

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 6, 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.

Absent was: Commissioner Mike Edney

Also present were: Director of Business and Community Development Christopher Todd, Finance Director Samantha Reynolds, Budget Manager/Internal Auditor Sonya Flynn, Engineer Marcus Jones, Tax Administrator Darlene Burgess, Sheriff Lowell Griffin, IT Director Mark Seelenbacher, Public Health Director Dr. Steve Smith, Social Services Director Jerrie McFalls, Social Work Program Administrator Lori Horne, Cooperative Extension Director Dr. Terry Kelley, Human Resources Director Karen Ensley, Behavioral Health System Coordinator Jodi Grabowski, Planning Director Autumn Radcliff, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Analyst Jennifer Miranda, Assistant Engineer Deb Johnston, and PIO Kathy Finotti – videotaping, Deputies Travis Pierce and John Ashe provided security.

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

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

### **INVOCATION**

Marc Reynolds, Pastor from Little River Baptist Church, provided the invocation.

### **PLEDGE OF ALLEGIANCE**

Molly Cowen, Barnyard Bandits 4-H, led the Pledge of Allegiance to the American Flag.

### **RESOLUTIONS AND RECOGNITIONS**

#### **Emma Wilkie – 1<sup>st</sup> Place in the Nation in the 4-H Shooting Sports Program – NC Air Pistol Team**

The focus of 4-H programs is the development of youth as individuals and as responsible and productive citizens. The National 4-H, Shooting Sports Program, is one example of these programs, the Championships, which were held June 26 – June 30, 2022. Team members include: Jerome Wilkie, Chip Worrell, Caleb McCarson, Elaine Presley, Emma Wilkie, Kinsley Lance, Ivory Eatman, and Dessie McCarson.

After qualifying at a District and State competition, a National tryout, and months of practicing, thirty-one 4-H competitors represented North Carolina; five were from the Young Naturalist 4-H Club in Henderson County.

- NC Air Pistol Team – Emma Wilkie, Ivory Eatmon, and Kinsley Lance
- NC Pistol Team – Caleb McCarson

- Recurve Archery Team – Eliana Pressley

All teams performed well, with the Recurve Archery Team winning 1<sup>st</sup> place in the Nation and the Pistol Team winning 3<sup>rd</sup> place in the Nation.

The Air Pistol Team also won 3<sup>rd</sup> place in the Nation, with Emma Wilkie earning the 1<sup>st</sup> Place individual score in the Nation.

Vice-Chair McCall presented Emma Wilkie with a certificate of recognition from the Board of Commissioners.

**NCACC Outstanding Partnership Award**

At the North Carolina Association of County Commissioners Annual Conference held in August 2022, Henderson County received an Outstanding Partnership with the NC Cooperative Extension Service award. Dr. Terry Kelley, Henderson County Extension Director, was in attendance to discuss this award and the partnership between the County and Cooperative Extension.

**2022.106 Proclamation – Constitution Week 2022**

Commissioner Andreotta read the proclamation aloud.

**PROCLAMATION ACKNOWLEDGING SEPTEMBER 17-23, 2022 AS  
CONSTITUTION WEEK**

**WHEREAS,** September 17, 2022, marks the two hundred and thirty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS,** it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

**WHEREAS,** it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

**WHEREAS,** Public Law #915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week:

**NOW, THEREFORE,** Commissioners of Henderson County of the state of North Carolina do hereby proclaim September 17 through 23, 2022, to be Constitution Week in Henderson County and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

Adopted this 6th day of September 2022.

*Commissioner Andreotta made the motion to adopt the proclamation as presented. All voted in favor, and the motion carried.*

**PUBLIC INPUT**

1. Suzanne Hale spoke of the importance of preserving farmlands in Henderson County.
2. Clint Saunders declined to comment, although signed in to speak.
3. Mr. & Mrs. Robert Ortanzaro, although signed in to speak, declined to comment.
4. Jane & Jim Walker declined to comment, although they signed in to speak.

Approved:

5. Lenore Threlkeld spoke in opposition to a copy of a draft future land use map she had seen.
6. Danny Maybin spoke in opposition to a copy of a draft future land use map he has seen and the importance of preserving farmland in Henderson County.
7. Rachel Poller spoke in opposition to residential and commercial sprawl.
8. Corey McGraw spoke in opposition to commercial development and pollution.
9. Virginia Tegel spoke of the importance of farmland preservation.
10. Paul Schoemaker spoke of the importance of farmland preservation.
11. Grady Nance spoke in opposition to urban sprawl and increased traffic concerns.
12. Will McIntyre spoke in opposition to a copy of a draft future land use map he has seen and urban sprawl.
13. Camille Yates spoke of the need for a local Land Fund to protect tens of thousands of acres of rural land in Henderson County.
14. Billie Lively spoke in support of protecting the rural areas of the County.
15. Rocio Borghini spoke about the need for a tightened urban services boundary and the prevention of urban sprawl in Henderson County.
16. Paula Bagley spoke of the importance of the values used when developing the draft future land use map.
17. Margaret Lomidoo spoke in opposition to a copy of a draft future land use map she had seen.
18. Richard Colgen spoke of the importance of preserving farmland in Henderson County.
19. Rick Lawrence spoke of the importance of preserving farmland in Henderson County.
20. Robert Sturycz left the meeting before being called to speak.

Vice-Chair McCall addressed the audience and shared her love for Henderson County. She explained that the “draft future land use map” that had been referred to during the public comments was just that, a draft. She said protecting agricultural land in Henderson County was of utmost importance to the Board.

## **PUBLIC HEARINGS**

### **2022.107 To Consider Project Chicago Economic Development Incentives**

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

County Attorney Russ Burrell informed the Board that Project Chicago is a manufacturing concern located inside Henderson County and is contemplating expansion.

Under the project as proposed, the public benefit to be derived from the capital project is a total taxable capital investment by the Company over five years of at least \$1,000,000 in real property (not including land acquisition cost) and \$9,000,000 in equipment. The project would create 54 new jobs at an average wage of \$58,000 per year, which is greater than the average wage in Henderson County for full-time employment, plus other employment benefits. The proposed incentives would last for a period of five years from each year’s investment. The first year’s incentive, if granted, would be not more than \$20,196.00, based on the new investment in the first year, the number of new employees, and the Board’s incentives guideline. The maximum amount of incentives to be considered in this grant over the five years would be \$203,763.21.

The request would be funded through the general property tax revenue.

Approved:

**Public Input**

1. Kathy Yurista spoke in opposition to the proposed economic incentives for Project Chicago.
2. Padma Dyvine spoke in opposition to the proposed economic incentives for Project Chicago.
3. Priscilla Glassowe spoke in opposition to the proposed economic incentives for Project Chicago.

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

*Vice-Chair McCall made the motion to approve the economic incentives as proposed. All voted in favor, and the motion carried.*

**2022.108 To Consider Project Delta Economic Development Incentives**

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

Russ Burrell presented the proposed economic incentives for Project Delta as follows. The Company will be an agricultural production facility contemplating location in Henderson County. Under the project as proposed, the public benefit to be derived from the capital project is a total taxable capital investment by the Company over four years of at least \$260,000,000.00 in real property (not including any land acquisition costs) and equipment, of which \$104,000,000 is an investment in real estate. The project would ultimately result in the creation of 227 new jobs at an average wage of \$88,000 per year, which exceeds the average wage in Henderson County for full-time employment, plus other employment benefits. The contemplated incentives would last for a period of seven (7) years from each year's investment. The first year's contemplated incentive, if granted and earned, would be not more than \$134,640.00, based on the new investment in the first year, the number of new employees, the wages paid, and the Board's incentives guidelines. The maximum amount of incentives to be considered in this grant over the seven years from each year's investment would be \$9,889,308.00. The incentives would be structured such that \$3,975,000 would be advanced on behalf of the Company to purchase and build upon real estate in the County, to be repaid by the first incentives earned by the Company. The County would take a first security interest in the land so purchased. As incentives are earned over the course of the Company's investment, they would first be credited to repay the initial advance, with amounts earned in excess of the initial advance paid directly to the Company.

The request would be funded through the general property tax revenue.

**Public Input**

1. Kathy Yurista spoke in opposition to the proposed economic incentives for Project Delta.
2. Pagma Devyne spoke in opposition to the proposed economic incentives for Project Delta.
3. Priscilla Glassowe spoke in opposition to the proposed economic incentives for Project Delta.
4. Cher Sylvias spoke in opposition to light noise from area greenhouses.

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

*Vice-Chair McCall made the motion to approve the economic incentives as proposed. All voted in favor, and the motion carried.*

**DISCUSSION/ADJUSTMENT OF AGENDA**

Chairman Lapsley tabled Discussion Item A – Blue Ridge Community College – Workforce Development Update.

Approved:

Commissioner Andreotta clarified that Consent Agenda Item H - Non-Profit Funding Agreement contained a typographical error. “Requests the Board authorize the Chairman to execute the funding agreement and, in doing so, authorize the release of the agencies quarterly allotments.” The word agencies should be agency (singular).

Chairman Lapsley made the motion to approve the consent agenda with the two revisions discussed. All voted in favor, and the motion carried.

CONSENT AGENDA consisted of the following:

**Approval of Minutes**

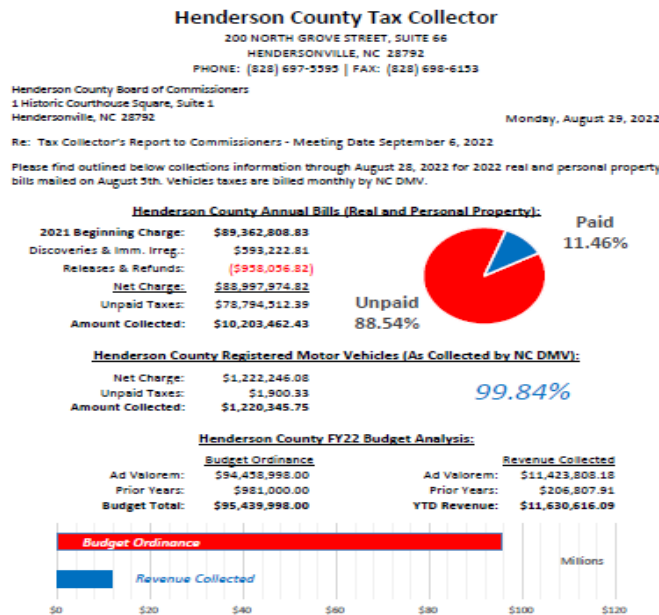
Draft minutes were presented for Board review and approval of the following meeting(s):  
 August 17, 2022 - Regularly Scheduled Meeting and August 22, 2022 – Special Called Meeting

Motion:

*I move the Board approve the minutes of August 17, 2022, and August 22, 2022.*

**Tax Collector’s Report**

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



**2022.109 Pending Releases and Refunds**

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

<b>Type:</b>	<b>Amount:</b>
Total Taxes Released from the Charge	\$ 5,427.38
Total Refunds as a result of the Above Releases	\$ 44.73

Motion:

Approved:

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

### **Notification of Vacancies**

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

1. **Environmental Advisory Committee – 1 vac.**  
Position #7
2. **Henderson County Board of Equalization and Review – 1 vac.**  
Position #4
3. **Nursing/Adult Care Home Community Advisory Committee – 5 vacs.**  
Positions #2, 9, 13, 14, & 17

### **2022.110 Budget Amendment – Fund Balance Appropriation**

Staff is requesting the Board approve the attached budget amendment, which appropriates the fund balance for purchases that will not be fulfilled until FY23. These items, including the attached listing, were approved, budgeted for, and encumbered in FY22 but were not delivered or fulfilled by the end of the fiscal year because of supply chain disruptions or other delays.

#### **Motion:**

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

### **Feasibility Study for Apple Country Public Transit**

In recent years, ridership on Apple Country Public Transit (ACPT) services declined significantly. The County seeks to increase ridership while optimizing the level of service to current and potential riders.

Henderson County received federal funding to evaluate the current transit system and to study possible changes to the system that will maximize the number of community members served. The federal funds are received via the Federal Transit Administration. The funding for the grant is 80%, so a 20% cost share is requested of the Board. This study is budgeted within the approved FY23 transit budget, so no amendment is needed.

Staff received multiple proposals and evaluated them using the scoring methodology displayed in the RFP. AECOM proposes a robust public outreach initiative as well as a data-driven approach to recommendations. Staff would like to work with AECOM because of their high score and their staff knowledge of this area.

#### **Motion:**

*I move that the Board approve AECOM for the feasibility study of Apple Country Public Transit.*

### **DPS Probation and Parole Lease – Court Services Building**

The lease proposal for the Department of Public Safety's Probation and Parole Offices in the County's Court Services Building at 1347 Spartanburg Highway was provided for the Board's review. There would be no cost to the state to lease the 4,902 +/- square feet, pursuant to NCGS §15-209. The proposed term of the lease is from October 1, 2022, through September 30, 2025.

#### **Motion:**

*I move the Board approve the attached lease proposal between Henderson County and the State of North Carolina for the period of October 1, 2022, through September 30, 2025, and authorize the County Manager to execute documentation on behalf of Henderson County.*

### **Non-Profit Funding Agreement**

Subsequent to the approval of the FY 2022-2023 Budget, staff distributed the funding agreements to the

Approved:

non-profit agency receiving County allocations.

Motion:

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

### **Home and Community Care Block Grant FY23 Provider Contracts**

The Board was requested to approve the Home & Community Care Block Grant contracts for Fiscal Year 2023. The Home & Community Care Block Grant Program is State / Federal funded and administered at the local level. The funding plan for this program was approved at the Board of Commissioners' meeting held on June 6, 2022.

The Contract for County-Based Aging Services outlines the responsibilities of each party for administration of the Home and Community Care Block Grant program and allows the Area Agency on Aging (Land of Sky) to provide reimbursement payments to the community service providers on behalf of the County.

Motion:

*I move the Board approve the attached provider contracts for Home and Community Care Block Grant Funds for Fiscal Year 2023.*

### **Sheriff Vehicle Replacement – FY23**

The FY23 Adopted Budget included the purchase of a Chevy Traverse as a replacement vehicle for the Sheriff's Office. Following discussions with the Sheriff's Office, it has been determined that a sedan will meet the needs the department has for this vehicle. The Board is requested to approve the purchase of a sedan rather than the originally approved Traverse.

Motion:

*I move the Board approve the purchase of a sedan rather than the originally approved SUV.*

### **2022.111 Resolution of Support for Requested Stream Name "Brooklyn Creek"**

Riverlink and the City of Hendersonville are working with the USGS to name an unnamed stream in the Green Meadows community located off 7Ave. Riverlink's "Name that Creek" is an initiative in which they work with communities to select an official name for unnamed creeks. Riverlink has been working with local residents to name an unnamed stream that flows through Sullivan Park into Mud Creek. The name selected and voted on by residents is Brooklyn Creek.

Before the name can be approved by the USGS Board of Geographical Names (USGS-BGN), both the City of Hendersonville and Henderson County are requested to submit a resolution of support. Information about the process conducted by Riverlink, including the location of the stream, and an article on the history of the Brooklyn neighborhood, was provided for the Board's review.

Motion:

*I move that the Board adopt the attached resolution in support of the requested stream name Brooklyn Creek and request forward the resolution to the USGS-BGN.*

Approved:

**Sole Source Purchase – 95 Courthouse Legacy Fire Panel**

The Board was requested to approve the proposal provided and authorize staff to proceed with the procurement, installation, and integration of Simplex 4100ES Fire Alarm Control Panel via the sole source exception as allowed under N.C.G.S 143-129 (e)(6).

The sole proposal was received from Johnson Controls to replace the obsolete Fire Alarm Control Panel in the Henderson County Courthouse. The current fire system is a proprietary system installed, maintained, and monitored by Johnson Controls in coordination with County staff. The current panel is operational; however, replacement parts for the current fire control panel are no longer offered by Johnson Controls and are limited to third-party sellers.

The purchase and installation of the Henderson County Courthouse Fire Alarm Control Panel is part of the FY23 Planned Projects budget.

Motion:

*I move the Henderson County Board of Commissioners award the contract for the purchase, installation, and integration of Simplex 4100ES Fire Alarm Control Panel in the Henderson County Courthouse to Johnson Controls for \$98,980.00 and authorize staff to proceed with the purchase using the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6).*

**Annual Volunteer Appreciation Baquet**

The staff has arranged to hold the Annual Volunteer Banquet in the Gala Meeting Room on the Blue Ridge Community College Campus. The date is Tuesday, October 4, 2022, at 6:00 p.m.

Motion:

*I move the Board schedule the 2022 Annual Volunteer Appreciation Banquet for Tuesday, October 4, 2022, at 6:00 pm.*

**Offer to Purchase Tax-Foreclosed Property – 243 Sparkling Lake Road**

Randy Gene Wyatt has offered to purchase 0.44 acres located at 243 Sparkling Lake Road (lot 16 of High Peak Lake subdivision) in Henderson County. This matter was on the agenda for preliminary review and, if desired, preliminary acceptance only. His offer included a deposit of \$150.00, based on an offer of \$1,000.00.

Henderson County obtained its interest in this property via a tax foreclosure sale in 1984. No taxes have been received on the property since that time. However, the property has been the subject of recent nuisance complaints.

If the Board agrees to provisionally accept this offer, it would be subject to a newspaper advertisement and further subject to a ten-day period for upset bids. Although not required, as a courtesy, it is the custom of the County to also give regular mail notice to adjoining property owners at addresses shown on GIS.

If an upset bid is received, a new advertisement is placed, and the process continues until the bidding ends. Once done, or if no upset bids are received, the matter comes back before this board for a final decision on the sale.

Motion:

*I move that the Board give provisional acceptance to this offer, subject to upset bids.*

**Approval of VFW Architectural Contract**

On March 16<sup>th</sup>, 2022, a Request for Qualifications for architectural services for the VFW was posted. The overall project scope includes designs that address all necessary repairs and replacements of all building systems components, including but not limited to HVAC, plumbing, electrical, structural, interior and

Approved:



exterior finishes, and parking, associated with a yet-to-be-finalized design criteria and scope. Also included in the scope of the project is the necessary programming with Henderson County in order 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 March 30<sup>th</sup>, 2022, and were subsequently received and reviewed by Staff.

At the April 4<sup>th</sup> meeting of the Board of Commissioners, the Board approved the selection of McMillan | Pazdan | Smith as the most qualified firm and directed Staff to negotiate an agreement. McMillan | Pazdan | Smith is proposing a fee of 6%, based on the construction cost. This proposal is within the approved budget and timeline. This contract would update the current contract approved on April 20<sup>th</sup>, 2022, in order to update the project from a design-build method to the construction manager at risk method.

Motion:

*I move that the Board accept the proposal from McMillan | Pazdan | Smith and direct Staff to execute the necessary contracts.*

### **95 Courthouse/Detention Center Architectural 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 includes 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 is 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 were 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 Staff to negotiate an agreement. Fentress Architects proposed a fee of \$10,636,458 for their services in this project.

Motion:

*I move that the Board accept the proposal from Fentress Architects and direct Staff to execute the necessary contracts.*

### **2022.112 Budget Amendment – State Aid to Public Libraries**

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.

Motion:

*I move the Board approve a budget amendment to bring in the \$83,421 in funding.*

### **2022.113 Amendment of Smoking Ordinance**

On August 17, 2022, the Board adopted a requirement for policy changes to prohibit all use of tobacco on the campus of the Commissioner Charles D. Messer Human Services Building. The proposed amendment accomplishes the same by modifying Section 17-7 of the County Code (“Smoking Allowed Only in Designated Areas”). For this area only, not only “smoking,” as defined in the ordinance, but any use of tobacco is prohibited.

Approved:

Motion:

*I move that the Board adopt the proposed Amendment to the Smoking Ordinance.*

### **2022.114 CRAVE Memorandum of Understanding**

The North Carolina Judicial Branch has launched the Courtroom Audio Visual (CRAVE) Project to further enhance the capability to safely and securely hold remote court proceedings.

The immersive courtroom audio-video infrastructure inside the courtroom includes numerous cameras, microphones, and monitors. A public kiosk located in the courthouse is connected with the system and allows self-represented litigants to make an appearance outside of a courtroom. The technology will significantly reduce the need for an in-person appearance in some cases and reduce courthouse foot traffic.

The Henderson County Court System supports the system.

Motion:

*I move that the Board authorize the Business and Community Development Director to enact the Courtroom Cabling for Remote Proceedings Memorandum of Understanding and implement the program.*

### **Henderson County Rail Trail Project – Kanuga to Hwy 64– Phase 2 Amendment with Vaughn & Melton**

During the March 7, 2022, meeting, the Board approved an agreement with Vaughn & Melton (VM) to perform engineering services through 30% design for the current Rail Trail project (Phase 1). This would allow the project to proceed while the scope of work needed on the structures was determined. Phase 1 is near completion, and staff and VM have negotiated a proposal for Phase 2 engineering services which is from 30% design through bidding. The proposed amendment to the existing contract with VM will add \$502,161.68 to the hourly not to exceed amount. Therefore, the contract total with the amendment will be hourly, not to exceed \$979,812.09. The project is funded by a Federal STBG grant administered by NCDOT. As per grant requirements, NCDOT will audit the amendment upon Board approval.

Motion:

*I move that the Board authorize the County Engineer to execute the proposed amendment to Vaughn & Melton's contract for an additional \$502,161.68.*

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

## **DISCUSSION**

### **Blue Ridge Community College – Workforce Development Update (Tabled to 9/21/2022 Meeting)**

#### **2022.115 Second Reading of the LDC Text Amendment Language as Approved on July 20, 2022 (TX-2022-02) - 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 revisions to the proposed amendment. The Board directed staff to provide the Board with a final draft incorporating all the revisions for a final vote at the September meeting.

*Commissioner Hill made the motion that the Board adopt the attached resolution regarding the consistency with the CCP, and*

Approved:

*Further moved that the Board adopt the LDC text amendment TX-2022-02 for personal storage structures and temporary portable storage containers as revised in the 1<sup>st</sup> reading by the BOC on July 20<sup>th</sup>, 2022. The motion carried with a 3-1 vote; vice-chair McCall was the nay vote.*

**2022.116 Continued Discussion on Land Development Code (LDC) Text Amendment (TX-2022-05) – SR 3.14 Storage Shed**

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 20<sup>th</sup> 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.

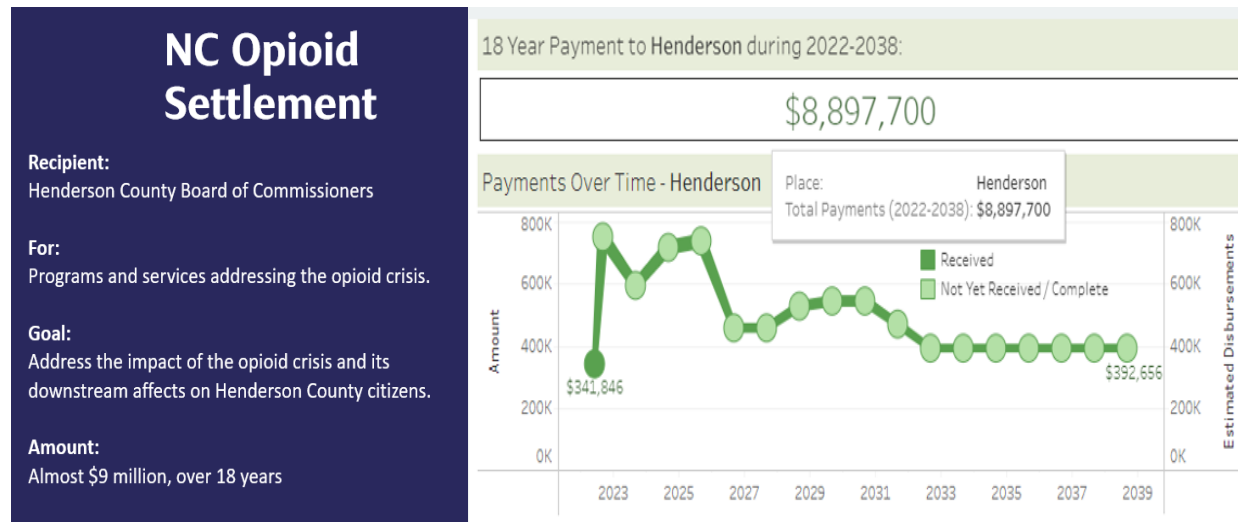
The Board of Commissioners held a public hearing on August 17 and voted to table the item until the September 6<sup>th</sup> meeting, when the other related amendments are scheduled to be discussed.

*Commissioner Hill made the motion that the Board adopt the attached resolution regarding the consistency with the CCP, and*

*Further, moved that the Board adopt the LDC text amendment TX-2022-05 for SR3.14, Storage Shed, as discussed. The motion carried with a 3-1 vote; vice-chair McCall was the nay vote.*

**Opioid Settlement Update**

Jodi Grabowski, with the Henderson County Health Department, provided the Board with an update on the Opioid Settlement.



**Average: approx. \$494,000/year**



Approved:

**NOMINATIONS AND APPOINTMENTS**

1. EMS Peer Review Committee – 1 vac.  
There were no nominations, and this item was rolled to the next meeting.

2. Environmental Advisory Committee – 1 vac.

*Vice-Chair McCall nominated Jay Naperstak for position #1. All voted in favor, and the motion carried.*

3. Hendersonville Zoning Board of Adjustment – 1 vac.  
There were no nominations, and this item was rolled to the next meeting.

4. Home and Community Care Block Grant Advisory Committee – 2 vacs.  
There were no nominations, and this item was rolled to the next meeting.

5. Juvenile Crime Prevention Council – 3 vacs.

*Chairman Lapsley nominated Kim Gasperson-Justice for reappointment to position #14 by acclamation. All voted in favor, and the motion carried.*

6. Mountain Area Workforce Development Board – 1 vac.

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

7. 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 commended all who worked to make the 76<sup>th</sup> Apple Festival a success.

Commissioner Hill thanked all the citizens that came out to the meeting and offered their comments on the 2045 Comprehensive Plan.

Vice-Chair McCall congratulated the United Bank Farmer of the year, Mr. Moss. She thanked Dr. Terry Kelley for nominating Henderson County for the “Outstanding Partnership with the NC Cooperative Extension Service” award that she received while attending the NCACC Conference in August.



Approved:

Chairman Lapsley did not have any comments.

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

County Manager John Mitchell informed the Board that the Planning Board will hold a Special Called Meeting Thursday, September 8, for the first look at the first draft of the 2045 Comprehensive Plan. He encourages the public to offer their input as the plan's development continues. Meetings will be offered throughout the County to allow citizens to attend. Before the final plan is adopted, there will be at least two Public Hearings held on the comprehensive plan. The first Public Hearing will be held on the Planning Board level and the second at a Board of Commissioners meeting.

Mr. Mitchell said the Board approved the second phase of the Rail-Trail engineering as part of the consent agenda earlier in this meeting. He said there would be an update on the project at the next Board meeting, and the project remains on schedule and under budget.

Mr. Mitchell thanked EMS and the Rescue Squad for their work during this year's Apple Festival.

In closing, John Mitchell informed the Board that the County was successful in being awarded a Part F Grant for \$286,000 for park equipment at Etowah Park.

### **CLOSED SESSION**

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

1. 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.

*Chairman Lapsley made to motion to go out of closed session and adjourn at 8:15 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: