

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MONDAY, AUGUST 1, 2022**

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, County Manager John Mitchell, Assistant County Manager Amy Brantley, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Commissioner J. Michael Edney was not present at the beginning of the meeting.

Also present were: Director of Business and Community Development Christopher Todd, Finance Director Samantha Reynolds, Budget Manager/Internal Auditor Sonya Flynn, Sheriff Lowell Griffin, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Analyst Jennifer Miranda, Planning Director Autumn Radcliff, DSS Director Jerri McFalls, Purchasing Agent Doug Guffey, 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**

The pledge of allegiance was led by Emma Barber, Leaders in Training 4-H Club.

### **INFORMAL PUBLIC COMMENT**

1. Emma Barber addressed the Board regarding her involvement in 4-H. She informed the audience she would be the “Youth Voice” representative from Henderson County at next week’s NCACC Conference in Cabarrus County.
2. Jan Partin spoke regarding the 2045 Comprehensive Plan.
3. Gayle Kemp spoke regarding voting machine accuracy.

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

Commissioner Andreotta requested that consent agenda item L – Contract with Fostering Hopes/H3 Collective be pulled and moved to Discussion Item E.

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

**CONSENT AGENDA**

**Approval of Minutes**

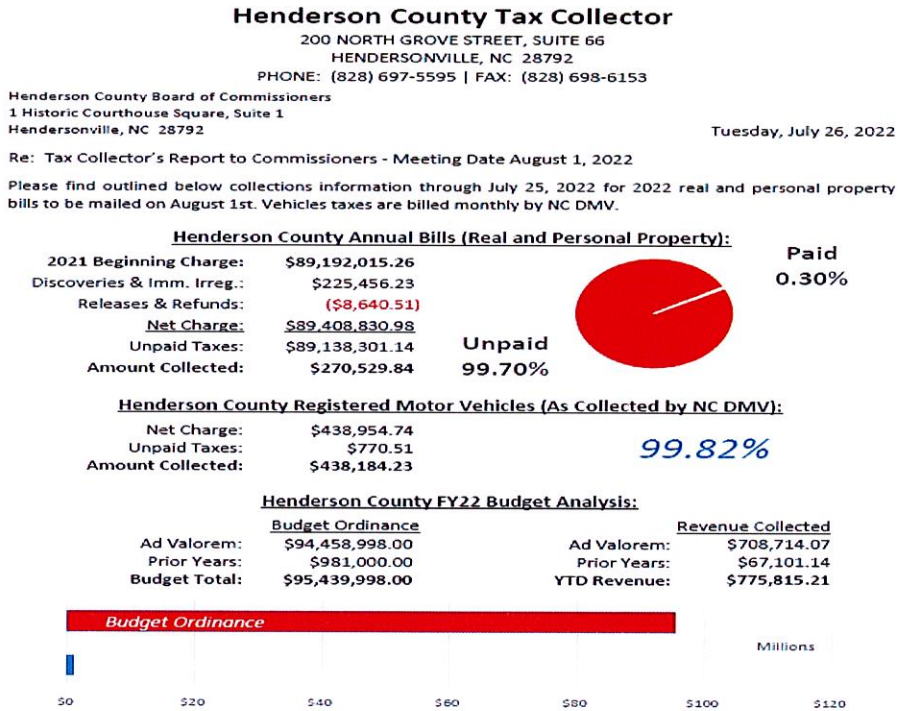
Draft minutes were presented for the Board’s review and approval for the following meeting: July 20, 2022

Motion:

*I move the Board approve the minutes of July 20, 2022.*

**Tax Collector’s Report**

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



**Notification of Vacancies**

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

1. Asheville Regional Housing Consortium – 2 vacs.  
Positions #1 & 2
2. Nursing/Adult Care Home Community Advisory Committee – 1 vac.  
Position #11

**Non-Profit Funding Agreements**

After the approval of the FY 2022-2023 Budget, staff has distributed the funding agreements to the non-profit agencies receiving County allocations.

