

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, AUGUST 17, 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, 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.

Commissioner Andreotta participated in this meeting from a remote location via conference call.

Absent: Vice-Chair Rebecca McCall

Also present were: Director of Business and Community Development Christopher Todd, Finance Director Samantha Reynolds, Budget Manager/Internal Auditor Sonya Flynn, County Engineer Marcus Jones, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Analyst Jennifer Miranda, Tax Assessor Darlene Burgess, Deputy Tax Collector Luke Small, Assistant County Assessor Kevin Hensley, Human Resources Director Karen Ensley, IT Director Mark Seleenbacher, Planning Director Autumn Radcliff, Senior Planner Janna Bianculli, Planner Liz Hanson, Department of Public Health Director Dr. Steve Smith, Environmental Health Supervisor Seth Swift, DSS Director Jerrie McFalls, Purchasing Agent Doug Guffey, Agri-Business Development Director Mark Williams, Deb Johnston, and PIO Kathy Finotti – videotaping, Deputy Mike Marstellar provided security.

CALL TO ORDER/WELCOME

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

INVOCATION

Pastor Karen Easter-Bayne provided the invocation.

PLEDGE OF ALLEGIANCE

Chairman Lapsley led the pledge of allegiance.

Commissioner Edney made the motion to allow Commissioner Andreotta to participate in the Board meeting from a remote location via conference call. All voted in favor, and the motion carried with a 3-0 vote.

Commissioner Andreotta explained he was not attending the meeting in person due to the recent birth of his granddaughter in another state.

INFORMAL PUBLIC COMMENT

1. Joe Elliot spoke regarding the 2045 Comprehensive Plan
2. Dennis Justice spoke regarding sports betting and the need for a pickleball facility.
3. Karl Gessler spoke in opposition to the County's use of electronic voting machines.

DISCUSSION/ADJUSTMENT OF AGENDA

County Attorney Russ Burrell added two additional consent agenda items, Consent Agenda Item V - ABC Comment Request for Flat Rock Cider Group, LLC. and Consent Agenda Item W - Sewer Easement for the City of Hendersonville.

Commissioner Andreotta added Discussion Item E – Broadband/Internet Service - Bat Cave Fire Department.

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: August 1, 2022

Motion:

I move the Board approve the minutes of August 1, 2022.

Tax Collector’s Report

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

Please find outlined below collections information through August 7, 2022 for 2022 real and personal property bills mailed on August 5th. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2021 Beginning Charge:	\$89,211,409.59
Discoveries & Imm. Irreg.:	\$588,805.29
Releases & Refunds:	(\$953,909.70)
<u>Net Charge:</u>	<u>\$88,846,305.18</u>
Unpaid Taxes:	\$88,270,851.41
Amount Collected:	\$575,453.77

Unpaid
99.35%



Paid
0.65%

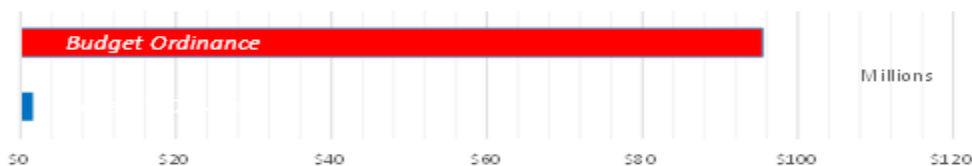
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$914,626.74
Unpaid Taxes:	\$1,752.66
Amount Collected:	\$912,874.08

99.81%

Henderson County FY22 Budget Analysis:

	<u>Budget Ordinance</u>		<u>Revenue Collected</u>
Ad Valorem:	\$94,458,998.00	Ad Valorem:	\$1,488,327.85
Prior Years:	\$981,000.00	Prior Years:	\$130,259.51
Budget Total:	\$95,439,998.00	YTD Revenue:	\$1,618,587.36



Approved:

2022.97 Pending Releases and Refunds

The Assessor reviewed the pending releases and refunds. As a result of that review, it is the opinion of the Assessor that these findings are in order. Supporting documentation is on file in the County Assessor’s Office.

The pending release and refund requests were submitted for approval by the Henderson County Board of Commissioners.

Type:	Amount:
Total Taxes Released from the Charge	\$ 612.96
Total Refunds as a result of the Above Releases	\$ 0.00

Motion:

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

American Rescue Plan – Approved Projects Update

The American Rescue Plan approved projects update as of June 30, 2022, was provided for the Board’s information and review. The update included all approved projects to be funded by American Rescue Plan funds, with the amount of funds currently encumbered and expended. Amounts expended and encumbered have been reported to the US Department of the Treasury via State and Local Government Fiscal Recovery Funds Compliance Reports for Quarter 2 2022.

Motion:

I move that the Board of Commissioners approve the June 30, 2022, American Rescue Plan approved projects as presented.

Not-For-Profit Funding Agreements

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

- Aspire Youth & Family, Inc. – Kids at work
- Aspire Youth & Family, Inc. – Vocational Directions
- Blue Ridge Humane Society
- Henderson County Partnership for Economic Development, Inc.
- Housing Assistance Corporation

Motion:

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

Not-For-Profit Funding Agreements – Audited Agencies

At the Board’s June 15, 2022 meeting, the Board directed Staff to conduct audits of four not-for-profit agencies which had been allocated funding in the FY2023 Budget and to withhold allocation of funds pending a satisfactory audit. To allow Staff time to conduct those audits and to avoid creating any financial hardship for the agencies, the Board was requested to approve the funding agreements with an addendum that would allow for the release of one-fourth (1/4th) of the contribution set out in the Budget Ordinance. Subsequent payments would remain pending satisfactory audit results.

Motion:

Approved:

I move the Board approve the funding agreements, including the addendum to the agreement, and authorize the Chairman to execute the same, and in doing so, authorize the release of the first of the aforementioned agencies' quarterly allotments, with subsequent payments pending satisfactory audit results.

Vaya Health – Quarterly Fiscal Monitoring Report (FMR) for the quarter ended June 30, 2022

N.C.G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR for Vaya Health was received by the County Finance Officer on July 29, 2022.

Motion:

I move that the Board of Commissioners approve the Vaya Health Fiscal Monitoring Report for the quarter that ended June 30, 2022.

2022.98 Budget Amendment – DSS Foster Care

At the July 20, 2022 meeting, the Board authorized Staff to work with H3 Collective on the details for a loan from the County. The repayment of the loan would be through the provision of foster care services provided to Henderson County. Staff is working through the details of the loan provisions prior to payment being issued.

