

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, JULY 19, 2023**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 9:30 a.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Those present were Chairman Rebecca McCall, Vice-Chair J. Michael 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, Budget Manager/Internal Auditor Sonya Flynn, Budget Analyst Jennifer Miranda, Finance Director Samantha Reynolds, Tax Director Harry Rising, Deputy Tax Collector Luke Small, Planning Director Autumn Radcliff, Planner Liz Hansen, Senior Planner Janna Bianculli, Park Maintenance Supervisor Jason Kilgore, Capital Project Manager Bryan Rhodes, Erick Mendez, Sheriff Lowell Griffin, Chief Deputy Vanesa Gilbert, Human Resources Directors Karen Ensley, DSS Director Jerrie McFalls, County Engineer Deb Johnston, PIO Kathy Finotti – videotaping and Deputy Chris Stepp provided security.

CALL TO ORDER/WELCOME

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

INVOCATION

Commissioner Hill provided the invocation.

PLEDGE OF ALLEGIANCE

Chairman McCall led the Pledge of Allegiance to the American Flag.

INFORMAL PUBLIC COMMENT

1. Andrew Clark spoke about Veteran issues and American Legion Post #77.
2. Chris Pair spoke about increasing costs in aviation. He urged the Board to promote general Aviation.

DISCUSSION/ADJUSTMENT OF AGENDA

Vice-Chair Edney made the motion to approve the consent agenda as presented. All voted in favor, and the motion carried.

Commissioner Lapsley made to motion to add Item L to the Consent Agenda – Final Order, Johnston Family Group and Orange Capital Advisors Rezoning (R-2023-02). All voted in favor, and the motion carried.

CONSENT AGENDA

Approval of June 28, 2023, and July 10, 2023, meeting minutes.

Motion:

I move the Board approve the minutes of the June 28, 2023, and July 10, 2023, meeting minutes.

Notification of Vacancies

Approved:

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

1. **Historic Resources Commission – 1 vac.**
Position #7 – Flat Rock Representative

2. **Juvenile Crime Prevention Council – 1 vac.**
Position # 21 – At Large

Court Services Lease Renewal for District Office

A lease proposal was presented for Board approval for the Department of Public Safety's (DPS) Division of Community Corrections Offices in the County's Court Services Building at 1347 Spartanburg Highway. DPS proposes to lease +/- 1,334 square feet for an annual cost of \$13,846.92, which includes an 18.6% increase over the previous lease amount, based on a three-year CPI increase from May 2020. The proposed term of the lease is from September 1, 2023, through August 31, 2026.

Motion:

I move the Board approve the lease proposal between Henderson County and the State of North Carolina for the period of September 1, 2023, through August 31, 2026 and authorize the County Manager to execute documentation on behalf of Henderson County.

2023.100 Information Technology – Dogwood Health Trust Grant

Staff requested the Board approve a budget amendment to recognize the receipt of grant funding provided by Dogwood Health Trust for the CRAVE/WAVE projects being implemented by the state of North Carolina. These grant funds in the amount of \$25,000 are restricted for use to cover technology and equipment costs for child welfare adjudication support.

Motion:

I move the Board approve the budget amendment for grant funding from Dogwood Health Trust for child welfare adjudication support.

2023.101 Budget Amendment – Fund Balance Appropriated

Staff requested the Board approve a proposed budget amendment that appropriates Fund Balance for FY2023 Board approved purchases that will be fulfilled in FY2024. Approved purchases are for ammunition, ballistic vests, and FLOCK cameras. These items are currently on order and will not be received until FY2024.

Motion:

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

2023.102 Not-For-Profit Funding Agreements

Subsequent to the approval of the FY 2023-2024 Budget, staff distributed the funding agreements to the not-for-profit agencies receiving County allocations.

Motion:

I move the Board authorize the Chairman to execute the funding agreements presented and thereby authorize the release of the initial payment to the named agencies.

2023.103 Parks and Recreation – Edneyville Community Center Transfer

On February 15th, donations totaling \$70,745.46 from the Edneyville Community Center were received and recognized to fund park improvements for the Edneyville Community Center Park. Upon completion of park improvements, \$2,106 remains unspent.

Staff requested the Board approve a budget amendment to transfer unspent funds from the Edneyville Community Center Park project to the Parks and Recreation Department budget to supplement the purchase of pickleball nets for use in the Edneyville Community Center Park.

Motion:

I move the Board approve the budget amendment as presented.

2023.104 Budget Amendment – Asset Forfeiture Funds

On September 21, 2022, the Board approved an appropriation from restricted USDOJ funds for the purchase of Leica 360 Crime Scene Mapping equipment. As of June 30, 2023, that purchase has not been completed.

The Board was requested to approve an appropriation from the Restricted USDOJ funds in FY2024 in an amount not to exceed \$112,615 to purchase the Leica equipment.

Motion:

I move the Board approve the budget amendment.

2023.104A Partnership for Economic Development – Partnership Match

At the Board of Commissioner's meeting on June 5, 2023, the Board adopted the Budget Ordinance for FY24, which included a matching grant in the amount of \$82,500 for the Partnership for Economic Development's Economic Investment Fund. Following the adoption of the budget for the Town of Mills River on June 22, 2023, the Partnership for Economic Development requested an increase to that fund in the amount of \$15,000 based on an additional grant match for a total investment amount of \$97,500.

Motion:

I move the Board authorize the additional amount of \$15,000 to the Partnership for Economic Development Investment Fund by approving the budget amendment.

NCACC Annual Conference – Voting Delegate

The North Carolina Association of County Commissioners (NCACC) requested that the Board of Commissioners designate a Voting Delegate for the NCACC's 116th Annual Conference.

The Conference will be held in Wake County on August 24-26, 2023. The Conference Business Session will be on Saturday, August 26, at 2:00 pm, with each county entitled to one vote on items that come before the membership.

In order to facilitate the voting process, the NCACC requests that each county designate one voting delegate prior to the Conference and one alternate if desired.

Motion:

I move the Board designate Vice-Chair Michael Edney as Henderson County's voting delegate to the NCACC Annual Conference and Commissioner Daniel Andreotta as the alternate.

ABC Permit Request – Jason Cody McCarson; J&M Farms at Freeman Orchards, LLC

At the June 5, 2023, meeting, the Board approved the standard County comment on an ABC permit application for Jason Cody McCarson and J & M Farms at Freeman Orchards, LLC, for off-premise malt beverage and unfortified wine permits. They have now requested a revision to the permit to also apply for on-premise malt beverage and unfortified wine permits. A request for comment has been made to the Sheriff's Office.

In the absence of objections meeting the statutory criteria, the County's standard response is to provide a notice that it does not object to the permit to the North Carolina Alcoholic Beverage Control Commission.

Motion:

I move that the Board approve the standard County comment on the ABC permit application.

2023.106 Final Order, Johnston Family Group and Orange Capital Advisors Rezoning (R-2023-02) (Add On)

On April 1, 2023, the Board held a public hearing on a proposed rezoning for "The Farmhouse at Taproot." The Board gave its approval to the rezoning on April 3, 2023, subject to conditions. Under NC General Statute §160D-703(b), the conditions imposed by the Board must be agreed upon by the applicant. Those conditions, with applicant approval, are attached to these minutes.

Motion:

I move the Board approve the Conditions for Approval for rezoning R-2023-02-C previously given preliminary approval by the Board, as accurately stating the Board's conditions for approval of the rezoning.

Commissioner Andreotta made the motion to adopt the consent agenda with the addition of Consent Item L - Final Order, Johnston Family Group, and Orange Capital Advisors Rezoning (R-2023-02). All voted in favor, and the motion carried.

PUBLIC HEARING

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

2023.105 Public Hearing for Conditional Rezoning Application #R-2023-07-C OurCo Minor Subdivision Estate Residential (R-40) to Conditional District (CD-2023.07)

Rezoning Application R-2023-07-C was initiated on May 24, 2023, and requests that the County conditionally rezone approximately 1.62 acres of land from the Estate Residential (R-40) zoning district to a Conditional District (CD-2023-07). The project contains all of PIN: 9577-27-0660 that has direct access to Greenville Highway. The property is owned by OurCo Construction Company LLC, which is also the applicant.

The applicant is proposing to develop a 5-lot minor subdivision for 5 single-family residential dwellings. 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, June 14, 2023, in the King Street Meeting Room. A copy of the meeting report was provided to the Planning Board at its June meeting.

The Technical Review Committee (TRC) reviewed the application on June 6, 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 are listed in the staff report.

The Planning Board reviewed the conditional rezoning request at its June 15, 2023, meeting.

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 June 5, 2023, public hearing regarding rezoning application #R-2023-07-C was published in the Hendersonville Lightning on July 5th and July 12th. 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 June 30, 2023, and posted signs advertising the hearing on June 28, 2023.

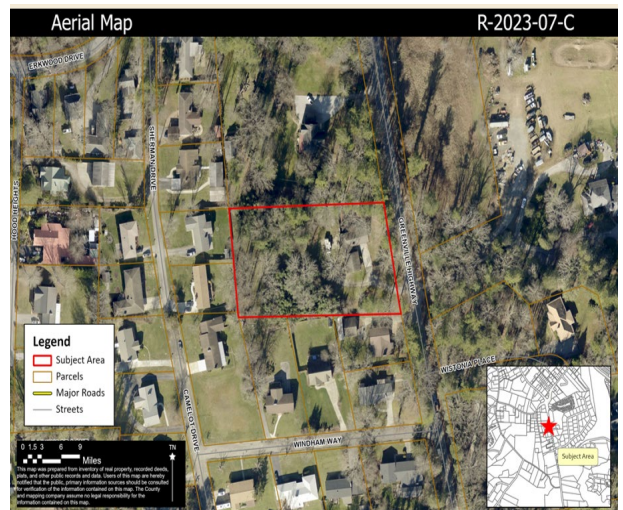
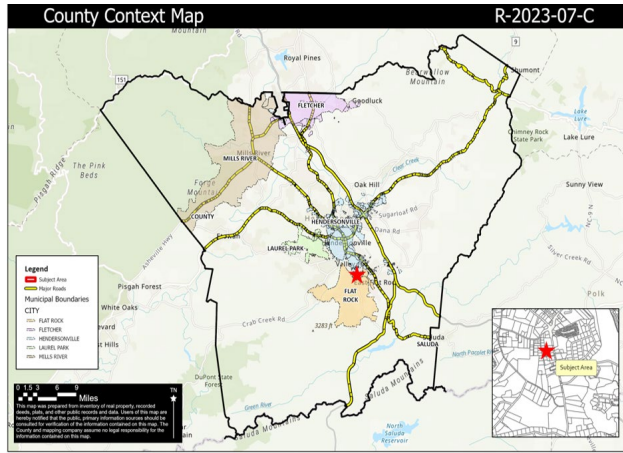
Rezoning
#R-2023-07-C
OurCo Minor Subdivision
 Board of Commissioners – July 19, 2023

Conditional Rezoning's are:

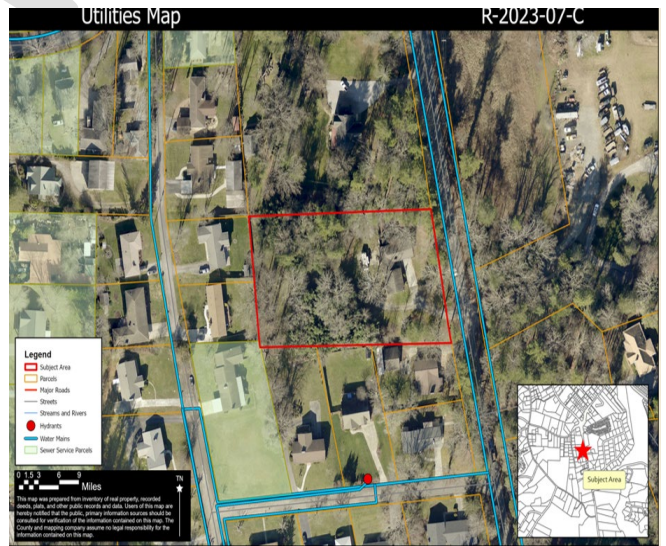
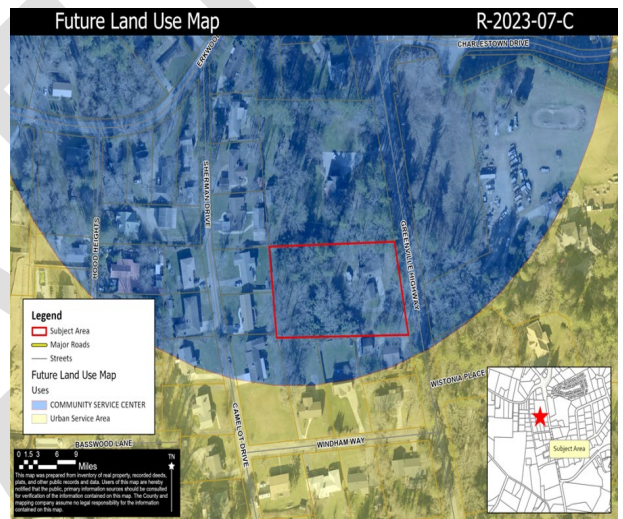
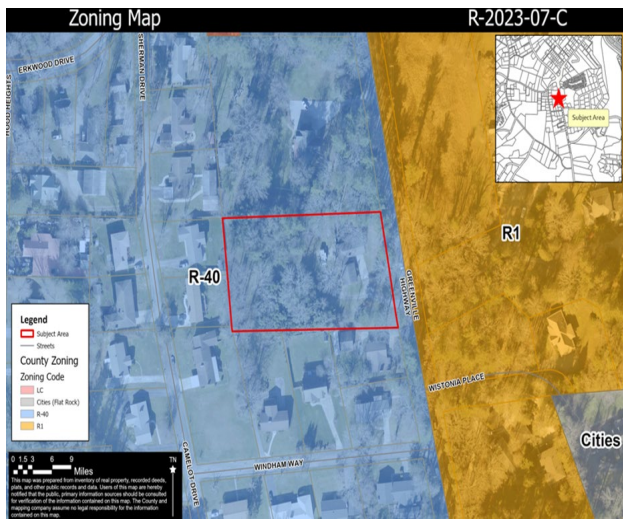
- Legislative decisions
- Require a site-specific plan (only what is on the plan is allowed)
- The BOC may require additional conditions of the development, provided the developer agrees to those conditions
- Process provides protection to adjacent properties

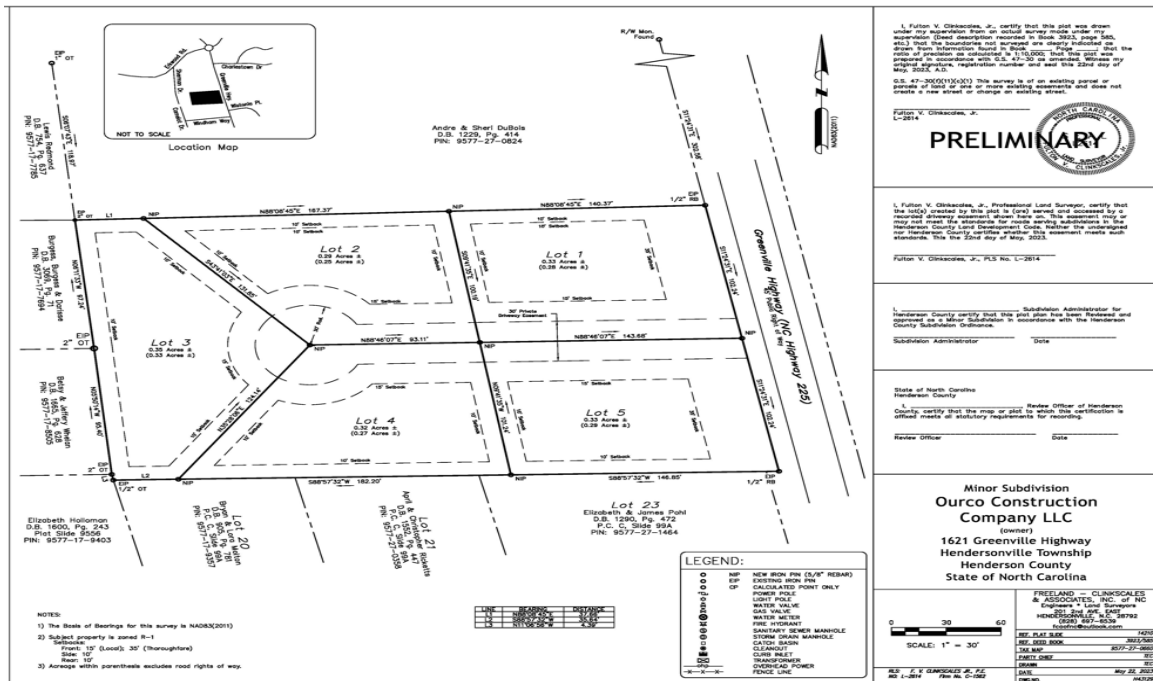
Application Summary

- Conditional Rezoning Request: R-2023-07-C
- Owner: OurCo Construction LLC
- Applicant: OurCo Construction LLC
- Property Location: 1621 Greenville Highway
 - PIN: 9557-27-0660
- Conditionally rezone from Estate Residential (R-40) Zoning District to a Conditional District (CD-2023-07)
- Approximately 1.62 Acres



applicant: OurCo Construction LLC
 total Surveyed Area: 1.62 Acres
 current Zoning: Estate Residential (R-40)





Project Summary

- **Minor Subdivision**
 - 5 total lots (0.29 acres to 0.35 acres each including ROW)
 - 10' side setback
 - 10' rear setback
 - 15' private ROW setback
 - 35' public ROW setback (Greenville Hwy)
- **30' Private Driveway Easement**
 - Single entrance off Greenville Hwy, served by a 30' rad. cul-de-sac at the rear of the property
- **Additional**
 - Engineered septic system
 - Landscaped/vegetative buffer

Conditional Rezoning

Conditions required by the LDC and additional conditions recommended for consideration and requests made by the TRC and Planning Board are found in the List of Conditions.

Public Input

1. April Ricketts spoke in opposition to the rezoning application; she has concerns about the installation of additional septic tanks and the possible contamination of a nearby stream.
2. Andre Dubois opposed the rezoning application; he said, if approved, this project would allow 5 houses to be built in an already low-lying area with poor absorption from existing septic tanks.
3. Lora Molton spoke in opposition to the rezoning application. She said the existing septic systems already experience drainage problems, and some residents have had to install sump pumps to remove water from the foundations of their homes. She anticipates the increased traffic to have a negative impact on the neighborhood.

4. Brent Crowell spoke in support of the rezoning application. He believes the owner Eric Oursler, would construct homes that would preserve the neighborhood's character.
5. Karen Parsons spoke in support of the rezoning application. She said the project is compatible with the surrounding neighborhoods.
6. Nancy Sloan spoke in support of the rezoning application. Eric Oursler constructed her home, and she believes he is a great contractor who would build quality homes.
7. Dan Williams spoke in opposition to the rezoning application. He said Greenville Highway is already saturated. He is concerned with the ease of obtaining rezoning approvals of property in Henderson County.
8. Emailed public input on this rezoning application from Jeff and Betsy Whelan was in opposition to the rezoning application. The concerns noted were low-lying areas, potential flooding, and the effects of grading on adjoining parcels.

Commissioner Lapsley voiced concerns regarding the property's side and rear setbacks. He clarified that the side and rear setbacks in the R1 zoning district are 10ft, and in R40, that setback is 35ft.

Vice-Chair Edney asked about annexation. He referenced an agreement between the Village of Flat Rock and the City of Hendersonville that encompasses the subject area regarding who may annex and under what conditions. Autumn Radcliff said that Edney was correct, and there was a small area that falls within the County's jurisdiction. There is an existing agreement between the City of Flat Rock that they will not annex any further down Greenville Highway, which creates a "pocket" of county residents that fall between those two jurisdictions where the growth that is happening.

Inaudible comments from applicant Eric Oursler in the audience followed.

Commissioner Lapsley asked if that agreement addresses the availability of public sewer. Autumn Radcliff said it was her understanding that both jurisdictions recognize this agreement and have agreed not to move closer to one another along Greenville Highway. If there were public sewer capacity, they would probably do it without requiring annexation.

Craig Justice, Attorney for the applicant, said the intention is to extend city sewer to the subject property.

Commissioner Andreotta said he would support this project only if there were a guarantee that the property was going to be served by public sewer.

Craig Justice said that the extension of public sewer would be added as a condition.

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

Commissioner Lapsley voiced concern about the side and rear setbacks of the proposed application. He said a 10-foot setback is too close; he would like a minimum of 20 feet setback on the side and rear.

Russ Burrell asked the applicant's attorney Craig Justice for clarification of the side and rear of the property. Mr. Justice said the side and rear are defined as the exterior perimeter of the property.

After a discussion about defining the vegetative buffer requirement, Vice-Chair Edney made the following motion:

Vice-Chair Edney moved that the Board approve rezoning application R-2023-07-C to rezone the subject area to a conditional district (CD-2023-07), based on the Henderson County Comprehensive Plan, with the following conditions:

1. *The Developer must extend public sewer to the property to serve all lots in the subdivision. The Developer may not agree to annexation by any municipality as a condition for the ability to connect to such municipality's sewer system.*
2. *The Developer must cause the site plan to be modified to show a building setback on all sides of the (original) parcel to be subdivided under the provisions of this rezoning not facing Greenville Highway (N.C. Highway 225) of at least fifteen feet (15'). All structures to be located on the lots created as a result of this rezoning must, in fact be set back in accordance with this requirement. Setbacks between lots created in the subdivision, as shown on the originally submitted site plan, are not affected by this provision.*
3. *The Developer must create (or maintain, as the case may be) a conifer tree buffer within the setback modified in 2., above, with at least seven (7) foot tall trees placed at twelve (12) foot intervals, using either existing trees located within the setback or newly planted trees.*

Vice-Chair Edney further moved that the Board approve the resolution that was attached to the agenda item regarding the rezoning's consistency with the Henderson County Comprehensive Plan. All voted in favor, and the motion carried.

DISCUSSION

2023.107 FY2022-2023 Tax Collector's Settlement, Approval for Bond Amounts for Tax Collector/Deputy: 2023. FY2023-2024 Tax Order for Collection

Pursuant to N.C.G.S. 105-352, delivery of the tax receipts to the Henderson County Tax Collector; must occur prior to delivery.

- (a) **PREPAYMENTS.** The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director’s satisfaction that all prepayments received have been deposited.
- (b) **SETTLEMENT.** The Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the past year.
- (c) **BOND.** The Board of Commissioners must approve the bond to be issued for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.
- (d) **ORDER OF COLLECTION.** An Order of Collection must be adopted at today’s meeting, which will charge the Tax Collector with the collection of FY 2023-2024 taxes, plus all outstanding delinquent taxes.

STATUTORY REQUIREMENTS FOR TAX COLLECTOR’S SETTLEMENT
(NCGS 105-373)

The Tax Collector’s Settlement must:

1. Occur after July 1 and before the Board charges the Collector with the FY2024 Levy
2. Include two lists:
 - Persons owning real property whose taxes remain unpaid; and
 - Persons not owning real property whose taxes remain unpaid (the “Insolvents List”)
3. Include an accounting of all amounts charged to the Collector and the amounts allowed as credits to the Collector
4. Include a statement from the Collector stating he/she has made diligent efforts to collect the tax
5. The Settlement for prior-year taxes shall be made in whatever form is satisfactory to the County’s Chief Accounting Officer and the Governing Body



FY2023 TAX COLLECTOR’S SETTLEMENT
Presented to the Henderson County Board of Commissioners
WEDNESDAY, JULY 19, 2023

FY2023 ANNUAL LEVY

Includes Real Property, Personal Property, Business Personal Property, and Public Service Property billed and collected by the County

LEVY ADDITIONS				
All amounts charged to the Tax Collector				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Tax	\$ 92,163,683.57	\$ 11,518,140.66	\$ 13,293,135.68	\$ 116,974,959.91
Penalty	\$ 228,333.70	\$ 21,014.25	\$ 37,085.95	\$ 286,433.90
Interest	\$ 160,858.48	\$ 20,968.94	\$ 18,439.58	\$ 200,267.00
TOTAL	\$ 92,552,875.75	\$ 11,560,123.85	\$ 13,348,661.21	\$ 117,461,660.81

LEVY CREDITS				
All sums allowed as credits to the Tax Collector				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Deposits	\$ 90,502,003.59	\$ 11,244,035.42	\$ 13,134,687.99	\$ 114,880,727.00
Adjustments	\$ 168,701.43	\$ 13,538.76	\$ 30,975.03	\$ 213,215.22
Releases	\$ 957,100.85	\$ 177,028.58	\$ 172.78	\$ 1,134,302.21
Interest	\$ 160,858.48	\$ 20,968.94	\$ 18,439.58	\$ 200,267.00
Unpaid Tax: Real & Personal Property	\$ 764,211.40	\$ 104,552.15	\$ 164,385.83	\$ 1,033,149.38
Unpaid Tax: Registered Motor Vehicles	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 92,552,875.75	\$ 11,560,123.85	\$ 13,348,661.21	\$ 117,461,660.81

REGISTERED MOTOR VEHICLE (RMV) LEVY

*Includes Registered (tagged) Motor Vehicle Tax Bills that are billed and collected on behalf of the County by NC's Tax & Tag Together Program
 RMV tax is not part of the Collector's charge, however it is part of the Tax Levy.*

LEVY ADDITIONS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Tax	\$ 8,606,810.82	\$ 1,180,677.86	\$ 1,807,711.50	\$ 11,595,200.18
Vehicle Fee	\$ -	\$ -	\$ 220,245.00	\$ 220,245.00
Interest	\$ 64,616.95	\$ 8,933.95	\$ 14,549.83	\$ 88,100.73
TOTAL	\$ 8,671,427.77	\$ 1,189,611.81	\$ 2,042,506.33	\$ 11,903,545.91

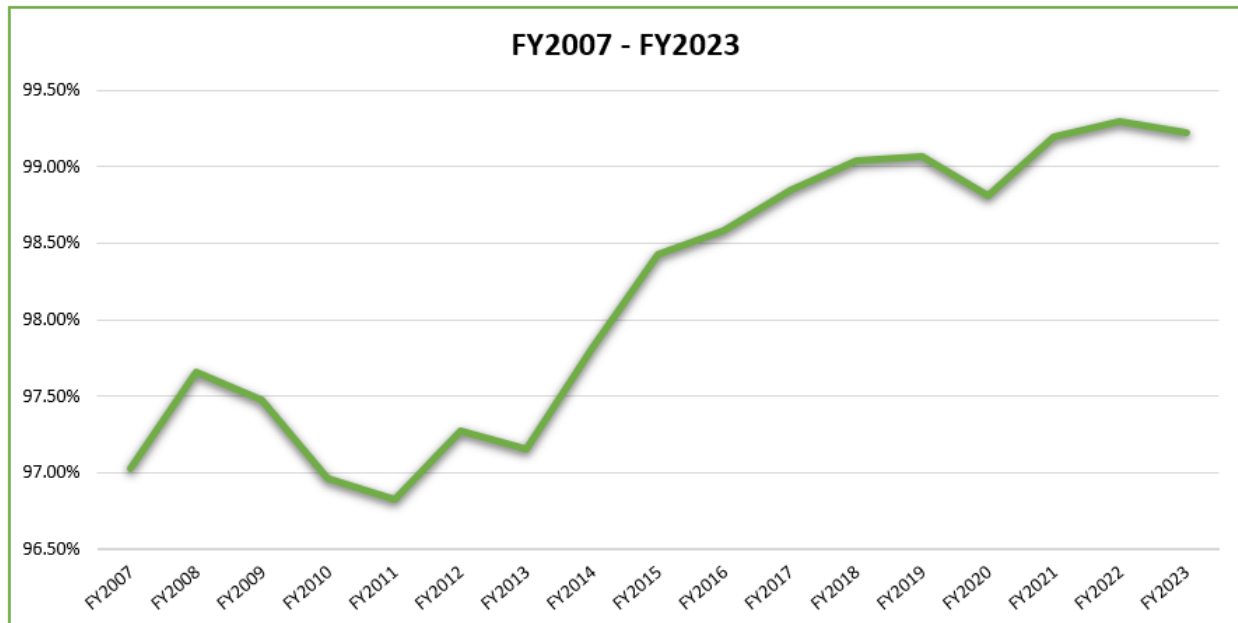
LEVY CREDITS				
	COUNTY	FIRE DISTRICTS	MUNICIPAL DISTRICTS	TOTAL
Levy Collected	\$ 8,582,829.95	\$ 1,178,451.79	\$ 2,017,620.83	\$ 11,778,902.57
Unpaid Levy	\$ 23,980.87	\$ 2,226.07	\$ 10,335.67	\$ 36,542.61
Interest Collected	\$ 64,616.95	\$ 8,933.95	\$ 14,549.83	\$ 88,100.73
TOTAL	\$ 8,671,427.77	\$ 1,189,611.81	\$ 2,042,506.33	\$ 11,903,545.91

The following slides focus only on the County Levy for Annual Bills and do not include Fire Districts and/or Municipal Districts

FISCAL YEAR-END COLLECTION RATES

	FY2023	FY2022
Annual Levy	99.17%	99.26%
RMV Levy	99.72%	99.70%
Combined Levy	99.22%	99.30%

COMBINED LEVY COLLECTION RATE TREND:



LEVY COLLECTED COMPARED TO FY2023 BUDGETED PROPERTY TAX REVENUE

	LEVY BUDGETED	LEVY COLLECTED (\$ DEPOSITED)	\$ COLLECTED OVER (UNDER) BUDGET
FY2023	\$ 95,439,998.00	\$ 100,037,258.80	\$ 4,597,260.80
FY2022	\$ 92,107,728.00	\$ 96,697,252.46	\$ 4,589,524.46
FY2021	\$ 88,629,211.00	\$ 93,935,287.74	\$ 5,306,076.74
FY2020	\$ 87,128,532.00	\$ 90,966,806.18	\$ 3,838,274.18
FY2019	\$ 76,722,389.00	\$ 80,239,454.85	\$ 3,517,065.85
FY2018	\$ 74,231,301.00	\$ 78,183,956.57	\$ 3,952,655.57
FY2017	\$ 73,075,676.00	\$ 76,381,248.10	\$ 3,305,572.10
FY2016	\$ 65,998,066.00	\$ 68,524,823.14	\$ 2,526,757.14

**Includes Ad Valorem, RMV, and Prior Year budgeted items*

COLLECTOR’S EFFORTS TO COLLECT UNPAID TAX

ENFORCED COLLECTION ACTIVITY				
TYPE OF ACTION	FY2023 ACTIVITY		FY2022 ACTIVITY	
	# OF NEW ACTIONS	\$ VALUE *	# OF NEW ACTIONS	\$ VALUE*
Payment Arrangements	190	\$ 559,153	154	\$ 415,059
Bank Account Attachments	364	\$ 883,883	491	\$ 904,088
Wage Garnishments	432	\$ 344,807	637	\$ 415,293
Rent Attachments	3	\$ 33,733	3	\$ 122,929
Garnishments of Escheated Funds	131	\$ 109,370	120	\$ 170,918
NC Debt Setoff (State Income Tax Garnishment)	2,138	\$ 859,364	2,555	\$ 1,113,104

** \$ Value includes the total value of each action when it was created. It should not be confused with collection activity resultant from the action. Total value includes levy, interest, penalties and any collection costs associated with the action.*

After discussing separating charges from municipalities on the bill sent to taxpayers, the following motion was made.

Vice-Chair Edney made the motion the Board approve the tax collector’s settlement for Fiscal Year 2022-2023 taxes and further approve the bonds, the order of collection, and charge for collection to the tax collector for Fiscal Year 2023-2024 taxes. It is stipulated that no bills be

printed until the Board determines whether to separate municipal bills from county and fire tax bills. This item will be on the agenda for the next meeting. All voted in favor, and the motion carried.

Commissioner Lapsley asked about how Park Models/Tiny Homes are taxed. After a brief discussion, John Mitchell said Planning Director Autumn Radcliff would present information regarding “Tiny Homes” at an upcoming Board meeting.

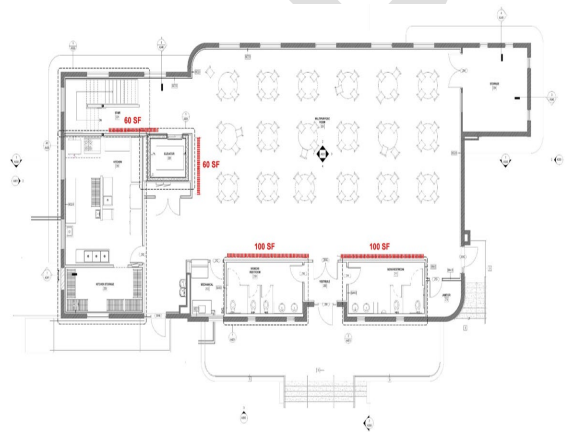
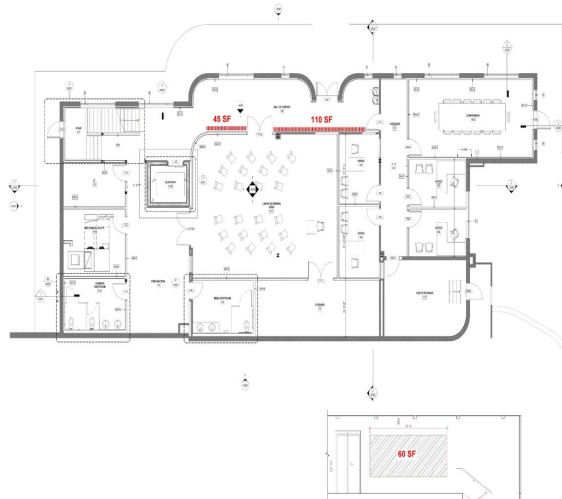
Asheville Regional Airport Update

Lew Bleiweis, President and CEO of the Asheville Regional Airport, provided the annual Airport update to the Board.

2023.108 Construction Projects - Budget Amendment – GMP - VFW

Chris Todd provided the Board with an update on construction projects around Henderson County. This monthly report is a review of the scope and statuses of assigned construction management responsibilities and includes specific updates in regard to County funded construction activities.

Mr. Todd provided an overview of the VFW building renovation guaranteed maximum price (GMP) as part of the update. Requests for proposals were properly advertised according to North Carolina General Statute, and bids were opened on November 14, 2019. The total cost of the work is \$4,682,261. This number is within the total approved budget. The groundbreaking ceremony for the project is scheduled for July 25th of this year, pending the board’s approval of the GMP.





Upper Floor

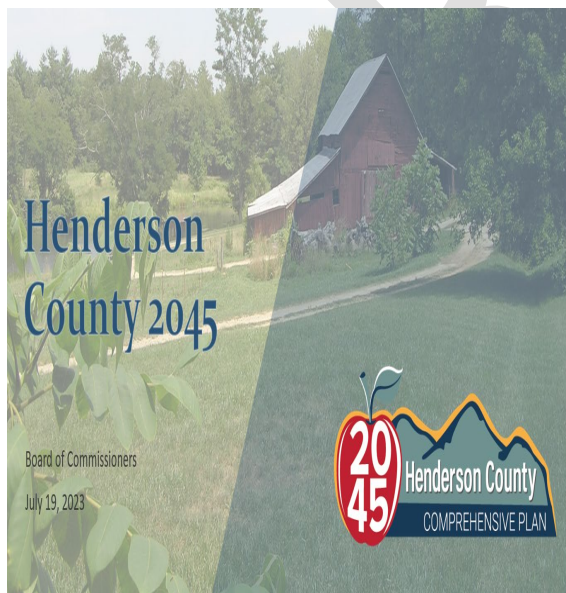
Contractor GMP	\$4,682,261
Project Soft Costs	
Design Fees	\$270,000
Owner Contingency 3%	\$140,468
Material and Geotechnical Testing	\$50,000
FFE	\$269,100
Preconstruction and Advertising	\$46,935
Total Cost	\$5,458,764

Commissioner Lapsley made the motion to accept the Guaranteed Maximum Price and direct staff to continue the project and adopt the Budget amendment as presented. All voted in favor, and the motion carried.

2045 County Comprehensive Plan Update

Starting in July 2021, the County embarked on developing its new comprehensive plan. Over the course of 24 months, thousands of community members actively participated in the planning process to shape the plan’s vision for 2045. The December 5th draft plan was formally recommended by the Planning Board (pursuant to NCGS) and was presented to the Board of Commissioners in December 2022.

The Board began review of the Plan at the February 15, 2023 meeting, with continued discussion at the March 6th, March 15th, April 19th, and May 3rd, 2023 meetings. The Board was requested to continue the discussion of the draft 2045 Comprehensive Plan.

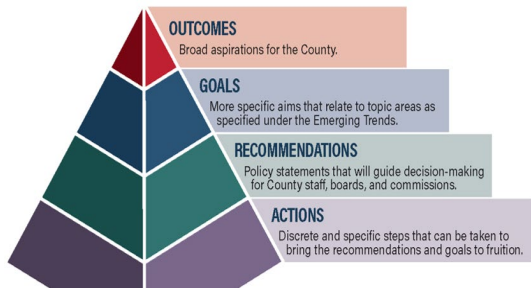


What is a Comprehensive Plan?

Henderson County's 2045 Comprehensive Plan uses resources efficiently in its vision for fair land use and thriving social and economical wellbeing.

The plan calls for preservation of farmland, redevelopment and investment in anchor areas within the Utility Service Area, connectivity of people, jobs, businesses, and infrastructure, and expanding opportunity to communities across the County.

PLAN VISION STRUCTURE



Future Land Use Map

The FLUM went through multiple iterations, including changes done at a joint meeting with Planning Board, but the final version was based upon a plethora of information from various sources.

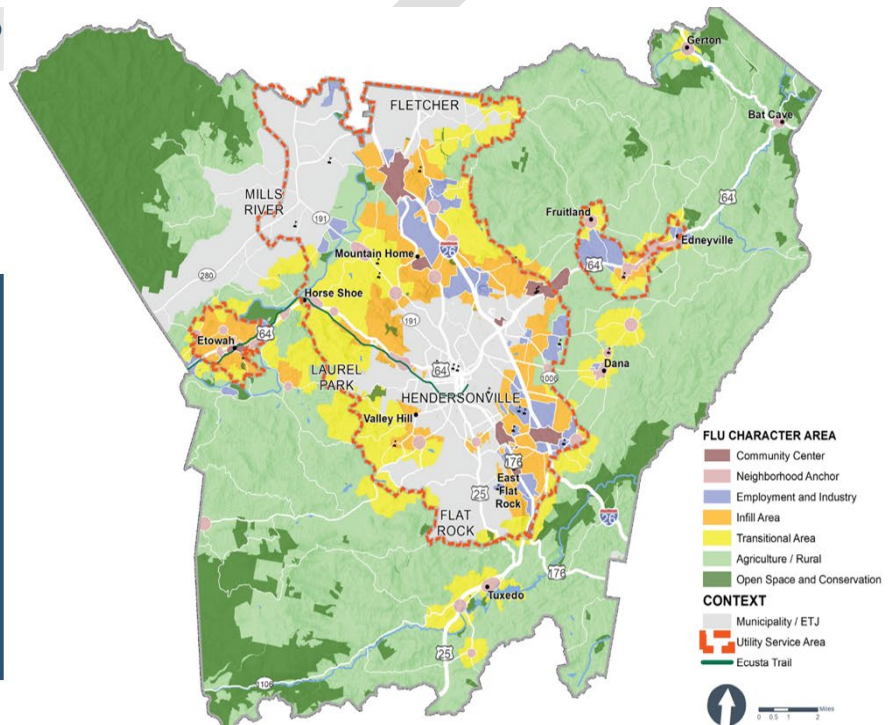
The map balances the necessity of development with the goals of the plan.

It can serve as guidance for changes to the zoning map, but it does NOT represent zoning.

FUTURE LAND USE MAP

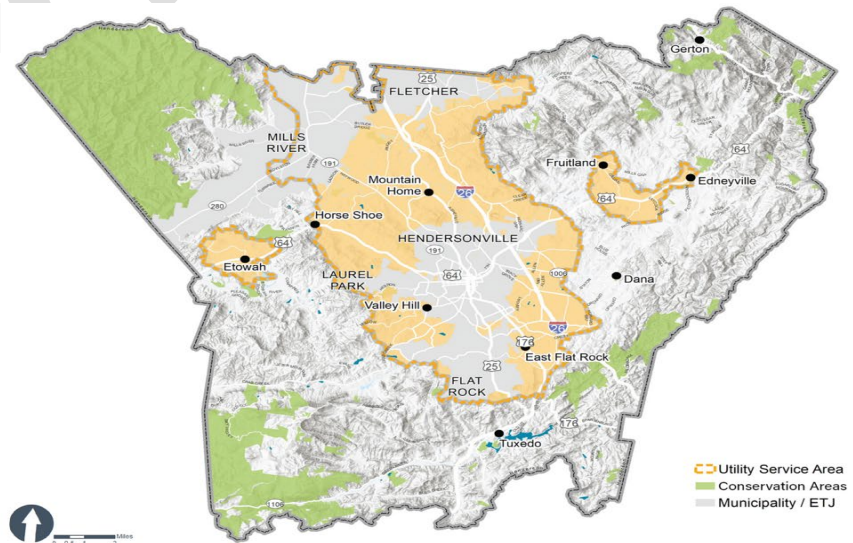
Highlights

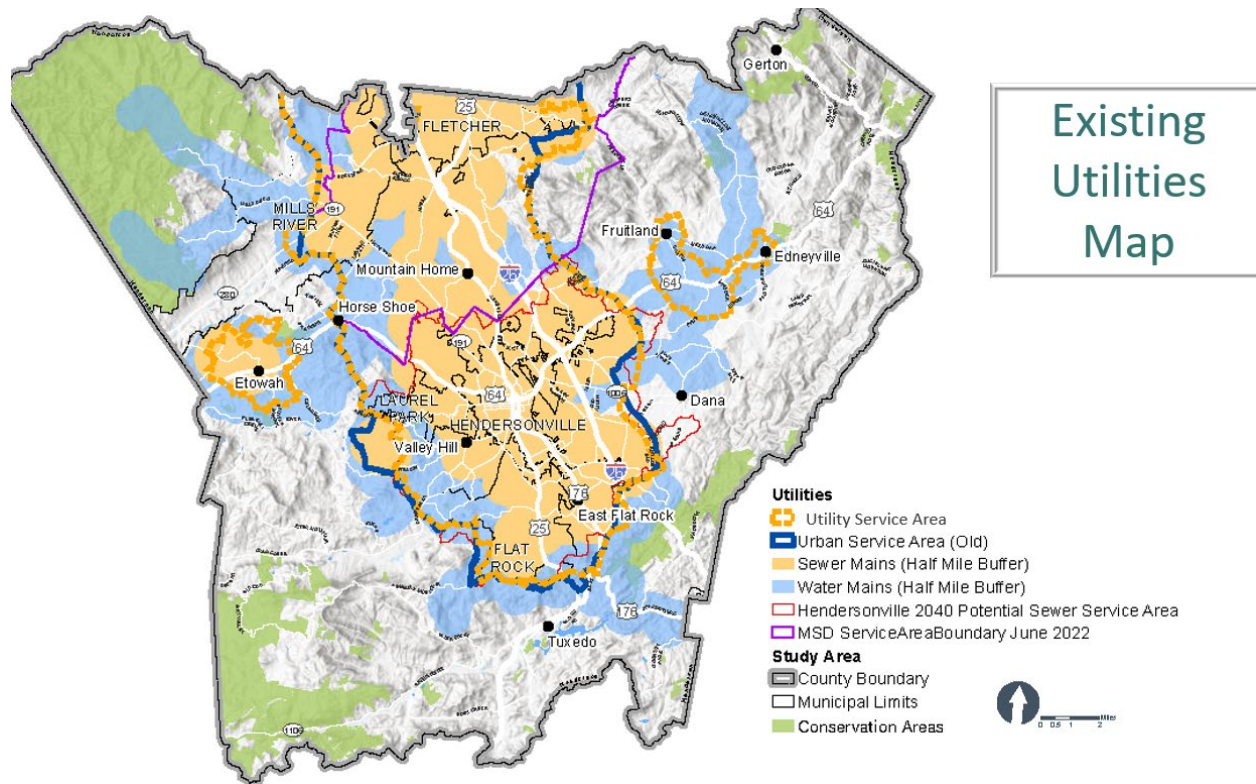
- Directs future residential development toward areas with infrastructure and utilities
- Encourages commercial, mixed-use, and economic development in key locations and corridors



UTILITY SERVICE AREA

- Represents an area already, and intended to be, served by utilities and other services by 2045.
- Accounts for the existing services as well as the relative feasibility of sewer extension from sewer providers (City of Hendersonville, MSD, Etowah, and proposed Edneyville).
- Utility extensions and service enhancements should generally be encouraged within the Utility Service Area.
- The Etowah and Edneyville areas will be reexamined as the sewer situations change.





Existing Utilities Map

Next Steps

1

Vote to adopt the 2045 Comprehensive Plan, which will officially replace the current CCP

- The Board must vote to adopt the plan
- The Board may set an additional public hearing if any changes to the plan are made

2

Begin Implementation Plan with the Planning Board

- Work through plan goals and prioritize recommendations and action steps

3

Achieve plan goals over the next 22 years!

Chairman McCall asked that this item be added to the agenda for the Board’s mid-August meeting.

NOMINATIONS

1. Child Protection and Fatality Prevention Team - 1 vac.

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

2. Environmental Advisory Committee – 4 vacs.

Commissioner Lapsley made to motion to appoint Jere Brittain to position #3, Deb Johnston to position #4, and Ben Witmeier to position #4. All voted in favor, and the motion carried.

3. Henderson County Board of Equalization and Review – 1 vac.

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

4. Henderson County Board of Health – 1 vac.

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

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

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

6. Home and Community Care Block Grant Advisory Committee – 1 vac.

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

7. Juvenile Crime Prevention Council – 4 vacs.

Commissioner Andreotta made the motion to appoint Jonah Jakubielski to position #26. All voted in favor, and the motion carried.

Commissioner Hill made the motion to appoint Donald Dessenberger to position #23. All voted in favor, and the motion carried.

Chairman McCall made the motion to appoint Shannon Auten to position # 25. All voted in favor, and the motion carried.

8. Library Board of Trustees – Appoint of Chair

Chairman McCall made the motion to appoint Michael Absher as the Chair of the Library Board of Trustees. All voted in favor, and the motion carried.

9. Metropolitan Sewerage District of Buncombe County (MSD) – 1 vac.

Chairman McCall made the motion to reappoint William Lapsley to position #1. All voted in favor, and the motion carried.

10. Nursing/Adult care Home Community Advisory Committee – 11 vacs.

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

11. Recreation Advisory Committee – 1 vac.

Commissioner Hill made the motion to appoint Mary Beth Davis to position #2. All voted in favor, and the motion carried.

COMMISSIONER UPDATES

Commissioner Andreotta commended county taxpayers for paying their taxes early and on time for the County to achieve an aggregate collection percentage of 99.22%.

Chairman McCall said at the last meeting during the school calendar discussion that the Board proposed the possibility of providing a letter to the General Assembly asking for them to expedite their attention to this subject. The Board reached out to the School Board, and they provided a Resolution that was sent in the Spring of 2022. She would like the Board to review the Resolution and consider putting together a letter in support, not in the decision to change the school calendar, but in support of the General Assembly taking action on this matter in a more timely manner than in the past. She would like this to be added to the agenda for the next meeting.

Vice-Chair Edney said the item could be added, but he would not be in support.

GENERAL ASSEMBLY UPDATE

John Mitchell said the main update was that the Senate and House are in discussions. There have been no indications from the joint committee as to when its work will be finished. It is his understanding that they are pretty far apart at this moment. But they are back in Raleigh to address some potential vetoes to Legislation. Whether or not they will be overturned or not is anyone's guess, but he does believe it will happen. In closing, he said, "There is an air of expectancy."

COUNTY MANAGER'S REPORT

Mr. Mitchell said today marks the 56th anniversary of the Piedmont Airlines plane crash in Henderson County. He said former County Commissioner Tommy Thompson was a Boy Scout at the time, and the Boy Scouts set up a perimeter around the crash site. Chairman McCall's father, who was the County Coroner at the time, was responsible for seeing that all remains were sent home to their respective families. She noted one story and said her father was working at the Command Center that was set up at the National Guard Armory. Her father was told he had a phone call, and while busy working, he asked to have the caller call back. He was told it was the White House calling, so he took the call to learn it was not a white house staffer calling but President Lyndon Johnson. The President asked if the remains of the Secretary of the Navy and his family had been recovered. Her father responded that the remains had not been located but should be found and ready to send home in a couple of days. The President asked that he call a certain number once the remains were ready for transport, and when her father called the number, President Johnson answered the phone himself and ultimately sent his plane to pick up the remains. Vice-Chair McCall said this is something that would never be forgotten.

Mr. Mitchell commended new Tax Administrator Harry Rising. For seven weeks on the job, he had "hit the ground running" with a great presentation at today's meeting and another one at yesterday's LGCCA meeting. Mitchell thanked Mr. Rising and Tax Department staff for a job well done.

In closing, John Mitchell informed the Board that at yesterday's LGCCA meeting, there was a presentation about the strategic plan related to the opioid funds. That plan is nearing its final draft, and he expects it will be ready for the Board to review in early August. As a part of that, a Drug Diversion Court has been put together, along with a Veteran's Diversion Court. He said that the individual who will lead the effort was just hired last week, but there was not a complete contingent because the prosecutor that will be working with the court has not been hired. However, that job has been "put on the street," and applicants are welcome to apply.

Vice-Chair Edney made the motion to go into Closed Session pursuant to N.C. Gen. Stat. § 143-318.11(a)(3)(5), & (6). All voted in favor, and the motion carried.

Chairman McCall made the motion to go out of closed session and adjourn at 2:05 p.m. All voted in favor, and the motion carried.

ADJOURN

Denisa Lauffer, Clerk to the Board

Rebecca McCall, Chairman

DRAFT