Blue Ridge Literacy Council	\$15,000
Boys & Girls Club of Henderson County	\$15,000
Children & Family Resource Center	\$20,000
Flat Rock Playhouse	\$30,000
The Free Clinics	\$30,000

Approved: August 17, 2022

Henderson County Council on Aging, Inc.	\$40,000
Henderson County Heritage Museum	\$100,000
Interfaith Assistance Ministry	\$20,000
Only Hope WNC, Inc. (Continuation Project)	\$24,000
Only Hope WNC, Inc. (Expansion Project)	\$8,000
Safelight, Inc.	\$50,000
St. Gerard House	\$60,000
United Way of Henderson County	\$10,000
Vocational Solutions of Henderson County, Inc.	\$41,625
WNC Communities	\$4,219
WNCSource: Medical Transportation	\$11,100
WNCSource: Community Transportation Grant Match	\$38,905

**Motion:**

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

**Rejection of Bids for the Purchase or Rental of Medical Testing Machine**

The Board was requested to reject all bids and authorize staff to resolicit bids.

Bids were solicited from May 18 to June 3. The sole bid received was from McKesson Medical-Surgical Government Solutions LLC, which provided proposals for leasing and purchasing the equipment. The funding of this purchase is with federal funds. Due to the funding source of this bid, an adequate number of proposals are required to meet the standards set forth in 2 CFR 200.320 (a)(2)(i), which the County has defined as three by local policy. Since three bids were not received, staff must rebid the project. After rebid, if one bid is received again, the County may move forward with awarding the contract.

**Motion:**

*I move the Henderson County Board of Commissioners reject all bids and authorize staff to proceed with rebidding the purchase or rental of a medical testing machine.*

**2022.93 Budget Amendment – Fund Balance Appropriated**

The Board was requested to approve a budget amendment that appropriates Fund Balance for FY2022 Board-approved purchases that will be fulfilled in FY2023. Approved purchases are for upfitting Sheriff's Department vehicles that are currently on backorder.

**Motion:**

*I move the Board approve the budget amendment to the appropriate fund balance.*

**Sole Source of 8 Stryker Power Loads**

The Board was requested to approve the proposal and authorize staff to proceed with the procurement of (8) Stryker Power-LOAD cot fasteners with upgrade kits via the sole source exceptions as allowed under N.C.G.S 143-129 (e)(6) and 2 CFR 200.320 (C) (2). As a sole source contract with County government, approval of this agreement by the Board of Commissioners is required.

The sole proposal was received from Stryker Medical for a total pre-tax price of \$184,221.20. Stryker is the sole manufacturer of this type of lift system that can be utilized with the existing Stryker stretchers that Henderson County currently owns. This will ensure conformity and operability of these systems as the County has standardized its fleet of stretchers to the Stryker Power Pro.

Three of the Stryker Power-LOAD cot fasteners with upgrade kits were approved in the FY23 County budget in the amount of \$70,242, and six were funded with revenue replacement from ARPA in the amount of \$117,170 for a total budgeted amount of \$187,412.

Motion:

*I move the Henderson County Board of Commissioners accept the sole proposal from Stryker Medical and authorize Henderson County staff to proceed with the purchase of (8) Stryker Power-LOAD cot fasteners with upgrade kits in the amount of \$184,221.20 using the sole source exception as allowed under N.C.G.S 143-129 (e)(6) and 2 CFR 200.320 (c) (2).*

#### **2022.94 State Aid to Public Libraries – Award Acceptance**

The County received an Award Agreement from the NC Department of Natural and Cultural Resources for \$83,421. These funds were appropriated by the State Budget Act of 2021 (SL 2021-180, as amended by SL 2021-189), and may be used for materials, salaries, equipment, and operating costs consistent with allowable uses outlined in 07 NCAC 02I .0202 State Aid Grants from the Aid to Public Library Fund. Although the awarding agency is the State of NC, these are Federal ARP dollars, and the County will follow all applicable restrictions and procurement processes necessary to spend these funds.

The Board was requested to approve the Award Agreement and authorize the Chairman and the Library Director to execute the same.

Motion:

*I move the Board approve the Award Agreement and authorize Chairman Lapsley and Director Rushing to execute the same. I further move the Board approve a budget amendment to bring in the \$83,421 in funding.*

#### **2022.95 Budget Amendment – Fletcher EMS Station**

The Board was requested to ratify a Budget Amendment, transferring \$3,100,000 from the COVID-19 Fund to the Capital Projects Fund. These monies will be used to fund board-approved capital outlay for the Fletcher EMS Station.

Motion:

*I move the Board ratify the budget amendment as presented, transferring funds from the COVID-19 Fund to the Capital Projects Fund.*

#### **Selection for Architectural Services – Emergency Medical Services Base #6**

As directed by the Board during the June 15, 2022 meeting, staff released a Request for Qualifications (RFQ) for architectural services to design, permit, bid, and administer construction for the Emergency Medical Services Base #6. The RFQ was compliant with the American Rescue Plan Act (ARPA).

In accordance with NC General Statute 143-64.31 (Procurement of Architectural, Engineering, and Surveying Services) and the ARPA requirements, staff developed an RFQ on June 16, 2022. The responses were received by July 15, 2022. The RFQ and the four responses are linked below:

<https://www.hendersoncountync.gov/county/page/rfq-ems-base-6-architectural-services>

The selection committee consisted of Jimmy Brissie, Emergency Management Director, and Marcus Jones, PE, County Engineer. Upon review and scoring the responses, the committee recommends ARCA Design. After Board selection of the most qualified, responding firm, staff will negotiate a fee proposal with the selected firm and bring the proposal back to the Board for approval at a future meeting.

Approved: August 17, 2022



Motion:

*I move the Board approve the selection of ARCA Design as the most qualified responding firm to design, permit, bid, and administer construction for the Emergency Medical Services Base #6.*

**Mobile Food Vending**

The demand for food and drink services in Henderson County parks has grown significantly with the growth of activity in our Parks, particularly Jackson Park. The Recreation Advisory Board has held multiple discussions on this matter and made a formal motion at the July 12, 2022, meeting to recommend a change to the Henderson County Code of Ordinances to allow for the attached Mobile Food Vending Policy, including fees on a trial basis in Jackson Park.

Motion:

*I move the Board approve the draft Mobile Food Vending Policy and associated fees.*

*I move that the Board approve the draft agreement and direct staff to finalize and enter the agreement.*

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

**DISCUSSION**

**Second Reading of the LDC Text Amendment Language as Approved on July 20, 2022 (Personal Storage Structure and Temporary Portable Storage Containers)**

On July 20<sup>th</sup>, the Board of Commissioners held a public hearing on LDC text amendment TX-2022-02 for personal storage structures and temporary portable storage containers. Following discussion, the Board voted on several changes to the proposed amendment. The Board directed staff to provide the Board with a final draft incorporating all the approved changes at the next meeting.

**LDC Text Amendment Language as Approved on July 20<sup>th</sup> by the BOC**

**Approved changes are highlighted.**

**Personal Storage Structures**

Amend the Table of Permitted and Special Uses as follows.

1. Residential Uses	R1	R2	R2R	R3	R4	OI	LC	CC	RC	I	SR
Personal Storage Structure	P	P	P	P	P	P	P	P	P	P	1.14

**Amendment as approved in 1<sup>st</sup> reading by the BOC on July 20<sup>th</sup>, 2022.**

**§42-62. Supplemental Requirements to the Table of Permitted and Special Uses**

**SR 1.14. Personal Storage Structure**

- (1) Any lot may have personal storage structures.
- (2) A personal storage structure may include bathroom facilities and kitchen facilities and shall not be used as a residence or for the purpose of operating a business.
- (3) Personal storage structures shall only be for personal, noncommercial use.
- (4) The use may be setback a minimum of five (5) feet from the side or rear property lines and ten (10) feet from the front or Right of Way (ROW).

**Temporary Portable Storage Containers**

**Amendment as approved in 1<sup>st</sup> reading by the BOC on July 20<sup>th</sup>, 2022.**

**SR 12.1. Portable Storage Containers**

- (1) Maximum Number Permitted Per Lot. One (1) for residential zoning district property.
- (2) Duration and Frequency. Portable storage containers shall be placed on residential zoning district property for no more than 90 days, no more than three (3) times in a 12 month period.
- (3) Permanent Structures. Portable storage containers may be permitted as accessory structures.

After discussion, with Commissioner Edney not present, it was the consensus of the Board that the vote for this item needed to be taken when all members of the Board are present.

*Vice-Chair McCall made the motion to move the Second Reading of the LDC Text Amendment Language as Approved on July 20, 2022 (Personal Storage Structure and Temporary Portable Storage Containers) to the September 6, 2022, meeting. All voted in favor, and the motion carried.*

### **State of the Airport Presentation**

Asheville Regional Airport President and CEO Lew Bleiweis provided the Board with an annual update on the Asheville Regional Airport. He stated from an air-service perspective that in 2021 Asheville Regional Airport had five air carriers: Allegiant, American, Delta, and United Airlines. Sun Country Airlines was added later that year. There were twenty-five non-stop destinations from Asheville: the most in the Airport's history. The non-stop destinations that were added include Washington National, Key West, Fort Walton Beach, Las Vegas, and Minneapolis/St. Paul. He noted that from a passenger standpoint, there were 1,428,266 passengers, an increase of 102.6% over the prior year. The remote shuttle lot opened during the summer of 2021; the total cost of that project was roughly 1.8 million dollars. The south commercial airline ramp expansion was nearly completed with a project cost of 9.5 million dollars. The new terminal and control tower design both took place in 2021.

In closing, Mr. Bleiweis said the Airport's operating revenue at the end of the fiscal year was \$12,225,286, and operating expenses totaled \$8,792,726 with a net gain of \$3,432,000. Assets at the end of the year were \$205,981,000, an increase of 36.9 million dollars over the previous year.

### **NCACC 2023-2024 Legislative Goals**

Vice-Chair McCall shared that each year the NCACC solicits input and proposals from all counties and invites the counties to submit their legislative proposals to the Association. Every two years, in the months preceding the long session of the North Carolina General Assembly, the NCACC begins a grassroots process to develop the Association's legislative goals, which guides their advocacy efforts at the state and federal levels of government. The process is designed to maximize participation by counties, build consensus among counties, and achieve a unified message on county priorities.

The submission deadline for 2023-2024 proposals is early September 2022.

The NCACC Legislative Goals Conference will be held in November, and the NCACC legislative agenda will be finalized by early December in advance of the 2023 short session.

The Board was requested to discuss the submission of the following goals.

1. Provide supplemental pay for childcare workers.
2. Increase the availability of 4-K (4-year-old Kindergarten) to all interested parents. Currently, the state only provides funding for 35% of 4-year-olds, and those spots are offered first to those with financial needs.
3. Extend the legal high school drop-out age to 17 (currently 16) to keep more youth in school and help them with planning for the future.
4. Provide more and improved mental health facilities, clinics, and hospitals.

Commissioner Hill suggested that the second goal be amended to include private daycares that provide a structured 4-K program.

*Vice-Chair McCall made the motion to approve the four recommended Legislative Goals and to move forward with submittal to the NCACC with the amendment to goal number two to read "Increase the availability of 4-K (4-year-old Kindergarten) in schools and private daycares that provide structured 4-K programs. All voted in favor, and the motion carried.*

Approved: August 17, 2022

**Construction Projects Update/MRTS**

David Berry stated that projects for BRCC MRTS 2021-2022 have been completed within budget. Several ongoing projects will be completed within budget, including Flat Rock Furniture and Sink Boiler repairs that will be completed on August 5. The Machine Shop at Spearman HVAC work is expected to be completed in mid-August. These projects will finish the 2021-2022 MRTS planned projects.

Mr. Berry said Henderson County Public Schools 2021-2022 MRTS projects are complete and within budget. Several ongoing projects will be completed within the allocated budget amounts. Ongoing projects include the roof at West Henderson High School and the Upward Road maintenance warehouse. Both projects are expected to be complete by the end of October. The countywide school security camera systems project is expected to be completed by the end of September, pending the arrival of the cameras.

The proposals from LS3P, the architect for the West Henderson renovation/addition, and Clark Nexsen, the architect for the bus garage, have been received and are currently under review.

The Upward Elementary Renovation project that was put on hold at the beginning of the COVID pandemic has now been recommended to proceed. The general contractor Carolina Specialties submitted the GMP (Guaranteed Maximum Price) and other statute-required paperwork. The cost of this project is now \$1,253,241; the difference between today's cost and the project's original cost will be funded by remaining 2021-2022 contingency funds and a portion of 2022-2023 contingency funds.

John Mitchell shared items of discussion from the Joint Schools Facilities meeting that was held the previous week. The purpose of the meeting was to discuss the prioritization of school board projects and inflation costs regarding those capital projects. Inflation is up ten percent across the board, affecting everything the County does. The numbers put together by the school board in 2018 for capital projects included a buffer for inflation costs. However, the current level of inflation was not anticipated. Commissioner Hill and Commissioner Edney heard from David Berry at that meeting that it was recommended that the School Board revisit those numbers and look at what the costs would be today. The School Board was asked to return to the Board of Commissioners updated costs or a re-prioritization of capital projects based on what could be afforded in the MRTS. David Berry added that this is an exercise that needs to be completed yearly as costs go up and down.

During that same meeting, Jimmy Brissie provided a presentation regarding the Fletcher Elementary School property and the possibility of an EMS station at that location. The committee received it well but did share some concerns about traffic. The County has hired a firm to begin due diligence on that process to address those concerns. Staff will keep the Board of Commissioners and the Joint Schools Facilities Committee informed as the project moves forward.

In closing, David Berry shared that the ribbon-cutting for Hendersonville High School would be Wednesday, August 3<sup>rd</sup> at 10:00 a.m.

Chris Todd took the opportunity to recognize David Berry and his impact on Henderson County. Since joining the county in 2008, Mr. Berry has played a part in over a quarter billion dollars worth of capital projects. All of which were "on time and under budget." He has constructed elementary schools, high schools, colleges, emergency management buildings, and park & recreation facilities, to name a few.

**2022.96 Resolution of Appreciation – David Berry**

Chairman Lapsley read the following Resolution aloud.

***RESOLUTION OF APPRECIATION***

***DAVID BERRY  
HENDERSON COUNTY CONSTRUCTION PROJECT MANAGER***

- WHEREAS,** David Berry began his career with Henderson County in November 2010 as the Construction Project Manager; and
- WHEREAS,** in October, 2011, David Berry became the Central Services Manager for Henderson County, leading the department in the maintenance of all Henderson County properties; and
- WHEREAS,** David Berry was named the Central Services and Construction Manager for Henderson County in June, 2013, effectively combining his talents in building maintenance and his ability to bring together construction crews for the many projects being undertaken by a rapidly growing county; and
- WHEREAS,** since June, 2014, David Berry has served Henderson County and its citizens as Construction Project Manager; and
- WHEREAS,** under David Berry’s tenure, the Henderson County Board of Commissioners has partnered, funded, constructed, and completed several projects. Notably, the Innovative High School, the Health Sciences Center, Edneyville Elementary School, Hendersonville High School, the Patton Building and the Thomas H. Thompson Emergency Services building; and
- WHEREAS,** David Berry’s determination and knowledge caused these projects to come in “on time and under budget”; and
- WHEREAS,** David Berry will retire from his service to Henderson County and its citizens on August 5, 2022;

**NOW, THEREFORE, BE IT RESOLVED** that the Henderson County Board of Commissioners expresses their deep admiration for the experience and wisdom that David Berry brought to the positions that he served in with Henderson County. On behalf of the citizens and staff of Henderson County, we appreciate and commend you on a job well done, David Berry.

In witness whereof, I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 1st day of August 2022.

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

John Mitchell stated for the record, “On behalf of the County Manager, this administration, and the previous administration that he would like to express his appreciation to Mr. Berry.”

**Contract with Fostering Hopes/H3 Collective (Moved from Consent Agenda to Discussion)**

The Board, at its last meeting, discussed an agreement to lend funds to H3 Collective, Inc., d/b/a Fostering Hopes, for the creation of a new model of foster home in Henderson County and directed the County Attorney to draft an agreement toward that end.

Approved: August 17, 2022



Commissioner Edney arrived during the presentation of this item.

Commissioner Andreotta asked for clarification of what the \$348,000 in County funds would be used for if approved.

Russ Burrell stated the proposed draft agreement presented includes verbiage that funds would be utilized for the remodeling, upfitting, and construction of the facility located on Dana Rd in Hendersonville and the retirement of debt incurred during the purchase of that property.

Alex Williams, President of Fostering Hopes, informed the Board that H3 Collective has a \$700,000 operational line of credit with First Citizens Bank, which is collateralized with the Dana Road property in Hendersonville and ten acres with a home in Buncombe County. The bank approved for H3 Collective to use that line of credit as “a bridge” from closing to receiving funds available but “waiting on the sidelines,” pending H3’s ability to bring additional funds to the table. A portion of the funds received from the County would be used to pay off the line of credit, and the remainder of the funds would be used for the renovation and upfitting of the Dana property. To clarify, Mr. Williams said the Buncombe property has zero debt. It is being used as collateral for the line of credit with First Citizens.

Commissioner Andreotta asked for the dollar amount of the outstanding balance on the line of credit. Mr. Williams stated the current balance is \$550,000. Commissioner Andreotta noted that if H3 defaulted on the line of credit First Citizens Bank would have the first claim to both the Henderson and Buncombe properties. Mr. Williams added that these two properties’ combined value is over two million dollars.

Mr. Williams shared that Dogwood Health Trust had approved H3Collective to receive \$300,000 in funds in addition to the \$150,000 already received.

Commissioner Andreotta stated that when this item was initially brought before the Board, he was unaware that this item included another piece of property in another county as part of the collateral. His interest in revisiting the terms of this agreement was the realization that the County would be the second lienholder. He proposed that Henderson County could play a more significant role financially with the same terms with extended time for repayment in foster services and be the only lienholder to the Henderson County property being used as collateral. Commissioner Andreotta said this would offer more protection of the taxpayers’ investment. Yes, the County would have more money invested but would be better protected. He would like to explore the option for First Citizens to parse out the properties out and offer the autonomy of the Henderson County property for the Henderson County venture.

Russ Burrell proposed that he and Commissioner Andreotta meet with H3 Collective and First Citizens this week to discuss the option proposed.

Vice-Chair McCall asked that this item be addressed next week to prevent the delay in funds being allotted to H3.

Commissioner Andreotta added that he was not opposed to what the Board initially approved, but he is not keen on being tied in with another property in another county. He is a big fan and proponent of what H3 does and wanted to clarify that.

*Chairman Lapsley made the motion that the County Manager, Attorney, and Commissioner Andreotta meet with H3 Collective and First Citizens Bank to reach and enter an arrangement where funding by the County of \$348,000, together with funding from Dogwood Trust, is sufficient to allow repayment of the First Citizens line of credit lien to the extent that the Henderson County (Dana Road) property is released from the First Citizens lien, and the County will hold a first lien on the Henderson County property. The Board may change the \$348,000 amount of County funds at a later date. All voted in favor, and the motion carried.*

**NOMINATIONS AND APPOINTMENTS**

1. EMS Peer Review Committee – 3 vac.

*Vice-Chair McCall nominated Daniel Wesley for position #11 and David Lee for position #12. All voted in favor, and the motion carried.*

2. Environmental Advisory Committee – 1 vac.

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

3. Henderson County Historic Courthouse dba/Heritage Museum – 1 vac.

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

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

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

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

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

6. Juvenile Crime Prevention Council – 5 vacs.

*Vice-Chair McCall nominated Linda Carter for reappointment to position #17. All voted in favor, and the motion carried.*

7. Mountain Area Workforce Development Board - 2 vacs.

*Chairman Lapsley nominated Marsha Justice for appointment to position #2. All voted in favor, and the motion carried.*

8. Nursing/Adult Care Home Community Advisory Committee – 10 vacs.

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

**COMMISSIONER UPDATES**

Commissioner Andreotta shared that NC is in the beginning stages of awarding GREAT Grant application funds. Henderson County supported four applications submitted for GREAT grant funds, and he hopes to hear the outcome of those applications soon.

Commissioner Hill recognized Construction Manager David Berry for his efforts on behalf of the County.

Vice-Chair McCall shared that she, John Mitchell, and Amy Brantley will attend the NCACC Annual Conference in Concord next week. She is informed that Henderson County may receive an award at the conference.

Commissioner Edney shared that his sister had fallen and broken her shoulder earlier in the evening and commended EMS staff on their service in treating her at the scene. In closing, he stated that Henderson County greatly appreciates David Berry's guidance and leadership through the many projects he has managed throughout the county.

Chairman Lapsley did not have any updates.

**GENERAL ASSEMBLY UPDATE**

John Mitchell said the General Assembly is out of session. Staff continues to read the budget to try and understand the full ramifications of what was done. Mr. Mitchell received a phone call from Raleigh today regarding one million dollars in discretionary funds allocated to Henderson County. Those funds will likely be drawn down in the form of a grant. The Board will need to discuss this in the coming months. \$500,000 was allocated to First Contact Ministries in this budget, along with \$500,000 for Marc in Fletcher and \$300,000 for dam repairs. There was one billion included in the inflationary reserve. He shared that 883 million was set aside for wastewater and sewer projects.

**COUNTY MANAGER'S REPORT**

John Mitchell stated that the county is currently in the process of reappraisal, and he can say with confidence that the number this year will be above ten percent. The economy is inflated by ten percent, affecting everything, including homes, durable goods, etc. The reappraisal number is expected to be significant; he wants citizens to be prepared for what is likely to come with the reappraisal in January.

Mr. Mitchell said the County had closed on the Ferncliff property; approximately 35 acres of industrial property adjacent to the Asheville Airport. He said the new software the Planning, Code Enforcement, Permits, and Inspections Departments was launched last week and commended the staff for their patience in the roll-out of that program.


In closing, Mr. Mitchell said he had recently read that North Carolina was named number one for business. He believes Henderson County is number one for business in NC due to the wise investment made by this Board.

**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)(6).*

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)(6) 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 7:35 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: August 17, 2022

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** August 1, 2022

**SUBJECT:** Budget Amendment – Fund Balance Appropriated

**PRESENTERS:** Samantha R. Reynolds, Finance Director

**ATTACHMENTS:** Yes  
1. Budget Amendment

**SUMMARY OF REQUEST:**

Staff is requesting the Board approve the attached budget amendment which appropriates Fund Balance for FY2022 Board approved purchases that will be fulfilled in FY2023. Approved purchases are for vehicle upfitting for Sheriff's Office vehicles, which are currently on backorder.

**BOARD ACTION REQUESTED:**

The Board is requested to approve the attached budget amendment to appropriate fund balance.

***Suggested Motion:***

*I move the Board approve the budget amendment to appropriate fund balance.*

**LINE-ITEM TRANSFER REQUEST  
HENDERSON COUNTY**



**Department:** SHERIFF

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount	
<u>115431-525000</u>	<u>AUTOMOTIVE SUPPLIES</u>	<u>\$148,640</u>	
<u>115431-526001</u>	<u>AMMUNITION</u>	<u>\$133,183</u>	
<u>115431-526021-9034</u>	<u>GCC GRANT - WEAPONS</u>	<u>\$5,701</u>	
<u>115431-537111</u>	<u>K-9 RESTRICTED FUNDS</u>	<u>\$3,971</u>	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	\$291,495

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

Account	Line-Item Description	Amount	
<u>114990-401000</u>	<u>FUND BALANCE APPROPRIATED</u>	<u>\$281,823</u>	
<u>114431-451001-9034</u>	<u>GCC JAG GRANT FUNDING</u>	<u>\$5,701</u>	
<u>114431-492010</u>	<u>K-9 COP DONATIONS</u>	<u>\$3,971</u>	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	\$291,495

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

TO BUDGET FOR BOARD APPROVED PURCHASES INITIATED IN FY2022, BUT ORDERS WILL NOT BE FULFILLED UNTIL FY2023. BOC APPROVED 8.1.2022.