The Board was requested to approve a budget amendment reallocating Foster Care funding included in the FY23 Budget Ordinance for a \$348,000 loan to Fostering Hopes/H3, so funding will be available when the details are finalized.

Motion:

I move the Board approve the Budget Amendment as presented.

2022.99 Budget Amendment – American Rescue Plan

At the July 20, 2022 Meeting, the Board authorized American Rescue Plan funding to be allocated to reimburse the County for expenses incurred for foster care services during the COVID pandemic in the amount of \$348,000. Foster Care Services is an allowable expense under ARP Expenditure Category 3.8 – Healthy Childhood Environments: Services to Foster Youth.

The Board was requested to approve the budget amendment to transfer funding from the COVID 19 Fund into the General Fund for the provision of these services.

Motion:

I move the Board approve the Budget Amendment as presented.

2022.100 Budget Amendment – Stryker Power Loads

At the August 1, 2022 Meeting, the Board accepted the sole proposal from Stryker Medical for the purchase of eight (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).

The Board was requested to approve the budget amendment appropriating Fund Balance to transfer funding
Approved:

from the COVID 19 Fund into the General Fund for the purchase.

Motion:

I move the Board approve the Budget Amendment as presented.

Library Facility Use Policy

The Board was requested to review the updated Library Facility Use Policy that was written to ensure that programs offered within available spaces align with the library’s mission and strategic goals. The Library Board of Trustees approved the revisions on August 11, 2022, and were presented for Board consideration.

Motion:

I move the Board adopt the Facility Use Policy as presented.

2022.101 Soil and Water Conservation Grant – StreamFlow Rehabilitation Program

The Henderson Soil and Water Conservation District requested that the Board approve a grant from the North Carolina Department of Agriculture and Consumer Services. This grant was funded by State appropriations provided through Session Law 2021-180, Senate Bill 105 Section 5.9(a)91). The purpose of this grant is to remove any stream vegetative debris blockages (including any leaning threats) to the waterways. The primary focus will be Jackson Park and the areas nearby. The amount awarded to the department for the project is in the table below:

Project Site	Grant Funder	Award Amount
Jackson Park and the immediate area.	NC Department of Agriculture and Consumer Services	\$367,282

Motion:

I move the Board of Commissioners approve the StRAP grant and the associated Budget Amendment for the stream vegetative debris removal in Jackson Park and the immediate area.

Designation of Plat Review Officers

N.C. Gen. Stat. §47-30.2 requires that all persons appointed as plat review officers be appointed by a resolution recorded in the Register of Deeds office. “Plat review officers” ensure that all plats to be recorded comply with the plat requirements set out in the General Statutes.

On September 17, 1997, this Board first adopted a plat review officer resolution, and it has been revised several times since its adoption. This resolution also sets out certain other procedures that all plat review officers must follow.

The Board needed to update the list of those persons appointed as plat review officers due to staff changes. A proposed resolution was prepared and attached for the Board’s consideration (attached to these minutes). This proposed resolution restates all persons currently appointed as plat review officers, remove any former county employees, and appoints new employees from the Planning Department and/or Land Records.

Motion:

I move that the Board adopt the attached resolution for plat review officers for Henderson County.

Sole Source of Two Hamilton Ventilators

The Board was requested to approve the proposal and authorize staff to proceed with the procurement of

Approved:

two Hamilton ventilators via the sole source exception for informal bidding in accordance with N.C.G.S 143-129 (e)(6).

The sole quote was received from Hamilton Medical, Inc for a total price of \$33,420.42. Hamilton Medical, Inc. is the only manufacturer of this ventilator that is inclusive of all of the following functions: hot-swappable batteries, 8.4” touch screen, high-performance noninvasive ventilation option, and the APRV/DuoPAP ventilation modes, which increase patient safety during EMS transport.

The ventilators were included in the FY2023 budget in the amount of \$42,366.

Motion:

I move the Henderson County Board of Commissioners accept the sole proposal from Hamilton Medical, Inc and authorize Henderson County staff to proceed with the purchase of two Hamilton ventilators in the amount of \$33,420.42 using the sole source exception to informal bidding as allowed under N.C.G.S 143-129 (e)(6).

Fee Schedule Revision – Public Transit

The Board of Commissioners was requested to approve a revision to the FY 2023 Fee Schedule, setting the price for Compressed Natural Gas sales for WNCSource at \$1.99. The County has a contract with WNCSource to provide the management and operations for the fixed-route and paratransit transportation to the community, with the contract based on a CNG rate that had been stable for the past decade.

The “Public price for Compressed Natural Gas” will remain as listed in the Fee Schedule, as the “Per local, market retail price,” which is assessed monthly.

Motion:

I move the Board of Commissioners amend the FY 2023 Fee Schedule as proposed.

Nuisance Violation

N.C. Gen. Stat. §153A-140.2 reads as follows:

§ 153A-140.2. Annual notice to chronic violators of public nuisance ordinance.

A county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

Certain property, located at 27 Fox Ridge Drive, Hendersonville, owned as indicated on GIS by Shirley Surrett Flowers and Sherry Lynn Flowers, has been cited for violation of the County’s Nuisance Ordinance (Chapter 52 of the Henderson County Code) on February 23, 2022, March 2, 2022, and April 4, 2022. County staff has been informed that the property is occupied by Shirley Surrett Flowers and her adult grandson. Sherry Lynn Flowers, daughter of Shirley Surrett Flowers, has an Asheville address.

Motion:

I move that the Board give the proposed notice to the property owners in this matter.

Request to Use Boardroom – Heritage Museum

A request was submitted by the Heritage Museum for the use of the Commissioner’s Meeting Room (Courtroom) on Saturday, September 24, 2022, from 11:00 am – 4:00 pm. The stated use is for a book signing by Bobby Wilkins and Patrick Gallagher, Jr.

Approved:

Motion:

I move that the Board approves the use of the Commissioners' Meeting Room (Courtroom) as requested on Saturday, September 24, 2022, from 11:00 am – 4:00 pm.

2022.102 Memorandum of Understanding – Department of Social Services/NCDHHS

Session Law 2017-41 requires all counties to enter into an annual written agreement with the Department of Health and Human Services (DHHS) for all social services programs, excluding medical assistance (Medicaid).

DHHS provided a Memorandum of Understanding between DHHS and Henderson County effective for FY 22-23 and FY 23-24 for the Board's consideration.

Motion:

I move the Board adopt the MOU as presented and authorize the Chairman to sign the MOU on behalf of the Board.

Tobacco Policy for Henderson County Human Services Campus

NC Medicaid has finalized a policy requirement for Medicaid providers to implement a tobacco-free policy for any portion of the property upon which it operates to include "...buildings, grounds, and vehicles". The Henderson County Department of Public Health has confirmed that this expectation applies to the Human Services building and, more broadly, to the campus at large. NC Medicaid requires this new policy to be in effect as of December 1, 2022.

The issue was discussed with the Henderson County Board of Health and the Henderson County Board of Social Services on June 21, 2022. Both boards endorsed and supported the requirements and asked that the matter be forwarded to the Henderson County Board of Commissioners for consideration and action. That action is required because current county policy (a combination of ordinance, order, and policy) is not sufficient to meet the updated tobacco-free policy requirements from NC Medicaid.

Motion:

I move the Board approve the tobacco-free policy revisions necessary for the Henderson County Human Services campus to comply with NC Medicaid requirements.

Department of Public Health – Position Request

The Board was requested to approve the addition of one (1) new permanent full-time position in the Department of Public Health. The position to be added will serve as the Health Resource Navigator at the Henderson County Detention Center. No additional funds were requested within the fiscal year, as the adopted budget included funding in Contracted Services that will be utilized to cover the expenditure.

Motion:

I move the Board approve one (1) new permanent full-time position within the Department of Public Health.

ABC Permit Comment Request

Thomas Frank Makowski and Blue Ridge Hospitality Group, doing business as Eagle Bar & Grill, has requested the Board's comment on an ABC permit application for premises located at 925 Lakeledge Court, Hendersonville. There is currently not a permit associated with this address, although there have been permits sited there previously (Cummings Cove).

Motion:

I move that the Board direct staff give notice of non-objection to this permit request.

Approved:

ABC Permit Comment Request (Add On)

At the request of the County Attorney, the Board added to the consent agenda an item requesting consideration and approval of a favorable ABC Permit comment. Jeff Schenk and Flat Rock Cider Group, LLC have requested the Board's comment on an ABC permit application for premises located at 925 Upward Road, Flat Rock. There is currently not a permit associated with this address, although there have been permits granted to the applicant at a Dana Road address.

Motion:

I move that the Board direct staff give notice of non-objection to this permit request.

2022.103 Sewer Easement – City of Hendersonville (Add On)

At the request of the County Attorney, the Board Added to the consent agenda an item requesting consideration and approval of a sewer easement in favor (ultimately) of the City of Hendersonville crossing a small portion of the boundary of the County's Jackson Park property at its extreme northern boundary with Martin Luther King Jr. Boulevard. The sewer easement is in the standard form used by the City of Hendersonville and will benefit the developer of certain property accessed off Tracy Grove Road and bounded on the west by the said Boulevard and on its extreme southeast corner by the County's Jackson Park property. The approval is contingent on the developer's recordation of the plat (attached to these minutes) showing the proposed easement.

Motion:

I move that the Board approve the proposed easement to the City of Hendersonville contingent on the developer's recordation of the plat showing the proposed easement.

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

PUBLIC HEARING**2022.104 Public Hearing for Land Development Code (LDC) Text Amendments (TX-2022-05)****SR3.14 Storage Shed**

Chairman Lapsley made the motion to go into Public Hearing. All voted in favor, and the motion carried.

On June 16, 2022, the Planning Board, as part of its discussion on text amendment TX-2022-02 for personal storage structures, discussed if SR 3.14 should be amended. The Board voted unanimously not to recommend any changes to the existing requirements for SR 3.14 Storage Shed.

The Board of Commissioners, during its July 20th meeting, requested that a public hearing be scheduled to consider amending SR 3.14 Storage Shed as proposed by Commissioner Hill to be consistent with the amendments for personal storage structures.

The required public notice of this hearing was published in the Hendersonville Lightning on August 3rd, 2022, and August 10th, 2022.

Chairman Lapsley made the motion to go out of Public Hearing. All voted in favor, and the motion carried.

Public Input: There was none.

Approved:

Commissioner Hill made the motion that the Board table its discussion on text amendment TX-2022-05 for SR 3.14 Storage Shed until the September 6th BOC meeting when the other related text amendments are discussed. All voted in favor, and the motion carried.

DISCUSSION

Construction Projects Update

Bryan Rhodes provided the Board of Commissioners with an update on MRTS construction projects around Henderson County.

Blue Ridge Community College MRTS

Mr. Rhodes stated that while the majority of the BRCC MRTS projects have been completed, there were three ongoing projects, including the Flat Rock Building Furniture project, which will be completed once a few punch list items have been completed. The Sink Building Roof Repair and the Machine Shop HVAC for the Spearman Building have been completed, and once the final invoices are received, those two projects will be complete. Blue Ridge Community College has provided a revised prioritized MRTS list for fy22-23. The top two priority projects are the Engineering for the Patton Building Roof and the Patton Building Parking Lot. Engineering has begun for TEDC Building First Boiler and the TEDC Building Second Chiller.

Henderson County Public Schools MRTS

As with BRCC, most of the HCPS MRTS projects were completed on time and within budget; several projects are ongoing. The West Henderson High School Roof project is expected to be completed by the end of October; roof insulation ordered last October has still not been delivered. The Maintenance Warehouse is awaiting delivery of the roll-up doors and is expected to be complete in a couple of weeks. The School Security Camera Systems project has been awaiting the delivery of the cameras, but as of this week, the shipments are beginning to arrive. The architect for the West Henderson Renovation and Addition project has been selected through the RFQ process. The architect, LS3P, was awarded the contract, and staff is still working to define the scope of the project. Clark-Nexsen was selected through the RFQ process for the Bus Garage project, the scope of that project is also under review. As a result of the Joint School Facilities meeting in July, county staff is working with HCPS staff to prioritize their list of FY22-23 MRTS projects that are within their 4.8 million dollar budget. Once received, this will be presented to the Board for review and approval.

Commissioner Edney shared he had read in the media that the Hendersonville High School project had been completed significantly under budget and asked what would happen to the leftover funds from that project. Budget Director Samantha Reynolds said the funds could be spent within the scope of the project for additional items that pertain to that project, or the funds may be used to pay down the debt service on the bonds. While the dollar amount of leftover funds has not been presented, Commissioner Edney stated that before the books are closed on the Hendersonville High School project, he wants there to be a discussion regarding any leftover funds from the project and the concession stand are restrooms that are not handicap accessible.

VFW Project

The Design Development Drawings were completed at the end of July. The cost estimate is in alignment with the schematic assessment. The construction documentation phase began in August, and the project is on track for the drawings to be completed by mid-October. Staff will begin receiving bids in mid-November, followed by 4 – 6 weeks to negotiate those contracts. This project is on schedule, and construction is slated to begin in January 2023.

