MINUTES

STATE OF NORTH CAROLINA COUNTY OF HENDERSON

BOARD OF COMMISSIONERS MONDAY, APRIL 3, 2023

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 Rebecca McCall, Vice-Chair Mike Edney, Commissioner William Lapsley, Commissioner Daniel Andreotta, Commissioner David Hill, County Manager John Mitchell, Assistant County Manager Amy Brantley, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Also present were: Director of Business and Community Development Christopher Todd, Finance Director Samantha Reynolds, Budget Manager/Internal Auditor Sonya Flynn, Lori Horne, Jodi Grabowski, Capital Projects Manager Bryan Rhodes, David Berry, Lieutenant Jerry Williams, District Commander Andrew Starling, Recreation Director Bruce Gilliam, Budget Analyst Jennifer Miranda, Engineer Marcus Jones, Purchasing Agent Doug Guffey, Code Enforcement Director Matt Champion, Chief Communications Officer Mike Morgan, Planning Director Autumn Radcliff, Tax Assessor Darlene Burgess, Flood Plain Administrator Toby Linville, Emergency Management/Rescue Coordinator Jimmy Brissie, Human Resources Director Karen Ensley, Strategic Project Coordinator Erick Mendez, Social Services Director Jerrie McFalls, Assistant County Engineer Deb Johnston, PIO Kathy Finotti – videotaping, and Deputies Tracy Davis and John Ashe provided security

CALL TO ORDER/WELCOME

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

INVOCATION

Commissioner Andreotta provided the invocation.

PLEDGE OF ALLEGIANCE

Alyssa and Airely Hart, Young Naturalist 4-H Club, led the Pledge of Allegiance to the American Flag.

Chairman McCall called Ron Lewis and David Streater to speak regarding Charters of Freedom. The Foundation Forward Inc. is an educational non-profit based in Valdese, NC, that installs life-size replicas of the United States Charters of Freedom: the Declaration of Independence, the Constitution, and the Bill of Rights in communities across America. A framed replica of the Bill of Rights was presented to the Board.

INFORMAL PUBLIC COMMENT

- 1. Andrew Clark with DAV14 spoke about Veteran Support
- 2. Katie Breckheimer spoke regarding the 2045 Comprehensive Plan. She believes the proposed plan lacks the strong language necessary to implement an effective plan.

DISCUSSION/ADJUSTMENT OF AGENDA

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

CONSENT AGENDA consisted of the following:

Minutes

Draft minutes were presented for board review and approval of the following meeting(s):

March 15, 2023 - Regularly Scheduled Meeting

March 29, 2023 - Special Called Meeting

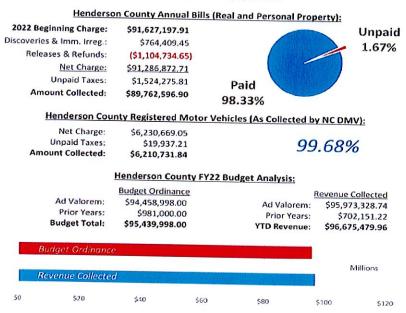
Motion:

I move the Board approve the minutes of March 15 and March 29, 2023.

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 March 26, 2023 for 2022 real and personal property bills mailed on August 5, 2022. Vehicles taxes are billed monthly by NC DMV.



2023.46 Pending Releases and Refunds

Pending releases and refunds have been reviewed by the Assessor. 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.

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

Type:	Amount:
Total Taxes Released from the Charge	\$ 16,880.41
Total Refunds as a result of the Above Releases	\$ 8,290.93
Motion:	

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. EMS Peer Review Committee – 6 vacs.

Position #12 – EMT-P - Paramedic

Position #13 – EMT I

Position #14 – EMT – Fire Department Representative

Position #15 - Hospital Administration - Pardee

Position #16 – Hospital Administration – Park Ridge

Position #17 – EMD - Dispatch

2. Henderson County Planning Board – 3 vacs.

Position # 5 - Regular

Position #6 - Regular

Position #8 - Regular

3. Hospital Corporation Board of Directors/UNCH – 1 vac.

Position # 2 – BOC Nominating Body

Offer by Henderson County Board of Public Education of the Option to Acquire Surplus School Real Property

The Board received a copy of the Henderson County Board of Public Education resolution declaring that 1.05 acres of property located on their site at 414 Fourth Avenue West in the City of Hendersonville is surplus property. The property is a portion of Henderson County geographical information system PIN 9568676778 and is understood to be the field located south of the "Rosa Edwards," the Henderson County Public Schools Administrative Offices. This property is adjacent to and bounded on the east by the parking area of the Henderson County Public Library main branch.

Pursuant to N.C. Gen. Stat. §115C-518, when real property is found by a board of education to be "unnecessary or undesirable for public school purposes," then such the board of county commissioners in such county "shall be afforded the first opportunity to obtain the property. The board of education shall offer the property to the board of commissioners at a fair market price or at a price negotiated between the two boards. If the board of commissioners does not choose to obtain the property as offered, the board of education may dispose of such property according to the procedure" provided in the relevant statutes.

According to the Resolution, if the Board determines not to acquire the property, it is intended to be exchanged with the City of Hendersonville.

Motion:

Requests the Board decline the opportunity to acquire property from the Board of Education

2023.47 Non-Profit and Other Organization Funding Policy

Henderson County does not currently have an across-the-board policy on non-profit and other outside organization funding and for the application for such funding. Proposed was such a policy.

Motion:

Requests the Board adopt the proposed policy

2023.48 Local Assistance and Tribal Consistency Fund Purchase

During 2021 the American Rescue Plan allocated Local Assistance and Tribal Consistency Funds (LATCF) to eligible revenue-sharing counties and eligible Tribal governments for FY22 and FY23. These funds may be used for any eligible purpose, which includes disaster response and recovery activities. In total, \$100,000 was awarded to Henderson County.

In 2021 a large disaster response shelter owned by Henderson County was damaged during operations. An evaluation by the repair facility indicated that the structure was unrepairable. This drive-through shelter has been used for the distribution of commodities during disasters, as a portable shelter for community events, and in response to emergencies. With this capability lost, a replacement shelter system was included in the four-year plan. During a review of potential projects for LATCF funding, this project was selected for submission.

Staff solicited proposals for a drive-through shelter system compatible with existing shelters. The proposed system includes a shelter (sized for two cars) and a self-contained trailer with a generator and HVAC system. This system also includes the necessary connections to integrate into the County's remaining shelters as well as shelters in use by counties across Western North Carolina.

The Board was requested to allocate LATCF funds for the project and approve the bid proposal and authorize staff to proceed with the procurement of an Emergency Support Tent and Accessories for Henderson County Emergency Management via the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6). Additional funds will be allocated from the Emergency Management budget for the remaining costs of this project.

The sole bid was received from DLX Enterprises for a total price of \$113,733.07. They are the only authorized dealer in the United States for their series of Tents and Accessories specifically needed to match existing tents in the County's inventory as well as those in use by surrounding counties. By purchasing from the same vendor, we will ensure compatibility with existing tents and accessories.

Motion:

I move the Henderson County Board of Commissioners allocate the LATCF and local funds for the project, authorize the necessary budget amendments and award the purchase contract for an emergency support tent and accessories to the sole bidder, DLX Enterprises, for \$113,733.07 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).

2023.49 FY 2024 Consolidated Agreement \sim NC Department of Health & Human Services (NC DHHS)

The Henderson County Department of Public Health requested approval of the Consolidated Agreement with the NC Department of Health & Human Services for FY 2024. This agreement is presented to the Henderson County Board of Commissioners on an annual basis. The required signatures include a County Official (Chairman of the Board of Commissioners or County Manager), County Finance Officer, and Health Director.

There were no significant changes with the agreement requirements as compared to the FY 2023 Consolidated Agreement. The Summary of Changes document highlights the changes for FY 2024. This agreement has also been reviewed by the County Attorney with no legal concerns noted.

The Henderson County Board of Health reviewed and approved the proposed agreement at their February 21, 2023, meeting with guidance to forward the agreement to the Henderson County Board of Commissioners for their consideration and final approval.

Motion:

I move the Board approve the FY 2024 Consolidated Agreement between the NC Department of Health & Human Services and the Henderson County Department of Public Health.

2023.50 Annual Audit Contract

Staff requested that the Board approve the annual audit contract as required by N.C. General Statute 159-34(a) with Cherry Bekaert LLP for the current Fiscal Year 2023. This will be the second year Cherry Bekaert LLP has audited the County. They have the qualifications, experience, and manpower to conduct an audit of our County's size.

Motion:

I move the Board approve the annual audit contract as required by N.C.G.S. 159-34(a) with Cherry Bekaert LLP for the fiscal year ending June 30, 2023.

2023.51 State Budget Allocation - SL-2022-74 - Budget Amendment

Henderson County received a \$1,000,000 State Budget Allocation. This allocation was made as directed by the NC General Assembly pursuant to Session Law 2022-74 for local government projects to be used for public purposes. The Board selected projects to fund with the State Budget Allocation totaling \$1,095,000 on February 6, 2023. The required Scope of Work has been submitted to the NC Office of State Management and Budget, and the full funding has been received by the County.

Staff requested the Board approve a Budget Amendment to recognize receipt of the funding and transfer anticipated project costs over the \$1,000,000 State Budget Allocation from the Capital Reserve Fund.

Motion:

I move the Board approve the Budget Amendment as presented.

Bid Award for Purchase of Ammunition

The Board was requested to approve the low bid and authorize the Sheriff to proceed with the purchase of ammunition. Bidding was conducted between March 1 through March 9. The bidder with the lowest overall cost was Kiesler Police Supply, Inc, for a total price of 121,293.70.

The purchase of ammunition was approved as part of the Fiscal Year 2023 budget.

Motion:

I move the Henderson County Board of Commissioners to accept the low bid from Kiesler Police Supply, Inc for the purchase of ammunition in the amount of \$121,293.70 and authorize the Sheriff to proceed with the purchase.

Chronic Nuisance Property

The Code Enforcement and Zoning Services Department has cited a particular parcel of property three times within the past year for violation of the County's nuisance ordinance, Chapter 52 of the Henderson County Code. The property is shown in the geographical information system as PIN 9538-62-2468, with the owner shown as "Laughter, Fred," with a Transylvania County (albeit "Horse Shoe, NC") address. A copy of each of the notices of violation was provided.

Under N.C.G.S. §153A-140.2,

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.

This matter would come back before the Board before a contractor was hired to clear up the property under the authority noted above.

Motion:

I move that the Board give the owners of the property, which is the subject of this agenda item, the notice provided for under N.C.G.S. §153A-140.2.

2023.52 Budget Amendment - Cemetery Brochure Grant

The Henderson County Cemetery Advisory Committee (CAC) maintains a cemetery brochure originally created by the Heritage Museum. The brochure is available at the Genealogical Society, the Heritage Museum, and the Tourism Development Authority (TDA). The TDA was low on brochures and explained marketing grant funding. The Cemetery Advisory Committee, which is staffed by Code Enforcement, was awarded the marketing grant on May 4, 2022.

Motion:

I move the Board approve the budget amendment from the TDA to Code Enforcement for updated Cemetery Brochures.

2023.53 Budget Amendment – Revolving Vehicle Fund

The revolving vehicle fund accounted for within the Capital Projects Funds is a multi-year fund where Board approved vehicle purchases will be purchased, funded by General Fund dollars via the annual budget ordinance. This fund allows purchases that span fiscal years to remain encumbered and reduces the administrative burden of annually appropriating fund balance to roll purchases forward.

The Board was requested to approve a Budget Amendment, appropriating and transferring \$1,335,794 in fund balance from the General Fund to the Capital Projects Fund. These funds will be used to position three ambulances, 12 vehicles for Sheriff's fleet, and 4 vehicles for Detention's fleet for purchase in FY24. Positioning is essential now in order to secure delivery within FY24 due to significant lead times on delivery. Also, ordering earlier avoids pricing increases effective on later models.

Motion:

I move the Board approve the Budget Amendment as presented, transferring funds from the General to the Capital Projects Fund.

2023.54 Term Sheet Agreement with the Greater Asheville Regional Airport Authority

A term sheet of the proposed agreement with the Greater Asheville Regional Airport Authority ("GARAA")was provided for Board review. This is the agreement referenced in the February 6, 2023, agenda ("Agreement with Economic Investment Fund") and indirectly in the June 15, 2022 ("Ratification of Agreements"). A rendering of the proposed agreement in the context of Ferncliff Park was also provided.

Approval of the term sheet will allow the project to move forward with seeking Federal Aviation Administration approval (required, as the GARAA properties were acquired with FAA grants).

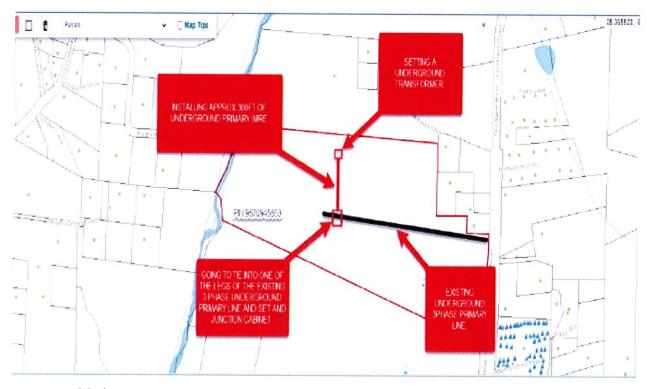
Motion:

I move that the Board approve the term sheet for the agreement with Greater

Asheville Regional Airport and direct the staff to move forward with the process.

2023.55 Duke Energy Easement (North Henderson High School/Apple Valley Middle School Property

The Board of Education, on March 29^{th,} agreed to Duke Energy's plan (shown on the map) for a new easement on the North Henderson/Apple Valley campus.



Motion:

I move that the Board approve the grant of the easement requested by Duke Energy and direct the Chair and staff to execute the same.

2023.56 Conveyance to Mountain Home Fire and Rescue Department

As a part of the early 2000s widening of US 25N (Asheville Highway), the North Carolina Department of Transportation acquired real estate located across Half Circle Lane from the US 25N station of Mountain Home Fire & Rescue Department. The parcel (containing "lots" from the 1924 addition to the Mountain Home Subdivision) was conveyed to the County in 2015 as unneeded by the Department of Transportation.

This would convey this parcel to the Mountain Home Fire & Rescue Department, pursuant to the provisions of N.C. Gen. Stat. §160A-277, which applies to North Carolina counties pursuant to N.C. Gen. Stat. §153A-176. Under §160A-277, the County can convey the property to a volunteer fire department on any terms it wishes (including without monetary consideration). However, such a conveyance

... must be approved by the ... [Board] by resolution adopted at a regular meeting ... upon 10 days' public notice. Notice shall be given by publication describing the property to be leased or sold, stating the value of the properties, the proposed monetary consideration or lack thereof, and the ... [Board's] intent to authorize the lease, sale or conveyance.

Notice of this possible conveyance was published in the Hendersonville Lightning more than ten days prior to today.



Motion:

I move that the Board approve the proposed Resolution.

2023.57 Budget Amendment – All-Inclusive Playground

The Board was requested to approve a Budget Amendment to recognize additional local donations from the Community Foundation of Henderson County, interest earned on restricted grant funding, and additional funding from the general fund for the Jackson Park Playground project.

Motion:

I move the Board approve the Budget Amendment as presented.

2023.58 Sub-Grant Agreement with Ecusta

The Friends of the Ecusta Trail (FOET), as part of North Carolina's budget for fiscal year 2021-22 (North Carolina Session Law 2021-180, provides for the "development of the Ecusta trail." The law allocates to FOET the sum of \$500,000 from the North Carolina Department of Natural and Cultural Resources and \$100,000 North Carolina Office of State Budget and Management for the same.

These funds have been directed by the FOET Board to be used in support of the development of the Trail in Henderson County. These funds will be used as match dollars to develop the first section of the trail in Henderson County.

The two sub-grant agreements to be made with the FOET allowing Henderson County to receive the funds and expend them on the trail were provided for the Board's review and approval.

Motion:

I move the Board approve the two subgrant agreements with the Friends of the Ecusta Trail.

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

PUBLIC HEARINGS

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

2023.59 Conditional Rezoning Application #R-2023-02-C, The Farmhouse at Taproot, Regional Commercial (RC) to Conditional District (CD-2023-02)

Rezoning Application #R-2023-02-C was initiated on February 15, 2023, and requests that the County conditionally rezone approximately 19.12 acres of land from Regional Commercial (RC) to a Conditional District (CD-2023-02). The project contains all of PIN 9652-12-2330 that has direct access to Butler Bridge Rd (SR1345). The Johnston Family Group are the current property owners. The applicants are the Johnston Family Group and Orange Capital Advisors, LLC. The agent for the application is Bill Alexander.

The applicant is proposing a multi-family residential development with a total of 306 units. The development is required to be approved as a conditional rezoning due to the number of multi-family units. Conditional rezonings allows for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. As required by the LDC, a neighbor compatibility meeting was held on Wednesday, March 1, 2023, in the King Street Meeting Room. A copy of the meeting report is included in the agenda item.

The Technical Review Committee (TRC) reviewed the application on March 7, 2023, and made a motion to forward the application to the Planning Board with conditions as discussed. A copy of the conditions required by the TRC and self-imposed by the applicant is attached to this agenda item.

The Planning Board reviewed the conditional rezoning request at its March 16, 2023, meeting. The Planning Board voted 6-1 to forward a favorable recommendation.

PUBLIC NOTICE:

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42-303 and §42-346 (C) of the Henderson County Land Development Code and State Law, notice of the April 3, 2023, public hearing regarding rezoning application #R-2023-02-C was published in the Hendersonville Lightning on March 22nd and March 29th. The Planning Department sent notices of the hearing via first-class mail to the owners of properties within 400 feet of the Subject Area on March 17, 2023, and posted signs advertising the hearing on March 20, 2023.

* *

A revised application was submitted this morning for consideration at tonight's meeting, Bill Alexander, the attorney for the applicant, submitted changes to the original application. Based on discussions with the Board of Commissioners, the applicants amended the density of the development for The Farmhouse and the entrances. Those modifications are outlined below.

Orange Capital Advisors, LLC Amended (2nd) Proposed Conditions for Approval

The following conditions are in addition to and intended to supplement and amend the application for Conditional Re-zoning submitted by the Co-Applicants, the proposed site plan, and the Henderson County Land Development Code (herein "Henderson County LDC"). In case of any conflict between this document, the LDC, and the site plan, the final approved site plan will control. To the extent that any specification or development standard has been omitted from or is not addressed in the site plan or this document, the presumption is that the standard or specification in the LDC shall apply. This is the second (second) amendment filed by the applicants relative to the proposed Conditions for Approval. This filing includes all of the previous filed conditions, subject only to additions or expansions of the language relative to any specific provision. The proposed conditions are as follows, with any changed or modified conditions shown either as additional conditions (starting with # 27 below), and with any changes to #1-26 noted in red:

- 1. Size and Scope of project (numbers are approximate, subject to confirmation when site plan is final):
 - Size of project: 19.12 acres per survey.
 - b. As shown on the site plan: Maximum of 270 total residential apartment units, based in nine (9) total apartment buildings, two carriage house building (shown on original site plan but not referenced in prior Conditions), which will now be garage units due to the decrease in density, plus associated amenities buildings, of a size and scope illustrated on the site plan. See Item # 27 for more detail.
 - c. Overall project density will not exceed 14.2 units per acre, with a maximum of 270 for the tract. Dimensional requirements are as shown on the site plan. Building separation shall be a minimum of twenty feet (20') as stated in SR1.5 4(b).
 - 2. I-26 and outer boundary of project: All buildings must maintain 45 foot minimum setback from the 1-26 right of way. Perimeter boundary setbacks shall not be less than as illustrated on the site plan submitted. No landscape buffer is required along outer project boundary.
 - 3. Sidewalks not less than 5 feet in width shall be installed on at least all **road** sides **(correction for clarification)** of each building that separate the building from a roadway or parking lot within the development.
 - 4. Interior roads build to Henderson County design standards for residential major subdivisions; minimum road right of way width of 50 feet for roads that will be made public (including valley curb & gutter if utilized). Travelable surfaces of two way roads built to at least 18' width, and one way roads to 12' travelable surface. No pervious pavement shall be **required** within the development.
 - 4. A. Road passage in parking lot areas- In parking lot areas, all two way road passage shall have a 26' width between parking spaces, as opposed to the 24' passage shown on the site plan. This is to comply with the Fire Marshall requirements. Due to anticipated changes in the building layout from that shown on the site plan due to both DOT requirements and reduction of density, the final site plan shall be submitted to the fire marshall for review and approval prior to submission to the Planning Department. (See # 28 for more detail).

- 5. Traffic Impacts on Butler Bridge Road Developer will adhere to all reasonable recommendations resulting from the Traffic Impact Analysis, and must comply with all standards and requirements of NCDOT for the roadway entrances onto Butler Bridge Road. Entrance improvements if any required shall be completed before a certificate of occupancy is issued for any dwelling structure. Due to NCDOT requirements, the Eastern Entrance shown on the site plan may be used as the primary access (and not as emergency only), and the Western Entrance shall be "right in/right out" only if that is the final NCDOT recommendation. Planning Office shall upon request review and approve the final plat as to compliance with this provision. (See # 28 for more detail).
- 6. Off-street parking: each unit shall have sufficient off street parking for at least one and one-half (1.5) standard passenger automobiles per residential unit. (Averaged over the total units). At least eight (8) additional off-street spaces shall be provided for the common amenities area, with locations and number as shown on the site plan. No on-street storage of boats, campers, recreational vehicles, or trailer apparatus shall be allowed within the project.
- 7. Storm water drainage facilities shall be built to an approved engineered storm water treatment and retention plan, and shall be approved by by State or local authority as by law required.. No **storm** water retention facilities **which promote** standing water shall be allowed of such size or nature as would attract large numbers of waterfowl. The storm water retention pond shall be constructed in compliance with the standards and rules of NCDEQ as may be required at the time of construction, and the same shall be permitted or otherwise authorized by the proper government authority, recognizing that the facility is within five miles of a regional airport.
 - 8. Fire hydrant locations shall be provided per Henderson County fire standards within development and be approved by the Fire Marshall and indicated on each development plan.
 - 9. Subsurface utilities are required for all phases of the development.
 - 10. Landscaping---including street trees, buffers, and natural areas--will be provided as required by the Henderson County LDC and noted on Master Plan.

12. Open Space:

- a. The applicant will set aside approximately 20% of the Subject Property (3.78 acres) as open space. A minimum of 1.89 acres of the total area in the project shall be common space, including amenity locations.
- b. Open space areas (approximate size and location) shall be shown on the master plan. These areas shall be designated and (where applicable) dedicated for each phase of the project as plats are recorded.

The Planning Office shall monitor compliance with this condition on the final site plan. Minor variances in the percentage amounts of such areas shall be in the discretion of the Planning Office.

13. Resident amenities:

a. Central amenity facilities will include those features shown on the site plan. Due to the changes to the access and the density, these amenities may be relocated within the

project, but must be essentially in nature as those shown on the site plan.

14. Lighting;

- a. Street lighting: Lighting will be installed in accordance with the following:

 (1). Light Level .5 fc average with 4-6 Avg/Min uniformity

 (or compliant with current IES/ANSI standards for residential street lighting reference RP-8-18)
- (2). Pole Mounting Height Max 25 ft (spacing dependent on design layout to meet recommended light level)
 - (3) Pole Material Aluminum or Concrete preferred
 - (4) B-U-G Rating (Back-Up-Glare) Not to exceed B2-U0-G2 (B1-U0-G1 preferred) Light Source LED, 3500K or 4000K Color Temp (not to exceed 4000K)
 - 14.1 Matters Relating to the Airport- No upward facing lighting shall be utilized on the project which could reasonably interfere with aviation operation and navigation related to the Asheville Regional Airport, or which could reasonably be construed to create confusion to pilots in navigation.

The Applicant consents to execution and recording of an Avigation Easement in that form attached hereto . The reference therein to an aeronautical study may be revised if a new study is required by law, with compliance subject to review and approval by the County Attorney or the Planning Director.

Other provisions which relate to the Airport are included in the Storm Water provisions contained herein, as well as in the prohibition against creating water features, other than a pool, which would promote standing water that reasonably would attract large numbers of wildfowl.

- 15. Street Trees—Street trees shall be installed per Henderson County LDC requirements, using County-approved species.
- 16. Building Code Builder/ Developer to adhere to Henderson County LDC whenever it exceeds the NC Building Code requirements.
- 17. Submit to and receive approval of a water utilities plan from the City of Hendersonville and comply with City of Hendersonville regulations.
- 18. Submit to and receive approval of a sewer utilities plan from the applicable Sewer District and provide proof of wastewater treatment allocation.
- 19. Submit for prior approval all building plans for all structures to the County Inspections Department.
- 20. Apply for a stormwater, and soil erosion control permit from the County for all required phases of development.

 21. Apply for and execute an encroachment agreement with NCDOT for utility work within the right of way of Butler Bridge Road

and I-26, as needed.

- 22. Apply for and receive a NCDOT street access permit and comply with all required road improvements identified by the TIA and NCDOT, as may be required by law. (See #28 below)
- 23. Pay in full all fees for permits, as each fee is assessed or becomes due.
- 24. Per Chapter 42 of the Henderson County Code, the approval authority for each phase of the project, if needed, is delegated to the Henderson County Planning Board. Approval authority of the final site plan and it's compliance with these conditions, and the enforcement of these conditions, is granted to the Director of the Henderson County Planning Office. If the Planning Director deems further review necessary, on all issues of compliance, or requests for modification within the spirit of these conditions, those issues may be submitted to the Planning Board for consideration and approval.
- 25. The County shall retain the right to suspend construction and the issuance of building permits if the developer is found by the County to be in noncompliance with any one of the conditions imposed on the Project by the Board of Commissioners.
- 26. The site plan is deemed amended to show the emergency (eastern entrance) as being totally on the property of the project, to correct an error existing thereon. **Developer, as set forth below, may use the eastern entrance as a full entrance with NCDOT approval or recommendation.**

(Continued on following page)

#27, and #28 set forth hereafter are new conditions, and are not highlighted in red.

27. Special Information as to Density and proposed condition related thereto.

Note: As indicated in paragraph 1 (b) above, to accommodate expressed concerns of members of the Commission as to increasing density of the area, and attempting at the same time to maintain a economically viable project that will ultimately benefit Henderson County, the Applicants have chosen to voluntarily reduce their request for approval from 306 residential units, to 270 residential units. That is the lowest density the Developer believes will support the project economically. This density is 2 units per acre less than what would be allowed of right on the property for single family dwellings under the current RC zoning. This is the same level of density that was approved previously for the townhouse section of Taproot subdivision.

Achieving this reduction, while simultaneously achieving the traffic pattern requirements of NCDOT relative to the project entrances, will of necessity involve re-arranging the buildings and some of the roadways and parking lots of the project. For those reasons, Applicant proposes the following condition as to density and the site plan:

It is a condition of this conditional zoning that the total residential density of the proposed project not exceed a total of Two Hundred and Seventy (270) residential units. The location of the buildings, roadways, amenities, and parking lots within the project may be adjusted substantially from the originally submitted site plan, as long as the following criterial are observed:

- (A) No building shall exceed 50 feet in height (exclusive of chimney's and stacks)
- (B) Residential Buildings shall be separated by at least 20 feet
- (C) There shall be a sidewalk at least 5 feet in width between every building and the roadway upon which the building fronts
- (D) Building Length and Width may be varied from that shown on the site plan to accommodate the reduced density and changes to the roadways, and the total number of buildings may be reduced
- (E) All changes to turns and corners in roadways, as well as general access for emergency equipment, upon the final site plan must be reviewed and approved by the fire marshall and the planning director.
- (F) There must be at least 26 feet width in the parking lot corridors between parking spaces on opposite sides, to accommodate emergency vehicles.
- (G) Side perimeter setbacks shall be at least the equivalent of the least setback shown on the original site plan.

28. Special Information as to Project Road Access and proposed condition related thereto

Applicants have disclosed to the Planning Office, and do disclose to the Board, that the prior TIA recommendations were expanded upon by NCDOT. It is now the understanding of applicants that NCDOT will approve the Eastern Entrance as a full entrance (rather than as an emergency entrance), and that applicants may use the Western Entrance as a "right in/right out" entrance. It is further applicants understanding that this is to eliminate or reduce conflict with the off-set intersection of the Western Entrance with Yadkin Road (which serves Riverstone Subdivision on the other side of Butler Bridge Road). For these reasons, Applicants request a condition amending the site plan to reflect the eastern entrance as being a full entrance, rather than emergency only and allowing the Western Entrance as a secondary entrance, with both being subject to NCDOT approval. In that regard, this change, taken together with the new nature of the Western Entrance and the reduced density, requires relocation of certain of the parking lots and roads within the project. Applicants therefor request this condition as follows:

Applicant may relocate roads and parking lots within the project, along with buildings, to accomplish the change of the Western Entrance to a secondary entrance, and the change of the emergency entrance to a full entrance. The changes of roads and parking lots within the project shall maintain the same corridor widths required in parking lots, the same road widths as shown on the site plan, and the same ratio of parking spaces to number of residential units (1.5 to 1) previously required. The Planning director may review and approve the final site plan for compliance with this condition. All road entrances of the project to Butler Bridge Road must be approved and/or certified by NCDOT as by their common practice.

General Condition:

REQUIREMENT FOR RESTRICTIVE COVENANTS

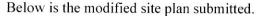
Co-applicant Developer is responsible for implementing the development plan and maintaining compliance with all of the conditions set out herein, all of the features of the approved master plan, and all applicable provisions of the Henderson County LDC to the extent not waived or modified herein.

Applicant has elected to carry out some of its responsibilities through the use of private restrictive covenants, as allowed by the Henderson County Code. The forms of the restrictive covenants will be submitted to the County Attorney for approval after application approval. To this end, the County shall reserve the right to review any amendment or revision to the restrictive covenant documents prior to their effectiveness to ensure continued compliance with this conditional zoning ordinance, and other applicable County ordinances.

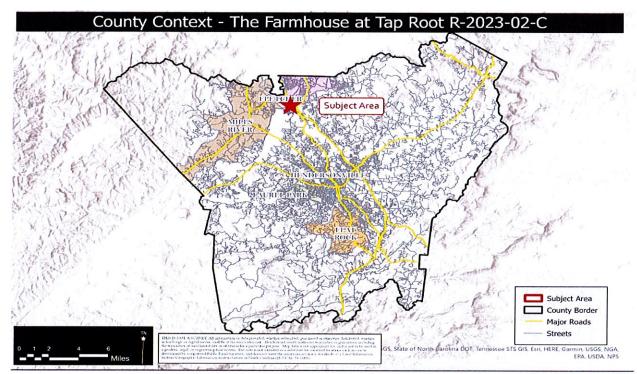
Failure to comply with any of the provisions of the conditional zoning ordinance or the Henderson County LDC, or other applicable provisions of the County ordinances, shall subject the applicant or its successors to penalties at law or in equity as provided for in the Henderson County LDC, other County ordinances, or North Carolina law, including repeal or amendment to the conditional zoning enactment.

This amendment to Proposed Conditions to Re-Zoning respectfully submitted this the 1st day of April, 2023.

Law Offices of William M. Alexander, Jr., PLLC



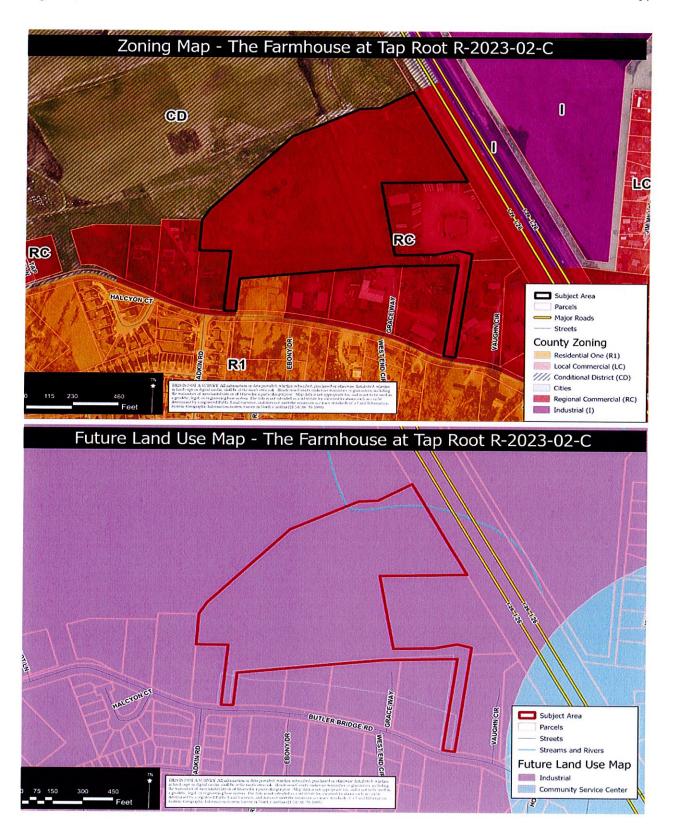




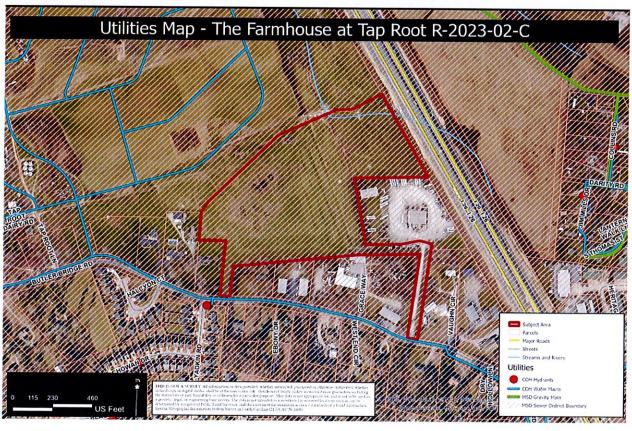
Property Owner: Johnston Family Group Agent: William Alexander Assessed Acreage: 18.93 Acres PIN: 9652-12-2330 Current Zoning: Regional Commercial (RC)

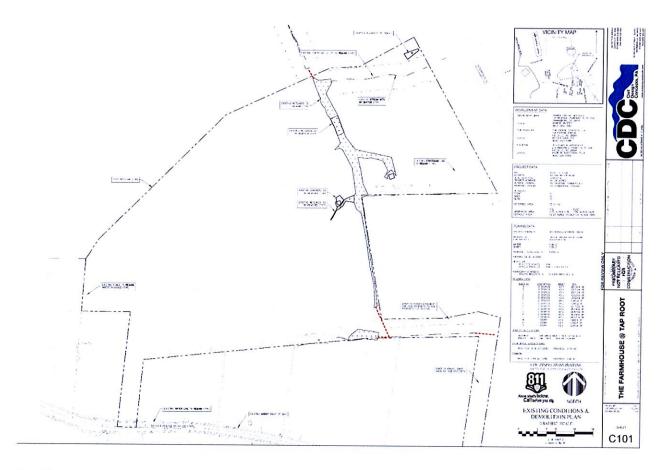












Public Input

- 1. Scott Case, a sixth-generation native, grading contractor, and apple farmer, spoke in support of the proposed project. He believes this project would be good for the County.
- 2. David Huntley, a local surveyor, spoke in support of the proposed project. He said the main requirement for projects such as the Farmhouse is an existing utility infrastructure, which this project location has. In addition, he said this project is clearly in compliance with the County's Comprehensive Plan.
- 3. John Pace, a lifelong resident and paving contractor, spoke in favor of the project. He said managing the growth and population in an orderly way is important to the economic health of our County. However, he said he would not support the project if the location were anywhere else in the county.
- 4. Sari McCaffrey spoke in opposition to the proposed project. She voiced concern that the project would create a strain on the existing infrastructure, specifically schools, roads, and density. She said the schools in this district are already at capacity. She urged the Board to delay their decision on the project.

COMMENTS SUBMITTED BY EMAIL

Eric Clonch, a 20-year resident, wrote in opposition to the proposed development of The Farmhouse at Tap Root. He encouraged the Board to reject the rezoning request. He stated that this area of the County is not an area of densely populated renters but community-minded homeowners.

John Thorsland, who owns a local concrete business, wrote that he believes concentrating housing in areas

with sewer and water protects the other more open and natural areas of the county. He said this project follows the County's Comprehensive Plan. His involvement in the construction industry has taught him that projects such as this one are better served in areas that have access to water and sewer.

Duane Hoover, a 5-year resident, wrote in opposition to the proposed development of The Farmhouse at Tap Root. He encouraged the Board to reject the rezoning request. He stated that this area of the County is not an area of densely populated renters but an area of community-minded homeowners.

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

Commissioner Hill noted that there would be a conflict between tractor-trailer traffic and traffic from the proposed development.

After discussion about safety concerns with the proposed entrance roads, impacts on traffic, and public schools, Commissioner Andreotta was not in favor of the project.

Chairman McCall stated that she was disappointed that this project had come up again. She said the Board had been back and forth for two years trying to reduce 1200 units in the Tap Root project to just under 700. However, she recognizes the rights of property owners to sell their properties. She addressed the impact on local schools but noted that Henderson County is a growing community, and impacts from growth were imminent.

Vice-Chair Edney asked if any of the funding or financing on the project would require this apartment project to become subsidized or section 8 housing. Mr. Alexander said no, there was not; this was to be private housing.

Commissioner Lapsley said he was prepared to make a motion in support of the project but first needed to be convinced that there was no a way to get the entrances to Riverstone Subdivision and The Farmhouse at Tap Root to line up for improved safety. He stated that was a dealbreaker for him.

Mr. Alexander said that the proposal of aligning the entrance with Riverstone had not been discussed with the property owners and asked for a ten-minute break to consult with the property owners that were present.

Chairman McCall recessed the meeting for a ten-minute break.

The meeting reconvened at 7:40 pm.

Bill Alexander proposed an amended condition that he said would solve the problem. In their original submission, the eastern entrance was to serve as emergency access only, and the western entrance was to be the full entry. He proposed that they would amend their conditions so to provide that they will convert and basically flip those entrances so that the East entrance will serve as the main entrance (which the NCDOT has already approved), and the western entrance would be a gated emergency-only entrance. There will be a siren-activated gate far enough up in the entrance so that fire trucks can pull in to activate the gate without blocking traffic on Butler Bridge Road. He said this would eliminate any conflict with the Yadkin Road intersection.

Chairman McCall stated for the record that the east entrance was to serve as the main entrance, and the west entrance will be for emergency use only and will be gated off.

Commissioner Lapsley made the motion that the Board approve the rezoning application #R-2023-02-C to rezone the Subject Area to a Conditional District (CD-2023-02) based on the recommendations of the Henderson County Comprehensive Plan and with any conditions stated in the staff and master plan report and additional conditions as discussed, and;

Further, that the Board approve the resolution provided regarding the consistency with the CCP.

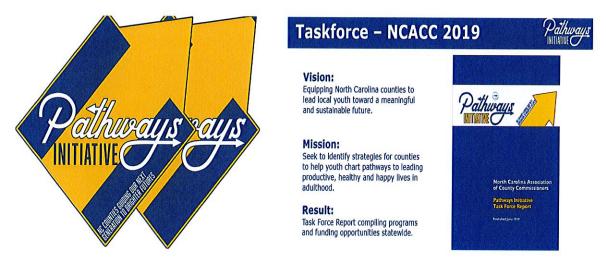
Chairman McCall asked the Clerk to call the roll.

The motion passed with a 4-1 vote. Commissioner Andreotta was the nay vote.

Chairman Mccall made the motion to move Discussion Item E – Judiciary Complex Annex and Renovation (JCAR) – Construction Manager at Risk to Discussion Item B. All voted in favor, and the motion carried.

DISCUSSION

Pathways for Disconnected Youth - Taskforce Report



Chairman McCall said that in 2019 she was fortunate enough to be part of a statewide initiative promoted by myFutureNC to look at the issue of disconnected youth in North Carolina. The vision of the initiative was to equip counties to lead local youth toward a meaningful and sustainable future. The goal was to put together a report that shared the availability of options available to NC youth that are considered disconnected.

Who are DY?



Statistics



- Disconnected Youth defined as those who are age 16-19, not in school, not working
- · If they remain out of workforce for very long, they may never recover
 - National annual cost of \$93b lost revenue and increased social services
- Problem can affect any family, not dependent on economic status, but majority of affect is to those children of low-income families and/or those with lack of adult supervision, direction or involvement



NC Statewide - 9.65% of 16-19 (County range: 3%-23%)



Henderson County DY Identified

- 25% of HC youth have a parent previously or currently incarcerated
- 53% of youth are being raised by single mother
- 7% of youth are being raised by single father
- · 14% of youth are being raised by grandparents
- · 2020-2021 school year 323 HC students considered homeless



Determination:

Provide every middle and high school age student the opportunity to participate in after school programs (sports, band, theatre, clubs, tutoring/help with homework, use of computers/internet)

Benefits to students:

- Improve academic performance
- Explore Interests & create broader perspectives
- Life & social opportunities
- Safer environment
- Promote healthy habits and fitness
- Encourage brighter future
- Promotes self-confidence and higher self esteem
- Productive skills
- Resumes
- · University applications

Every leading study regarding the impact of extra curricular activity on child development shows that academic grades, study habits and school-based behavior all improve when children attend regular after school clubs, team sports, etc.

Recommendation:

Provide transportation for students who are unable to participate in after school activities because they do not have a ride home.

Costs: 9 schools, 45 mpd, 180 days

Bus & garage cost 90,000
 Driver/mech/fuel 290,000
 Staff overtime (90 mpd) 90,000
 Total \$470,000/year

Issues: Cost to use state owned bus Approved drivers with CDL



This Photo by Unknown Author is licensed under CC BY-SA

Recommendation:

Provide transportation for students who are unable to participate in after school activities because they do not have a ride home. Purchase 5 minivans to share among 9 schools.

Costs: 9 schools, 45 mpd, 180 days

Van cost (5 x \$37K) 185,000

Fuel/Insurance 20,000
 Staff overtime (180 mpd) 180,000
 Total \$200,000/year

- Staff can drive mini-vans
- Available for additional trips during the day
- Provide transportation for teen moms (7)



Chairman McCall said there are currently 17 high school moms that need a way to get to and from school and to take their babies to daycare. There is a daycare on the campus at BRCC that teens at the Innovative High School use, but they cannot take their babies on the school buses to get them to the daycare.

Chairman McCall said although she is not asking for funding at the moment, she is proposing that the Commissioners possibly purchase the vans and the school system find a way to cover the costs annually.

The next step for the task force is to consider a mentoring program similar to the program in Rutherford County. This is a thirty-year program that was set up by Robert and Janice McNair to provide a mentor for all 3500 Rutherford County middle and high school students. The mentor follows students through middle and high school under best-case scenarios. Each mentor has approximately 15-20 students. There is also a scholarship opportunity for those in financial need. This helps to prepare the students academically and financially for college and a career path.

Recommendations:

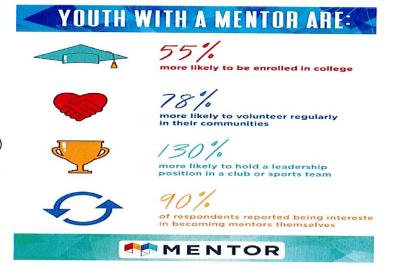
Establish a mentoring program similar to McNair Foundation in Rutherford County

- Established by Robert and Janice McNair 30 year program
- · Provides mentors for every middle and high school student (3500)
- · Focus on career path planning
- · Provides scholarship opportunities for those with financial need
- · Students prepared academically and financially for college and career path



Mentor Program Challenges:

- · Cost of set up
 - Possible grants
 - · State funds
 - · Endowments
 - · Business donations
- · Management of program
 - · Suggest testing at one school (middle & high)
- · Recruiting and vetting mentors for 6000 students
 - · Retired teachers
 - · Business employees
 - Retirees
- · Getting started student participation



Commissioner Lapsley commended Chairman McCall on the work of the task force.

Judiciary Complex Annex and Renovation (JCAR) (Moved from Discussion Item E to Discussion Item B)

The Board was requested to discuss a Construction Manager at Risk for the Judiciary Complex Annex and Renovation Project. The County issued a Request for Qualifications to interested qualified firms on January 6th, 2023. Sealed proposals were due back on February 3, 2023. The Board received confidential trade secret information from each of the three applicants on March 30, 2023. The Board was requested to discuss and direct Staff accordingly.

Chairman McCall said the project should no longer be called an annex and suggested the name be Judiciary Complex and Annex Renovation. Vice-Chair Edney said there was no annex; it would be a new courthouse, renovated administrative building, and jail.

Vice—Chair Edney opened the discussion. He said, first and foremost, the three construction companies interviewed exceeded the expectations of the Board, and he would not have any reservations about hiring any one of the firms. He said this was probably one of the hardest decisions he has ever had to make.

Commissioner Hill agreed with Commissioner Edney's comments. He said each firm had strong suits and thanked them for their efforts. He said the three companies have made this a very difficult decision.

Commissioner Andreotta echoed the thoughts of Commissioner Hill and Vice-Chair Edney. He said the Board was a hard place to be but a good place to be, feeling like they cannot lose with whomever they choose.

Commissioner Lapsley said he was fortunate that he had been a part of this Board for nine years and has faced some tough decisions to make but believes this to be the toughest. He went on to echo the comments made by the other members of the Board. He highlighted five things he considered as he made his decision. He considered which company could adequately handle a project of this size, previous experience with the county, experience with judicial and detention center projects, strong local construction support, and lastly, the review and recommendations of the project committee.

Chairman McCall clarified that the Board's decision to hire a Construction Manager at Risk did not ensure that the county has committed to begin the project immediately. However, this decision will allow the Board to begin learning the anticipated cost and move forward with making decisions. The Board has discussed completing this project in two phases, and that is still a real possibility.

Chairman McCall said the quality of the firms that presented to the Board far exceeded the expectations of the Board. She felt honored that these high-caliber contractors wanted to work with Henderson County.

Chairman McCall said that since there were three candidates, she would ask the Clerk to call the roll with each commissioner voting for one firm. If one firm received a majority of votes, they would be selected. If no firm received a majority, then there would be a second vote. The Board assented, and the Clerk to the Board polled the Board:

Commissioner Andreotta – Vannoy Commissioner Hill – Haskell - Cooper Chairman McCall – Haskell – Cooper

Commissioner Lapsley – Vannoy Vice-Chair Edney – Haskell – Cooper

As there was no objection to the chair's ruling stood.

Opioid Settlement Fund Update

Dr. Katie Varnadoe, Director of Consulting Services with The REAL Academy, provided the Board with an update on the Strategic Plan for the use of Opioid Settlement Funds.

Strategic Plan for the Use of Opioid Settlement Funds

Dr. Katie Varnadoe, MBA, Ed.D The REAL Academy, LLC





- Data Driven
 - State and local opioid data
 - Data from the community health assessment
 - Guidelines and recommendations included in the NC MOA for the Use of Opioid Settlement Funds
- · Locally Informed
 - Substance Use Action Team
 - Crisis Collaborative
 - Community Health Assessment Committee

Values



Integrity

Data-driven recommendations based on analysis of feedback from the community, public health data, and NC MOA guidelines



Best Practice

Recommendations for interventions are supported by evidence-based practices and/or regional trends



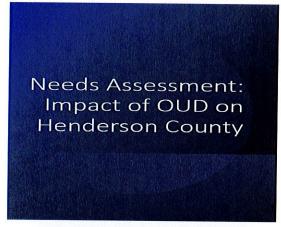
Impact

Interventions tailored to the specific needs of the county

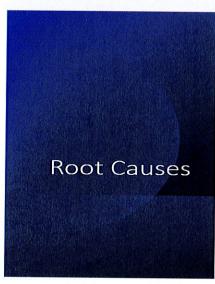


Adaptability

Process for informed decisionmaking and updates to the strategic plan



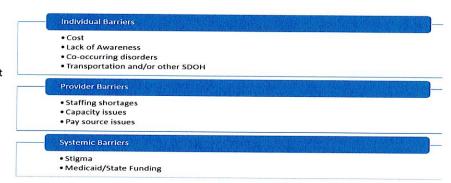
- Opioid Overdoses and Overdose Deaths
 - 84% of overdose fatalities in Henderson County attributed to Opioids (state average is 75%) (Henderson County Health Assessment)
- Capacity Issues for Crisis Services
 - For every 1 overdose death in NC, there are 5 emergency room visits (NC Opioid Dashboard)
- Economic and Socio-Economic Impacts
 - \$393,226,561 economic impact on Henderson County from loss of life due to overdose (Medication and Drug Overdose in Henderson County)
- · Arrests and Jail Recidivism
 - Point in time count May 11, 2020: 38.6% of incarcerated individuals charged with crimes directly related to illicit drug use
- Children in Foster Care
 - Children in foster care in Henderson County due to parental substance use is 67.4%, state rate is 45.7% (NCDHHS)



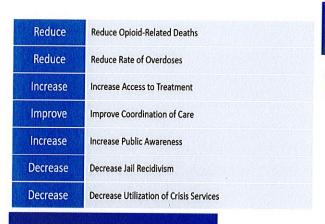
Individual Risk Factors • Genetic Predisposition • Chronic Pain • Chronic Stress • Co-occurring disorders Environmental Risk Factors • Availability of Opioids • Early Childhood Exposure • Trauma • Isolation Social & Economic Risk Factors • Poverty • Education level • Employment • Insurance Coverage • Housing Systemic Risk Factors • Stigma • Access to Treatment • Continuity of Care

Barriers to Accessing Care

- · Prevention and Early Intervention
- Inpatient and Residential Treatment
- Naloxone Distribution
- Diversion Programs
- Treatment Courts
- · Recovery Housing
- · Workforce Development



Goals & Objectives





Recommended Interventions

Strategic Priority	Intervention(s)
Recovery Support Services	Detention Healthcare/Reentry Navigator
Early Intervention	Awareness Campaigns Community Training
Evidence-based Addiction Treatment	Address Barriers to Accessing Treatment & Bolster Existing Programs
Criminal Diversion Justice Programs	Recovery Court Coordinator
Collaborative Strategic Planning	Substance Use Grant and Contract Coordinator

Evaluation











Process for Reviews and Updates

Next Steps











Implementation Plan

Substance Use Strategy

Routine workgroup meetings

Routine outcome reporting Annual evaluations

Hiring Launch of Recovery Court RFP's

John Mitchell said what was being done tonight was the "handing off" of the Strategic Plan to the Board of Commissioners because, in the end, this is the Board's plan. And this Board will decide how the opioid funds received from the State of NC will be dispersed. He asked that the Board review the plan and make a recommendation at their mid-month meeting.

Michelle Geiser provided a presentation in regard to Adult Treatment Court.

RECOVERY COURT

WHAT ARE RECOVERY 1 SINGLE 4 OUR 5 SERVICE 7 HOW DO DRUG COURTS WORK? 2 TIMELINE 5 SOLUTION 8 OUR TEAM 3 MARKETING 6 OUR 15AM 9

RECOVERY COURTS

Recovery courts are a new and efficient approach to managing substance abuse within the criminal justice system.

Did You Know?

- 20.2 million American adults (about 1 in 10) have a substance use disorder.
- 43.6 million (about 1 in 5) have a mental health problem.
- Nearly 8 million of these individuals suffer from co-occurring substance use and mental health disorders.
- Those with these disorders, however, are more likely to be incarcerated rather than treated.

72,000

AMERICANS DIED
OF A DRUG

OVERDOSE IN 2016

2/3

of all fatal drug overdoses in the U.S. 65 %

OF ALL U.S.
INMATES
HAVE A
SUBSTANCE
USE
DISORDER

Recovery Courts are effective at getting people into treatment — a key step in long-term sobriety. People who complete drug court programs are significantly less likely to be arrested

HOW CAN IT WORK?

PRE-TRIAL OR DEFERRED PROSECUTION.

 Defendants who meet eligibility requirements are diverted from traditional court proceedings into drug court prior to pleading to a charge.

POST-ADJUDICATION

 Defendants who meet eligibility requirements plead guilty to their charges and their sentences are deferred or suspended while they participate in the drug court program.

RECOVERY COURTS SUCCESS

One of the most successful approaches in our country's history for transitioning individuals with substance use and mental health issues out of the criminal justice system and into stable and productive lives is through the approach of recovery courts.

- Participants in the intensive program must maintain their recovery, take on responsibilities, and undertake lifestyle adjustments. Under the supervision and authority of the court, their progress is monitored.
- Drug courts ultimately reduce crime and lead to genuine, positive transformation in people's lives.

DRUG COURTS CAN INCLUDE...

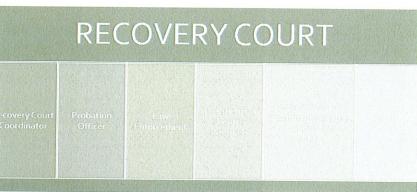


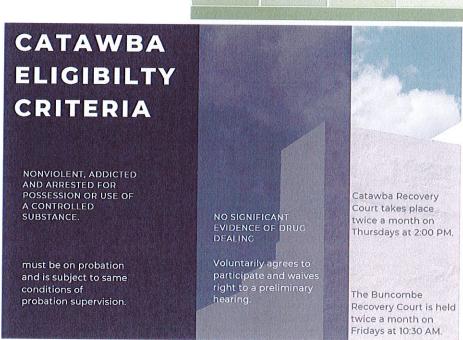
COLLABORATIVE APPROACH



COLLABORATIVE APPROACH

- The Judge appoints the Team Members.
- The Team Members will develop criteria for eligibility, minimum standards, procedural and quidelines.





BOTH OF THESE COURTS TAKE PLACE IN THE COURTHOUSE.

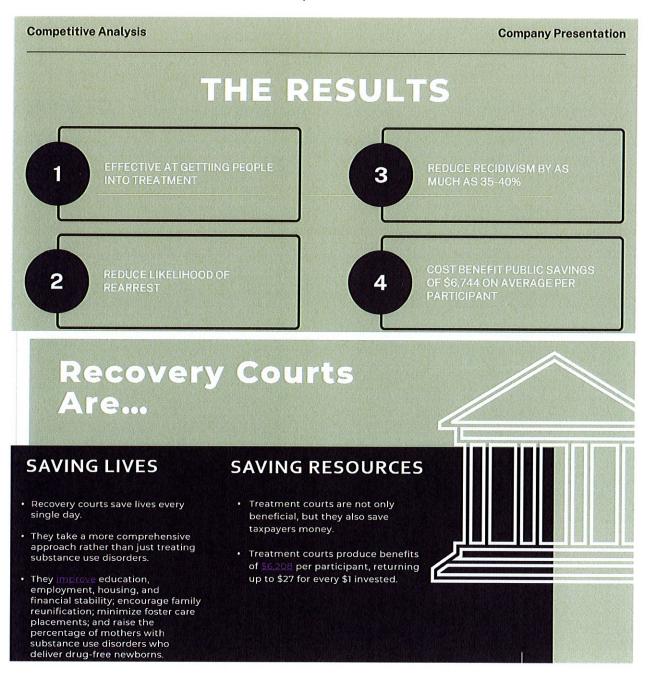
FUNDING SOURCES

SOURCES

Bureau of Justice Assistance (BJA) Grant

Dogwood Health Trust

National Opioid Settlement Funds



Vice-Chair Edney asked Chief Judge Kimberly Gasperson if she and fellow judges were on board with the program. Judge Gasperson said she had talked extensively with judges and probation about the program, and all are on board. She believes this is a significant need, and the County would benefit from the program. She said the biggest hurdle from a judiciary standpoint was to get the assets available for the treatment required. She said this would create a big change in how business is conducted in district court criminal work.

Chairman McCall said Recovery Court would give judges another tool and another option, and it helps to rebuild lives.

County Options for Litter Management

As directed by the Board during the March 6, 2023 meeting, staff has developed the following options for the Board's consideration:

- 1. Continue Existing: Litter Sweep event in Spring and Fall with no fee at Solid Waste for litter from roadways and waterways. Continue cleanup of roadways surrounding the Transfer Station.
- 2. Invite local organizations and non-profits to partner with the County on this effort, with special recognition to the groups that pick up the most litter during the year or during the two litter sweeps scheduled for the Spring and Fall.
 - Annual recognition at a Board of Commissioners meeting and an invitation to participants to the annual volunteer banquet.
 - Organizations would need to tell Solid Waste staff of the dates and locations of litter pickups, and Solid Waste would track weights of waste collected.

3. Adopt-a-Highway

- There is no cost associated with Adopt-a-Highway. Volunteer groups commit to four years
 to a two-mile stretch of roadway. Litter cleanups should take place a minimum of four
 times per year.
- County could adopt a stretch of Highway and organize four litter pickups each year with County Staff and public assistance.

4. Sponsor-a-Highway

• NC DOT has two providers that can be contracted to perform cleanup work, Adopt-A-Highway Litter Removal Service of America, Inc. and Adopt-A-Highway Maintenance Corp. Organizations have been contacted, and quotes can be pursued upon request.

The above options are consistent with what the State has authorized County's to undertake, but there may be other permittable options not mentioned above.

Budget Amendment – Motorola Body Cameras

The Sheriff's Office requested that the Board approve a five-year contract to allow for a switch to Motorola/Watchguard body cameras. The change is necessary due to the reoccurring failures of current cameras, for integration with the vehicle car cameras, and for officer safety. All related departments (Finance and IT) have been advised and are in agreement.

The total cost of the contract is \$379,067, which includes the cameras, video evidence storage, setup, no-fault warranty on the cameras, transfer stations, batteries, docking stations, and training. The Sheriff's Office will pay from our FY23 budget the amount of \$33,077, which will allow us to receive the cameras and start the service. The remaining amounts per the contract will be payable according to the contract schedule, which is as follows:

FY 2022-2023 - \$ 33,077

```
FY 2023-2024 - $107,535
FY 2024-2025 - $107,535
FY 2025-2026 - $65,460
FY 2026-2027 - $65,460
```

Vice-Chair Edney proposed that Staff put out an RFQ with the condition that the cameras must integrate with the existing cameras in Sheriff Department vehicles.

After discussion, this item was rolled to the next meeting.

NOMINATIONS AND APPOINTMENTS

Nominations of citizens to County Boards and Committees

- 1. Home and Community Care Block Grant Advisory Committee 1 vac.
- 2. Juvenile Crime Prevention Council 4 vacs.
- 3. Nursing/Adult Care Home Community Advisory Committee 11 vacs.

Vice—Chair Edney stated a Board appointed position on the Hospital Corporation Board of Trustees/UNCH would expire on May 31, 2023. In anticipation of that upcoming vacancy, he suspended the Board's procedural rules to make a nomination.

Vice-Chair Edney suspended the procedural rules and made the motion to nominate Marilyn Gordon to position #2 on the Hospital Corporation Board of Trustees/UNCH. All voted in favor, and the motion carried.

This appointment will become effective June 1, 2023.

COMMISSIONER UPDATES

The Board did not have any updates.

COUNTY MANAGER'S REPORT

The manager yielded the floor to the Board.

Assistant County Manager Amy Brantley and Chairman McCall wished John Mitchell a happy birthday.

COUNTY MANAGER'S REPORT

County Manager John Mitchell thanked the Board for their attention to tonight's long agenda.

Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143–318.11(a)(5), for the reasons set out in the Board's agenda packet. All voted in favor, and the motion carried.

Chairman McCall made the motion to go out of closed session and adjourn at 10:25 p.m. All voted in favor, and the motion carried.

ADJOURN

Denisa A. Lauffer, Clerk to the Board

Rebécca McCall, Chairman

During the April 3, 2023, regular meeting, the Board enacted the following:

2023.46	Pending Releases and Refunds
2023.47	Non-Profit and Other Organization Funding Policy
2023.48	Local Assistance and Tribal Consistency Fund Purchase
2023.49	FY 2024 Consolidated Agreement – NC Department of Health & Human Services (NC DHHS)
2023.50	Annual Audit Contract
2023.51	State Budget Allocation – SL-2022-74 – Budget Amendment
2023.52	Budget Amendment – Cemetery Brochure Grant
2023.53	Budget Amendment – Revolving Vehicle Fund
2023.54	- Term Sheet Agreement with the Greater Asheville Regional Airport Authority
2023.55	Duke Energy Easement (North Henderson High School/Apple Valley Middle School Property
2023.56	- Conveyance to Mountain Home Fire and Rescue Department
2023.57	Budget Amendment – All-Inclusive Playground
2023.28	Sub-Grant Agreement with Ecusta
2023.59	Conditional Rezoning Application #R-2023-02-C, The Farmhouse at Taproot, Regional Commercial (RC) to Conditional District (CD-2023-02)

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

April 3, 2023

Darlene Burgess, Assessor Henderson County Assessor's Office 200 N. Grove Street, Suite 102 Hendersonville, NC 28792

Dear Mrs. Burgess:

Attached, please find tax release requests in the amount of \$16,880.41 and tax refund requests in the amount of \$8,290.93 reviewed at the Henderson County Board of Commissioners' Meeting on Monday, April 3, 2023. All Releases and refunds were approved.

Sincerely,

Rebecca McCall, Chairman

Henderson County Board of Commissioners

RM/dal

enclosures

×	
m	
~	
0	
2023	
-	
, March 21	
5	
5	
O	
2	
-	
O	
Ö	
83	
Š	
-	
t. Tuesday	
T	
ō	
9	
S	
i Report	
B	
=	
F	
~	
Release/R	
Ñ	
as	
O	
O	
œ	
5	
C	
0	
Du	
Sendi	
Pendi	
S Pendi	
CPTS Pendi	

		KEFUND	\$6.10	Participation of the second se	\$0.00	50.00	\$1.26 \$0.00	\$13.85 \$0.00	The state of the s		\$61.43 \$0.00			\$12.59 \$0.00	\$1.26		\$81.42 \$0.00	Epoch Chick			\$62.74 \$0.00	\$12.20 \$0.00	\$1.22	· · · · · · · · · · · · · · · · · · ·	Section of the sectio	00.0\$				\$34.56 \$0.00	\$5.78 \$0.00	\$0.58					87 \$0.00				\$0.61		のできずでもなった。
	PEI FACE	\$0.00		Name of the Party	\$0.00		\$0.00				•			\$0.00 \$12	\$0.00			LI: \$162.84	A CANADA		\$62												\$6		ت		537.87					Service Services	A STATE OF THE PARTY OF
	PATD			Methodological Company					ABSTRACT			Transfer Control of Section	(1)				ABSTRACT	TOTAL		\$0.00		\$0.00	\$0.00		ABSTRACT	TOTAL:			\$0.00		\$0.00	\$0.00	阿克斯斯拉斯斯斯	ABSTRACT	IOIAC:			\$0.00		\$0.00	\$0.00		A THE OWNER OF THE PARTY OF THE
	BILLED	\$61.43	\$6.14		\$12.59		\$1.26			3	\$61.43	\$6.14		\$12.59	\$1.26				\$57.04	\$5.70		\$12.20	\$1.22					\$31.42	\$3.14		\$5.78	\$0.58	のでは、				\$32.87	\$3.29		\$6.08	\$0.61		
	T LEVY TYPE	ξ	LATE LIST FEE				LATE LIST FEE	TOTAL		>	-AX	LATE LIST FEE	IOIAE:	¥	LATE LIST FEE	TOTAL			TAX	LATE LIST FEE	- CIAC	TAX	LATE LIST FEE	TOTAL:				ATE 1707 CC	WIELISI PEE	IOIAL:	AX	LATE LIST FEE	TOTAL:				TAX	LATE LIST FEE	TOTAL:	TAX	LATE LIST FEE	TOTAL:	
	TAX DISTRICT	COUNTY			EDNEYVILLE	FIRE				FINITE				FIRE					YTNNOO			HOME FIRE					YENIO	- INOO			FIRE	!					COUNTY			EDNEYVILLE	4		
	SITUS ADDRESS	1 L 43 APPLE	ORCHARD RD	HENDERSONVILLE NC	28792					1 L 4 APPLE ORCHARD	RD HENDERSONVILLE	NC 28792	!						232 CHICKADEE TRL	78797							SMORROW HENDERSON COLINTY	NC OCCUR	•								NEED PHYSICAL	ADDRESS NC					
202/2		DDEMPS								DDEMPS									SMORROW								SMORROW										SMORROW						
ADJ.	NUMBER	8494								8495									8486								8487	į									8490						
ADJ.		(\$10,950)								(\$10,950)								(\$21,900)	(/91/014)							(\$10,167)	(\$6,800)										(\$6,400)						
		VOIDED ABSTRACT EFFECTIVE	TA MECKI ENRING COUNTY	DOCLIMENTATION OF TAXES DATA	TO MECKLENBURG COUNTY ON FILE.					VOIDED ABSTRACT EFFECTIVE	12/31/2020. PROPERTY IS LOCATED	IN MECKLENBURG COUNTY.	DOCUMENTATION OF TAXES PAID	TO MECKLENBURG COUNTY ON FILE.				STORY OF BING TO ABSTRACT	ALLOWING QUICKIE MARINA IN	SOUTH CAROLINA TO OVERSEE THE	SALE OF THE WATERCRAFT; BILL OF	SALE PROVIDED; TAXPAYER	RELEASE/REFUND				TAXPAYER CALLED IN REGARDS TO	THE GARNISHMENT NOTICED	RECEIVED; TAXPAYER STATES SHE	HAS NOT OWNED A MOBILE HOME	IN SEVERAL YEARS; TAXPAYER	DOCUMENTATION AS SHE IS	ELDERLY AND UNABLE TO	REMEMBER IF SHE STILL HAS	PICTOMETRY, DOWN, TEA APPEARS TO BE DEMOLISHED AS RUBBLE IS ON REAL PROPERTY AS OF JANUARY 2010; VOID ABSTRACT	FOR 2010	VOID ABSTRACT DUE TO MOBILE HOME BEING REMOVED IN 2010:	PICTOMETRY PHOTO	CONFIRMATION		ISSUED FOR SINGLE WIDE TO BE	PLACED ON PROPERTY BEING	
	ABSTRACT	0003038252-2021-2021-0000								0003099522-2022-2022-0000								0003096801-2022-2022-0000								OWNER TOTAL:	EPPERSON, MARGARET B 0002561883-2010-2010-0000									0000 5105 5105-5881335000	0002301883-2013-2013-0000						
Committee	CHRISTIAN PONCED	CHALS LAIN, RODGER																DUNCAN, ANDY									EPPERSON, MARGARET																

2023*
2
March
Tuesday,
Report.
Refund
Release/
Pending
NCPTS

			I ucsuay, Mai CII ZI,	L, 2025"							
OWNER	ABSTRACT		VALUE CHANGE NUMBER	USER ID	STTUS ADDRESS TA	TAX DISTRICT	I EVY TYBE	da contra	2000		
	0002561883-2014-2014-0000					YENI IOD	TAV	States	PAID	RELEASE	REFUND
		HOME BEING REMOVED IN 2010;			ADDRESS NC		ATE LICT CCC	\$32.87	\$0.00	\$32.87	\$0.00
		PICTOMETRY PHOTO					TOTAL:	\$3.29	\$0.00	\$3.29	\$0.00
		CONFIRMATION				EDNEWILLE	TAX	¢6.08	00 00	\$36.16	\$0.00
		REAL PROPERTY SOLD: PERMIT						0000	\$0.00	\$0.08	\$0.00
		ISSUED FOR SINGLE WIDE TO BE				,	LATE LIST FEE	\$0.61	\$0.00	\$0.61	\$0.00
		PLACED ON PROPERTY BEING				nera.	TOTAL:			\$6.69	\$0.00
		RELOCATED FROM 39 JARROD DR							ABSTRACT	\$42.85	\$0.00
	0002561883-2015-2015-0000	VOID ABSTRACT DUE TO MOBILE	(\$6,400) 8488	SMORROW	NEED PHYSICAL	COUNTY	TAX	532.87	COTAL:	70 (53	
		PICTOMETRY PHOTO			ADDRESS NC		LATE LIST FEE	\$3.29	\$0.00	\$3.29	\$0.00
		CONFIRMATION					TOTAL:			\$36.16	40.00
				7	w	EDNEYVILLE	TAX	\$6.72	\$0.00	\$6.72	\$0.00
		REAL PROPERTY SOLD; PERMIT ISSUED FOR SINGLE WIDE TO BE					LATE LIST FEE	\$0.67	\$0.00	\$0.67	0000
		PLACED ON PROPERTY BEING				et out	TOTAL			\$7.39	40.00
									ABSTRACT	\$43.55	\$0.00
	OWNER TOTAL:								TOTAL:		The state of the s
FRITTS, CONNIE L.	0003106015-2022-2022-0000	THIS NEW PARCEL FOR 2022	(\$15,500) 8479	KHENSLEY	0 NO ADDRESS	COUNTY	TAX	\$86.96	286 96	\$170.17	\$0.00
		SHOULD NOT HAVE BEEN CREATED. BOUNDARY LINE AGREEMENT WAS MISSED WHEN THE MAPPING TOOK PLACE. THE ACREAGE SHOULD HAVE BEEN AN ADJUSTMENT TO THE ADDINING PARCEL 1009510 IN THE NAME OF BUTLER REAL ESTATE. ACREAGE CORRECTED FOR PUV (USE VALUE) PARCEL 1009510 FOR 2022 & 2023, VALUE DIFFERENCE NOT EXPECTED TO GENERATE A BILL ADJUSTMENT.			ASSIGNED ZIRCONIA NC 28790		<u> </u>	06.000	95.095	96.98 96.98 96.98	99.798
						7	LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
					ì		TOTAL			96'98\$	\$86.96
					3	GREEN RIVER	TAX	\$15.50	\$15.50	\$15.50	\$15.50
							LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
				年の後である。		EEEA .	TOTAL:			\$15.50	\$15.50
	OWNER TOTAL		(042 L00)						ABSTRACT TOTAL:	\$102.46	\$102.46
MAYBIN SERVICES INC	0002438755-20		(\$16,735) 8493	STACK	2708 SPAPTANBLIBG	YENIO	***			\$102.46	\$102.46
		PURCHASE AGREEMENT DATED					LAX	\$93.88	\$0.00	\$93.88	\$0.00
		AUGUST 2021.			NC 28726	- 2	DATE LIST FEE	\$9.39	\$0.00	\$9.39	\$0.00
						E SOUTO DI LIB	TAX			\$103.27	\$0.00
					ā		ž	\$21.76	\$0.00	\$21.76	\$0.00
						_ (g	LATE LIST FEE	\$2.18	\$0.00	\$2.18	\$0.00
						7.1	1			\$23.94	\$0.00
	OWNER TOTAL:	1	(216 726)						ABS I KACI TOTAL:	\$127.21	\$0.00
			(coriore)							\$127.21	\$0.00

*
3
~
9
, March 21, 2023*
-
N
-
U
7
5
>
G
B
ď
3
. Tuesday,
تب
5
ŏ
O
2
nd Report
2
elease/Refu
2
-
Ä
ö
O
O
OZ.
ending Release/Refund
E
7
ĕ
O
<u>a</u> ,
ICPTS Pending Rel
-
إج
\mathbf{v}

NCPTS Pend	ling Release/Re	NCPTS Pending Release/Refund Report. Tuesday, March 21, 2023*	day, Marc	h 21, 2	2023*							
OWNER	ABSTRACT	NOTE		œ		STTUS ADDRESS	TAX DISTRICT	LEVY TYPE	RTILED	PATO	DELEAGE	
WOODS	0003086680-2022-2022-0000	PROPERTY WAS TAXED IN GUILFORD	(\$2,114)	8483	LSTACK	111 E WALKER ST	COUNTY	ş	\$11.86	80.00	\$11.8K	KEFUND
		SUBMITTED TO VOID 2022 TAX BILL				EAST FLAT ROCK NC		LATE LIST FEE	\$1.19	\$0.00	91 15	\$0.00
						28726		TOTAL:			\$13.05	\$0.00
							BLUE RIDGE	TAX	\$2.75	\$0.00	\$2.75	\$0.00
							TIXE	LATE LIST FEE	\$0.27	00 00	76 03	
										00:00	\$3.07	\$0.00
										ABSTRACT	\$16.07	\$0.00
	OWNER TOTAL:	Ë	(\$2,114)							TOTAL:		
PACCAR FINANCIAL	0003102809-2022-2022-0000		(\$814,225)	8485	LSTACK	314 HYDER ST	COUNTY	TAX	46 986 88	00 200 33	\$16.07	\$0.00
300		ABSTRACT EFFECTIVE 12/31/2021. THE VEHTCHES BEMOVED ARE				HENDERSONVILLE NC		LATE LIST FEE	\$698.69	\$698 69	24,367.80	\$4,567.80
		PERSONAL PROPERTY THAT IS				28792		ALE		Colored	\$5,024.58	\$456.78
		LEASED TO A PUBLIC SERVICE			F		VALLEY HILL	TAX	\$1,245.43	\$1,245.43	\$814.23	\$814.23
		COMPANY, THE NC DEPARTMENT OF REVENUE ASSIGNS VALUE TO ALL					חאנר	LATE LIST FEE	\$124.54	\$124.54	\$81.42	9
		PUBLIC SERVICE COMPANIES IN NC.						TOTAL:			\$01.72 \$895.65	\$81.42 \$905.65
		NO VALUES FOR PUBLIC SERVICE COMPANIES ARE TO BE ASSIGNED BY THE COUNTY.								ABSTRACT TOTAL:	\$5,920.23	\$5,920.23
	OWNER TOTAL:	ä	(\$814,225)									
PNC EQUIPMENT	0003107895-2022-2022-0000			8481	LSTACK	200 N GROVE ST	YENIO	TAX	66 611 60		\$5,920.23	\$5,920.23
FINANCE LLC		THE 2022 TAX BILL. PROPERTY ASSESSED IN ERROR				HENDERSONVILLE NC	3	LATE LIST FEE	\$6,611.09	\$0.00	\$6,611.69	\$0.00
		COLOR IN ENDOY.				28792		TOTAL:		2000	11.100¢	\$0.00
								The Party of Street, S		ABSTRACT	\$7.272.86	\$0.00
		,	(\$1,178,554)					STATE OF THE PROPERTY OF THE P		TOTAL:	2007	00.04
SOUTHWEST REAL	0003091087-2018-2018-0000	THE OWNER OF THE BUSINESS ALSO		8473	LSTACK	225 EDENBURG ST	YENIO	TAX			\$7,272.86	\$0.00
ESTATE SOLUTIONS INC	•	OWNS THE REAL ESTATE, COSTS FOR 1 FASEHOLD TMBBOWEMENTS			I	HENDERSONVILLE NC		LATE LIST FEE	\$49.87	\$498.71	\$498.71	\$498.71
		ARE NOT TAXABLE AS BLISTNESS				28791					4549 50	744.87
		PERSONAL PROPERTY. THIS IS ALSO					MOUNTAIN	TAX	\$105.92	\$105.92	\$105.92	\$248.58
		A LONG-TERM RENTAL, AND NOT					HOME FIRE					76.5014
		TAXABLE AS BUSINESS PERSONAL						DATE LIST FEE	\$10.59	\$10.59	\$10.59	\$10.59
		TROPER T.		The same of the sa				1			\$116.51	\$116.51
	0003091087-2019-2019-0000	THE OWNER OF THE BUSINESS ALSO	8 (8883)	8474	וכדמרול	בי ביווסואסטט פרר				ABSTRACT TOTAL:	\$665.09	\$665.09
		OWNS THE REAL ESTATE. COSTS				HENDERSONVILLE NC	COON	IAX IATE ITST FEE	\$386.15	\$386.15	\$386.15	\$386.15
		ARE NOT TAXABLE AS BLISTNESS				28791		TOTAL:	00:04	\$0.00	\$0.00	\$0.00
		PERSONAL PROPERTY. THIS IS ALSO					MOUNTAIN	TAX	\$82.60	\$82.60	\$82.60	\$88.15
		A LONG-TERM RENTAL, AND NOT TAXABI F AS BISTNESS DEDSONAL					HOME FIXE	LATE LIST FEE	\$0.00	OU U\$	9	
		PROPERTY.						TOTAL:		The second	\$82.60	\$0.00
										ABSTRACT	\$468.75	\$468.75
	0003091087-2020-2020-0000	THE OWNER OF THE BUSINESS ALSO	(\$75,716) 8	8475	STACK	225 EDENBURG ST	COUNTY	TAX	5474 77	TOTAL:		
		COWNS THE REAL ESTATE. COSTS			Ī	ENDERSONVILLE NC		LATE LIST FEE	\$42.48	17:17	11.4244	\$424.77
		ARE NOT TAXABLE AS BLISTNESS				28791		TOTAL	01.214	04.244	\$42.48	\$42.48
		PERSONAL PROPERTY. THIS IS ALSO					MOUNTAIN	ТАХ	\$90.86	\$90.86	\$90.86	\$90.86
		A LONG-TERM RENTAL, AND NOT					HOME FIRE	ATE I IST FEE	90	0		
		PROPERTY.						TOTAL	PO.C4	40.84	\$9.09	\$9.09
										ABSTRACT	\$567.20	\$567.20
										TOTAL:		

*
Č
2000
2
7
-
Ş
-
2
2
-
C
Sda
S
ă
نہ
5
ŏ
Q
U
4
Q
K
O
S
9
1
~
2
2
a
0
S
5

	SYORROW 138 NEEDLE LN COUNTY AND TAX SYO.25 SYO.26	125 EDENBURG ST TAX TAX S424.77 S4
HENDERGONATILE NC	HENDERSONVILLE NC 225 EDENBURG ST COUNTY TAX S90.86 S90.86 S90.86 LATE LIST FEE S90.96 S90.86 S90.86 S90.86 S90.86 S90.86 LATE LIST FEE S90.99 S90.90 LATE LIST FEE S90.99 S00.00 LATE LIST FEE S90.99 S00.00 TOTAL: ABSTRACT TOTAL: S42.88 S90.90 S90.90 S90.90 S90.90 TAX LATE LIST FEE S90.90 S90.90 S90.90 TAX LATE LIST FEE S90.90 S90.90 S90.90 S90.90 S90.90 S90.90 TAX LATE LIST FEE S90.90 S90.90 S90.90 TOTAL: ABSTRACT TOTAL: S42.88 S90.90 S	HENDERSONNILLE NC
TOTAL:	TAX S90.86 S90.	TAX S90.86 S90.
MOUNTAIN TAX \$90.86 \$90.90 \$9	TAX \$90.86 \$90.	MOUNTAIN TAX S467.26 S90.36 S90
LATE LIST FEE \$9.09 \$9.09 \$9.09	UATE LIST FEE \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.09 \$9.00 \$9.0	LATE LIST FEE \$9.09 \$9.09 \$9.09
COUNTY TAX S467.25 S50.00 S46.72 S50.20 S50.2	225 EDENBURG ST COUNTY TAX 8467.25 \$0.00 FIDNOERSONVILLE NC TOTAL: \$9467.25 \$0.00 FIDNOERSONVILLE NC TOTAL: \$9467.25 \$0.00 FIDNOERSONVILLE NC TOTAL: \$99.99 \$0.00 FIDNOERSONVILLE NC TOTAL: \$90.00 FIDNOERSON FIDNOERSONVILLE NC TOTAL: \$90.00 FIDNOERSON	TAX S467.25 S60.00 S467.
TAX Se6.25 Se6.20 Se6.22 Se6.20 Se6.22 Se6.20 Se6.22 Se6.20 Se6.22 Se6.20 Se6.22 Se6.	HENDERSONVILLE NC	Table Tabl
Table Tabl	138 NEEDLE LN COUNTY TAX \$467.25 \$6.00 \$9.99 \$0.00 \$0.99 \$0.00 \$0.99 \$0.90	The colony colony colony colon col
MOUNTAIN TAX S99.95 S0.00 \$46.72	MOUNTAIN TAX \$99.95 \$0.00	TOTAL:
MOUNTAIN TAX MOUN	MOUNTAIN TAX \$99.95 \$0.00	MOUNTAIN TAX MOUN
138 NEEDLE LN	138 NEEDLE LIN TAX \$93.25 \$0.00	HOME FIRE 138 NEEDLE LIN TAX 132.54 130.00 130.99 100.74C. 138 NEEDLE LIN TAX 132.54 132.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.00 133.54 133.
TOTAL: 138 NEEDLE LN COUNTY TAX \$52.54 \$6.00 \$50.39 \$100.94 \$100.94 \$13.80 \$100.94 \$100.94 \$13.80 \$100.94 \$1	LATE LIST FEE	TOTAL: 138 NEEDLE LN TAX \$22.54 \$0.00 \$50.99
138 NEEDLE LN COUNTY TAX \$53.25 \$0.00 \$52.31 \$109.94 \$13.80 \$13.25 \$10.00 \$13.25 \$10.00 \$13.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00 \$10.25 \$10.00	138 NEEDLE LN	138 NEEDLE LN COUNTY TAX \$22.54 \$0.00 \$23.51 HENDERSONVILLE NC COUNTY TAX \$6.96 \$0.00 \$32.54 HENDERSONVILLE NC COUNTY TAX \$52.75 \$0.00 \$52.72 138 NEEDLE LN COUNTY TAX \$52.75 \$0.00 \$52.72 28791 HOWE FIRE \$1.13 \$0.00 \$11.38 HOWE FIRE \$1.13 \$0.00 \$11.38 LATE LIST FEE \$1.13 \$0.00 \$11.38 LATE LIST FEE \$1.13 \$0.00 \$11.38 TOTAL: \$11.38 \$0.00 \$11.38 TOTAL: \$11.38 \$0.00 \$11.38 TOTAL: \$11.38 \$0.00 \$11.38 TOTAL: \$11.38 \$0.00 \$1.35 TOTAL: \$11.38 \$0.00 \$11.38 TOTAL: \$11.38 \$0.00 \$11.38 TOTAL: \$11.38 \$0.00 \$11.38 TOTAL: \$11.38 \$0.00 \$1.39 TOTAL: \$1.30 \$0.00 \$1.39 TOTAL: \$22.41 TOTAL: \$25.41 TOTAL: \$25.41
138 NEEDLE LN COUNTY TAX \$32.54 \$6.00 \$32.54 \$2.28 \$1.00 \$2.29 \$2.28 \$1.00 \$2.29 \$2.28 \$1.00 \$2.29 \$2.29 \$1.28 \$1.00 \$2.29 \$2.29 \$1.28 \$1.	138 NEEDLE LN	138 NEEDLE LN
138 NEEDLE LN COUNTY TAX \$532.54 \$0.00 \$32.54 \$2.25	138 NEEDLE LN TAX \$52.54 \$0.00	138 NEEDLE LN
HENDERSONVILLE NC	138 NEEDLE LN	138 NEEDLE LN TAX \$32.54 \$0.00 \$32.54 TOTAL: \$32.54 \$0.00 \$32.54 TOTAL: \$28791 TOTAL: \$28.79 \$0.00 \$32.54 TOTAL: \$28.79 \$0.00 \$32.54 TOTAL: \$28.79 \$0.00 \$23.55 TOTAL: \$28.79 \$0.00 \$23.55 TOTAL: \$27.05 \$0.00 \$20.70 \$20.00 \$20.70 TOTAL: \$28.79 TOTAL: \$28.79 TOTAL: \$28.79 TOTAL: \$28.79 TOTAL: \$28.70 \$20.00 \$21.28 \$20.00 \$21.28 \$20.00 \$21.28 \$20.00 \$21.28 \$20.00 \$21.28 \$20.40 TOTAL: \$21.38 \$20.40 \$21.34 \$20.40 TOTAL: \$20.41 \$20.42 \$20.41 \$20.42 \$20.41 \$20.42 \$20.41 \$20.42 \$20.41 \$20.42 \$20.41 \$20.
MOUNTAIN TAX \$6.96 \$0.00 \$3.25	MOUNTAIN TAX \$6.96 \$0.00	MOUNTAIN TAX \$6.96 \$0.00 \$3.25
TAX \$6.96 \$0.00 \$6.50	MOUNTAIN TAX \$6.96 \$0.00 TOTAL: 138 NEEDLE LN TAX \$52.72 \$0.00 TOTAL: TOT	TAX \$6.96 \$0.00 \$6.50
HOME FIRE SO.70 \$0.00 \$6.96 138 NEEDLE LN COUNTY TAX \$52.72 \$0.00 \$52.72 28791 MOUNTAIN TAX \$52.72 \$0.00 \$52.72 MOUNTAIN TAX \$11.28 \$0.00 \$11.28 HOME FIRE \$1.13 \$0.00 \$11.28 LATE LIST FEE \$1.13 \$0.00 \$11.95 LATE LIST FEE \$1.95 \$0.00 \$1.95 TOTAL: \$44.52 \$45.57 TOTAL: \$26.41	HOME FIRE	HOME FIRE S0.70 \$6.96
LATE LIST FEE \$0.70 \$0.70	LATE LIST FEE	LATE LIST FEE \$0.70 \$0.00 \$0.70
HENDERSONVILLE NC COUNTY TAX \$52.72 TOTAL: \$43.45 HENDERSONVILLE NC LATE LIST FEE \$5.27 \$0.00 \$52.72 HOME FIRE \$5.27 \$0.00 \$52.72 HOME FIRE \$11.28 \$0.00 \$11.28 HOME FIRE \$11.28 \$0.00 \$11.28 LATE LIST FEE \$11.13 \$0.00 \$11.28 LATE LIST FEE \$1.13 \$0.00 \$11.38 LATE LIST FEE \$1.13 \$0.00 \$11.35 TOTAL: \$19.49 \$0.00 \$19.49 FLAT ROCK NC 28726 TAX \$44.52 \$0.00 \$44.52 FIRE LATE LIST FEE \$1.45 \$0.00 \$44.52 TOTAL: \$25.44 ROCK NC 28726 TAX \$44.52 \$0.00 \$44.52 TOTAL: \$26.41	138 NEEDLE LN TAX S52.72 TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: TOTAL: S0.00 TOTAL: S1.128 S0.00 TOTAL: S1.128 S0.00 S0.0	TOTAL: ABSTRACT \$7.66
138 NEEDLE LN	138 NEEDLE LN COUNTY TAX \$52.72 TOTAL: 19.00	138 NEEDLE LN
138 NEEDLE LN	138 NEEDLE LN	138 NEEDLE LN
HENDERSONVILLE NC	HENDERSONVILLE NC 28791 MOUNTAIN TAX \$11.28 \$0.00 TOTAL: 156 SAPLING DR EAST COUNTY TAX 156 SAPLING DR EAST COUNTY TAX BLUE RIDGE TAX BLUE RIDGE TAX BLUE RIDGE TAX BLUE RIDGE TAX BLUE LIST FEE \$0.45 \$0.00 TOTAL:	HENDERSONVILLE NC
TOTALE TOTALE S57.59	156 SAPLING DR EAST COUNTY TAX \$11.28 \$0.00 156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 157 FEE \$1.95 \$0.00 157 FEE \$0.45 \$0.00 157 FEE \$0.00	TOTAL:
HOME FIRE	HOME FIRE S1.13 \$0.00	HOME FIRE S1.13 \$0.00 \$11.28
TOTALE S1.13 \$0.00 \$1.13 TOTALE TOTALE \$12.41	LATE LIST FEE \$1.13 \$9.00	TOTAL: S1.13 S0.00 S1.13
156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$113.45 FLAT ROCK NC 28726 LATE LIST FEE \$1.95 \$0.00 \$113.45 TOTAL: \$113.85 TOTAL: \$113.85 FLAT ROCK NC 28726 \$0.00 \$113.45 TOTAL: \$21.44 BLUE RIDGE TAX \$44.52 \$0.00 \$41.52 FIRE LATE LIST FEE \$0.45 \$0.00 \$4.52 FIRE LATE LIST FEE \$0.45 \$0.00 \$4.52 TOTAL: \$26.41 TOTAL: \$26.41	## ABSTRACT 156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 FLAT ROCK NC 28726 LATE LIST FEE \$1.95 \$0.00 TOTAL: TOTAL: TOTAL: LATE LIST FEE \$0.45 \$0.00 TOTAL: ABSTRACT TOTAL: TOTAL: TOTAL: TOTAL: TOTAL:	FLOTAL: \$12.41 ABSTRACT \$70.40 TOTAL: \$113.85 FLAT ROCK NC 28726 TOTAL: \$113.85 FLAT ROCK NC 28726 TOTAL: \$113.85 TOTAL: \$113.85 TOTAL: \$113.85 \$21.44 \$21.46 \$21.44 \$21.46 \$21.44 \$21.46 \$21.44 \$21.46 \$21.44 \$21.46 \$21.44 \$21.46 \$21.44 \$21.46 \$21.4
156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$13.49 FLAT ROCK NC 28726 LATE LIST FEE \$1.95 \$0.00 \$13.49 TOTAL: \$113.85 FLAT ROCK NC 28726 \$0.00 \$4.195 TOTAL: \$4.52 FIRE LATE LIST FEE \$0.45 \$0.00 \$4.52 FIRE LATE LIST FEE \$0.45 \$0.00 \$4.52 TOTAL: \$4.57	ABSTRACT TOTAL: 156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 FLAT ROCK NC 28726 LATE LIST FEE \$1.95 \$0.00 TOTAL: TOTAL: **TOTAL:** **TO	156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$13.49 FLAT ROCK NC 28726 LATE LIST FEE \$1.95 \$0.00 \$13.49 TOTAL: \$113.85 FLAT ROCK NC 28726 TOTAL: \$13.85 FIRE \$1.95 \$0.00 \$13.49 FIRE \$0.45 \$0.00 \$4.32 FIRE \$0.45 \$0.00 \$4.52 TOTAL: \$4.57 ABSTRACT \$26.41 TOTAL: \$26.41
156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$113.85 FLAT ROCK NC 28726 107AL: \$11.95 \$0.00 \$19.49 INTELIST FEE \$1.95 \$0.00 \$19.49 FIRE LIST FEE \$0.45 \$0.00 \$4.52 FIRE LATE LIST FEE \$0.45 \$0.00 \$4.52 IOTAL: \$4.52 ABSTRACT \$26.41 TOTAL:	## \$156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 FLAT ROCK NC 28726 1.074	156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$113.85 FLAT ROCK NC 28726 LATE LIST FEE \$1.95 \$0.00 \$19.49 TOTAL: \$113.85 TOTAL: \$113.85 \$21.44 BLUE RIDGE TAX \$4.52 \$0.00 \$4.52 FIRE LATE LIST FEE \$0.45 \$0.00 \$4.52 LATE LIST FEE \$0.45 \$0.00 \$4.52 TOTAL: \$56.41 TOTAL: \$26.41
156 SAPLING DR EAST	156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 FLAT ROCK NC 28726 107AL: BLUE RIDGE TAX \$4.52 \$0.00 107AL: FIRE LATE LIST FEE \$0.45 \$0.00 107AL: TOTAL: TOTAL:	156 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$113.85
136 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$19.49	136 SAPLING DR EAST COUNTY TAX \$19,49 \$0.00 FLAT ROCK NC 28726 LATE LIST FEE \$1.95 \$0.00 LOTAL: BLUE RIDGE TAX \$4.52 \$0.00 FIRE LATE LIST FEE \$0.45 \$0.00 LOTAL: TOTAL: TOTAL: TOTAL:	136 SAPLING DR EAST COUNTY TAX \$19.49 \$0.00 \$19.49
HUE RIDGE TAX \$4.52 \$0.00 \$1.95 BLUE RIDGE TAX \$4.52 \$0.00 \$4.52 FIRE LIST FEE \$0.45 \$0.05 \$0.45 TOTAL: \$7.57 ABSTRACT \$26.41 TOTAL: \$7.57	HATE LIST FEE \$1.95 \$0.00 BLUE RIDGE TAX \$4.52 \$0.00 FIRE LATELIST FEE \$0.45 \$0.00 TOTAL:	HUE RIDGE TAX \$4.52 \$0.00 \$1.95 BLUE RIDGE TAX \$44.52 \$0.00 \$4.52 FIRE LATE LIST FEE \$0.45 \$0.00 \$0.45 TOTAL:
TAX \$4.52 \$0.00 \$4.52 LATE LIST FEE \$0.45 \$0.00 \$0.45 TOTAL: \$45.97 ABSTRACT \$26.41 TOTAL:	TOTAL: \$4.52 \$0.00 LATE LIST FEE \$0.45 \$0.00 TOTAL: ABSTRACT TOTAL: TOTAL:	TAX \$4.52 \$0.00 \$4.52 LATE LIST FEE \$0.45 \$0.00 \$0.45 TOTAL: \$4.57 ABSTRACT \$4.57 TOTAL: \$4.57 \$4.57 ABSTRACT \$56.41 TOTAL: \$26.41
TAX \$4.52 \$0.00 \$4.52 LATE LIST FEE \$0.45 \$0.00 \$40.45 TOTAL: \$4.97 ABSTRACT \$26.41 TOTAL:	TAX \$4.52 \$0.00 LATE LIST FEE \$0.45 \$0.00 TOTAL:	TAX \$4.52 \$0.00 \$4.52 LATE LIST FEE \$0.45 \$0.00 \$0.45 TOTAL: \$4.97 ABSTRACT \$26.41 \$26.41 \$26.41
LATE LIST FEE \$0.45 \$0.00 \$0.45 TOTAL: \$4.97 ABSTRACT \$26.41 TOTAL:	LATE LIST FEE \$0.45 \$0.00 TOTAL: ABSTRACT TOTAL:	LATE LIST FEE \$0.45 \$0.00 \$0.45 TOTAL: \$4.97 ABSTRACT \$26.41 TOTAL: \$26.41
\$0.00 \$0.45 \$4.97 ABSTRACT \$26.41 TOTAL:	ABSTRACT TOTAL:	\$0.00 \$0.45 \$4.97 \$4.97 \$1.07 TOTAL: \$26.41
\$4.97 ABSTRACT \$26.41 TOTAL:	ABSTRACT TOTAL:	\$4.97 ABSTRACT \$26.41 TOTAL: \$26.41
\$26.41		\$26.41
** 300		\$26.41
	526.41	
	\$26.41	

HENDERSON COUNTY POLICY ON COUNTY GRANTS AND OTHER FUNDING FOR NON-PROFIT AND OTHER ORGANIZATIONS

Facts Leading to the Adoption of the Policy

- A. The North Carolina Constitution (Article I, Section 32) allows government funding only in consideration of "public services".
- B. The North Carolina General Statutes (N.C.G.S. §§ 153A-176 and 160A-279) only allows the county "to appropriate funds to any public or private entity which carries out a public purpose".
- C. North Carolina's courts have further amplified this: "direct . . . aid to a private enterprise, with only limited benefit accruing to the public, contravenes fundamental constitutional precepts." This is true whether that private enterprise is organized on a for-profit or not-for-profit basis.
- D. For an expenditure to serve a public purpose and not amount to an illegal gift, the expenditure must both be reasonably connected to a legitimate aim of government, and the ultimate gain must be the public's, not that of an individual or private entity.
- E. A proposed grant or other similar funding by Henderson County should not only meet the minimum requirements of North Carolina, stated above, but should also advance a specific goal identified by the County's Board of Commissioners.
- F. Certain grants are made by the County with funding from the Federal government, and as such may require compliance with Federal policies and procedures as well as (in every case) those required by the State of North Carolina.
- G. A clear policy on grants and other funding would benefit not only the entities applying for such funding, but also this Board in determining which funding should be granted, Henderson County staff in implementing such grants, and the citizens of Henderson County in providing a transparent and fair process.

Policy

Application Process:

- 1. Any public or private entity, whether for profit or non-profit, which desires to receive funding from the County during the County's upcoming fiscal year must apply for such funding on a year-by-year basis. Renewals from year to year will not be automatic absent approval of a specific term contract by the Board of Commissioners.
- 2. All funding will be made based on the County's fiscal year, running July 1 to June 30.
- 3. Applications for funding must be completed on an online or other form supplied by the County. The applications will require a copy of the applicant's financial records (including income statements, payroll (including salaries for officers and directors), and complete disclosure of assets and debts of the organization.

- 4. County staff will provide forms for application by not later than September 15 prior to the beginning of the fiscal year for which funding is sought.
- 5. County staff will be available for consultation with those considering apply for funds to assist in completion of the application forms.
- 6. Completed applications must be received by the County by not later than November 30 prior to the fiscal year for which funding is sought. Applications received after the deadline will not be considered for funding. It shall be the responsibility of the requesting agency to ensure that applications have been received by County staff.
- 7. County staff will evaluate the completed applications and provide (i) the applications and (ii) a list of recommended recipients to the Board of Commissioners for the Board's consideration at their annual budget retreat.
- 8. As a part of their budget retreat, the Board of Commissioners will provide guidance to the County staff as to its selection of recipients and funding maximums to be included in the County Manager's recommended budget received in May prior to the fiscal year for which funding is sought.

Other Requirements:

- 9. Any funding granted is subject to a complete audit. If an entity has received County funding in the past, it may be subject to audit on such prior funding prior to disbursement of any newly approved County funds.
- 10. Any funding granted will be pursuant to a contract containing standard provisions for all recipients. That contract must be executed by the recipient and approved by the Board of Commissioners prior to the release of any funding. A copy of those provisions will be available at the same time that applications are available.

Henderson County North Carolina

Before the Board of Commissioners

Amendment to Administrative Manual -- Records Retention

BOARD OF COMMISSIONERS ENACTMENT 2023- 47

The Board of Commissioners hereby enacts the following policy regarding *Grants and Other Funding for Non-Profit Organizations*.

Enacted the 4th day of 1001, 2023.

HENDERSON COUNTY BOARD OF COMMISSIONERS

REBECCA McCALL, Chair

Attest:

Denisa Lauffer, Clerk to the Board

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 3, 2023

SUBJECT: Budget Amendment - Cemetery Brochure Grant

PRESENTER: Toby Linville, Floodplain Administrator

ATTACHMENTS: Yes

1. Budget Amendment

SUMMARY OF REQUEST:

The Henderson County Cemetery Advisory Committee (CAC) maintains a cemetery brochure originally created by the Heritage Museum. The brochure is available at the Genealogical Society, the Heritage Museum and the Tourism Development Authority (TDA). The TDA was low on brochures and explained marketing grant funding. The Cemetery Advisory Committee, which is staffed by Code Enforcement, was awarded the marketing grant May 4, 2022.

BOARD ACTION REQUESTED:

The Board is requested to approve the attached budget amendment as presented, to accept the grant funding.

Suggested Motion:

I move the Board approve the budget amendment from the TDA to Code Enforcement for updated Cemetery Brochures.

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE:

April 3, 2023

SUBJECT:

State Budget Allocation – SL-2022-74 – Budget Amendment

PRESENTERS:

Samantha R. Reynolds, Finance Director

ATTACHMENTS:

Yes

1. Budget Listing

2. Approved Project Listing

SUMMARY OF REQUEST:

Henderson County has received a \$1,000,000 State Budget Allocation. This allocation has been made as directed by the NC General Assembly pursuant to Session Law 2022-74 for local government projects to be used for public purposes. The Board selected projects to fund with the State Budget Allocation totaling \$1,095,000 on February 6, 2023. The required Scope of Work has been submitted to the NC Office of State Management and Budget and the full funding has been received by the County.

Staff is requesting the Board approve a Budget Amendment to recognize receipt of the funding and transfer anticipated project costs over the \$1,000,000 State Budget Allocation from the Capital Reserve Fund.

BOARD ACTION REQUESTED:

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

Suggested Motion:

I move the Board approve the budget amendment as presented.

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE:

April 3, 2023

SUBJECT:

Local Assistance and Tribal Consistency Fund Purchase

PRESENTER:

Jimmy Brissie, Emergency Services Director

ATTACHMENTS:

Yes

Budget Amendment
 Quote from Vendor
 N.C.G.S. 143-129 (e)(6)

4. Sole Source Confirmation from Vendor

SUMMARY OF REQUEST:

During 2021 the American Rescue Plan allocated Local Assistance and Tribal Consistency Funds (LATCF) to eligible revenue sharing counties and eligible Tribal governments for FY22 and FY23. These funds may be used for any eligible purpose, which includes disaster response and recovery activities. In total, \$100,000 was awarded to Henderson County.

During 2021 a large disaster response shelter owned by Henderson County was damaged during operations. An evaluation by the repair facility indicated the structure was unrepairable. This drive through shelter has been used for distribution of commodities during disasters, as a portable shelter for community events and in response to emergencies. With this capability lost a replacement shelter system was included in the four-year plan. During a review of potential projects for LATCF funding this project was selected for submission.

Staff solicited proposals for a drive through shelter system compatible with existing shelters. The proposed system includes a shelter (sized for two cars) and a self-contained trailer with generator and HVAC system. This system also includes the necessary connections to integrate into the County's remaining shelters as well as shelters in use by counties across Western North Carolina.

The Board is requested to allocate LATCF funds for the project and approve the attached bid proposal and authorize staff to proceed with the procurement of an Emergency Support Tent and Accessories for Henderson County Emergency Management via the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6). Additional funds will be allocated from the Emergency Management budget for the remaining costs of this project.

The sole bid was received from DLX Enterprises for a total price of \$113,733.07. They are the only authorized dealer in the United States for their series of Tents and Accessories specifically needed to match existing tents in the County's inventory as well as those in use by surrounding counties. By purchasing from the same vendor, we will insure compatibility with existing tents and accessories.

BOARD ACTION REQUESTED:

The Board is requested to allocated funds for the project, authorize the necessary budget amendments, accept the bid proposal from DLX Enterprises and authorize Henderson County staff to proceed with the purchase of an emergency support tent and accessories using the sole source exception to formal bidding as allowed under N.C.G.S 143-129 (e)(6).

Suggested Motion:

I move the Henderson County Board of Commissioners allocate the LATCF and local funds for the project, authorize the necessary budget amendments and award the purchase contract for an emergency support tent and accessories to the sole bidder, DLX Enterprises for \$113, "33.0" 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).

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 3, 2022

SUBJECT: Budget Amendment – Revolving Vehicle Fund

PRESENTERS: Samantha R. Reynolds, Finance Director

ATTACHMENTS: Yes

1. Budget Amendment

SUMMARY OF REQUEST:

The revolving vehicle fund, accounted for within the Capital Projects Funds is a multi-year fund where Board approved vehicle purchases will be purchased, funded by General Fund dollars via the annual budget ordinance. This fund allows purchases that span fiscal years to remain encumbered and reduce the administrative burden of annually appropriating fund balance to roll purchases forward.

The Board is requested to approve a Budget Amendment, appropriating and transferring \$1,335,794 in fund balance from the General Fund to the Capital Projects Fund. These funds will be used to position three ambulances, 12 vehicles for Sheriff's fleet and 4 vehicles for Detention's fleet for purchase in FY24. Positioning is essential now in order to secure delivery within FY24 due to significant lead times on delivery. Also, ordering earlier avoids pricing increases effective on later models.

BOARD ACTION REQUESTED:

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

Suggested Motion:

I move the Board approve the budget amendment as presented, transferring funds from General to the Capital Projects Fund.

Approved Project listing for \$1M State Budget Allocation (SL-2022-74)

OSBM/Local Government Projects - nonrecurring funds for the 2022-2023 fiscal year shall be used to provide directed grants...for public purposes.

Project Name	Project Description	Estimated Cost
Library Windows	Renovate and replace from windows and façade for Main Library	400,000.00
DHHS Drainage	DHHS Drainage Phase 1 - Human Services	140,000.00
JP Paving	Repave main lot and Chat Jones Lot - Jackson Park	200,000.00
DHHS Drainage	DHHS Drainage Phase 2 - Human Services	155,000.00
EMSHQ parking	EMSHQ Gravel area, garage, expansion and fencing	200,000.00
		1,095,000.00



Department:	Recreation/Finance		
Please make ti	ne following line-item transfers:		
What expense	e line-item is to be increased	1?	
	Account	Line-Item Description	Amount
	405400-554000-2056	Capital Outlay - Land & Imp.	<u>\$139,567</u>
	115980-598040	Transfer to Capital Project Fund	\$30,000
What expense	expected?		
	Account	Line-Item Description	A mount
	404400-481001-2056	Interest Earned	\$1,774
	404400-492016-2056	Miscellaneous Donations	\$107,793
	404400-403500-2056	Transfer from General Fund	\$30,000
	115612-538100	Professional Services	\$30,000
	NDMENT FOR TRANSFER OF RESTRICTED GRANT FUNDS,	ntion for this line-item transfer request, FUNDS GRANTED BY ADDITIONAL LO AND ADDITIONAL FUNDING FROM TH	
Budget		4/3/2023	
	Department Head	4/3/2023 Date	
•	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		For Budget Use Only Batch #
Authorized by	Budget Office	Date .	BA #
Authorized by	County Manager	Date	Batch Date

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

SUBGRANT AGREEMENT

This Agreement is entered into between the County of Henderson, a body corporate and politic of the State of North Carolina (the "County") and Friends of Ecusta Trail, Inc., a North Carolina non-profit corporation ("FOET").

Background

- A. North Carolina's budget for fiscal year 2021-22 (North Carolina Session Law 2021-180, as later modified by North Carolina's 2022 budget act, House Bill 103 as enacted) provides for "development of the Ecusta trail" (the "Project"), and allocates to FOET the sum of \$100,000 (the "Allocation") for the same.
- B. North Carolina and FOET have entered into an agreement (North Carolina Office of State Budget and Management agreement #30351, hereafter the "OSBM Agreement", which is attached hereto and incorporated herein by reference) in furtherance of the Project and the Allocation.
- C. The parties acknowledge that the Allocation is all of the funding to be provided for the Project, and that the County will receive 97.5% of the Allocation for the Project, and that FOET will be entitled to the remaining 2.5% for administering the Project under this Subgrant Agreement.
- D. This Subgrant Agreement (the "Agreement") is done in furtherance of the Project and the Allocation.

Agreement

- 1. The County shall provide and/or provide for the provision of all the services covered by the OSBM Agreement. These services shall specifically accomplish the Project as provided in Attachment A of the OSBM Agreement.
- 2. The County shall provide to FOET all the documentation provided for the OSBM Agreement, as follows:
 - A. W-9/Electronic Payment/Vendor Verification form.
 - B. Conflict of interest statement pursuant to N.C. Gen. Stat. §143C-6-23(b).
- 3. The County shall provide to the FOET at least monthly verified documentation of all expenditures of time and money for the Project, including but not limited to the following:

The parties have executed the same, the date and year appearing next to the signature of their duly and expressly authorized agent, below.

COUNTY OF HENDERSON

President

By: JOHN MITCHELL County Manager	Date: 4/4/23
FRIENDS OF THE ECUSTA TRAIL, INC.	
By:	Date:

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

SUBGRANT AGREEMENT

This Agreement is entered into between the County of Henderson, a body corporate and politic of the State of North Carolina (the "County") and Friends of Ecusta Trail, Inc., a North Carolina non-profit corporation ("FOET").

Background

- A. North Carolina's budget for fiscal year 2021-22 (North Carolina Session Law 2021-180, provides for "development of the Ecusta trail" (the "Project"), and allocates to FOET the sum of \$500,000 (the "Allocation") for the same.
- B. North Carolina and FOET have entered into an agreement North Carolina Department of Natural and Cultural Resources, hereafter the "DNCR Agreement", which is attached hereto and incorporated herein by reference) in furtherance of the Project and the Allocation.
- C. The parties acknowledge that the Allocation is all of the funding to be provided for the Project, and that the County will receive 97.5% of the Allocation for the Project, and that FOET will be entitled to the remaining 2.5% for administering the Project under this Subgrant Agreement.
- D. This Subgrant Agreement (the "Agreement") is done in furtherance of the Project and the Allocation.

Agreement

- I. The County shall provide and/or provide for the provision of all the services covered by the DNCR Agreement. These services shall specifically accomplish the Project as provided in Attachment A of the DNCR Agreement.
- 2. The County shall provide to FOET all the documentation provided for the DNCR Agreement, as follows:
 - A. W-9/Electronic Payment/Vendor Verification form.
 - B. Conflict of interest statement pursuant to N.C. Gen. Stat. §143C-6-23(b).
- 3. The County shall provide to the FOET at least monthly verified documentation of all expenditures of time and money for the Project, including but not limited to the following:
- A. All documentation required of a "subgrantee" pursuant to N.C. Gen. Stat. §143C-6-23 and regulations adopted thereunder.

The parties have executed the same, the date and year appearing next to the signature of their duly and expressly authorized agent, below.

COUNTY OF HENDERSON

By: John MITCHELL County Manager	Date: 4/4/23
FRIENDS OF THE ECUSTA TRAIL, INC.	
By: MARK B. TOOLEY President	Date:



BOARD OF COMMISSIONER ENACTMENT 2023- 59

RESOLUTION OF CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

WHEREAS, pursuant to N.C. General Statute §160D, Article 1, the Henderson County Board of Commissioners exercises regulations relating to development within the County's jurisdiction; and

WHEREAS, the Henderson County Board of Commissioners (Board) adopted the Land Development Code (LDC) on September 19, 2007 and has amended the LDC to address new and changing issues;

WHEREAS, the Board desires to update and revise the regulations of the LDC; and

WHEREAS, the Planning Director and Planning Board provided recommendations regarding the proposed zoning map amendment with case #R-2023-02-C; and

WHEREAS, pursuant to N.C. General Statute §160D-601, the Planning Director provided the prescribed public notice and the Board held the required public hearing on April 3, 2023; and

WHEREAS, N.C. General Statute §160D-605 requires the Board to adopt a statement of consistency with the County Comprehensive Plan (CCP); and

NOW THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

- 1. That the Board reviewed the proposed map amendment (#R-2023-02-C The Farmhouse at Tap Root) and finds that it is reasonable, in the public interest and it is consistent with the CCP and the Growth Management Strategy located therein; and
- 2. That the Board determines that the proposed map amendment provides for the sound administration of the LDC while balancing property rights and promoting reasonable growth within the County; and
- 3. That this Resolution shall be retained in the Office of the Clerk to the Board of Commissioners.

THIS the 3rd day of April 2023.

HENDERSON COUNTY BOARD OF COMMISSIONERS

Rebecca McCall Chairman

ATTEST:

Denisa Lauffer, Clerk to the Board

JCOUNTY SEAL



Please make the following line-item transfers: What expense line-item is to be increased? Account Line-Item Description Amount 405400-551000-9049 CAPITAL OUTLAY - EQUIPMENT \$113,734 115980-598040 GF: TRANSFER TO CAPITAL PROJECTS FUND \$13,734 What expense line-item is to be decreased? Or what additional revenue is now expected?
Account Line-Item Description Amount 405400-551000-9049 CAPITAL OUTLAY - EQUIPMENT \$113,734 115980-598040 GF: TRANSFER TO CAPITAL PROJECTS FUND \$13,734 \$127,468
405400-551000-9049
115980-598040 GF: TRANSFER TO CAPITAL PROJECTS FUND \$13,734 \$127.468
\$127.468
What expense line-item is to be decreased? Or what additional revenue is now expected?
What expense intertent is to be decreased: Or what additional revenue to non-expected.
Account Line-Item Description Amount
404400-454031-9049 LATCF - FEDERAL FUNDING \$100,000
404400-403500-9049
115433-521201 EM: BALLISTIC VESTS \$2,500
115433-521201 EM: BALLISTIC VESTS \$2,500 115433-526000 EM: DEPT SUPPLIES AND MATERIALS \$3,734
115433-526020 EM: DEPT SUPPLIES AND IMATERIALS \$3,734 115433-526020 EM: DEPT SUPPLIES - NONEXPENDABLE \$2,500
115433-538100 EM: PROFESSIONAL SERVICES \$5,000
210 100 0001V
\$127.469
\$127.468 Justification: Please provide a brief justification for this line-item transfer request. \$0
TO BUDGET FOR LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND (LATCF) FUNDING FOR FY2023. BOC APPROVED 4.3.2023
Authorized by Department Head Date
For Budget Use Only
Batch #
Authorized by Budget Office Date BA #
Batch Date

Date

Authorized by County Manager



Department:	FINANCE			
Please make the	e following line-item transfers:			
What expense	e line-item is to be increased?			
	Account 405400-535100-9060	Line-Item Description MAINT & REPAIR - BLDGS AND GROUNDS	Amount \$1,095,000	
	215400-598040	TRANSFER TO CAPITAL PROJECTS FUND	\$95,000	
What expense	line-item is to be decreased?	? Or what additional revenue is now expected?		
	Account 404400-454029-9060 404400-402100-9060	Line-Item Description STATE BUDGET ALLOCATION TRANSFER FROM CAPITAL RESERVE FUND	Amount \$1,000,000 \$95,000	
	214400-401000	CAPITAL RESERVE: FUND BALANCE APPROPRIATED	\$95,000	
				\$0
Justification: TO BUDGET FO		ion for this line-item transfer request. N (SL-2022-74). PROJECTS APPROVED BY THE BOC 2.6.2023.	. BOC APPROVED 4.3.2023.	
Authorized by Department Head		Date	For Budget Use O	inly
Authorized by E	Budget Office	Date	BA #	
Authorized by (County Manager	 Date	Datch Date	_



Department:	Code Enforcement		_
Please make th	he following line-item transfers:		
What expense	e line-item is to be increased	1?	
	Account 115492-522600	Line-Item Description Printing and Binding	Amount \$1,694
What expense	∃ line-item is to be decreased	d? Or what additional revenue is now e	
	Account	Line-Item Description	Amount
	114492-454019 115492-526000	Local Miscellaneous Grants Departmental Supplies	<u>\$1,500</u> \$194
Justification Appropriates f		ntion for this line-item transfer request. Inting cemetery brochures. Approved by	the Board April 3, 2023.
Budget		4/3/2023	_
Authorized by	Department Head	Date	For Budget Use Only Batch #
Authorized by	Budget Office	Date	BA # Batch Date
Authorized by	County Manager	Date	



Department:	FINANCE					
Please make the	e following line-item transfers:					
What expense	line-item is to be increased?					
	Account 115980-598040	Line-Item Description TRANSFER TO CAPITAL PROJECTS FUND	\$	Amount 1,335,794		
	405400-553000-5530	CAPITAL OUTLAY - VEHICLES	\$	1,335,794	1	
					\$2,671,588	
What expense	line-item is to be decreased?	Or what additional revenue is now expected?				
	Account 114990-401000	Line-Item Description GENERAL FUND: FUND BALANCE APPROPRIATED	\$	Amount 1,335,794		
	404400-403500-5530	TRANSFER FROM GENERAL FUND	\$	1,335,794		
			-			
Justification:	Please provide a brief justification	on for this line-item transfer request.			\$2,671,588	\$0
		VEHICLES EXPECTED TO BE PURCHASED IN FY24. BOC	APPRO	VED 4.3.2023		of the second
Authorized by D	Department Head	Date				
				For Bud	lget Use Only	
Authorized by B	Budget Office	Date		BA # _		
Authorized by C	County Manager	Date	I	Batch Date _	100 Big (100	

Prepared by: Return to: Duke Energy Carolinas, LLC Duke Energy Carolinas, LLC

Attn: Amanda Morgan 136 Windover Dr. Forest City, NC 28043 Parcel # 9670945653 9670933731

EASEMENT

State of North Carolina County of Henderson

THIS EASEMENT ("Easement") is made this day of 2023, from HENDERSON COUNTY BOARD OF PUBLIC EDUCATION, a local education agency, HENDERSON COUNTY BOARD OF EDUCATION, a local education agency, and COUNTY OF HENDERSON, a body corporate and politic, ("Grantor", whether one or more), to DUKE ENERGY CAROLINAS, LLC, a North Carolina limited liability company ("Grantee").

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "Facilities").

Grantor is the owner of that certain property described in that instrument recorded in Deed Book 1431, Page 253, and Deed Book 1431, Page 257, and Deed Book 1431, Page 696, and Deed Book 765, Page 345, and Deed Book 768, Page 95, and Deed Book 770, Page 172, and Deed Book 770, Page 894, and Deed Book 824, Page 213, Henderson County Register of Deeds ("Property").

The Facilities shall be underground, except as needed on or above the ground to support the underground Facilities, and located in, upon, along, under, through, and across a portion of the Property within an easement area described as follows:

For Grantee's Internal Use: Work Order #: 48392455-30

Page 1 of 5

A strip of land twenty feet (20') in uniform width, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

- 1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
- 2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
- 3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
- 4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
- 5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
- 6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
- 7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein. Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
- 8. The rights granted in this Easement include the right to install Facilities wherever needed on the Property to serve future development on the Property and adjoining lands. Portions of the Facilities may be installed immediately and other portions may be installed in the future as the need develops. Facilities installed in the future shall be installed at locations mutually agreeable to the parties hereto if they are to be located outside of the Easement Area. Upon any future installations of Facilities at mutually agreed locations, the Easement Area shall be deemed to include such future locations.
- 9. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF,	Grantor has signed this Easo	ement under seal effec	ctive this day of
	HENDERSON	N COUNTY BOARD	OF PUBLIC EDUCATION
	Name of Signer	r and Title	(SEAL)
Attest:			
Name & Title			
STATE OF			
COUNTY OF			
I,	, a Notary Public of		County, State of
, cert	ify that	persona	ally appeared before me this day
and acknowledged that he/she is	of HENDE	RSON COUNTY BO	ARD OF PUBLIC EDUCATION
a local education agency, and that by	authority duly given and as	the act of said HEND	ERSON COUNTY BOARD OF
PUBLIC EDUCATION, the foregoing	g EASEMENT was signed	in its name by its	sealed with its
official seal, and attested by herself/hi	mself as its	<u></u> .	
Witness my hand and notarial seal, thi	s day of	, 20	
	Notary Pul	olic:	
	Commissio	on expires:	

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this 29th day of march. 2023.
HENDERSON COUNTY BOARD OF EDUCATION Ame of Signer, Title
Attest:
Name & Title STATE OF Morth Carolina COUNTY OF Menderson
I. <u>Abruch. Molton</u> , a Notary Public of <u>Henderson</u> County, State of Morth Carolines, certify that <u>Mark Harrett</u> personally appeared before me this day and acknowledged that he/she is <u>Superintendent</u> of HENDERSON COUNTY BOARD OF EDUCAITON, a
ocal education agency, and that by authority duly given and as the act of said HENDERSON COUNTY BOARD OF
EDUCATION, the foregoing EASEMENT was signed in its name by its Board Chair , sealed with its
official seal, and attested by herself/himself as its secretary ? Witness my hand and notarial seal, this Hay of March . 20 23.
Notary Public: Roya W. Molton Commission expires: September 3rd 2025

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this 44 day of day of , 2023.
COUNTY OF HENDERSON A body corporate and politic Referred Mall Chairman All Name & Title Henderso County Board of Commissionic STATE OF North Carolina COUNTY OF HENDERSON A body corporate and politic Referred Mall Chairman All Name & Title Henderson COUNTY OF HENDERSON A body corporate and politic Referred Mall Chairman All Name & Title Henderson COUNTY OF HENDERSON A body corporate and politic Referred Mall Chairman All Name & Title Henderson COUNTY OF HENDERSON A body corporate and politic
I, <u>Kathryn L. Finotti</u> , a Notary Public of <u>Henderson</u> County, State of <u>North Carolina</u> , certify that <u>Denis a A. Laufler</u> personally appeared before me this day and acknowledged that he/she is <u>Clerk to the Board</u> of COUNTY OF HENDERSON, and that by authority duly given and as the act of said, the foregoing EASEMENT was signed in its name by its <u>Chairman to the</u> sealed with its official seal, and attested by herself/himself as its <u>Clerk to the Board</u> Witness my hand and notarial seal, this <u>4th</u> day of <u>April</u> , 20 33.
Notary Public: Athurn L. Junotti Commission expires: 3-23-28

Prepared by:

Duke Energy Carolinas, LLC Duke Energy Carolinas, LLC

Return to:

Attn: Amanda Morgan 136 Windover Dr. Forest City, NC 28043 Parcel # 9670945653

9670933731

EASEMENT

State of North Carolina County of Henderson

THIS EASEMENT ("Easement") is made this day of 2023, from HENDERSON COUNTY BOARD OF PUBLIC EDUCATION, a local education agency, HENDERSON COUNTY BOARD OF EDUCATION, a local education agency, and COUNTY OF HENDERSON, a body corporate and politic, ("Grantor", whether one or more), to DUKE ENERGY CAROLINAS, LLC, a North Carolina limited liability company ("Grantee").

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "Facilities").

Grantor is the owner of that certain property described in that instrument recorded in Deed Book 1431, Page 253, and Deed Book 1431, Page 257, and Deed Book 1431, Page 696, and Deed Book 765, Page 345, and Deed Book 768, Page 95, and Deed Book 770, Page 172, and Deed Book 770, Page 894, and Deed Book 824, Page 213, Henderson County Register of Deeds ("Property").

The Facilities shall be underground, except as needed on or above the ground to support the underground Facilities, and located in, upon, along, under, through, and across a portion of the Property within an easement area described as follows:

For Grantee's Internal Use: Work Order #: 48392455-30 A strip of land twenty feet (20') in uniform width, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

- 1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
- 2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
- 3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
- 4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
- 5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
- 6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
- 7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein. Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
- 8. The rights granted in this Easement include the right to install Facilities wherever needed on the Property to serve future development on the Property and adjoining lands. Portions of the Facilities may be installed immediately and other portions may be installed in the future as the need develops. Facilities installed in the future shall be installed at locations mutually agreeable to the parties hereto if they are to be located outside of the Easement Area. Upon any future installations of Facilities at mutually agreed locations, the Easement Area shall be deemed to include such future locations.
- 9. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF , Gra, 20	intor has signed this Ea	asement under seal effec	ctive this day of
	HENDERSO	ON COUNTY BOARD	OF PUBLIC EDUCATION
	Name of Sigr	er and Title	(SFAL)
Attest:			
Name & Title	_		
STATE OF	-		
COUNTY OF	-		
1,	_, a Notary Public of		County, State of
, certify	that	person	ally appeared before me this day
and acknowledged that he/she is	of HENE	ERSON COUNTY BO	ARD OF PUBLIC EDUCATION
a local education agency, and that by aut	hority duly given and	as the act of said HEND	DERSON COUNTY BOARD OF
PUBLIC EDUCATION, the foregoing E	ASEMENT was signe	d in its name by its	sealed with its
official seal, and attested by herself/hims	elf as its		
Witness my hand and notarial seal, this _	day of	, 20	·
	Notary F	Public:	
	Commis	sion expires:	

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this 29 th day of much., 20 23.
HENDERSON COUNTY BOARD OF EDUCATION
Name of Signer, Title (SEAL)
Attest:
Name & Title State OF Morth Carolina COUNTY OF Menderson
COUNTY OF Menderson
I. <u>South. Molton</u> , a Notary Public of <u>Henderson</u> County, State of <u>Morth Carolines</u> , certify that <u>Mark Harrett</u> personally appeared before me this day and acknowledged that he/she is <u>Superintendent</u> of HENDERSON COUNTY BOARD OF EDUCAITON, a
local education agency, and that by authority duly given and as the act of said HENDERSON COUNTY BOARD OF
EDUCATION, the foregoing EASEMENT was signed in its name by its Board Chair, sealed with its
official seal, and attested by herself/himself as its sleretary. Witness my hand and notarial seal, this 24 day of 2023.
Name of the State of Molton

Commission expires: September 3rd, 2025

IN WITNESS WHEREOF, Grantor has , 2023.	signed this Easement under seal effective this 44 day of
Affest: Name & Title STATE OF North Carolina COUNTY OF Herderson	COUNTY OF HENDERSON A body corporate and politic Rebeur Mall Chairmaneal Name & Title Henderse County Board of Commissionics
and acknowledged that he/she is Clerk 4044 duly given and as the act of said, the foregoing I sealed with its official seal, and attested by herse	and the second s
Witness my hand and notarial seal, this 4th day	of <u>April</u> , 20 <u>23</u> .
HOTARY SE	Notary Public: Asklym & Sunotti Commission expires: 3-23-28

North Carolina Before the Board of Commissioners

RESOLUTION

BOARD OF COMMISSIONERS ENACTMENT March 1, 2023- 56_

WHEREAS, Henderson County is the owner of a certain parcel of real estate (the "real estate") located directly across Half Circle Lane from the U.S. Highway 25N (Asheville Highway) station of the Mountain Home Fire & Rescue Department Incorporated ("MH"); and,

WHEREAS, the real estate was acquired by the North Carolina Department of Transportation and later conveyed to the County at no cost to the County; and,

WHEREAS, MH performs valuable fire protection services for the County; and,

WHEREAS, the County has no need to own the real estate; and,

WHEREAS, ownership of the real estate would be beneficial to MH; and,

WHEREAS, pursuant to N.C. Gen. Stat. §160A-277, the County can convey the real estate to MH for no monetary consideration.

NOW, THEREFORE, BE IT RESOLVED that the County shall convey the real estate to MH at no monetary consideration.

Adopted this the 44 da

day of April, 2023.

HENDERSON COUNTY

REBECCA McCALL, Chair

Henderson County Board of Commissioners

1 1. 1. 1. 1. 1. 1.

Me Board of Commissioners

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 3, 2023

SUBJECT: Budget Amendment – All Inclusive Playground

PRESENTER: Christopher Todd, Business and Community Development Director

ATTACHMENTS: Yes

1. Budget Amendment

SUMMARY OF REQUEST:

The Board is requested to approve a Budget Amendment to recognize additional local donations from the Community Foundation of Henderson County, interest earned on restricted grant funding, and additional funding from the general fund for the Jackson Park Playground project.

BOARD ACTION REQUESTED:

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

Suggested Motion:

I move the Board approve the budget amendment as presented.