\_\_\_\_\_  
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:** August 1, 2022

**SUBJECT:** State Aid to Public Libraries – Award Acceptance

**PRESENTER:** Trina Rushing, Library Director  
Samantha Reynolds, Finance Director

**ATTACHMENTS:** Yes

1. Budget Amendment
2. Non-State Entity Award Agreement

#### **SUMMARY OF REQUEST:**

The County has received an Award Agreement from the NC Department of Natural and Cultural Resources for \$83,421. These funds were appropriated by the State Budget Act of 2021 (SL 2021-180, as amended by SL 2021-189), and may be used for materials, salaries, equipment, and operating costs consistent with allowable uses outlined in 07 NCAC 02I .0202 State Aid Grants from the Aid to Public Library Fund. Although the awarding agency is the State of NC, these are Federal ARP dollars, and the County will following all applicable restrictions and procurement processes necessary to spend these funds.

The Board is requested to approve the Award Agreement, and authorize Chairman Lapsley and Director Rushing to execute the same.

#### **BOARD ACTION REQUESTED:**

The Board is requested to approve the Award Agreement, and authorize Chairman Lapsley and Director Rushing to execute the same. The Board is further requested to approve a budget amendment to bring in the funding.

#### **Suggested Motion:**

*I move the Board approve the Award Agreement, and authorize Chairman Lapsley and Director Rushing to execute the same. I further move the Board approve a budget amendment to bring in the \$83,421 in funding.*



**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** August 1, 2022  
**SUBJECT:** Budget Amendment – Fletcher EMS Station  
**PRESENTERS:** Samantha R. Reynolds, Finance Director  
**ATTACHMENTS:** Yes  
1. Budget Amendment

**SUMMARY OF REQUEST:**

The Board is requested to ratify a Budget Amendment, transferring \$3,100,000 from the COVID-19 Fund to the Capital Projects Fund. These monies will be used to fund board approved capital outlay for the Fletcher EMS Station.

**BOARD ACTION REQUESTED:**

The Board is requested to ratify the attached Budget Amendment as presented.

***Suggested Motion:***

*I move the Board ratify the budget amendment as presented, transferring funds from the COVID-19 Fund to the Capital Projects Fund.*



# Henderson County Board of Commissioners

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

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



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

## **RESOLUTION OF APPRECIATION**


### **DAVID BERRY HENDERSON COUNTY CONSTRUCTION PROJECT MANAGER**

- WHEREAS,** David Berry began his career with Henderson County in November, 2010 as the Construction Project Manager; and
- WHEREAS,** in October, 2011, David Berry became the Central Services Manager for Henderson County, leading the department in the maintenance of all Henderson County properties; and
- WHEREAS,** David Berry was named the Central Services and Construction Manager for Henderson County in June, 2013, effectively combining his talents in building maintenance and his ability to bring together construction crews for the many projects being undertaken by a rapidly growing county; and
- WHEREAS,** since June, 2014, David Berry has served Henderson County and its citizens as Construction Project Manager; and
- WHEREAS,** under David Berry's tenure, the Henderson County Board of Commissioners has partnered, funded, constructed and completed several projects. Notably, the Innovative High School, the Health Sciences Center, Edneyville Elementary School, Hendersonville High School, the Patton Building and the Thomas H. Thompson Emergency Services building; and
- WHEREAS,** David Berry's determination and knowledge caused these projects to come in "on time and under budget"; and
- WHEREAS,** David Berry will retire from his service to Henderson County and its citizens on August 5, 2022;

**NOW, THEREFORE, BE IT RESOLVED** that the Henderson County Board of Commissioners expresses their deep admiration for the experience and wisdom that David Berry brought to the positions that he served in with Henderson County. On behalf of the citizens and staff of Henderson County, we appreciate and commend you on a job well done, David Berry.

In witness whereof I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 1st day of August, 2022.

  
WILLIAM LAPSLEY, CHAIRMAN  
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

  
DENISA A. LAUFFER, CLERK TO THE BOARD