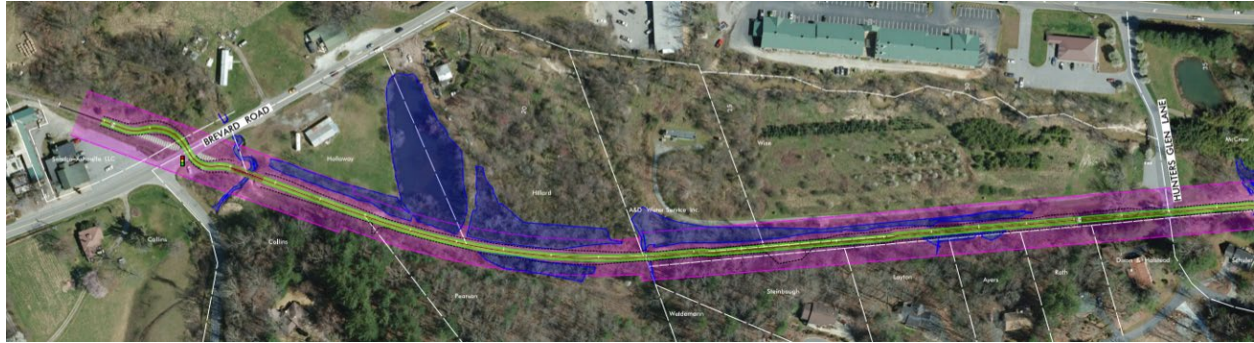
Commissioner Edney proposed the architect make the goal to finish the construction and have the ribbon

Approved:

cutting for the VFW building on Veteran’s Day in November 2023.

Rail Trail Project

Christopher Todd provided a brief update on the Rail Trail project. He said the 30% designs were presented to the Rail Trail Advisory Committee at their August meeting. Documents pertaining to the project will be on the Henderson County Story map for the Board and the public on the County’s website. The story map will have everything happening with the Rail Trail project. It has the history, where we are today, the 30% designs, and other information about the project.



Dedicated volunteers continue to clear brush and debris on the Rail Trail as progress is made.

Mr. Todd said this project remains on schedule, and construction is expected to begin in Spring 2023. The goal is that by this time next year, a six-mile portion of the trail will be complete.

Henderson County 2045 Comprehensive Plan Update

Janna Bianculli provided an update on the 2045 Comprehensive Plan. Janna Bianculli stated the planning department had held forty-five outreach sessions. There have been 6,960 survey responses received, 5,140 website views, and 1,079 people that have attended various outreach events. She noted that over fifty percent of the respondents to the survey responses received have been adults sixty-five and over, which is only one-quarter of the overall demographics of the County. They are working through public outreach to get more participation from the minority and youth populations.

Approved:

Autumn Radcliff and staff have been working with the consultants for weeks to review the language in the draft plan and get that plan ready to go to the steering committee. The Planning Board has a meeting tomorrow, August 18. They will meet with the steering committee to provide an overview and a reminder about the Comp. Plan. They will discuss how to read the plan, what to expect when they see the plan and how to navigate through the plan. They expect to hold a Special Called Meeting on September 8, 2022, and the consultant will be in attendance to walk through the draft plan in its entirety.

The 2045 Comprehensive Plan remains on schedule to complete the draft plan and present it to the Board before the end of the calendar year.

Chairman Lapsley requested that members of the Board receive the draft copy when it is brought before the Planning Board to allow ample time for review.

Solid Waste Funding Update

Marcus Jones provided the Board with an overview of the Solid Waste Funding Policy.

Relevant Solid Waste Information

- a) 1995 BOC decision to stop landfilling and transfer waste (2 x as expensive)
- b) 2008 Financial Analysis, "Need another revenue source for Solid Waste...tipping fees are not sustainable with required scope of services"
- c) Direct competition from Waste Management's transfer station in southern Buncombe County
- d) Self Supporting Enterprise Fund (only Buncombe and Henderson in WNC)
- e) Survived for 25 years and through the "Great Recession"
- f) Fuel Surcharge on Hauling / Disposal Contract

Current Funding Policy

- Solid Waste is 100% funded by tipping fees.
- At some point, the current policy will need changing to remain solvent; the jump to \$5 fuel has triggered a sense of urgency.
- At \$5 per gallon, the fuel surcharge has a \$1.0 million impact on budget

Problem: Current budget or fund balance cannot sustain a \$1.0 million impact

Marcus Jones said tipping fees were increased in 2015 and again this year.

Mr. Jones expressed the need for a third transfer station bay and expects to start the design process this year. Commissioner Edney said the design needs to be done in a way that customer traffic does not have to wait for the people in front of them to "back up." He proposes it to be designed in a way that is quicker and more efficient. Mr. Jones stated that had been taken into consideration, and the plan is to keep

Approved:

commercial traffic separate and utilize an automated payment system for those customers. Thus, keeping the commercial and residential traffic separate.

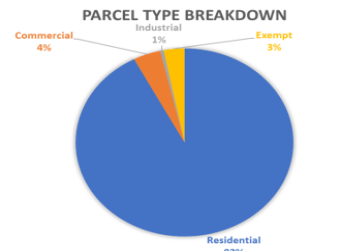
2023 Reappraisal Update

Darlene Burgess, Henderson County Tax Administrator, provided the Board with an update on the status of the 2023 Reappraisal. She noted that Deputy Tax Collector Luke Small, Assistant Tax Assessor Kevin Hensley, and the Chairman of the Board of Equalization and Review Joe Sherman were in attendance.

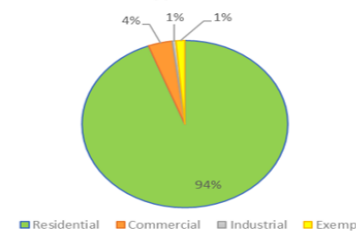
Henderson County’s Demographics ...

- Henderson County currently has 69,433 parcels.
- The number of parcels fluctuates as land is subdivided and recombined.
- Approximately 50,825 (68%) of our parcels are improved, meaning a structure is located on the parcel.
- 1,604 parcels receive a deferment for forestry, agriculture, horticulture or wildlife conservation.
- 2,192 parcels are exempt or excluded from taxation for qualifying reasons such as charitable, religious or government-owned.
- For comparison purposes, much of this presentation includes data from the 2019 Reappraisal along with current data.
- As you can see from the charts on this slide, the parcel breakdown remains almost the same as it was in 2019.

2022 Parcel Type Breakdown



2019 Parcel Type Breakdown



What is a Reappraisal and Why is it Necessary?

- The County Assessor must conduct periodic Reappraisals on all Real Property in the County. Real property includes land, buildings, structures and improvements.
- Reappraisals promote equity amongst the different classes of property subject to property tax.
 - Personal property, motor vehicles and public service properties are assessed on an annual basis.
 - Real Property is appraised and assessed only in the year of Reappraisal.
- Reappraisals help to ensure that property owners pay only their fair share of services rendered by local government.
- State law directs counties to perform a reappraisal of all real property at least once every 8 years (GS 105-286(a)(1)). Since 1995, Henderson County has conducted reappraisals every 4 years (GS 105-286(a)(3)).
 - Henderson County conducts “in-house” reappraisals.
 - Our appraisal staff consists of 9 appraisers, a manager, an analyst and one clerical assistant.
 - All appraisers are certified as Real Property Appraisers by the NC Department of Revenue (“DOR”).
- **The goal of the 2023 Reappraisal is to appraise all real property at 100% of its fair market value as of January 1, 2023.**

Approved:

How are property values determined?

- State Law (NCGS 105-283) provides that real property be valued at its “true value in money”.

“True value in money” means market value – “... the price estimated in terms of money at which the property would change hands between a willing and financially able buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of all the uses to which the property is adapted and for which it is capable of being used.”

- **Market value is determined by the most recent sales activity in the local real estate market.**
 - Only arms-length transactions are used to measure market value. Short sales, related party transactions, foreclosures, multi-parcel sales or other types of sales that are not arms-length transactions are not used to measure market value.
 - Properties under construction will be appraised at the percentage of completion as of January 1, 2023.
 - The assessed value of a property may be different from the market value in instances where the property is enrolled in the Present-Use Value Program and used for agriculture, horticulture, forestry or wildlife conservation.
 - **Property values can change during a non-reappraisal year due to (among other things) physical changes that are made to the property. Examples include the addition of outbuildings, pools or additions to an existing structure. (NCGS §105-286-287)**
- The Assessor uses a “Mass Appraisal” approach to value property.
 - Uniform or similar properties are grouped together into “Market Areas” or “Neighborhoods” and valued to ensure fair and equitable values. Henderson County currently has 1,183 Market Areas.
 - Mass Appraisal costs much less than the typical fee appraisal and allows the Assessor to value the County’s many parcels in a relatively short period of time.
- Mass Appraisal uses statistical analyses to measure uniformity and equity amongst properties.
- Our Appraisers devote substantial effort to collect and update data on properties.
 - To prepare for the 2023 Reappraisal, field visits by Appraisers began in 2019.
 - Field visits are conducted to verify accuracy of the property characteristics we have on file. To date, we have reviewed 94% of the County’s 69,433 parcels. We will review 100% prior to January 1, 2023.
 - As building permits are issued, Appraisers make several visits to the property to follow the construction progress and collect information needed to appraise the property.
 - As sales occur, Appraisal staff will visit the sold property to verify property characteristics we have on record are correct.
- **Note that appraisers do not go inside of the homes they visit.** This sometimes poses challenges in data accuracy, for example, concerning whether a basement or attic is finished or unfinished. Although all real property is on a permanent listing system, the taxpayer has an obligation to tell us of any changes to the property. This is done by filing a listing form with the Assessor during the month of January.
- During the valuation process, the most recent qualified sales within each neighborhood are evaluated and statistical tools are used to uniformly appraise all properties within the neighborhood.
- After a neighborhood is valued, it goes through a quality control process and is reviewed by supervisory staff.
- Technology is used extensively during the Reappraisal process.
- National valuation manuals and the Multiple Listing Service (MLS) are used to strengthen the accuracy of our appraisals.
- The local real estate market is continuously monitored throughout the Reappraisal process.
- Most recent sales are given the most weight during the valuation process.

Approved:

What about the Local Sales Market?

- Henderson County’s real estate market is thriving.
- Local sales are strong, and building is growing both in the residential and commercial markets.
- For the upcoming 2023 Reappraisal, Henderson County has 10,411 qualified sales that, in addition to other factors, will be used to determine the fair market value.
- These sales are arms-length (“qualified”) transactions that occurred after January 1, 2019.
- The table below provides a breakdown of the annual number of qualified sales since January 1, 2019.
- Qualified sales represent between 55% and 68% of all sales within the County.

Henderson County Qualified Sales: 2019 – 2022 YTD (6/30/2022)

	2019	2020	2021	2022 YTD (6/30/2022)	Total
# Qualified Sales	2,595	2,755	3,445	1,616	10,411

- The median home price is an important market indicator and is derived from Henderson County sales that have occurred as reported by MLS.
 - As of July 2022, Henderson County’s median home price for a single-family home is \$395,000. The median price for all properties (including vacant parcels) per MLS is \$350,000.
 - Counties surrounding Henderson are thriving also, as shown in the tables that follow.
 - The *median* home price means that ½ of the homes sold below the median and ½ the homes sold above the median. It is different from the average because it excludes outliers.
- **The median home price is an indicator of the market and is derived from homes that have sold. It cannot be used solely to estimate the value of all the County’s properties.**

HISTORY OF HENDERSON COUNTY MEDIAN HOME PRICES

Year	SINGLE FAMILY DWELLING			CONDO - TOWNHOMES			ALL PROPERTY TYPES		
	Median Sales Price	Average Days on Market	Months Supply	Median Sales Price	Average Days on Market	Months Supply	Median Sales Price	Average Days on Market	Months Supply
July 2022	\$395,000	22	1.4	\$286,000	31	1.4	\$350,000	44	3.7
June 2022	\$388,500	22	1.4	\$285,000	30	1.5	\$345,000	45	4.1
Jan-22	\$363,000	30	1.5	\$270,325	31	1.6	\$287,000	58	6.7
2021	\$325,000	54	2.8	\$231,250	46	2.0	\$287,000	74	6.7
2020	\$286,250	63	4.5	\$210,000	55	2.6	\$260,000	81	9.2
2019	\$271,128	56	4.2	\$189,000	44	2.7	\$242,000	75	8.9
2018	\$250,000	65	4.2	\$181,125	43	2.0	\$224,700	79	9.0
2017	\$229,500	69	4.6	\$161,500	51	2.5	\$203,000	82	9.6
2016	\$219,700	119	6.9	\$162,500	100	4.1	\$192,000	126	12.5
2015	\$200,000	143	9.3	\$155,000	156	7.7	\$177,500	158	16.0
2014	\$192,500	143	10.7	\$133,000	174	11.7	\$169,000	160	19.7
2013	\$183,500	158	12.5	\$137,500	199	17.8	\$165,000	166	23.8
2012	\$174,500	177	15.5	\$131,250	219	22.4	\$160,000	184	29.1
2011	\$190,000	171	15.9	\$155,000	209	16.1	\$175,000	180	27.7
2010	\$198,000	148	12.9	\$149,450	166	14.6	\$175,000	157	22.4
2009	\$220,000	133	4.4	\$148,405	110	4.3	\$187,500	132	6.2
2008	\$232,000	96	2.8	\$155,600	83	3.6	\$195,000	108	3.3

Approved:

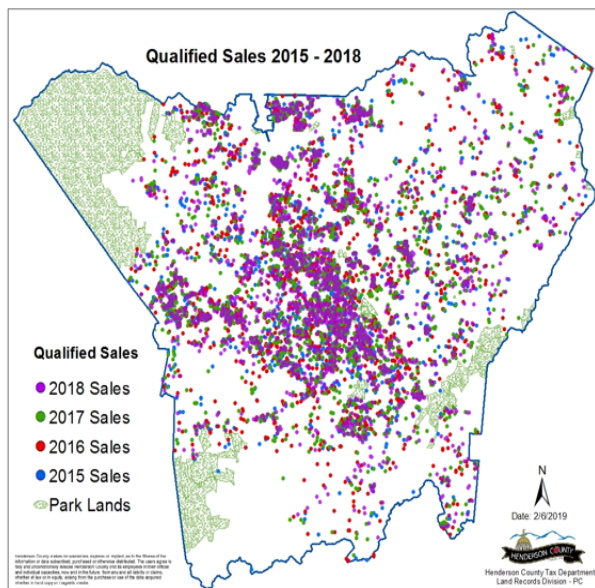
SOURCE: MLS Statistical Data (data includes traditional sales only (no foreclosures or short sales)
 Reappraisal Years are highlighted in Yellow

Year	SURROUNDING COUNTIES					
	MEDIAN HOME PRICE PER MLS: SINGLE FAMILY DWELLING					
	Henderson	Buncombe	Polk	Transylvania	Rutherford	Greenville Co SC
2022 July	\$ 395,000	\$ 440,000	\$ 380,000	\$ 430,500	\$ 256,000	\$ 436,500
2022 June	\$ 389,000	\$ 433,000	\$ 370,000	\$ 427,000	\$ 259,450	\$ 438,000
2022 May	\$ 382,000	\$ 426,050	\$ 375,000	\$ 425,000	\$ 259,000	\$ 435,000
2022 April	\$ 375,000	\$ 420,000	\$ 380,000	\$ 420,000	\$ 254,750	\$ 444,000
2022 Mar	\$ 370,000	\$ 416,200	\$ 375,000	\$ 410,000	\$ 255,000	\$ 436,500
2022 Feb	\$ 365,000	\$ 410,000	\$ 375,000	\$ 405,000	\$ 255,500	\$ 438,000
2022 Jan	\$ 363,000	\$ 405,000	\$ 364,500	\$ 400,000	\$ 255,000	\$ 448,500
2021 June	\$ 342,661	\$ 375,000	\$ 325,000	\$ 374,000	\$ 240,000	\$ 347,500
2021 Jan	\$ 325,000	\$ 350,000	\$ 304,650	\$ 350,000	\$ 227,000	\$ 299,500
2020 June	\$ 295,000	\$ 320,000	\$ 285,000	\$ 301,000	\$ 195,000	\$ 278,500
2020 Jan	\$ 286,250	\$ 315,000	\$ 277,000	\$ 291,000	\$ 183,000	\$ 279,500
2019 Jun	\$ 279,950	\$ 306,000	\$ 249,500	\$ 269,500	\$ 174,150	\$ 261,500
2019 Jan	\$ 271,128	\$ 299,900	\$ 248,000	\$ 259,750	\$ 178,000	\$ 261,500

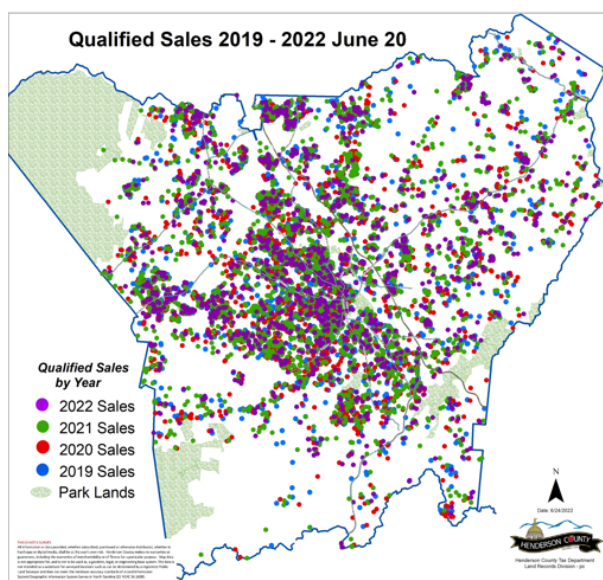
SOURCE: MLS Statistical Data

Where are the sales occurring?

SALES USED IN 2019 REAPPRAISAL (2015-2018)



SALES USED IN 2023 REAPPRAISAL (2019-2022)



Approved:

HENDERSON COUNTY MUNICIPALITIES MEDIAN HOME PRICE PER MLS: ALL PROPERTY TYPES* (includes homes, condos, vacant land, etc.)						
Year	City of Hendersonville	Village of Flat Rock	Town of Fletcher	Town of Laurel Park	Town of Mills River	City of Saluda
2022 July	\$ 340,000	\$ 379,900	\$ 390,000	\$ 417,500	\$ 456,900	\$ 333,750
2022 June	\$ 335,000	\$ 370,000	\$ 382,000	\$ 387,450	\$ 447,500	\$ 330,250
2022 May	\$ 330,000	\$ 368,000	\$ 375,000	\$ 375,000	\$ 433,500	\$ 332,500
2022 April	\$ 325,000	\$ 352,100	\$ 370,000	\$ 371,150	\$ 425,000	\$ 326,500
2022 Mar	\$ 320,000	\$ 355,000	\$ 355,000	\$ 378,500	\$ 421,948	\$ 315,000
2022 Feb	\$ 315,000	\$ 352,500	\$ 352,250	\$ 378,500	\$ 421,474	\$ 321,000
2022 Jan	\$ 310,000	\$ 352,500	\$ 352,000	\$ 365,000	\$ 425,000	\$ 328,000
2021 June	\$ 285,000	\$ 351,435	\$ 325,000	\$ 315,250	\$ 393,000	\$ 298,000
2021 Jan	\$ 272,000	\$ 342,500	\$ 315,000	\$ 314,375	\$ 365,000	\$ 275,000
2020 June	\$ 255,000	\$ 335,000	\$ 295,000	\$ 292,500	\$ 329,900	\$ 248,500
2020 Jan	\$ 250,000	\$ 325,000	\$ 285,000	\$ 285,000	\$ 321,000	\$ 194,500
2019 Jun	\$ 238,763	\$ 310,000	\$ 275,000	\$ 279,000	\$ 290,500	\$ 203,000
2019 Jan	\$ 230,500	\$ 284,733	\$ 272,500	\$ 277,500	\$ 290,000	\$ 215,000

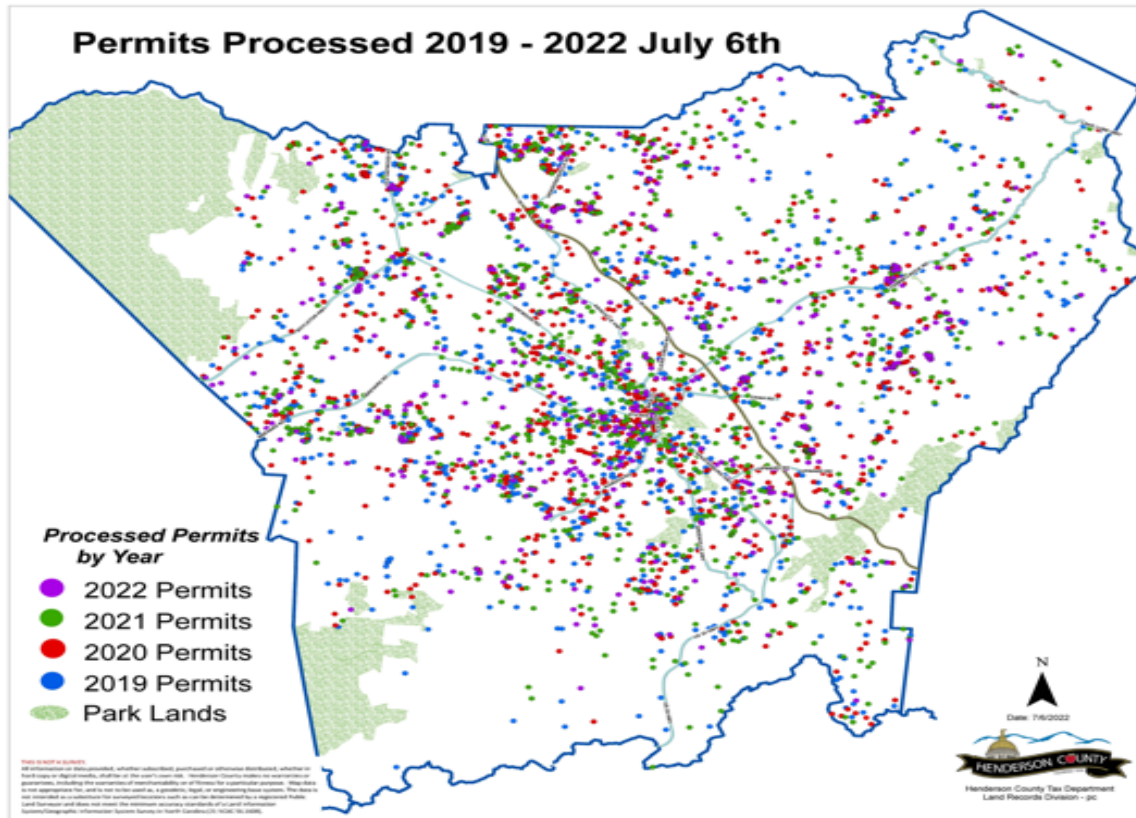
SOURCE: MLS Statistical Data

Building permits continue to rise. In FY2022 (July 1, 2021 – June 30, 2022), there were 2,108 residential permits issued at an estimated construction cost of \$335,615,030 and 269 commercial permits issued at an estimated construction cost of \$159,232,615.

HISTORY OF BUILDING PERMITS ISSUED					
Fiscal Year	RESIDENTIAL			Total Residential Permits	COMMERCIAL New Construction & Addition / Remodel
	New Construction Permits	Additions / Remodel Permits	Manufactured Homes		
2022	873	1,039	196	2,108	269
2021	661	1,094	183	1,938	288
2020	626	976	168	1,770	257
2019	641	934	177	1,752	347
2018	776	843	133	1,752	332
2017	495	802	192	1,489	297
2016	543	728	158	1,429	313
2015	560	733	158	1,451	315
2014	381	703	111	1,195	262
2013	515	615	140	1,270	297
2012	349	534	114	997	271
2011	213	579	96	888	227
2010	270	573	110	953	215
2009	329	486	223	1,038	226
2008	799	661	221	1,681	329

Approved:

BUILDING PERMIT ACTIVITY: 2023 REAPPRAISAL (PERMITS ISSUED BETWEEN 2019 AND 2022)



- The Sales Assessment Ratio (SAR) measures the level of assessment against the actual sales that occur in the local market.
- The sales are taken from the Deeds recorded with the Register of Deeds. Deeds are reviewed, a sample of qualified sales is selected, and the sales price is compared to the assessed value.
- In the year of Reappraisal, the Sales Ratio should be 100%.
- The farther we move from the Reappraisal year, the more this ratio fluctuates. For example, in a market where real estate sales are going up, the Sales Ratio will be below 100%.
- The NC Department of Revenue (“DOR”) acts as the oversight agency for Assessors around the state. One of DOR’s responsibilities is to monitor the sales ratio.
- State Law provides that if the ratio drops below 85% or rises above 115%, then the County must conduct a Reappraisal by January 1 of the third year following notification from the Department of Revenue. (NCGS §105-286). Henderson County avoids this issue by conducting a Reappraisal every four years.
- As of January 1, 2022, Henderson County’s current Sales Ratio is 73.58%.
- According to DOR, there are 36 counties scheduled for Reappraisal in 2023. Of these counties, 29 of them (81%) received notification from DOR that their sales ratio was below 85%.

Approved:

2023 Tentative Reappraisal Schedule

October 1, 2022	Schedules of Values presented to the Board of Commissioners by the Assessor
October 1, 2022	Public hearing scheduled and publication authorized by the Commissioners. Schedules of Values made available for public inspection.
November 7, 2022	Public Hearing on the Schedules of Values
November 23, 2022	The Schedules of Values adopted by the Board of Commissioners
December 1, 2022 – January 31, 2023	Educational & Informational sessions conducted by the Assessor to community groups, civic organizations and taxpayers throughout the County
January 1, 2023	Effective Date of 2023 Reappraisal
February 1, 2023	Notices of Value Change mailed to Taxpayers
January – April 14, 2023	Informal Appeals heard by the Assessor until the Board of Equalization & Review Convenes
April 15, 2023	Board of Equalization & Review Convenes
May 15, 2023	Board of Equalization & Review Adjourns. After this date, no new appeals can be filed. Appeals timely filed will be heard by the Board of Equalization & Review.
June 30, 2023	Latest date the FY2024 tax rate is established by the Board of Commissioners
August 2023	2023 tax bills will be mailed to property owners

County Manager John Mitchell commended Darlene Burgess and the staff for their hard work during the reevaluation process. Chairman Lapsley echoed Mr. Mitchell’s comments and added his appreciation for the work done by the Board of Equalization and Review.

BROADBAND/INTERNET - BAT CAVE FIRE DEPARTMENT (ADD ON)

At the request of Commissioner Andreotta, the Board added Discussion Item E requesting consideration of a proposed financial commitment to the Bat Cave Fire Department.

Commissioner Andreotta said this topic, which is part of a bigger topic that has been discussed before, is Internet and Broadband Service to rural areas of the County. The Bat Cave Fire Department is in one of the County’s most rural areas. That department does a lot of rescue operations on Conservancy Land, for which they receive no reimbursements or revenue. Their location is in an area with challenging topography, and the department is currently using “hot spots” for internet service. There has been no alternative option for the fire department until now as there was not a service provider that offered connectivity in this area. However, there is now an opportunity for service through Vyve Broadband, which is expanding its service in many areas of the County. The fire department has the option to patch into this expansion and gain access to the latest technology of broadband service. Vyve, working with the Bat Cave Fire Department, has developed a plan to build out to the department’s location. The initial cost for this would be \$375 per month but would decrease significantly in two to three years once the build-out costs have been recouped. The fire department’s FY22-23 budget would allow them to contribute \$100 per month, leaving a gap of \$275 per month for the remainder of this fiscal year.

Commissioner Andreotta proposed that the County, in the interest of public safety, provide \$275 per month for approximately eight months (close to the remainder of FY22-23), a total of \$2,200 that would bridge the gap for the fire department until the next budget year.

Approved:

After discussion, it was the consensus of the Board that this item be discussed further at a future meeting. In the meantime, Commissioner Andreotta will speak with leaders from the fire department to inquire if there is money in their fund balance available for this expenditure.

NOMINATIONS AND APPOINTMENTS

1. Asheville Regional Housing Consortium – 2 vacs.

Chairman Lapsley nominated Jennifer Miranda for reappointment to position #1 and Liz Hansen for appointment to seat #2. All voted in favor, and the motion carried.

2. EMS Peer Review Committee – 1 vac.

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

3. Environmental Advisory Committee – 1 vac.

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

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

Commissioner Edney nominated Barbara Lackey for Position #2. All voted in favor, and the motion carried.

5. Hendersonville Zoning Board of Adjustment – 1 vac.

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

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

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

7. Juvenile Crime Prevention Council – 4 vacs.

Chairman Lapsley nominated Kendall Fox for appointment to position #10. All voted in favor, and the motion carried.

8. Mountain Area Workforce Development Board - 1 vac.

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

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

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

COMMISSIONER UPDATES

Commissioner Andreotta thanked fellow Board members, county staff, and the public for allowing his participation in today's meeting from his remote location. He shared that his son had returned home from surgery earlier in the day, and his new grandchild and her mother are recovering well. In closing, Commissioner Andreotta said the Water and Sewer Advisory Committee met on Monday, and there is a project that is moving forward in the Dana Community. Hendersonville City water service will be expanding in that community to replace numerous wells that are rumored to have contaminated groundwater. This area of the county is outside the City of Hendersonville's zoning and ETJ, so he is informed these new water customers will pay the higher "out of city" rate. The grant money that is funding this project is inclusive of the tap fees, which will pay for the fees for the new customers to tap into the service. Commissioner Andreotta opposes the higher out-of-city fees for this community.

Approved:

Commissioner Hill shared that he met with the Rescue Squad Board of Directors yesterday, and they now have the ability and are currently hiring staff due to the Board-approved increase in their budget this fiscal year. They are pleased to increase their staff and will continue to serve the community as they have for many years.

On behalf of Vice-Chair McCall, John Mitchell informed the Board that Vice-Chair McCall received an award at last week's NCACC Conference in Cabarrus County. The award was from the NC Cooperative Extension for this Board's participation in that program.

Commissioner Edney did not have any updates.

Chairman Lapsley did not have any updates.

GENERAL ASSEMBLY UPDATE

John Mitchell said we are looking forward to the long session that begins in January 2023. The Federal Budget is now in effect until October 1st.

COUNTY MANAGER'S REPORT

John Mitchell stated that at last week's NCACC Meeting, participants received the NC County Map book, which includes data from all over NC and serves as a source to gauge where Henderson County is in relation to other NC counties. This information will be shared on the County's website to give the public the opportunity to see all the data that the NCACC has shared. An additional update from the NCACC is that the County expects to have a liaison from the NCACC who will join the staff to serve as our liaison to help with ARP projects. His name is Eric Mendez, so if a new face is spotted in our building, it is likely him.

Mr. Mitchell highlighted a momentous occasion that occurred two days ago, the State of Emergency in NC was lifted for the COVID pandemic. He did not want the opportunity to go by without thanking Jimmy Brisse, the Director of Emergency Management, Health Department Director Dr. Steve Smith, and all the employees who worked overtime throughout the last two years.

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)(4), to discuss matters relating to the location or expansion of industries or other businesses in Henderson County, including agreement on a tentative list of economic development incentives that may be offered by the Board in negotiations.
3. Pursuant to N.C. Gen. Stat. § 143-318.11(a)(5) to establish or to instruct staff or negotiating agents concerning the position to be taken in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease; or (ii) the amount of compensation and other material terms of an employment contract

Approved:

Commissioner Edney made to motion to go out of closed session and adjourn at 1:19 p.m. All voted in favor, and the motion carried.

ADJOURN

Denisa A. Lauffer, Clerk to the Board

William Lapsley, Chairman

Approved: