

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
MONDAY, AUGUST 7, 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, Budget Analyst Jennifer Miranda, Engineer Marcus Jones, Chief Communications Officer Mike Morgan, Sheriff Lowell Griffin, Tax Administrator Harry Rising, Capital Project Manager Bryan Rhodes, DSS Director Jerrie McFalls, Purchasing Agent Doug Guffey, EMS Manager Mike Barnett, Agri-Business Director Mark Williams, Assistant County Engineer Deb Johnston, PIO Kathy Finotti – videotaping, and Deputies Mandy Ladd and Matthew Covil provided security

### CALL TO ORDER/WELCOME

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

### INVOCATION

Manager John Mitchell provided the invocation.

### PLEDGE OF ALLEGIANCE

Youth Voice Representative, Elizabeth Lyda, with the Lab Rats 4-H Club, led the Pledge of Allegiance to the American Flag.

Chairman McCall asked that the Board recognize the Resolution that was included as part of the consent agenda as Item T – US64 Bridge Naming Resolution – In Honor of Ryan P. Hendrix. After reading the Resolution aloud, Chairman McCall presented the Resolution to Sheriff Lowell Griffin.

Sheriff Griffin thanked the Board and City Council members for their support in naming the US64 bridge in Honor of deputy Ryan P. Hendrix, who was killed in the line of duty on September 10, 2020.

The Resolution was adopted later in the meeting as part of the consent agenda.

### RESOLUTIONS AND RECOGNITIONS

#### **Recognition of NC Lieutenant Governor Mark Robinson**

Chairman McCall recognized NC Lieutenant Governor Mark Robinson, who was in attendance.

Approved:

Lieutenant Governor Mark Robinson provided a brief update from Raleigh. He said that things in Raleigh were moving slowly but deliberately. He expects they will have a budget soon and hope to see great things. He said the budget includes raises for state workers, teachers, and law enforcement officers. Significant investments are being made. The state finds itself with more surplus than ever; this year alone, there is a \$3B surplus. He said it is time that money is invested in the people and talent of the people in the eastern and western regions of NC to grow the economy.

### **INFORMAL PUBLIC COMMENT**

1. Chris Walters spoke regarding Constitution Week.
2. Joe Elliot spoke in support of the LGBTQ Community and was in opposition to the recognition of Lieutenant Governor Mark Robinson earlier in the meeting.
3. Peter Zimring echoed the comments of the previous speaker.
4. Margaret L'Hammedien spoke regarding the Comprehensive Plan and the importance of preserving farmland and green space.
5. Elizabeth Lyda, the NC Youth Voice representative, and member of the Lab Rats 4-H club, spoke of the skills she has gained due to her membership in 4-H.
6. Virginia Tegel spoke in support of the LGBTQ Community and was in opposition to the recognition of Lieutenant Governor Mark Robinson earlier in this meeting. She also was in opposition to approved funding allocations for ARP Funds.
7. Paul Weichselbaum commended the efforts of the US Womens Soccer team's performance in the World Cup. He added the commendation of NC's Great Native Son, the Reverend William Barber of the Poor People's Campaign. He does not believe that NC Lieutenant Governor, Mark Robinson, mirrors the Beliefs of Reverend Barber.

Chairman McCall clarified that the Lieutenant Governor was not invited to speak at tonight's meeting; *He* asked if he could be allowed to speak while visiting the area.

### **DISCUSSION/ADJUSTMENT OF AGENDA**

Commissioner Hill pulled consent agenda item N – Designation of Plat Review Officers and added it as discussion item C.

Commissioner Andreotta added consent item U – Audit for Non-Profits.

*Chairman McCall made the motion to approve the agenda with the revisions proposed by Commissioner Hill and Commissioner Andreotta. All voted in favor, and the motion carried.*

CONSENT AGENDA consisted of the following:

### **Minutes**

Draft minutes were presented for Board review and approval of the following meeting(s):  
July 19, 2023 - Regularly Scheduled Meeting

Approved:

Motion:

*I move the Board approve the minutes of July 19, 2023.*

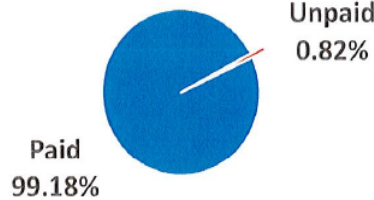
**Tax Collector’s Report**

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

Please find outlined below collections information through July 31, 2023 for 2022 real and personal property bills mailed on August 5, 2022. Vehicles taxes are billed monthly by NC DMV.

**Henderson County Annual Bills (Real and Personal Property):**

2022 Beginning Charge:	\$91,627,197.91
Discoveries & Imm. Irreg.:	\$764,819.36
Releases & Refunds:	(\$1,125,802.28)
<u>Net Charge:</u>	<u>\$91,266,214.99</u>
Unpaid Taxes:	\$752,532.40
<b>Amount Collected:</b>	<b>\$90,513,682.59</b>



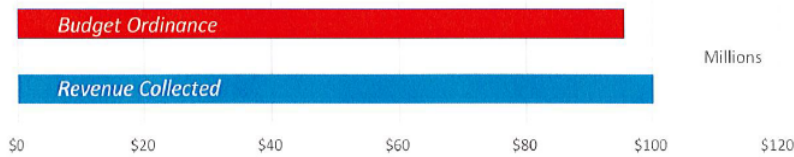
**Henderson County Registered Motor Vehicles (As Collected by NC DMV):**

Net Charge:	\$8,663,013.39
Unpaid Taxes:	\$24,255.09
<b>Amount Collected:</b>	<b>\$8,638,758.30</b>

**99.72%**

**Henderson County FY22 Budget Analysis:**

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$94,458,998.00	\$99,152,440.89
Prior Years:	\$981,000.00	\$940,746.26
<b>Budget Total:</b>	<b>\$95,439,998.00</b>	<b>YTD Revenue: \$100,093,187.15</b>



**2023.109 Pending Releases and Refunds**

The pending releases and refunds were 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.

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

<b>Type:</b>	<b>Amount:</b>
Total Taxes Released from the Charge	\$ 4,509.09
Total Refunds as a result of the Above Releases	\$ 1776.05

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.”

Approved:

1. Cemetery Advisory Committee – 5 vacs  
Positions #1, 2, 3, 4, 5 – All At Large Positions
2. Juvenile Crime Prevention Council – 1 vac.  
Position #25 – At Large

### **Not-For-Profit Funding Agreement**

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

Motion:

*I move the Board authorize the Chairman to execute the provided funding agreement, thereby authorizing the release of the initial payment to the named agency.*

### **Emergency Medical Services - Ambulance**

Emergency Medical Services (EMS) requested that the Board approve the retention of one (1) ambulance initially scheduled to be surplused in FY24 to be utilized by the department as a fleet backup.

The request was primarily due to the long lead times on vehicles. For example, for FY23, two (2) new ambulances were approved. They were ordered in the spring of 2022, and the estimated delivery date is December 2023 (over 18 months). Three (3) FY24 ambulances were ordered in the spring of 2023, with no estimated delivery date yet available from the manufacturer.

EMS intends to store the ambulance at a substation and run it periodically to keep it in operating order. It will be available if a truck is out of service for an extended period and will provide additional contingency when vehicle availability is non-existent.

Motion:

*I move the Board of Commissioners approve the retention of one (1) ambulance initially scheduled to be surplused in FY24 to be utilized by the department as a fleet backup.*

### **2023.110 Budget Amendment – Fund Balance Appropriated**

Staff requested the Board approve a budget amendment that appropriates Fund Balance for an FY2023 Board-approved purchase that will be fulfilled in FY2024. The approved purchase is for Watchguard In-Car cameras.

Motion:

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

### **Home & Community Care Block Grant - FY24 Contract**

The Board was requested to approve the contract between Henderson County and the Land of Sky Regional Council's Area Agency on Aging. The Home & Community Care Block Grant Program is State/Federal funded and is administered at the local level. The Board of Commissioners approved this program's funding plan on June 5, 2023.

Approved:

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

Motion:

*I move the Board approve the contract between Henderson County and the Land of Sky Area Agency on Aging for County-Based Aging Services.*

### **Home & Community Care Block Grant FY24 Provider Contracts**

The Board was requested to approve the Home & Community Care Block Grant contracts for Fiscal Year 2024. The Home & Community Care Block Grant Program is State / Federally funded and administered at the local level. The funding plan for this program was approved at the Board of Commissioners' meeting on June 5, 2023.

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

Motion:

*I move the Board approve the provider contracts for Home and Community Care Block Grant Funds for Fiscal Year 2024.*

### **Approval of the Director of Elections' Salary**

Pursuant to N.C. Gen. Stat. §163-35(c):

Compensation paid to directors of elections in all counties maintaining full-time registration (five days per week) shall be in the form of a salary in an amount recommended by the county board of elections and approved by the Board of County Commissioners. It shall be commensurate with the salary paid to directors in counties similarly situated and similar in population and number of registered voters.

Henderson County Board of Elections Chair Clay Eddleman provided the director's proposed salary. The amount proposed in Dr. Eddleman's letter is within the range proposed by Henderson Human Resources as "commensurate with the salary paid to directors in counties similarly situated and similar in population and number of registered voters."

Motion:

*I move the Board approve the proposal from the Board of Elections for the director's initial salary.*

### **2023.111 Transfer of Ownership of K9 Ranger**

The Sheriff's Department requested the Board approve the transfer of ownership of the K9 Ranger to his handler, Ben Hawkins. K9 Ranger has served the citizens of this county well but is nearing the end of his potential service life and life expectancy. Ben Hawkins has been his sole trainer, partner, and handler of Ranger for Ranger's entire service career. Ben Hawkins is aware of the

Approved:

inherent risks associated with retired service K9s, is willing to accept such risk, and agrees to indemnify and hold harmless Henderson County from any and all claims or cause of action whatsoever arising from K-9 Ranger as well as to assume all responsibility for feeding, care, and veterinary expenses.

Motion:

*I move the Board of Commissioners approve the attached K9 Disposition Agreement to allow his handler, Ben Hawkins, to purchase K9 Ranger and ownership be transferred.*

### **Detention Facility - Request for extension of Project Position**

The Detention Facility requested an extension of the current approved project position, which expires on 8/1/2023, for a current full-time Detention Corporal who is on military leave. The Deployment Purpose: *Operation Inherent Resolve* indicates a period of active duty to be 373 days with a report date of 14 June 2023 in Fort Bliss, TX, to run concurrently with the existing deployment. This position would temporarily assume the responsibilities of the Detention Corporal, which supervises the daily operation of the squad.

The funding for this position would be covered by the temporarily vacated position. The staff covering this position would be returned to their previous pay and position at the end of the assignment.

The need for this position has been discussed with the Human Resources Department.

No additional County funding would be required.

Motion:

*I move the Board of Commissioners approve the extension of one (1) Temporary Detention Corporal project position for staffing needs due to the extension of a military deployment.*

### **Bid Award for Main Library Façade Repairs and Window Replacement**

The Board was requested to approve the low bid and authorize Facility Services to proceed with façade repairs and window replacement. Bidding was conducted between June 14, 2023, and June 30, 2023. Enterprise G Inc was the lowest responsive, responsible bidder in the amount of \$92,159 inclusive of taxes.

This purchase is funded with state budget allocation funds and had a budget of \$400,000.

Motion:

*I move the Board accept the low bid from Enterprise G Inc for \$92,159 and authorize Facility Services to proceed with façade repairs and window replacement at the Henderson County Main Library.*

### **2023.112 US DOJ Asset Forfeiture Fund Expenditure**

The Sheriff's Department requested the Board approve an appropriation from the Sheriff's Office restricted US DOJ funds in the amount of \$88,125 for a Leica 360 Crime Scene scanner. The purchase of this equipment was previously approved via consent agenda at the BOC meeting on

Approved:

9-21-22. The equipment was ordered and shipped in FY23 but was not received and invoiced until FY24.

Motion:

*I move the Board approve the budget amendment to appropriate restricted US DOJ funds.*

### **Vaya Health – Quarterly Fiscal Monitoring Report (FMR) for the quarter ended June 30, 2023**

N.C.G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The FMR for Vaya Health was received by the County Finance Officer on July 27, 2023, and provided for this meeting.

Motion:

*I move that the Board approve the Vaya Health Fiscal Monitoring Report for the quarter ended June 30, 2023.*

### **2023.113 Reimbursement Resolution for Solid Waste Third Bay**

The Board was provided with a proposed reimbursement resolution from bond counsel for consideration. The purpose of a reimbursement resolution is to allow construction project and planning costs incurred prior to the closing of the financing to be reimbursed from the financing proceeds.

NOTE: The “not to exceed” figures in the resolution were *not* intended to accurately state the project costs or amount to be financed but rather to act as a safe harbor number for the purpose of these resolutions only.

Motion:

*I move that the Board approve the reimbursement resolution for the Solid Waste third transfer station bay.*

### **Construction Manager at Risk – Solid Waste Transfer Station 3rd Bay and Tipping Floor Replacement Project**

The Board was requested to approve the RFQ selection of James R. Vannoy and Sons Construction Company Inc. and authorize staff to proceed with negotiations of CMR services.

The Statements of Qualifications received were from Cooper Construction, Carolina Specialties, and Vannoy Construction.

Motion:

*I move the Board approve the selection of James R. Vannoy and Sons Construction Company Inc. as the Construction Manager at Risk for the Solid Waste Transfer Station 3<sup>rd</sup> Bay and Tipping Floor Replacement Project and direct Staff to negotiate an agreement.*

Approved:

### **Opioid Settlement Fund – Authorized Expenditures Update**

The Opioid Settlement Fund’s authorized expenditures update as of June 30, 2023, was provided for the Board’s review and approval. Amounts received and expended will be reported annually to the Community Opioid Resources Engine for NC (CORE-NC) in compliance with the Memorandum of Agreement (MOU).

Motion:

*I move that the Board approve the June 30, 2023, Authorized Expenditures Update as presented.*

### **2023.114 US 64 Bridge Naming Resolution – Ryan P. Hendrix**

Pursuant to NCGS §136-18(8), the North Carolina Board of Transportation may name roads, bridges, or ferries. The process involves an application from the requesting party and a Resolution of Support from the jurisdiction where the facility is located.

Sheriff Lowell Griffin requested Henderson County seek that the bridge on US64 as it crosses over I-26 be named in honor of Deputy Ryan Hendrix. The Henderson County Sheriff’s Office will serve as the requesting party. The Board of Commissioners was requested to adopt the attached Resolution of Support endorsing the bridge naming in Honor of Deputy Ryan P. Hendrix.

### ***RESOLUTION OF SUPPORT***

#### ***Endorsing Bridge Naming in Honor of Deputy Ryan P. Hendrix***

**WHEREAS,** the Henderson County Sheriff’s Office has requested the North Carolina Department of Transportation (NCDOT) to name the US64 bridge over Interstate 26 in honor of Deputy Ryan P. Hendrix; and

**WHEREAS,** Deputy Ryan P. Hendrix was killed in the line of duty in service to the citizens of Henderson County on September 10, 2020; and

**WHEREAS,** in 2004 Deputy Ryan P. Hendrix enlisted with the United States Marine Corps and volunteered to serve a tour of duty in Iraq in 2006; and

**WHEREAS,** Deputy Ryan P. Hendrix began his career with the Henderson County Sheriff’s Office as a Detention Office in June 2012 and rose through the ranks as a patrol deputy, a field training officer, an active member of the SWAT team and was assigned as a Patrol Detective on his squad; and

**WHEREAS,** even in death Deputy Ryan P. Hendrix continued to exemplify a servant’s heart as an organ donor helping countless strangers; and

**WHEREAS,** NCDOT requires a Resolution of Support from local governing boards to consider the bridge naming request;

**NOW, THEREFORE, BE IT RESOLVED** that the Henderson County Board of Commissioners offers

Approved:



its support and endorses the naming of the US64 bridge over Interstate 26 in honor of Deputy Ryan P. Hendrix.

In witness whereof, I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 7<sup>th</sup> day of August 2023.

Motion:

*I move that the Board adopt the Resolution of Support endorsing the bridge naming in Honor of Deputy Ryan P. Hendrix.*

**Audit for Non-Profits (Add on)**

Commissioner Andreotta requested that staff audit at least three non-profit organizations that receive a significant allocation of funds. He stated that staff had completed this same action last year.

*Chairman McCall made the motion to adopt the consent agenda with the approved revisions. All voted in favor, and the motion carried.*

**DISCUSSION**

**Construction Contract Award – Fletcher EMS #6 Station**

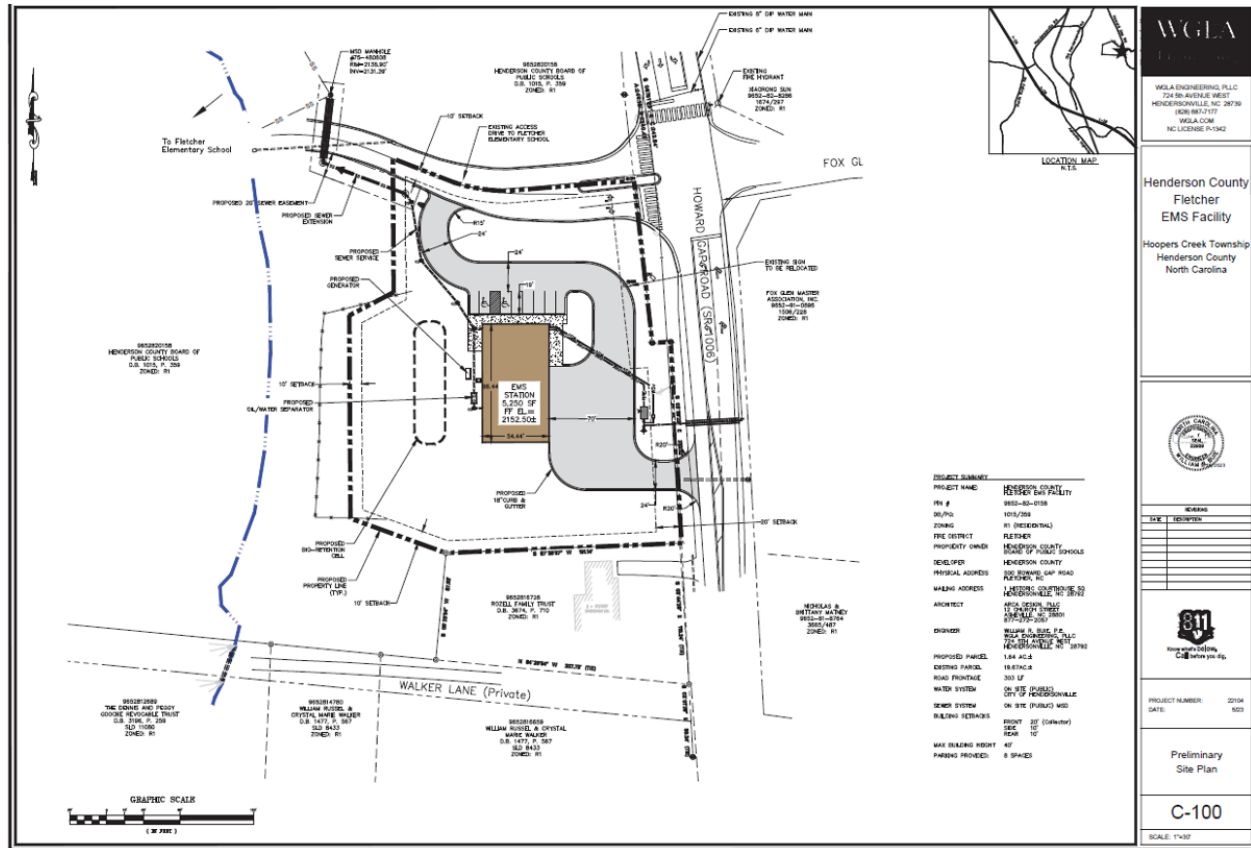
The Board was requested to award the Contract for Construction to the apparent low bidder, G.W. Liles Construction Company Inc., in the amount of \$1,954,600.00. The architect, Arca Design, advertised for bids on June 12<sup>th</sup>, 2023, and received five bid responses on July 19<sup>th</sup>, 2023. G.W. Liles was the lowest bid.

County Engineer Marcus Jones provided an overview of the bid process on the project.



Approved:

### PROJECT LAYOUT



### Details of Bid / Budget

1. Project Cost Estimate: \$3,250,000
2. Recommended Award: \$1,954,600
3. Completion 224 days from NTP (March 2024)
4. Design: \$91,000
5. Signal preemption: \$101,000
6. Potentially under budget by \$1,103,400

### Excerpt from ARCA's bid recommendation letter

I recommend awarding the construction contract as follows:

G. W. Liles Construction Co., Inc.  
 325 McGill Avenue, Suite 120  
 Concord, NC 28026  
 NC License 26158

Bid: \$1,954,600.00  
 Calendar Days from Notice to Proceed to Substantial Completion: 224

If you have any questions, please contact me at your convenience.

*Bryan Moffitt*  
 Bryan Moffitt, AIA  
 ARCA Design, PLLC  
[bryan.moffitt@arca-design.com](mailto:bryan.moffitt@arca-design.com)

Mr. Jones stated that at this point, it is potential that the County would come in approx. \$1.1M under budget.

Approved:

# Bid Tabulation

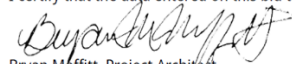
BidTab

DESIGNER ARCA Design  
 OWNER/AGENCY Henderson County  
 PROJECT NAME EMS #6  
 DATE BIDS RECEIVED 7/19/2023 3:00 PM  
 PROJECT SIZE 5,250 SF  
 LOCATION OF PROJECT Fletcher



Item	Brantley Construction	Carolina Specialties	Cooper Construction	Hickory Construction	Liles Construction
License Number	63208	41451	4763	1145	26158
Receipt of Addenda?	Yes	Yes	Yes	Yes	Yes
<b>Bid Total</b>	<b>\$1,984,000.00</b>	<b>\$2,059,446.00</b>	<b>\$2,164,000.00</b>	<b>\$2,248,000.00</b>	<b>\$1,954,600.00</b>
Calendar days to completion	245	240	270	365	224
Unit Price No.1 – Soil Removal & Replacement	\$60.00	\$71.50	\$42.00	\$50.00	
Unit Price No.2 – Rock Excavation & Soil Replacement	\$300.00	\$351.00	\$338.00	\$500.00	
Unit Price No.3 – Additional Exit Lights	\$200.00	\$195.00	\$507.00	\$500.00	

I certify that the data entered on this bid tabulation accurately reflects the information contained in the original bids received on July 19, 2023.

  
 Bryan Moffitt, Project Architect

July 19, 2023

Commissioner Lapsley asked if the architect’s fee was a percentage of the construction cost or a fixed lump sum. Marcus Jones said the fee was a fixed lump sum.

Vice-Chair Edney asked if penalties were built into the contract for the contractor exceeding the 224-day completion date. Russ Burrell said the standard fee of \$1000/day applies.

Mr. Jones commended Emergency Services Director Jimmy Brissie and EMS Manager Mike Barnett for their help on this project. They were very attentive and engaged throughout the process.

Commissioner Lapsley noted that the contractor (Liles Construction) had no price and no bid for units 1, 2, and 3 and asked if that implied that the cost would be zero if additional soil needed to be removed. Mr. Jones expects that this will be worked out in the negotiation of the contract. Commissioner Lapsley wants those charges, if any, to be clear in the negotiation.

Commissioner Hill asked if the price for the signal preemption was turnkey or just design. Mr. Jones said that the design and purchase of the equipment needed to install the signal were included. The DOT would install the signal under an encroachment agreement as it is their signal. Jones added that the majority of that cost was in the design.

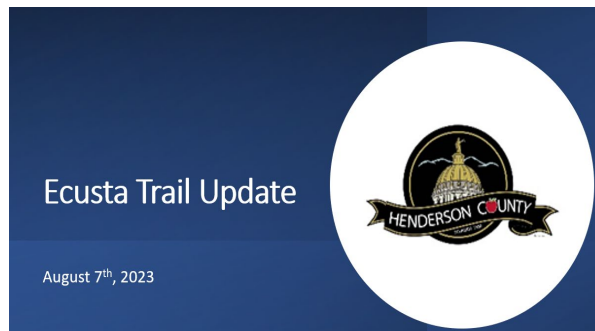
Charmain McCall stated that before the vote was taken, she wanted to add that the location was discussed with the School System and that this was land already owned by the County, so there was no additional cost to the taxpayers for the purchase of land for this project.

Approved:

Commissioner Andreotta made the motion that the Board award the contract for the construction of Fletcher EMS Station #6 to G. W. Liles Construction Company Inc. in the amount of \$1,954,600.00. All voted in favor, and the motion carried.

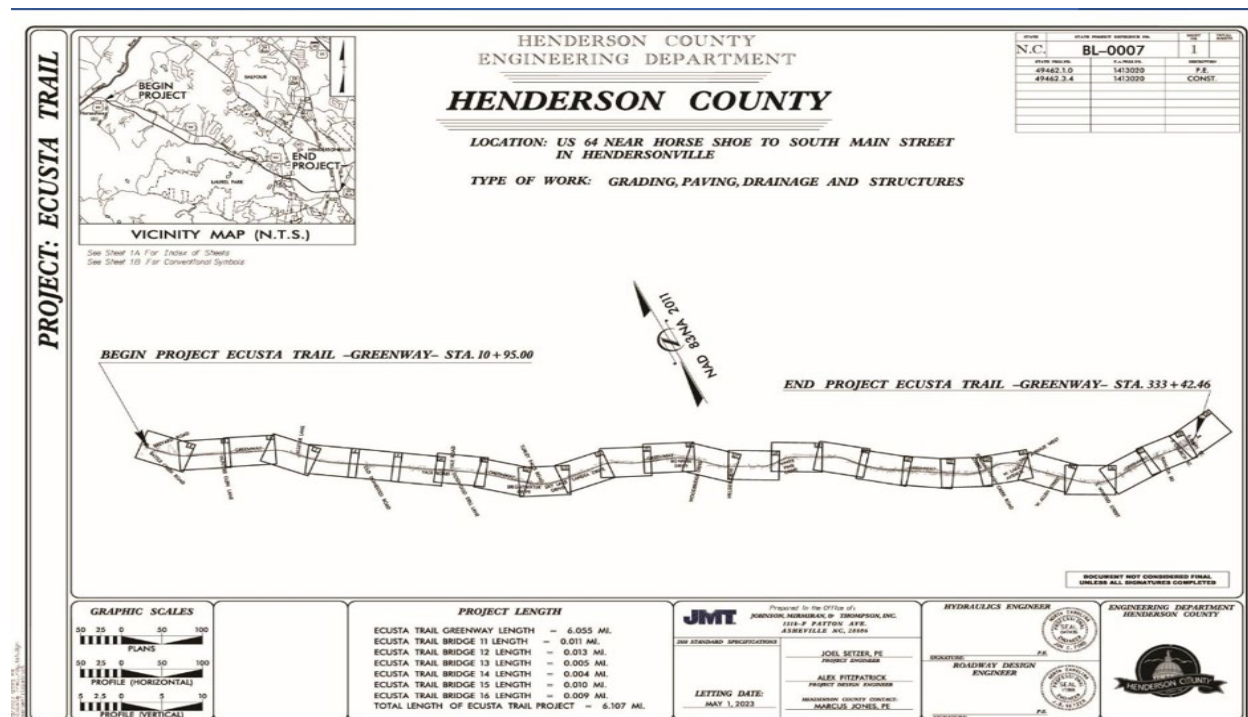
### Rail Trail Update

Christopher Todd provided an update on the Rails to Trails Project. He said we have 100% design of the first six miles of the trail, which includes the property at the Fresh Market intersection to Battle Creek Road in Horseshoe. He said there was a mandatory pre-bid meeting in July. However, they were unable to open bids as only two bids were received; the county is required by law to have at least three before bid opening. Staff is already working to re-advertise the project and get it open in the next few weeks to have a second bid opening.



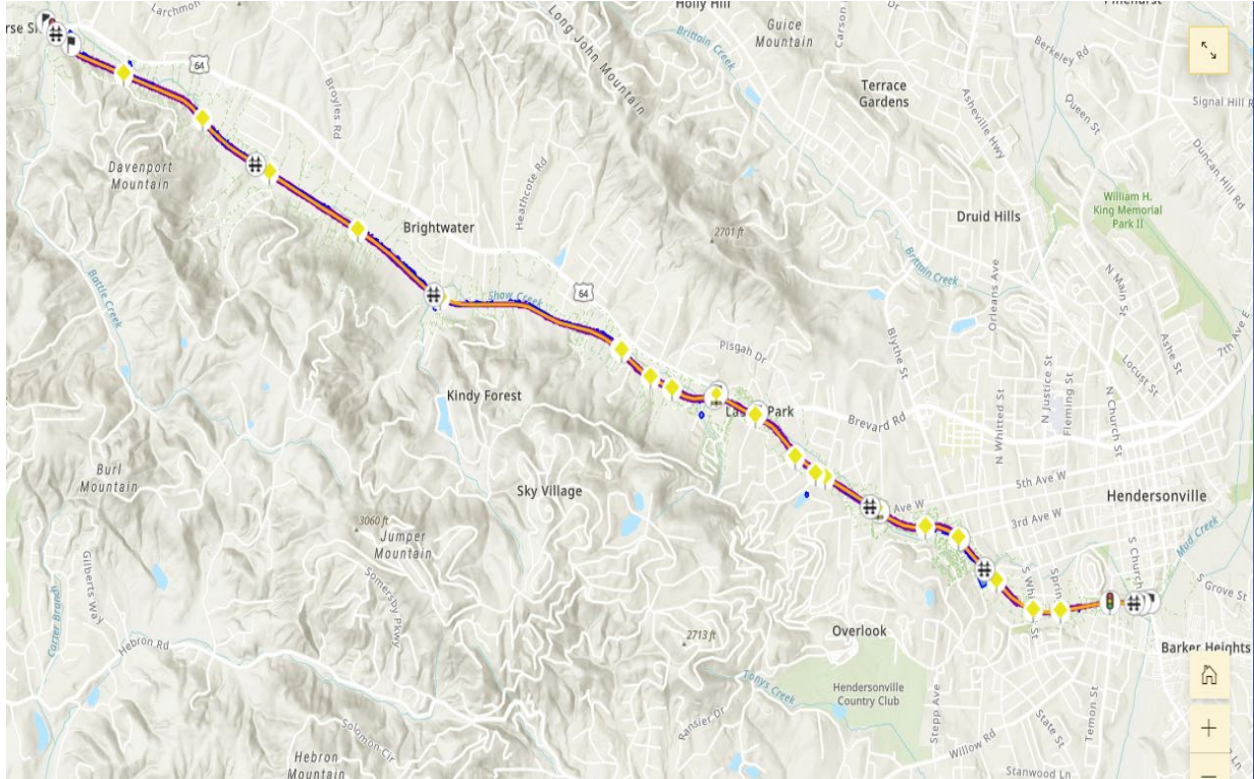
### Construction Bid Timeline

- July 7, 2023 – Construction bid posted – Must be a prequalified NCDOT bidder
- July 20, 2023 – Mandatory pre-bid meeting at 100 N King Street office
- August 7, 2023 – Construction bid opens – JM Teague office in Asheville



Approved:





## Phase I - Ecusta Trail Final Design

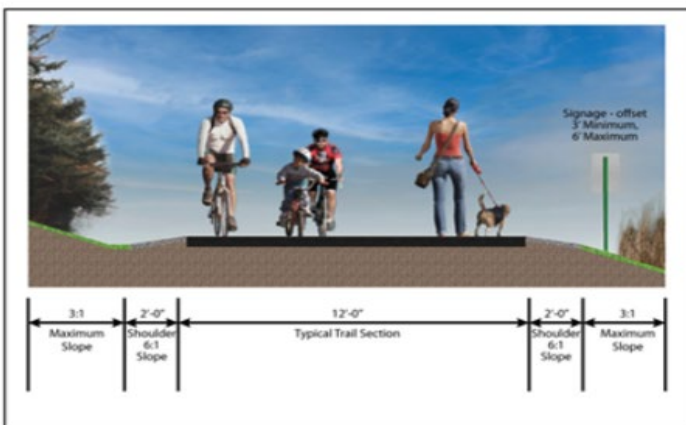
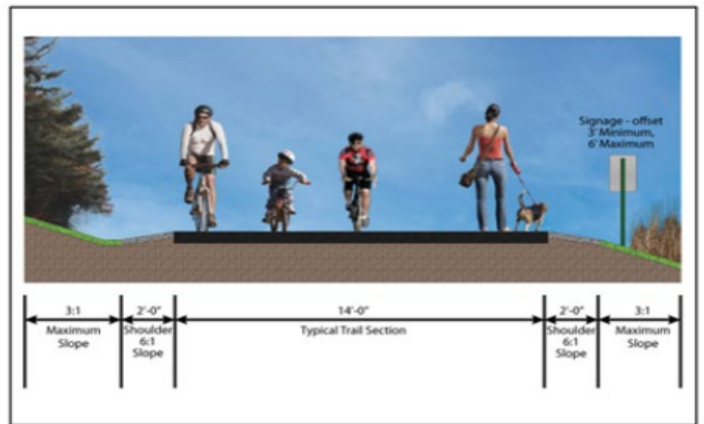
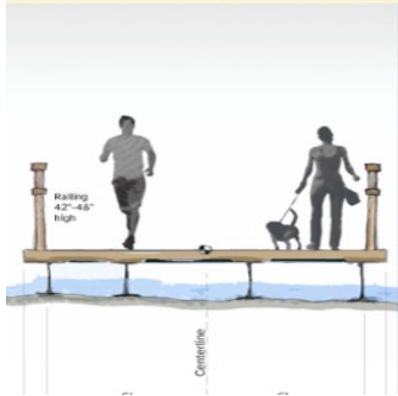
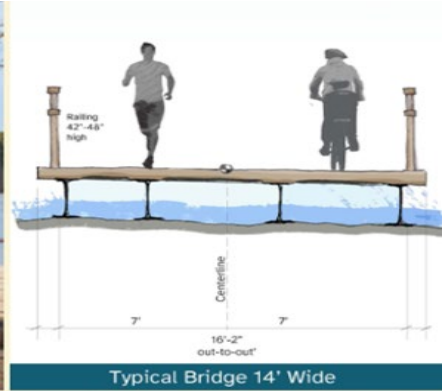
Exciting news! The Final Design of Phase I is now complete. Keep scrolling to learn more about this ongoing project.

Henderson County Planning Department



Approved:





- Grants Received:
  - 2020 – **STBG** (Surface Transportation Block Grant) awarded through FBRMPO for engineering and construction of the first six miles of trail for \$5,075,219
  - 2022 – FOET awarded \$600,000 from the **state of NC**. Money had to be spent by June 30, 2023 and was applied to the Phase I engineering for HC
  - 2022 – **STBG** awarded for construction of the final HC portion (US 64 to the county line) for \$10,467,234
  - 2023 – Additional **STBG** awarded to HC for the first six miles based on project cost in the amount of \$2,708,974
- RAISE & NSFLTP Grant Awards:
  - 2023 – **RAISE** grant awarded for PE and construction of the Ecusta Trail from Hendersonville to Brevard in the amount of \$24.5 Million.
  - 2023 – **NFLTP** grant awarded for construction of the Ecusta Trail from Hendersonville to Brevard for \$21.4 Million



Chris Todd said that up to this point in time, he was pleased to state that this project has been designed and will be constructed with no local taxpayer dollars. This is due to STBG Funds, Federal Highway Funds, given to the state of North Carolina Grants, and the county has been able to control a significant portion of that here. Friends of the Ecusta Trail obtained some State and grant funding for the first six miles of the trail. The County also has another \$12M, \$13M in funds already secured for the additional roughly five miles that remain in Henderson County. Other partners, such as the Friends of the Ecusta Trail, the TDA, and many others have also raised money. Currently, negotiations are underway for two large federal grants that would total approximately \$46M.

Commissioner Lapsley asked if any mechanism was planned to count the number of people using the trail once completed.

Approved:



Mr. Todd said that there are tools that could be investigated to measure trail usage. He noted that the Tourism Development Authority has also expressed an interest in this data.

Commissioner Andreotta asked what would result in not receiving three bids after the project is again advertised and opened for bids.

Mr. Todd stated that per state law, after the re-advertisement, the County would no longer be required to have three submissions to open and evaluate the bids.

### **2023.115 Designation of Plat Review Officers (Pulled from Consent Agenda)**

Commissioner Hill asked to be recused from the vote on this item as his daughter, Michaela Maybin, is an employee named on the list of Plat Review Officers.

*Chairman Lapsley made the motion to recuse Commissioner Hill from the vote on the Designation of Plat Review Officers. All voted in favor, and the motion carried.*

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

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

Due to staff changes, the Board needed to update the list of persons appointed as plat review officers. A proposed resolution has been prepared and is attached for the Board's consideration. This proposed resolution restates all persons currently appointed as plat review officers, remove any former county employees, and appoints new employees from the Planning Department and/or Land Records.

*Commissioner Lapsley made the motion that the Board adopt the resolution for plat review officers for Henderson County. The motion carried with a 4/0 vote.*

### **NOMINATIONS AND APPOINTMENTS**

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 – 1 vac.

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

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

*Commissioner Hill made to motion to nominate Angela Hunter for appointment to position # 1. All voted in favor, and the motion carried.*

Approved:



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. Historic Resources Commission – 1 vac.

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

7. Home & Community Care Block Grant Advisory – 1 vac.

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

8. Juvenile Crime Prevention Council – 2 vacs.

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

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

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

#### **COMMISSIONER UPDATES**

Commissioner Hill said an update was needed for the Broadband Task Force because Optimum had been bought out by Spectrum. He expects there will be a meeting of the Task Force soon.

Chairman McCall noted that Optimum was a recipient of the GREAT Grant and asked if the grant goes to Spectrum with the purchase of Optimum.

John Mitchell said he had been informed that the Board would need to reallocate the GREAT Grant funds should they wish to. He said there had been solid interest in companies interested in receiving funds to be reallocated.

Commissioner Andreotta said that this day was designated ‘National Purple Heart Day.’ He used this as a reminder to thank veterans for their service. In closing, he wished Vice-Chair Edney a happy birthday.

In turn, Vice-Chair Edney wished Commissioner Andreotta a happy birthday as well.

Commissioner Lapsley had no updates.

Chairman McCall wished both Andreotta and Edney a happy birthday. She said the Pathways for Disconnected Youth is moving forward with the school mentoring program with the help of Board of Education members Sheila Dale, Jay Egolf, and Peggy Marshall from the Community Foundation. An information session will be held on August 30, 2023, at Blue Ridge Community College in the Steve Wyatt Auditorium at 9:00 a.m. This will include a review of the McNair

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Foundation Mentoring Program and how it works in Rutherford County. She said the next step would be recruiting mentors. Once at full force, she expects that approximately 300 mentors will be needed.

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

John Mitchell said staff is wrapping up the strategic plan for the Opioid Settlement, and he expects it to be ready for the Board to take another look at the plan during their next meeting. He said it has been a long and deliberative process, and he is proud of the work that has been done. It is evident in things the Board has already approved, such as the Drug Diversion Court.

Mr. Mitchell said that during budget discussions, there was some talk about the future of the Solid Waste Enterprise Fund. He said this will be coming up in the next few months and will require much deliberation.

As a personal privilege, Mr. Mitchell said he was visiting the AAC this morning and was pleased to be greeted by the cool air inside from the newly installed air conditioning at the facility.

In closing, Vice-Chair Edney read these words for the NC State Constitution:

We, the people of the State of North Carolina grateful to almighty God, the Sovrn ruler of Nations, for the preservation of the American Union and the existence of our civil, political, and religious liberties and acknowledging our dependence on Him for the continuous of those blessings to us and our prosperity due for the most certain security thereof and for better government of the State ordained and established this constitution.

*Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143–318.11(a)(3)(4)(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 7:58 p.m. All voted in favor, and the motion carried.*

### **ADJOURN**

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Denisa A. Lauffer, Clerk to the Board

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Rebecca McCall, Chairman

Approved: