

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.

Approved:

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

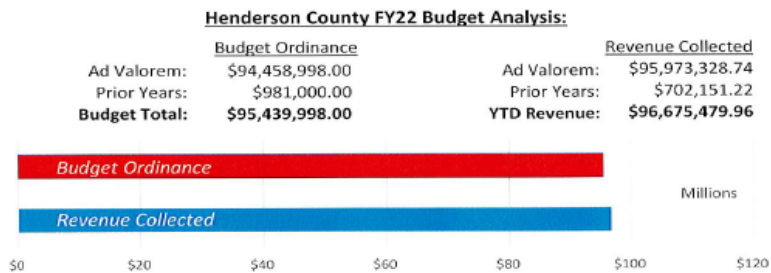
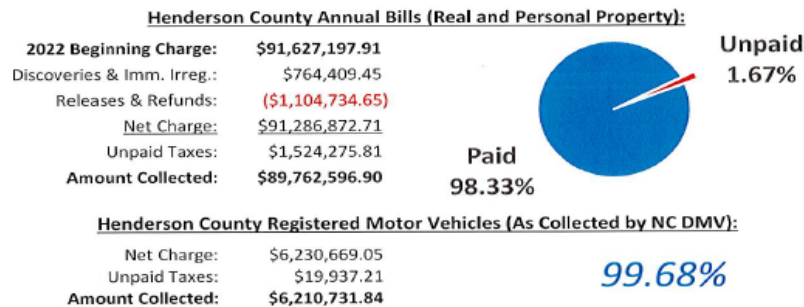
Motion:

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 – 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).

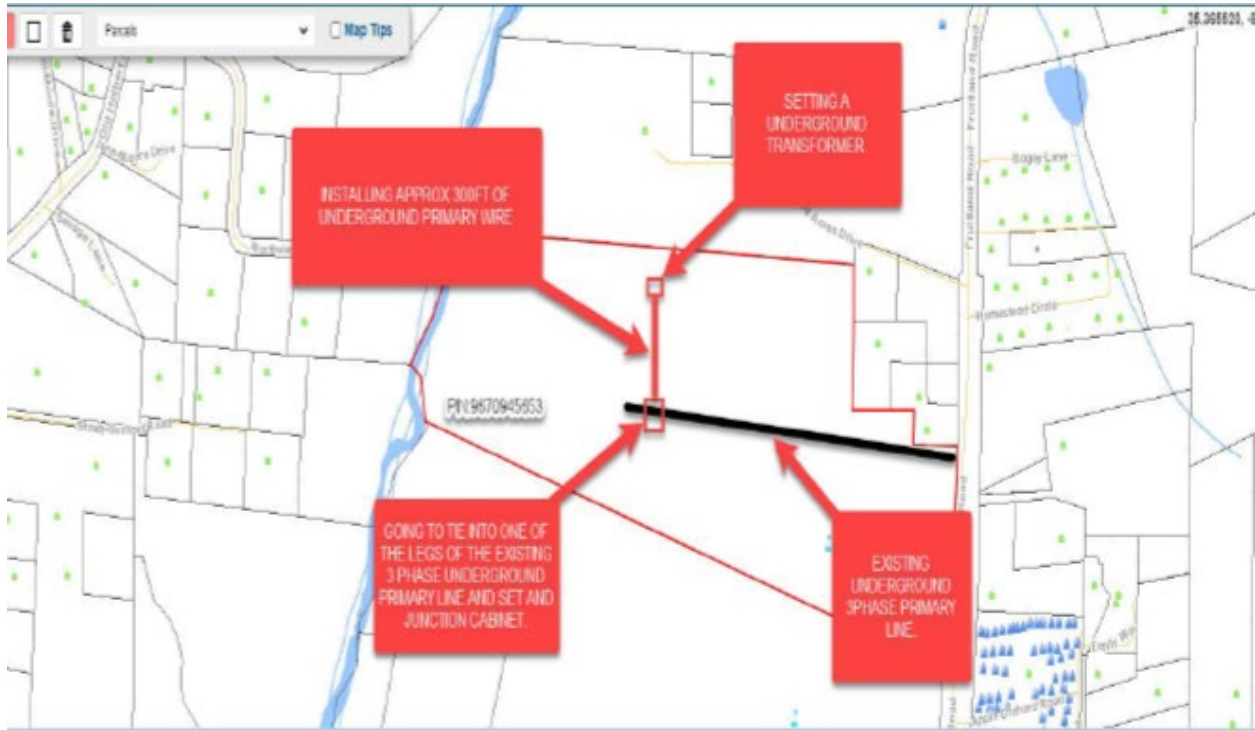
Motion:

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 29th, 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.

**Re-zoning Application # _____
Johnston Family Group, Owner**

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):
 - a. 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 I-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 its 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.

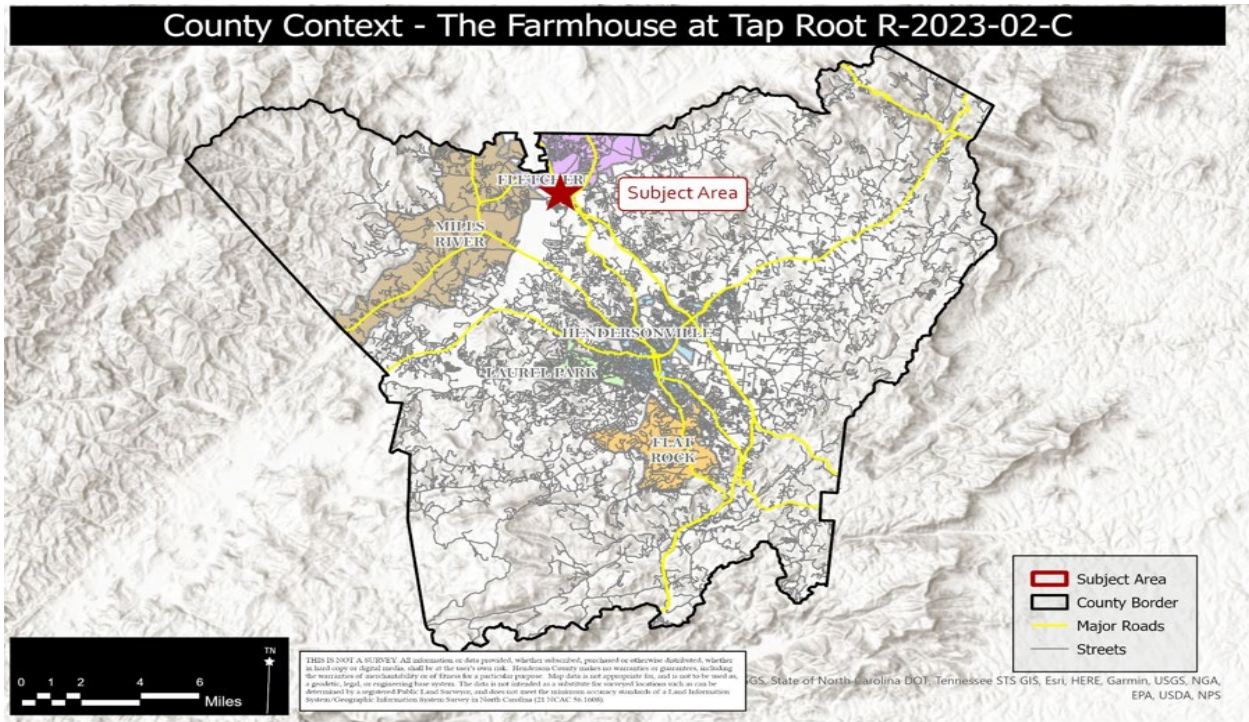
Failure to comply with any of the provisions of the conditional zoning ordinance or the Henderson County LDC, or other applicable provisions of the County ordinances, shall subject the applicant or its successors to penalties at law or in equity as provided for in the Henderson County LDC, other County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

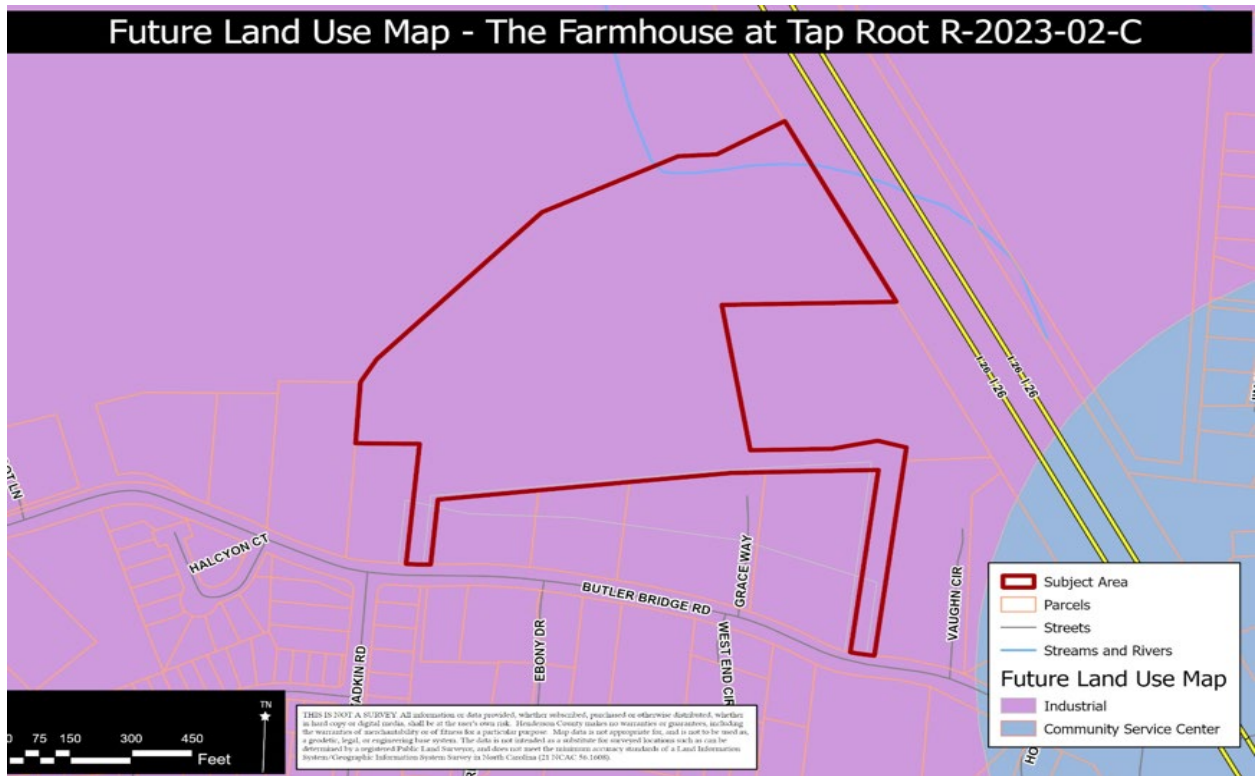
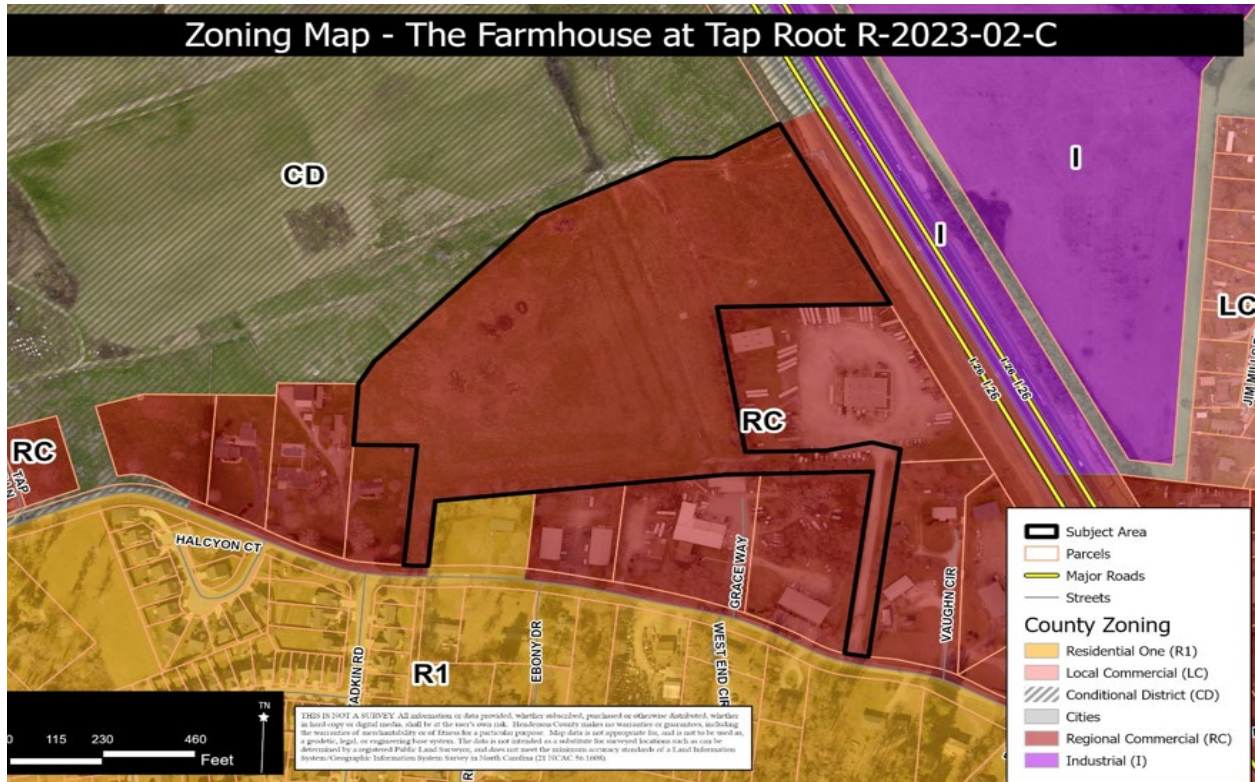
Below is the modified site plan submitted.

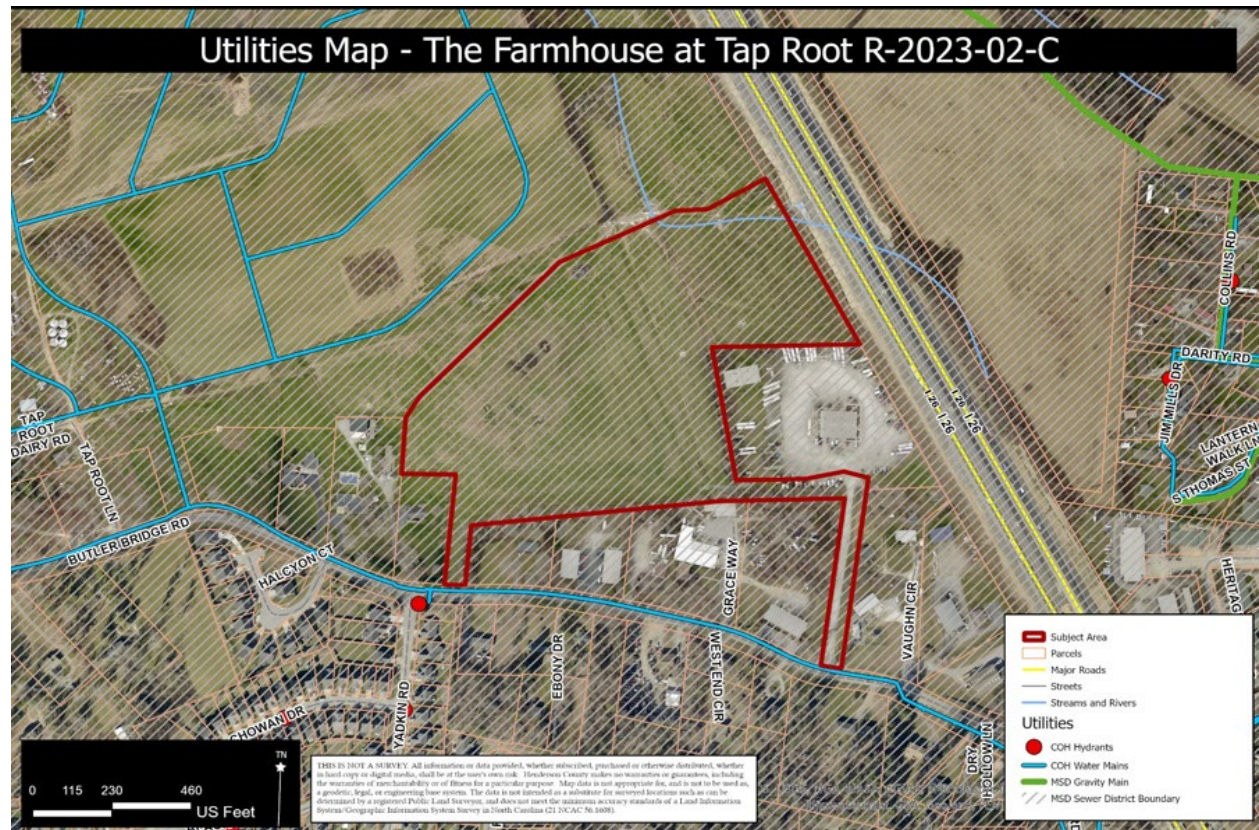
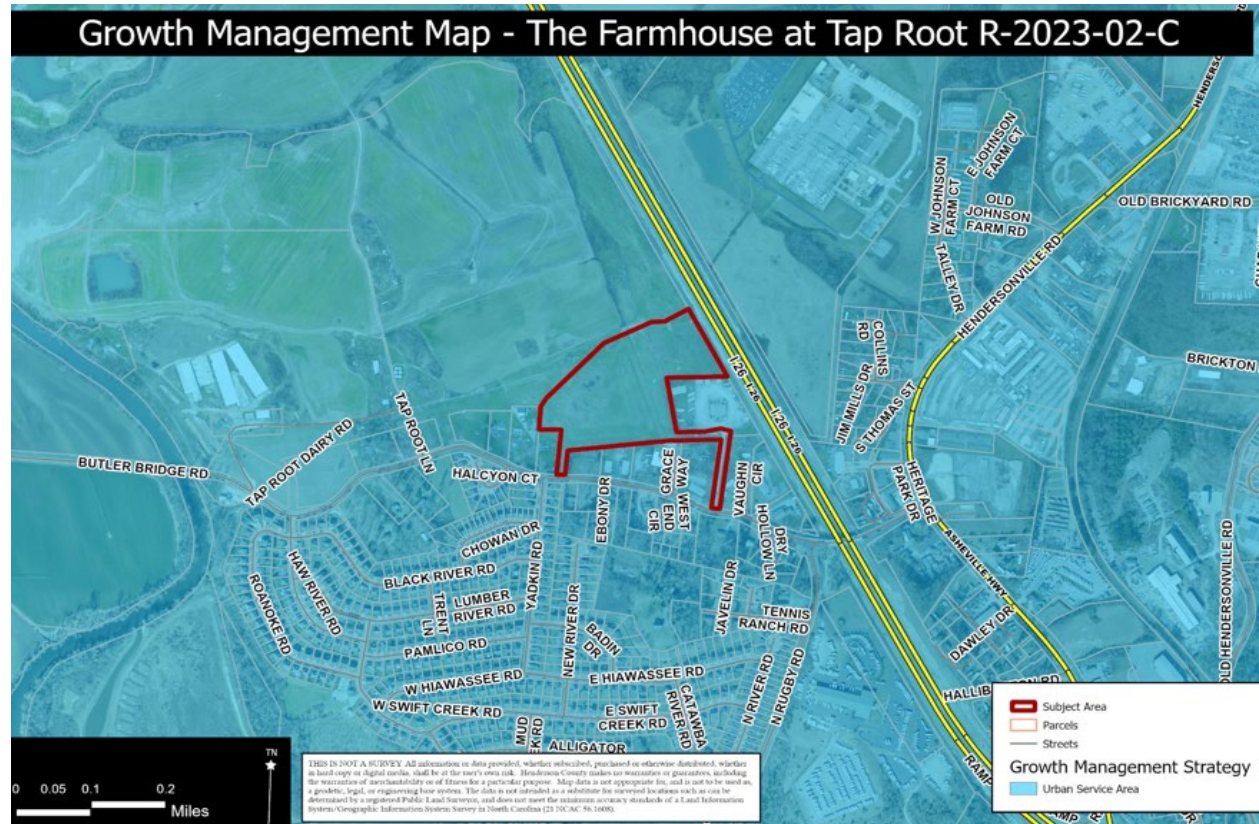




Property Owner: Johnston Family Group Agent: William Alexander
 Assessed Acreage: 18.93 Acres PIN: 9652-12-2330
 Current Zoning: Regional Commercial (RC)









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 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.

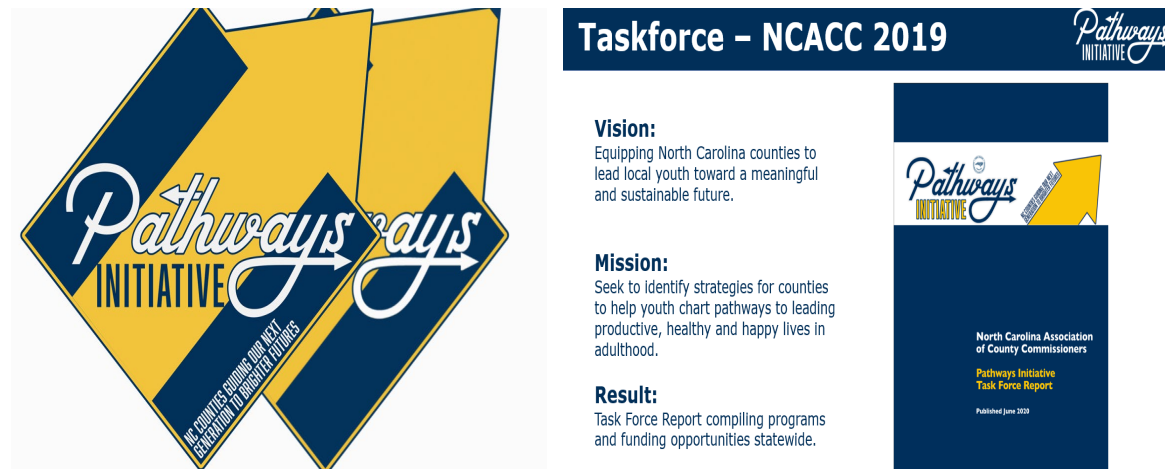
Chairman McCall asked the Clerk to call the roll.

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.

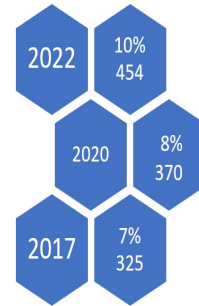
Who are DY?

- 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

Statistics



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

HC Task Force – Oct 2021

HC DSS Tim Ziffer, Hugh Rutledge, Lindsay Murray	HCPS/BOE Stacy Caskey, Sheila Dale, Matt Gruebmeier, Tammy George, Marisela Guillon	BRCC Shanda Bedoin, Kirsten Bunch
Child/Foster Care Tanya Blackford/Crossnore, Alex Williams/FosterHoes, Jamie Weiner/CFRC	Mental Health Angela Garner/Vaya, Jodi Grabowski/HC	YMCA Lori Kay Paden, Roger Reid
HC Parks & Rec Bruce Gilliam, Melanie Adams	HC Other Chuck Taylor/SRO, Emily Martin/PED	

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
• <u>Staff overtime (90 mpd)</u>	<u>90,000</u>
Total	\$470,000/year



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

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

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
• <u>Staff overtime (180 mpd)</u>	<u>180,000</u>
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:

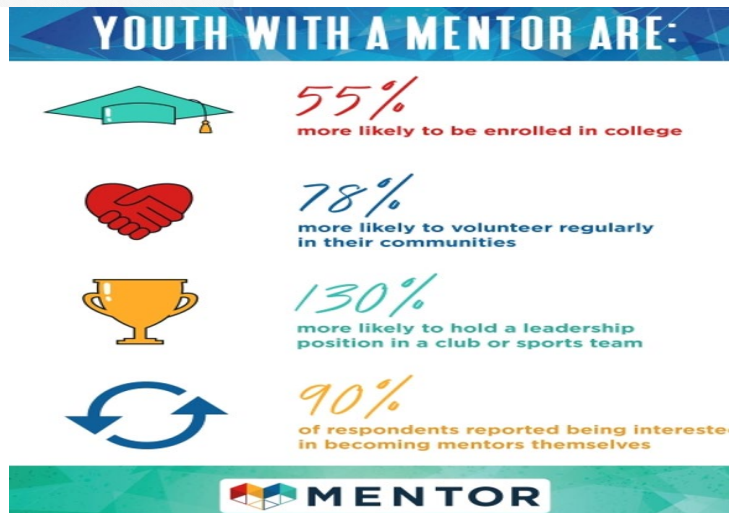
Establish a mentoring program similar to McNair Foundation in Rutherford County

- 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 decision-making and updates to the strategic plan

Needs Assessment: Impact of OUD on Henderson County

- 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)

Root Causes

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

Reduce	Reduce Opioid-Related Deaths
Reduce	Reduce Rate of Overdoses
Increase	Increase Access to Treatment
Improve	Improve Coordination of Care
Increase	Increase Public Awareness
Decrease	Decrease Jail Recidivism
Decrease	Decrease Utilization of Crisis Services



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



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

RECOVERY COURTS

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

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. are due to opioids

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 again.

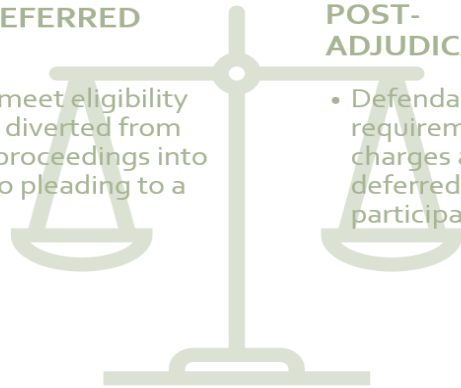
HOW CAN IT WORK?

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

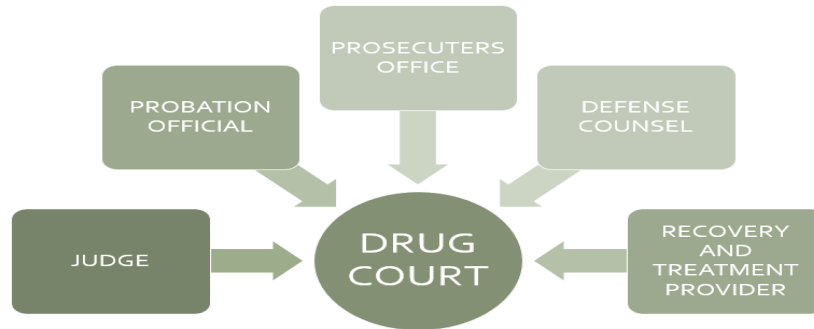
One of the most successful approaches in our country's history for transitioning individuals with substance use and mental health issues out of the criminal justice system and into stable and productive lives is through the approach of recovery courts.

- **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 guidelines.

RECOVERY COURT					
Recovery Court Coordinator	Probation Officer	Law Enforcement	The Sheriff or sheriff's designee	A representative of treatment providers and mental health entity	Evaluator / Researcher

CATAWBA ELIGIBILITY CRITERIA

NONVIOLENT, ADDICTED AND ARRESTED FOR POSSESSION OR USE OF A CONTROLLED SUBSTANCE.

must be on probation and is subject to same conditions of probation supervision.

NO SIGNIFICANT EVIDENCE OF DRUG DEALING

Voluntarily agrees to participate and waives right to a preliminary hearing.

Catawba Recovery Court takes place twice a month on Thursdays at 2:00 PM.

The Buncombe Recovery Court is held twice a month on Fridays at 10:30 AM.

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

Competitive Analysis
Company Presentation

THE RESULTS

1 EFFECTIVE AT GETTING PEOPLE INTO TREATMENT

3 REDUCE RECIDIVISM BY AS MUCH AS 35-40%

2 REDUCE LIKELIHOOD OF REARREST

4 COST BENEFIT PUBLIC SAVINGS OF \$6,744 ON AVERAGE PER PARTICIPANT

Recovery Courts Are...

SAVING LIVES

- Recovery courts save lives every single day.
- They take a more comprehensive approach rather than just treating substance use disorders.
- They *improve* education, employment, housing, and financial stability; encourage family reunification; minimize foster care placements; and raise the percentage of mothers with substance use disorders who deliver drug-free newborns.

SAVING RESOURCES

- Treatment courts are not only beneficial, but they also save taxpayers money.
- Treatment courts produce benefits of **\$6,208** per participant, returning up to \$27 for every \$1 invested.

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 permissible 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

Rebecca McCall, Chairman