the two newest meeting spaces available for community use, the Learning Lab at the Main Library and the Meeting Room at the Edneyville Library. Additionally, seated capacities at each space were reviewed and, if necessary, reduced to allow for a minimum of 3 feet aisles to accommodate the movement of individuals with mobility aids.

Motion:

*I move the Board adopt the Meeting Room Use Policy as presented.*

**Use of Courtroom**

A request was submitted by Henderson County Public Schools for use of the Commissioner’s Meeting Room (Courtroom) on Friday, July 1, 2022, at 8:45 am. Incoming School Superintendent Mark Garrett will be sworn in at that time by Judge Gasperson-Justice.

Motion:

*I move that the Board approves the use of the Commissioners’ Meeting Room (Courtroom) as requested on Friday, July 1, 2022, at 8:45 am.*

**2022.77 Amendment to Lease – Hospital Corporation**

In pursuing the financing approved by the Board at the June 6, 2022, meeting, the Hospital Corporation has determined that the best financial terms for them involve a 20-year maturity for the bonds. Since the ending date of the County’s lease with the Hospital Corporation, September 30, 2038, is less than 20 years out, an extension of the lease agreement is requested.

The lease agreement is the underlying document controlling the relationship between the Hospital Corporation and its owner, the County.

Motion:

*I move that the Board approve the proposed "First Amendment to the Amended and Restated Lease Agreement."*

**2022.78 Resolution Authorizing Issuance of Hospital Corporation Bonds**

This was the final resolution on the \$14.2 million taxable bonds by the Henderson County Hospital Corporation.

Motion:

*I move the board adopt the proposed resolution.*

Consent Agenda Item J – Offer to Purchase Tax-Foreclosed Property was pulled and tabled by Chairman Lapsley.

County Attorney Russ Burrell noted that Consent Agenda Item K – Amendment to Lease – Hospital Corporation had been revised since the item and its attachments were originally posted on the County’s website. The Board and the Clerk were provided the revised documents.

*Chairman Lapsley made the motion to adopt the consent agenda as amended. All voted in favor, and the motion carried.*

Approved:

**DISCUSSION**

**2022.79 FY2022.2023 Budget Ordinance**

The Board was requested to continue discussions with regard to the FY 2022-2023 Budget. John Mitchell presented the Board with the following.

# FY 2022-2023 Expenditures

|                                    |                       |
|------------------------------------|-----------------------|
| FY 22-23 Recommended Budget        | \$ 178,365,545        |
| Revisions as of June 15, 2022      | + \$ 1,029,766        |
| <b>TOTAL FY 22-23 Expenditures</b> | <b>\$ 179,395,311</b> |

# FY 2022-2023 Revenues

|   |                      |
|---|----------------------|
| FY 22-23 Recommended Fund Balance Appropriated  | \$ 17,961,329        |
| Revisions as of June 15, 2022                   | + \$ 780,376         |
| <b>TOTAL FY 22-23 Fund Balance Appropriated</b> | <b>\$ 18,741,705</b> |

Chairman Lapsley noted the Board had had a number of adjustments over the last couple of meetings; those adjustments were reflected on the FY 2022-2023 Budget Talley provided by the Budget Staff.

**Henderson County  
FY 2022-2023 Budget Tally**

| FY 2022-2023 Manager Proposed Budget as Presented May 2, 2022 |   |            |            |             | Total Budget          | Fund Balance Appropriation |
|---|---|------------|------------|-------------|-----------------------|----------------------------|
|   |   |            |            |             | \$ 178,365,545        | \$ 17,961,329              |
| Staff Recommendations in advance of 05.18.22 Discussions      |   |            |            |             |                       |                            |
|   |   | REVENUE    |            | EXPENDITURE |                       |                            |
|   |   | Reductions | Additions  | Reductions  | Additions             |                            |
| 1   | Additional Ad Valorem Taxes based on updated Valuation  |            | \$ 630,335 |             |                       | \$ 178,365,545             |
| 2   | Transfer to HCPS MRTS (3C TRE) - 1C increase = \$33,708   |            |            |             | \$ 33,708             | \$ 17,330,994              |
| 3   | Transfer to BRCC MRTS (2C TRE) - 2C increase = \$22,472   |            |            |             | \$ 22,472             | \$ 17,364,702              |
| 4   | Transfer to Capital Reserve Fund (1C TRE) - 1C increase = \$11,236                              |            |            |             | \$ 11,236             | \$ 17,387,174              |
| 5   | Economic Development - Partnership Match for EIF (Total \$77,500)                               |            |            |             | \$ 38,649             | \$ 17,398,410              |
| 6   | Recommended funding for United Way (consistent with FY22 funding)                               |            |            |             | \$ 10,000             | \$ 17,437,059              |
| 7   | Soil & Water Conservation Grants - Reduce grant revenue   | \$ 81,000  |            |             |                       | \$ 17,447,059              |
| 8   | Health Department - Dogwood Health Trust Grant  | \$ 300,000 |            |             |                       | \$ 17,528,059              |
| 9   | Health Department - COSSAP Grant  |            |            |             | \$ 300,000            | \$ 17,828,059              |
| <b>Totals following Staff recommendations</b>                 |   |            |            |             | <b>\$ 381,000</b>     | <b>\$ 630,335</b>          |
|   |   |            |            |             | <b>\$ -</b>           | <b>\$ 416,065</b>          |
|   |   |            |            |             | <b>\$ 178,781,610</b> | <b>\$ 18,128,059</b>       |
| BOC Meeting held May 18, 2022                                 |   |            |            |             | Total Budget          | Fund Balance Appropriation |
|   |   |            |            |             | \$ 178,781,610        | \$ 18,128,059              |
| Budget Revisions Based on 05.18.22 Discussions                |   |            |            |             |                       |                            |
|   |   | REVENUE    |            | EXPENDITURE |                       |                            |
|   |   | Reductions | Additions  | Reductions  | Additions             |                            |
| 1   | Fund Non-Profit Aspire Youth & Family - Kids at Work! (McCall)                                  |            | \$ 21,664  |             | \$ 21,664             | \$ 178,781,610             |
| 2   | Fund Non-Profit Aspire Youth & Family - Vocational Directions (McCall)                          |            | \$ 16,680  |             | \$ 16,680             | \$ 178,803,274             |
| 3   | Fund Non-Profit Open Arms Crisis Pregnancy Center (McCall)                                      |            | \$ 20,000  |             | \$ 20,000             | \$ 18,149,723              |
| 4   | Fund Non-Profit Only Hope WNC - both applications (Edney)                                       |            | \$ 14,000  |             | \$ 14,000             | \$ 18,166,403              |
| 5   | Fund Non-Profit Boys and Girls Club (Lapsley)   |            | \$ 5,000   |             | \$ 5,000              | \$ 18,186,403              |
| 6   | Fund Non-Profit Children and Family Resource Center (Lapsley)                                   |            | \$ 2,660   |             | \$ 2,660              | \$ 18,200,403              |
| 7   | Fund Non-Profit Council on Aging (Lapsley)  |            | \$ 3,925   |             | \$ 3,925              | \$ 18,205,403              |
| 8   | Fund Non-Profit Interfaith Assistance Ministry (Lapsley)  |            | \$ 15,000  |             | \$ 15,000             | \$ 18,208,063              |
| 9   | Fund Non-Profit Safelight (Lapsley)   |            | \$ 2,500   |             | \$ 2,500              | \$ 18,211,988              |
| 10  | Fund Non-Profit St. Gerard House (Lapsley)  |            | \$ 10,000  |             | \$ 10,000             | \$ 18,229,488              |
| 11  | Fund Non-Profit The Free Clinics (Lapsley)  |            | \$ 2,355   |             | \$ 2,355              | \$ 18,239,488              |
| 12  | Fund HCSCO Courthouse Deputy - Salary and Benefits (Edney)                                      |            | \$ 62,572  |             | \$ 62,572             | \$ 18,241,843              |
| 13  | Fund HCSCO Courthouse Deputy - Vehicle and Equipment (Edney)                                    |            | \$ 54,738  |             | \$ 54,738             | \$ 18,304,415              |
| 14  | Fund HCSCO Courthouse Deputy - Technology (Edney)   |            | \$ 9,914   |             | \$ 9,914              | \$ 18,359,153              |
| 15  | Fund First Contact Ministries Contract in Detention Center (McCall)                             |            | \$ 150,000 |             | \$ 150,000            | \$ 18,369,067              |
| 16  | Fund HR Analyst Salary and Benefits (Edney)   |            | \$ 72,905  |             | \$ 72,905             | \$ 18,519,067              |
| 17  | Fund HR Analyst Office Desk (Edney)   |            | \$ 2,400   |             | \$ 2,400              | \$ 18,591,972              |
| 18  | Fund HR Analyst IT Equipment (Edney)  |            | \$ 3,600   |             | \$ 3,600              | \$ 18,594,372              |
| 19  | Fund Rescue Squad Additional Operating Expenses (Hill)  |            | \$ 76,390  |             | \$ 76,390             | \$ 18,597,972              |
| 20  | Fund Cooperative Extension Agriculture Program Assistant Salary (McCall)                        |            | \$ 51,253  |             | \$ 51,253             | \$ 18,674,362              |
| 21  | Add additional 2.5% to Cooperative Extension Salary - anticipated State raise July 1st (McCall) |            | \$ 16,145  |             | \$ 16,145             | \$ 18,725,615              |
| 22  | Revised Ad Valorem Tax Base (Revised June 3, 2022)  |            | \$ 55      |             | \$ 55                 | \$ 18,741,760              |
| <b>As of June 6, 2022</b>                                     |   |            |            |             | <b>\$ -</b>           | <b>\$ 55</b>               |
|   |   |            |            |             | <b>\$ 613,701</b>     | <b>\$ 179,395,311</b>      |
|   |   |            |            |             | <b>\$ 179,395,311</b> | <b>\$ 18,741,705</b>       |

Approved:

Commissioner Hill proposed the creation of a Memorandum of Understanding (MOU) between the County and the City before releasing the allocation of funds for the school resource officers. This MOU would place the Sheriff's Department in command should any incident arise at one of the Henderson County Public Schools within city limits and suggested that SRO funds be allocated quarterly.

*Chairman Lapsley made the motion the Board accept the proposed funding as outlined by the City of Hendersonville for FY 2022-2023, in the amount of \$234,938, for the cost of the School Resource Officers for Henderson County Public Schools that are located within the City of Hendersonville. He further moved that a formal memorandum of understanding between the City of Hendersonville and Henderson County be developed, establishing the chain of command should any situation arise at HCPS located within the city limits of Hendersonville. All voted in favor, and the motion carried.*

Vice-Chair McCall requested the Board consider adjusting the budget to add one of the two Program Coordinator positions requested by the Parks and Recreation Department. She stated the non-profit organization, "Special Needs Sports," was founded, managed, and is currently operated by Donnie Jones. Mr. Jones does an excellent job in providing services to those with special needs in the community. Vice-Chair McCall envisions the Program Coordinator position would work alongside Mr. Jones to gain knowledge of the services his organization provides to the community and potentially manage the VFW site once renovations are complete.

*Vice-Chair McCall made the motion that one of the two Program Coordinator positions for the Parks and Recreation Department, with an increase of \$58,308, be added to the FY2022-2023 budget. All voted in favor, and the motion carried.*

Commissioner Edney stated that all Henderson County High Schools and Middle Schools have a yearbook except for one, Hendersonville High School. He asked Henderson County Public School Superintendent Dr. John Bryant what the Board could do to ensure that Hendersonville High School has a yearbook in the future. Dr. Bryant assured Commissioner Edney that this would be completed without allocating funds from the Board.

Commissioner Andreotta stated that he did not favor including the Flat Rock Playhouse in the FY22-23 Budget.

Commissioner Andreotta requested county staff audit specific non-profit organizations that receive significant allocations of funds, and any funds approved in the FY22-23 budget be withheld pending the positive outcome of the audit. Those organizations included: Open Arms, First Contact Ministries, Pisgah Legal Services, and the Mediation Center.

For clarity Assistant County Manager Amy Brantley informed the Board that each of the non-profits will have had outside audit firms complete an audit. County staff would look at practices, sustainability, and performance measures as opposed to what is traditionally a formal audit. The audit would be less financial and more operational.

Vice-Chair McCall added for the record that First Contact Ministries provides a service to the Henderson County Detention Center. The Detention Center sends clients to First Contact per a written agreement, and detailed reports are provided quarterly regarding clients that have been sent to work with the First Contact Ministries Program.

Approved:

Commissioner Andreotta requested the Blue Ridge Literacy Council be allocated their total requested amount of \$15,000, an increase to the proposed budget of \$5,000.

Commissioner Andreotta requested the \$20,000 allocated to the Mills River Fire Department in the FY21-22 budget be matched in the FY22-23 budget.

*Commissioner Andreotta made the motion that county staff audit Open Arms, First Contact Ministries, Pisgah Legal Services, and the Mediation Center and withhold allocation of funds pending a satisfactory result. All voted in favor, and the motion carried.*

*Commissioner Andreotta made the motion that the Blue Ridge Literacy Council be allocated an additional \$5,000 for a total of \$15,000 and that the Mills River Fire Department be allocated \$20,000 from PILT funds received. All voted in favor, and the motion carried.*

*Commissioner Andreotta made the motion that the Flat Rock Playhouse appropriation of \$30,000 be deleted from the FY22-23 Budget under any category. Chairman Lapsley, Vice-Chair McCall, and Commissioner Edney voted nay, and Commissioners Andreotta and Hill voted yea; the motion failed with a 3-2 vote.*

Chairman Lapsley offered clarification regarding Consent Agenda Item E – Budget Amendment – Capital Projects Fund, which was passed as part of the consent agenda earlier in the meeting.

Chairman Lapsley stated that the 4.5 million appropriation from the Fund Balance for Economic Development and Capital Projects fund was an amendment to the current FY21-22 Budget and not the proposed FY22-23 Budget. Chairman Lapsley said the Board had taken “significant action” to make an appropriation, a budget amendment, of 4.5 million to the Capital Project fund toward an economic development project with the assistance of the Henderson County Partnership for Economic Development and the Economic Investment Fund to purchase property in Ferncliff Industrial Park and adjacent property owned by the Greater Asheville Airport Authority. This joint effort will combine those parcels to create an industrial site with approximately 125-130 acres of property and will provide a site for industrial development in Henderson County. This will be the only known industrial property site in North Carolina immediately adjacent to a major airport available for a “significant” industrial development.

Assistant County Manager Amy Brantley stated for clarity that going into today’s meeting; the revised budget stood at \$179,395,311. The Board made four financial adjustments during budget discussions that included the addition of the City of Hendersonville SRO funds in the amount of \$234,948, the addition of a Recreation Program Coordinator in the amount of \$58,308, a Non-Profit funding increase in the amount of \$5,000 for the Blue Ridge Literacy Council, and PILT money in the amount of \$20,000. The adjusted amount with those additions would be \$179,713,557, and the fund balance appropriated would be \$19,059,951. Amy Brantley stated that she and the budget staff would amend the ordinance and present the revised Budget Ordinance to the Board for their final approval later in the meeting.

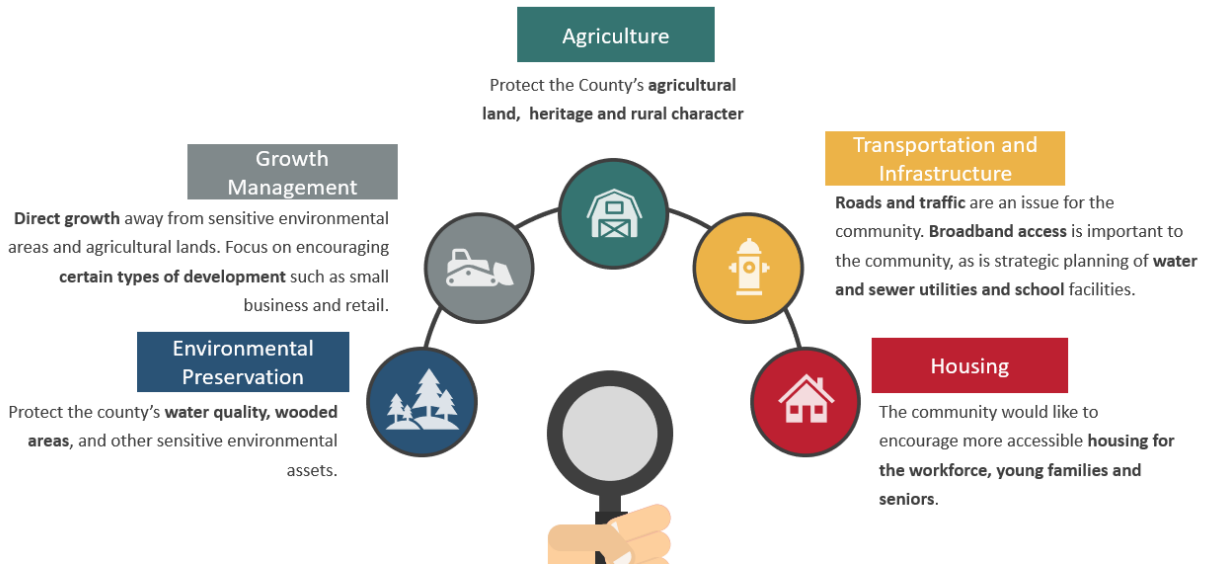
### **Henderson County 2045 Comprehensive Plan Update**

Planning Director Autumn Radcliff and Senior Planner Janna Bianculli provided the Board with an update on the Henderson County 2045 Comprehensive Plan.

Approved:

## PUBLIC INPUT THEMES

What are we hearing from the public?



## EFFORTS SO FAR

- 10** Stakeholder Focus Groups
- 2** Public Workshops
- 6** Staff-Led Open Houses
- 900+** Completed Surveys
- 4** Planning Board Meetings



Approved:



# PROJECT UPDATE

- Staff and Stewart **met with each Commissioner** in May to discuss the project progress and the Future Land Use Map
- The Planning Board and the Board of Commissioners held a **joint meeting** on May 25<sup>th</sup> to discuss the Future Land Use Map and provide input in prep for public meetings later this summer
- Stewart is currently **updating the Future Land Use Map** based on these meetings
- The **Henderson County Partnership** will discuss the Future Land Use Map at its meeting in late June
- Staff met with City of Hendersonville Engineering, Public Works and, Community Planning to discuss the **City of Hendersonville water and sewer service district**
- Staff met with **MSD** to discuss the Urban Services Area on the Future Land Use Map as it relates to current policies and identified sewer service district

Senior Planner Janna Bianculli said the next steps in the planning process would include the following:

- **June:** Stewart will provide draft chapters, goals, maps, and revised FLUM to staff for review
- **July:** Staff will review draft documents as received and work with Stewart on needed changes. 2<sup>nd</sup> joint workshop with the Planning Board and Board of Commissioners is tentatively scheduled for July 26<sup>th</sup>.
- **August:** Public Meetings
- **September:** Review public comment and work with Steering Committee to Finalize Draft Plan.

## Soccer Field Update

Business and Community Development Director Christopher Todd provided the Board with an update on the search for property suitable to develop a multiuse sports complex.

The goals for the facility would include

- The ability to host all current uses supported in the county
- Design fields to be multi-use in design to accommodate multiple sports
- Develop the capacity to host larger tournaments
- Develop capacity for growing recreation requests in the county
- Synthetic turf material: this would reduce the number of days fields are unable to be used due to rain; plus, synthetic turf can withstand more consistent use

Approved:

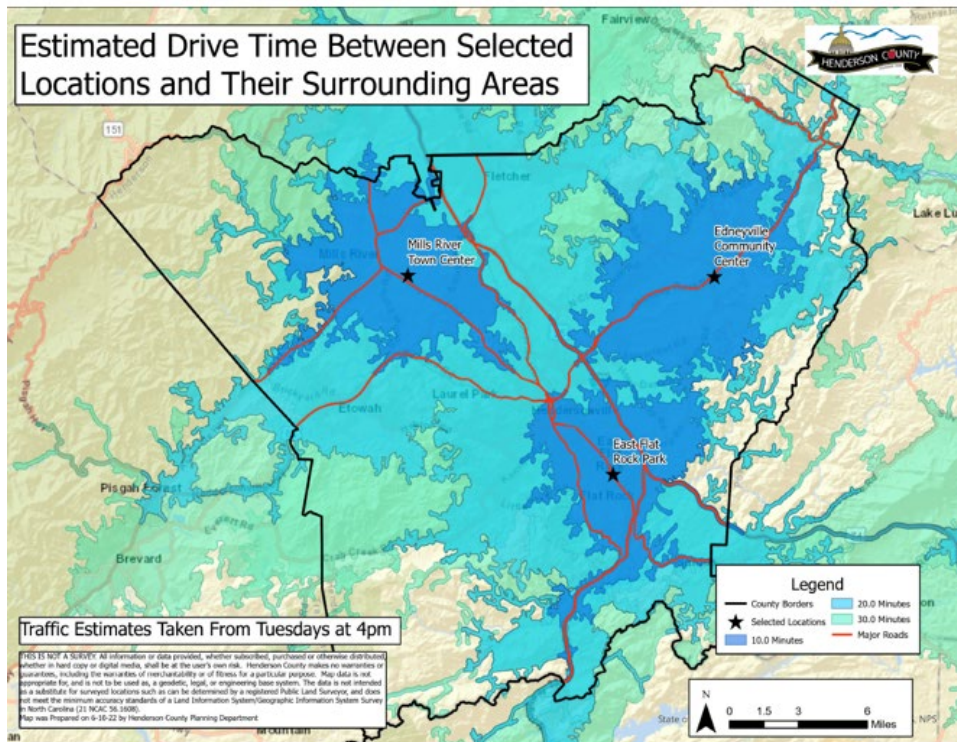
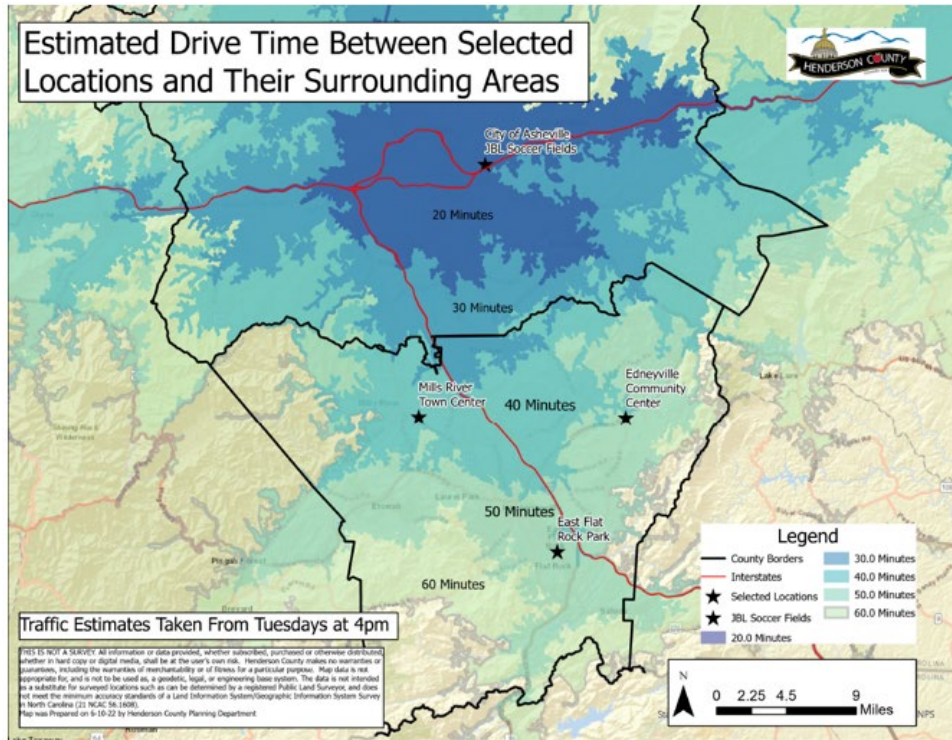
Four full fields are equivalent to approximately ten acres.



Property Considerations Include

|                       |                           |                               |                            |
|-----------------------|---------------------------|-------------------------------|----------------------------|
| 30+ acres             | Served by water and sewer | Centrally located as possible | Less than 5% average slope |
| Out of the floodplain |                           |                               |                            |

Approved:



Chairman Lapsley recessed for a ten-minute break at 11:21 a.m.

Approved:



### 95 Courthouse/Detention Center Contract

On January 26<sup>th</sup>, 2022, a Request for Qualifications for architectural services for the Courthouse Expansion and Detention Center Annex was posted. The overall project scope included designs that address all necessary repairs and replacements of all building systems components, including but not limited to HVAC, plumbing, electrical, structural, interior, and exterior finishes, and parking, associated with a yet-to-be finalized design criteria and scope. Also included in the scope of the project was the necessary programming with Henderson County to provide a proposed design with cost estimates and schedules for approval, as well as the necessary Construction Administration once the project is bid and awarded, to ensure project success. Proposals were due February 10<sup>th</sup>, 2022, and subsequently received and reviewed by Staff. At the March 7<sup>th</sup> meeting of the Board of Commissioners, the Board approved the selection of Fentress Architects as the most qualified firm and directed to Staff to negotiate an agreement. Fentress Architects proposed a fee of 8.87%, based on the proposed construction cost at a total of \$11,320,010 during the June 6<sup>th</sup>, 2022 meeting. The Board of Commissioners requested staff and the architects review the cost proposal for potential savings.

Chris Todd was pleased to report to the Board that Fentress Architects had reduced the percentage fee of construction cost versus architect fee from 8.87% to 8.54%. The revised fee is \$10,905,558, a \$414,452 savings from the fee previously presented. Chairman Lapsley reiterated that this was a fixed fee for the amount of \$10,905,558 for the duration of this project.

Vice-Chair McCall shared that the proposed costs for this project do include projected inflation costs and noted that this project is a possible two-phase project.

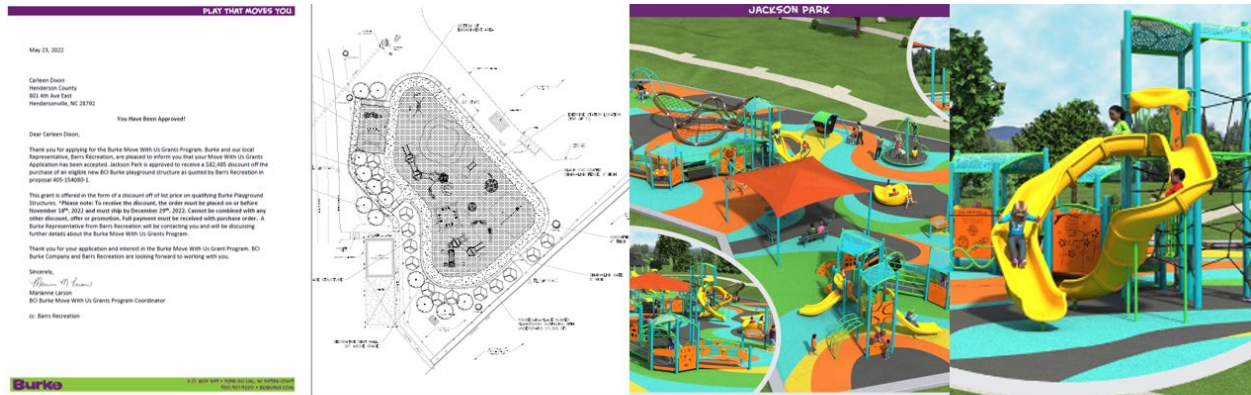
*Chairman Lapsley made the motion to accept the proposal from Fentress Architects as presented. All voted in favor, and the motion carried.*

### Inclusive Playground Update

Chris Todd provided the Board with an update on the inclusive playground project. Chris invited Tommy Laughter, with the Hendersonville Elks Club, to share with the Board the progress of fundraising efforts for the Inclusive Playground project. Tommy Laughter said what started as a small group of people expressing the need to do more for their community has turned into a committee of over one hundred people working hard to make the dream of an all-inclusive playground a reality. Core fundraising members Tommy Laughter, Bruce Gilliam, Carleen Dixon, Donnie Jones, Connie Stewart, and Mike Pace started this effort with \$50,000 and are now approaching \$500,000.



Approved:

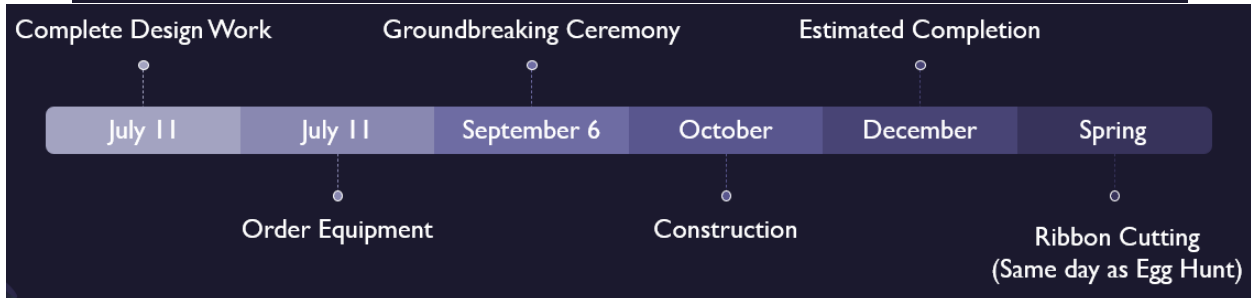


Where we're at: Funds Achieved \$ 455,000

Plus the following:

1. Received Burke Move With Us Grant for \$82,485 discount towards playground structure purchase
2. Waiting to hear on \$50,000 grant application

# Estimated Timeline



The next steps include finalizing the budget, taking the design to the Youth and Parent Committee for review, and finalizing the design with RVE. Next, the equipment order will be placed, the bid process will begin, and finally, the construction of the new playground.

## NOMINATIONS AND APPOINTMENTS

1. Environmental Advisory Committee - 4 vacs.

*Vice-Chair McCall nominated Samuel Henderson for appointment to position #1, Nancy Diaz for position #2, Shane J. Laughter for position #7, and Chairman Lapsley nominated Christopher Berg for reappointment to position #5. All voted in favor, and the motion carried.*

2. EMS Peer Review Committee – 2 vac.

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

Approved:

3. Fire and Rescue Advisory Committee – 2 vacs.

*Commissioner Hill nominated John Cudd for reappointment to position #3 and Justin Blythe for reappointment to position #4. All voted in favor, and the motion carried.*

4. Greater Asheville Regional Airport Authority – 1 vac.

*Commissioner Edney nominated Nathan Kennedy for position #2. All voted in favor, and the motion carried.*

5. Henderson County Board of Health – 3 vacs.

*Commissioner Andreotta nominated Dr. Scott Prechter for position #9, and Vice-Chair McCall nominated Dr. Jennifer Hensley for position #11. All voted in favor, and the motion carried.*

There were two nominations for position # 2.

*Commissioner Andreotta nominated Dr. Alison Cartwright Reid for position #2, and Chairman Lapsley nominated Dr. Patrick W. Garrison for position # 2. The Clerk polled the Board, and Commissioners Andreotta, Hill, and Edney voted for Dr. Reid, Chairman Lapsley, and Vice-Chair McCall voted for Dr. Garrison. Dr. Alison Cartwright Reid was appointed with a 3-2 vote.*

6. Henderson County Historic Courthouse dba/Heritage Museum – 4 vacs.

*Commissioner Hill nominated Sheila Justice Kelly for reappointment to position # 3, Andrew Brannon for reappointment to position # 7, Jim Toms for reappointment to position # 9, and Cecil Bailey for appointment to position #8. All voted in favor, and the motion carried.*

7. Henderson County Rail – Trail Advisory Committee – 3 vacs.

*Chairman Lapsley nominated Brent Detwiler for reappointment to position # 1, Chris Burns for reappointment to position # 4, and Doug Moon for reappointment to position # 7. All voted in favor, and the motion carried.*

8. Hendersonville City Zoning Board of Adjustment – 2 vacs.

*Commissioner Edney nominated Ernest Mowell for reappointment to position # 1. All voted in favor, and the motion carried.*

9. Historic Resources Commission – 3 vacs.

*Chairman Lapsley nominated Christy Thompson for reappointment to position # 8. All voted in favor, and the motion carried.*

10. Home and Community Care Block Grant Committee – 2 vacs.

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

11. Juvenile Crime Prevention Council – 2 vacs.

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

12. Library Board of Trustees – 5 vacs.

*Vice-Chair McCall nominated Rachel Poller for appointment to position #1, Anthony J. Baltiero for appointment to position #7, Katrina McGuire for appointment to position #9, Noreen Quinn for reappointment to position #5, and Jean McGrady for reappointment to position #6. All voted in favor, and the motion carried.*

Approved:

*Vice-Chair McCall nominated Jean McGrady for appointment as Chairman of the Library Board of Trustees. All voted in favor, and the motion carried.*

13. Mountain Area Workforce Development Board – 5 vacs.

*Commissioner Edney nominated Robin Paulison for reappointment to position #3 and Dr. Laura Leatherwood for reappointment to position #4. All voted in favor, and the motion carried.*

14. Nursing/Adult Care Home Community Advisory Committee – 11 vacs.

*Vice-Chair McCall nominated Leigh Ann Angel for reappointment to position # 3. All voted in favor, and the motion carried.*

15. Social Services Board – 1 vac.

*Commissioner Edney nominated Vice-Chair McCall for appointment to position #1. All voted in favor, and the motion carried.*

16. Tourism Development Board – 1 vac.

*Vice-Chair McCall nominated Travis Bonnema for appointment to position # 1. All voted in favor, and the motion carried.*

**FY2022-2023 Budget Ordinance (continued)**

Budget Manager/Internal Auditor Sonya Flynn provided the Board with copies of the amended Budget ordinance.

Amy Brantley informed the Board that the total budget was \$180,163,557 and noted that it does include full funding for the Henderson County Public Schools request for \$31,378,000 for the current expense, the Capital Expense at \$1.5 million, and the transfer to the City of Hendersonville for the School Resource Officers at \$234,238 as advised by the Board. This budget continues a flat tax rate of \$0.5610 cents. She noted that in Appendix C -Section G, per Vice-Chairman McCall’s request, budget Staff has broken out MRTS funding for Henderson County Public Schools to reflect \$4.8 million for Maintenance, Repair, and Security and \$300,000 for Technology costs.

Amy Brantley asked the Board to consider adopting the Budget, the Tax Rate, and the Fire District Tax Rates as laid out in Appendix B.

*Vice-Chair McCall made the motion to adopt the Fiscal Year 2022-2023 Budget for \$180,163,557, and the Tax Rate remain at \$0.5610 cents, and the Fire District Tax Rates as presented in the draft Ordinance.*

Chairman Lapsley asked the clerk to call the role. The vote went as follows:

*Commissioner Andreotta – yes, Commissioner Hill – yes, Chairman Lapsley – yes, Vice-Chair McCall – yes, and Commissioner Edney – yes. The motion passed with a unanimous vote.*

**COMMISSIONER UPDATES**

Commissioner Andreotta offered his congratulations to all recent graduates.

Commissioner Hill thanked the citizens of Henderson County for their participation in helping Henderson County strive.

Vice-Chair McCall did not have any comments to add.

Approved:

Commissioner Edney believes Henderson County is a great place to live, work, and learn. He echoed Commissioner Hill's comments in thanking the citizens of the county.

Chairman Lapsley did not have any comments to add.

### **GENERAL ASSEMBLY REPORT**

County Manager John Mitchell said the General Assembly is back in session, but they are expected to convene before July 1, 2022. He said the County had received its second disbursement of ARPA Funds and the first disbursement of Opioid Settlement Funds.

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

County Manager John Mitchell wished Vice-Chair McCall a Happy Birthday. He reminded everyone that the July 4<sup>th</sup> celebration was coming up and mentioned there would be two bluegrass bands providing music for the event.

### **IMPORTANT DATES**

#### **CLOSED SESSION**

*Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3)(4).*

- 1. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board.*
- 2. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.*

*Commissioner Edney made to motion to go out of closed session and adjourn at 1:00 p.m. All voted in favor, and the motion carried.*

### **ADJOURN**

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Denisa A. Lauffer, Clerk to the Board

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William Lapsley, Chairman

Approved: