

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 5, 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 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, Library Director Trina Rushing, Human Resources Director Karen Ensley, Human Services Planner/ Evaluator Jodi Grabowski, Reference/Special Collections Librarian Mark Burdette, 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

Commissioner Andreotta provided the invocation.

### PLEDGE OF ALLEGIANCE

Zane Capps, with the Young Naturalist 4-H Club, led the Pledge of Allegiance to the American Flag.

### RESOLUTIONS AND RECOGNITIONS

#### **2023.120 Proclamation - 2023 Constitution Week**

September 17, 2023, marks the two hundred and thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention. Henderson County asks our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

Chairman McCall read the Proclamation aloud.

### **PROCLAMATION ACKNOWLEDGING SEPTEMBER 17-23, 2023 AS CONSTITUTION WEEK**

**WHEREAS**, September 17, 2023, marks the two hundred and thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, it is fitting and proper to officially recognize this magnificent document and

Approved:

the anniversary of its creation; and

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

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

**NOW, THEREFORE**, Commissioners of Henderson County of the state of North Carolina do hereby proclaim September 17 through 23, 2023, to be Constitution Week in Henderson County and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

Adopted this 5th day of September 2023.

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

#### **INFORMAL PUBLIC COMMENT**

1. Julie Brandt spoke regarding the 2045 Comprehensive Plan and in opposition to the proposed development of the Etowah Valley Golf Course.
2. Toni Marie spoke regarding the 2045 comprehensive Plan and in opposition to the proposed development of the Etowah Valley Golf Course.
3. Margaret L'Hammedien thanked the Board for lowering the Tax Rate. She also opposed the proposed development of the Etowah Valley Golf Course.
4. Betty Rogge spoke regarding the 2045 comprehensive Plan and in opposition to the proposed development of the Etowah Valley Golf Course.
5. Theresa Ferrito spoke regarding the sale of senior community Magnolia Place and the lack of information given by the new owner. She said that the lot rent has increased substantially, along with the loss of amenities in the park.
6. Nina D. Mathis spoke regarding the sale of senior community Magnolia Place and the lack of information given by the new owner. She said that the lot rent has increased substantially, along with the loss of amenities in the park.
7. Chris Currier opposed the proposed development of the Etowah Valley Golf Course.
8. Teresa Sheffield spoke regarding the change in ownership of Magnolia Place. She said that the lot rent has increased substantially, along with the loss of amenities in the park.
9. Lynn Wilson opposed the proposed development of the Etowah Valley Golf Course.

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

Vice-Chair Edney added a Closed Session for Personnel. N.C. Gen. Stat. § ney43-318.11(a)(6)

1. To consider the qualifications, competence, performance, character, fitness, conditions of

Approved:

appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee

*Commissioner Andreotta made the motion to approve the agenda with the addition of a closed session for personnel. 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):  
August 16, 2023 - Regularly Scheduled Meeting

Motion:

*I move the Board approve the minutes of August 16, 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 August 23, 2023 for 2023 real and personal property bills mailed on August 21, 2023. Vehicles taxes are billed monthly by NC DMV.

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

2023 Beginning Charge:	\$97,344,717.72		Paid 0.96%
Discoveries & Imm. Irreg.:	\$110,813.90		
Releases & Refunds:	(\$27,912.30)		
Net Charge:	\$97,427,619.32		
Unpaid Taxes:	\$96,491,897.35		
Amount Collected:	\$935,721.97	Unpaid 99.04%	

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

Net Charge:	\$1,234,767.52	99.77%
Unpaid Taxes:	\$2,867.90	
Amount Collected:	\$1,231,899.62	

**Henderson County FY24 Budget Analysis:**

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$97,695,412.00	\$2,167,621.59
Prior Years:	\$1,041,250.00	\$146,370.93
<b>Budget Total:</b>	<b>\$98,736,662.00</b>	<b>YTD Revenue: \$2,313,992.52</b>



**2023.121 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.

**Type:**

**Amount:**

Approved:

Total Taxes Released from the Charge	\$ 1,126.15
Total Refunds as a result of the Above Releases	\$ 1,039.22

Motion:

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

### **County Financial Report/Cash Balance Report – July 2023**

The July 2023 County Financial and Cash Balance Reports were provided for the Board's review and approval.

The following are explanations for departments/programs with higher budgets to actual percentages for the month of July:

- Dues/Non-Profit Contributions – payment of 1<sup>st</sup> quarter Board appropriations
- Elections – timing of payment of board-approved expenditures
- Finance – the timing of payment of board-approved expenditures
- Legal – timing of payment of board-approved expenditures
- Information Technology – timing of payment of board-approved expenditures
- Rescue Squad – payment of 1st quarter Board appropriations and billing for reimbursement of utilities
- Heritage Museum – timing of payment of monthly appropriations
- Agri-Business – excess operating expenditures, to be covered by membership fees
- Mental Health – payment of 1<sup>st</sup> quarter Board appropriations
- Veteran Services – timing of payment of board-approved expenditures
- Public Library – the timing of payment of board-approved expenditures
- Recreation – timing of payment of board-approved expenditures
- Public Education – payment of 1 of 10 annual appropriates made to the public school system

Year to Date Net Revenues under Expenditures for the Fire Districts Fund are due to the timing of annual disbursements relative to the collection of revenues.

Year to Date Net Revenues under Expenditures for the Emergency Telephone System (911) Fund is due to utilizing fund balance appropriations for FY24.

Approved:

HENDERSON COUNTY  
 FINANCIAL REPORT  
 JULY 2023

GENERAL FUND REVENUES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
General Fund	195,362,244	2,440,319.89	2,440,319.89	1.2%	-	2,440,319.89
GENERAL FUND EXPENDITURES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
Governing Body	665,655	45,539.31	45,539.31	6.84%	-	45,539.31
Dues/Non-Profit Contributions	776,896	156,197.33	156,197.33	20.11%	-	156,197.33
County Manager	470,511	24,738.17	24,738.17	5.26%	-	24,738.17
Administrative Services	823,862	58,266.47	58,266.47	7.07%	-	58,266.47
Human Resources	1,444,007	118,369.70	118,369.70	8.20%	-	118,369.70
Elections	1,127,819	212,712.65	212,712.65	18.86%	55,000.00	267,712.65
Finance	1,344,653	116,791.63	116,791.63	8.69%	-	116,791.63
County Assessor	2,133,023	135,119.75	135,119.75	6.33%	-	135,119.75
Tax Collector	589,966	36,312.65	36,312.65	6.16%	-	36,312.65
Legal	1,086,063	99,275.41	99,275.41	9.14%	-	99,275.41
Register of Deeds	727,473	49,796.62	49,796.62	6.85%	5,039.50	54,836.12
Facilities Services	6,233,590	197,547.02	197,547.02	3.17%	385,389.28	582,936.30
Garage	553,002	17,589.64	17,589.64	3.18%	26,172.44	43,762.08
Court Facilities	153,000	607.00	607.00	0.40%	-	607.00
Information Technology	6,213,626	808,944.98	808,944.98	13.02%	584,887.48	1,393,832.46
Sheriff	23,402,344	1,766,490.60	1,766,490.60	7.55%	211,765.25	1,978,255.85
Detention Center	6,827,956	529,518.06	529,518.06	7.76%	462,247.73	991,765.79
Emergency Management	835,231	53,360.49	53,360.49	6.39%	222.00	53,582.49
Fire Services	1,025,469	34,238.08	34,238.08	3.34%	1,086.00	35,324.08
Building Services	1,655,748	124,806.55	124,806.55	7.54%	-	124,806.55
Wellness Clinic	1,460,986	60,170.66	60,170.66	4.12%	92,323.00	152,493.66
Emergency Medical Services	12,339,168	860,529.04	860,529.04	6.97%	76,888.02	937,417.06
Animal Services	963,795	55,077.44	55,077.44	5.71%	37,215.34	92,292.78
Rescue Squad	757,750	190,160.06	190,160.06	25.10%	-	190,160.06
Forestry Services	151,972	-	-	0.00%	-	-
Soil & Water Conservation	526,089	33,424.21	33,424.21	6.35%	19,106.00	52,530.21
Planning	1,026,955	65,861.74	65,861.74	6.41%	-	65,861.74
Code Enforcement Services	331,303	25,178.84	25,178.84	7.60%	-	25,178.84
Site Development	321,490	21,368.30	21,368.30	6.65%	-	21,368.30
Heritage Museum	100,000	16,666.66	16,666.66	16.67%	-	16,666.66
Cooperative Extension	681,039	49,665.63	49,665.63	7.29%	-	49,665.63
Projects Management	267,360	11,780.90	11,780.90	4.41%	-	11,780.90
Economic Development	945,777	-	-	0.00%	-	-
Agri-Business	220,084	20,034.39	20,034.39	9.10%	-	20,034.39
Public Health	11,308,635	761,790.05	761,790.05	6.74%	518,647.61	1,280,437.66
Environmental Health	1,876,787	133,673.99	133,673.99	7.12%	-	133,673.99
H&CC Block Grant	844,293	-	-	0.00%	-	-
Medical Services - Autopsies	90,000	-	-	0.00%	-	-
Mental Health	528,612	132,153.00	132,153.00	25.00%	-	132,153.00
Rural Transportation Assist Program	201,384	-	-	0.00%	-	-
Social Services	22,693,581	1,567,480.29	1,567,480.29	6.91%	21,545.88	1,589,026.17
Juvenile Justice Programs	302,020	-	-	0.00%	-	-
Veteran Services	245,704	22,892.29	22,892.29	9.32%	-	22,892.29
Public Library	4,020,877	357,999.81	357,999.81	8.90%	362,007.03	720,006.84
Recreation	3,225,812	316,837.10	316,837.10	9.82%	181,321.63	498,158.73
Public Education	40,128,000	4,354,466.66	4,354,466.66	10.85%	-	4,354,466.66
Debt Service	19,178,617	-	-	0.00%	-	-
Non-Departmental	755,510	211.95	211.95	0.03%	-	211.95
Interfund Transfers	11,778,750	979,895.84	979,895.84	8.32%	-	979,895.84
<b>TOTAL</b>	<b>195,362,244</b>	<b>14,623,540.96</b>	<b>14,623,540.96</b>		<b>3,040,864.19</b>	<b>17,664,405.15</b>
<b>Net Revenues over (under) Exp.</b>	<b>-</b>	<b>(12,183,221.07)</b>	<b>(12,183,221.07)</b>		<b>(3,040,864.19)</b>	<b>(15,224,085.26)</b>

APPROPRIATIONS DETAIL						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
<b>SOCIAL SERVICES</b>						
Staff Operations	18,512,686	1,410,970.59	1,410,970.59	7.6%	21,545.88	1,432,516.47
Federal & State Programs	4,080,895	155,270.86	155,270.86	3.8%	-	155,270.86
General Assistance	100,000	1,238.84	1,238.84	1.2%	-	1,238.84
<b>TOTAL</b>	<b>22,693,581</b>	<b>1,567,480.29</b>	<b>1,567,480.29</b>		<b>21,545.88</b>	<b>1,589,026.17</b>
<b>EDUCATION</b>						
Schools Current/Capital Expense	34,628,000	3,437,800.00	3,437,800.00	9.9%	-	3,437,800.00
Blue Ridge Community College	5,500,000	916,666.66	916,666.66	16.7%	-	916,666.66
<b>TOTAL</b>	<b>40,128,000</b>	<b>4,354,466.66</b>	<b>4,354,466.66</b>		-	<b>4,354,466.66</b>
<b>DEBT SERVICE</b>						
Public Schools	11,642,875	-	-	0.0%	-	-
Blue Ridge Community College	3,297,401	-	-	0.0%	-	-
Henderson County	4,238,341	-	-	0.0%	-	-
<b>TOTAL</b>	<b>19,178,617</b>	-	-		-	-
<b>INTERFUND TRANSFERS</b>						
Capital Projects Fund	250,000	20,833.34	20,833.34	8.3%	-	20,833.34
Capital Reserve Fund	4,603,500	383,625.00	383,625.00	8.3%	-	383,625.00
Fire Districts Fund	20,000	-	-	0.0%	-	-
HCPS MRTS	4,603,500	383,625.00	383,625.00	8.3%	-	383,625.00
BRCC MRTS	2,301,750	191,812.50	191,812.50	8.3%	-	191,812.50
<b>TOTAL</b>	<b>11,778,750</b>	<b>979,895.84</b>	<b>979,895.84</b>		-	<b>979,895.84</b>
SPECIAL REVENUE FUNDS						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
<b>FIRE DISTRICTS FUND</b>						
Revenues:	15,915,648	15,567.57	15,567.57	0.1%	-	15,567.57
Expenditures:	15,915,648	55,490.00	55,490.00	0.3%	-	55,490.00
<b>Net Revenues over (under) Exp</b>	-	<b>(39,922.43)</b>	<b>(39,922.43)</b>		-	<b>(39,922.43)</b>
<b>REVALUATION RESERVE FUND</b>						
Revenues:	1,510,021	133,807.43	133,807.43	8.9%	-	133,807.43
Expenditures:	1,510,021	116,802.44	116,802.44	7.7%	31,750.00	148,552.44
<b>Net Revenues over (under) Exp</b>	-	<b>17,004.99</b>	<b>17,004.99</b>		<b>(31,750.00)</b>	<b>(14,745.01)</b>
<b>EMERGENCY TELEPHONE SYSTEM (911) FUND</b>						
Revenues:	271,349	2,626.07	2,626.07	1.0%	-	2,626.07
Expenditures:	271,349	53,596.32	53,596.32	19.8%	36,455.59	90,051.91
<b>Net Revenues over (under) Exp</b>	-	<b>(50,970.25)</b>	<b>(50,970.25)</b>		<b>(36,455.59)</b>	<b>(87,425.84)</b>
<b>PUBLIC TRANSIT FUND</b>						
Revenues:	1,147,785	-	-	0.0%	-	-
Expenditures:	1,147,785	-	-	0.0%	25,912.89	25,912.89
<b>Net Revenues over (under) Exp</b>	-	-	-		<b>(25,912.89)</b>	<b>(25,912.89)</b>
<b>MISC. OTHER GOVERNMENTAL ACTIVITIES</b>						
Revenues:	960,000	39,066.25	39,066.25	4.1%	-	39,066.25
Expenditures:	960,000	34,567.56	34,567.56	3.6%	-	34,567.56
<b>Net Revenues over (under) Exp</b>	-	<b>4,498.69</b>	<b>4,498.69</b>		-	<b>4,498.69</b>
<b>ARPA FUND</b>						
Revenues:	-	75,188.29	75,188.29	-	-	75,188.29
Expenditures:	-	-	-	-	-	-
<b>Net Revenues over (under) Exp</b>	-	<b>75,188.29</b>	<b>75,188.29</b>		-	<b>75,188.29</b>
<b>OPIOID FUND</b>						
Revenues:	72,217	218,387.42	218,387.42	-	-	218,387.42
Expenditures:	72,217	7,736.51	7,736.51	-	-	7,736.51
<b>Net Revenues over (under) Exp</b>	-	<b>210,650.91</b>	<b>210,650.91</b>		-	<b>210,650.91</b>
CAPITAL PROJECTS						
	BUDGET	CURRENT MONTH	PROJECT TO DATE	% USED	ENCUMBRANCES	TOTAL
<b>EDNEYVILLE ELEMENTARY SCHOOL PROJECT (1702)</b>						
Revenues:	26,854,136	8,735.26	27,836,000.65	103.7%	-	27,836,000.65
Expenditures:	26,854,136	-	25,331,294.76	94.3%	-	25,331,294.76
<b>Net Revenues over (under) Exp</b>	-	<b>8,735.26</b>	<b>2,504,705.89</b>		-	<b>2,504,705.89</b>
<b>HENDERSONVILLE HIGH SCHOOL PROJECT - 2019 (1903) - PROJECT COMPLETE</b>						
Revenues:	60,442,694	-	61,180,389.90	101.2%	-	61,180,389.90
Expenditures:	60,442,694	-	60,940,000.37	100.8%	-	60,940,000.37
<b>Net Revenues over (under) Exp</b>	-	-	<b>240,389.53</b>		-	<b>240,389.53</b>
<b>BRCC PATTON BUILDING PROJECT (1904) - PROJECT COMPLETE</b>						
Revenues:	24,800,016	-	25,491,653.09	102.8%	-	25,491,653.09
Expenditures:	24,800,016	-	25,083,221.60	101.1%	-	25,083,221.60
<b>Net Revenues over (under) Exp</b>	-	-	<b>408,431.49</b>		-	<b>408,431.49</b>
ENTERPRISE FUNDS						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
<b>SOLID WASTE LANDFILL FUND</b>						
Revenues:	9,309,047	651,500.76	651,500.76	7.0%	-	651,500.76
Expenditures:	9,309,047	163,642.83	163,642.83	1.8%	5,719,386.37	5,883,029.20
<b>Net Revenues over (under) Exp</b>	-	<b>487,857.93</b>	<b>487,857.93</b>		<b>(5,719,386.37)</b>	<b>(5,231,528.44)</b>
<b>JUSTICE ACADEMY SEWER FUND</b>						
Revenues:	67,739	6,279.35	6,279.35	9.3%	-	6,279.35
Expenditures:	67,739	161.83	161.83	0.2%	-	161.83
<b>Net Revenues over (under) Exp</b>	-	<b>6,117.52</b>	<b>6,117.52</b>		-	<b>6,117.52</b>

Approved:

Motion:

*I move the Board approve the July 2023 County Financial Report and Cash Balance Report as presented.*

**Henderson County Public Schools Financial Report – July 2023**

The Henderson County Public Schools July 2023 Local Current Expense Fund / Other Restricted Funds Report was provided for the Board’s information.

**HENDERSON COUNTY PUBLIC SCHOOLS  
LOCAL CURRENT EXPENSE/OTHER RESTRICTED FUNDS  
as of July 31, 2023**

	LOCAL CURRENT EXPENSE FUND	OTHER RESTRICTED FUND		
<b>REVENUES:</b>				
	YTD Activity	YTD Activity	Combined Total	Prior YTD
3200 State Sources	\$ -	\$ -	\$ -	\$ -
3700 Federal Sources-Restricted	-	38,286	38,286	25,717
3800 Other Federal-ROTC	-	-	-	-
4100 County Appropriation	3,287,800	-	3,287,800	2,992,800
4200 Local -Tuition/Fees	-	2,280	2,280	-
4400 Local-Unrestricted	29,245	4,015	33,260	39,915
4800 Local-Restricted	-	24,266	24,266	19,634
4900 Fund Balance Appropriated/Transfer From school	-	-	-	-
<b>TOTAL FUND REVENUES</b>	<b>\$ 3,317,045</b>	<b>\$ 68,847</b>	<b>\$ 3,385,892</b>	<b>\$ 3,078,066</b>
<b>EXPENDITURES:</b>				
<b>Instructional Services:</b>	YTD Activity	YTD Activity	Combined Total	Prior YTD
5100 Regular Instructional Services	\$ 129,592	\$ 16,310	\$ 145,902	\$ 95,532
5200 Special Populations Services	2,674	30,028	32,702	20,539
5300 Alternative Programs and Services	532	8,994	9,525	17,218
5400 School Leadership Services	182,148	-	182,148	161,462
5500 Co-Curricular Services	7,128	-	7,128	3,499
5800 School-Based Support Services	94,836	-	94,836	85,856
<b>Total Instructional Services</b>	<b>\$ 416,908</b>	<b>\$ 55,332</b>	<b>\$ 472,240</b>	<b>\$ 384,108</b>
<b>System-Wide Support Services:</b>				
6100 Support and Development Services	\$ 23,271	\$ 13,172	\$ 36,443	\$ 24,091
6200 Special Population Support	18,614	8,512	27,127	16,841
6300 Alternative Programs	6,959	-	6,959	5,115
6400 Technology Support Services	178,679	3,642	182,321	83,963
6500 Operational Support Services	438,553	9,020	447,572	491,359
6600 Financial and Human Resource Services	1,218,365	28,583	1,246,948	989,316
6700 Accountability Services	15,926	1,200	17,126	15,307
6800 System-Wide Pupil Support Services	27,693	-	27,693	33,497
6900 Policy, Leadership and Public Relations	71,628	9,990	81,618	121,277
<b>Total System-Wide Support Services</b>	<b>\$ 1,999,689</b>	<b>\$ 74,119</b>	<b>\$ 2,073,808</b>	<b>\$ 1,780,765</b>
<b>Ancillary Services:</b>				
7100 Community Services	\$ -	\$ 5,167	\$ 5,167	\$ 12,812
7200 Nutrition Services	-	-	-	-
<b>Total Ancillary Services</b>	<b>\$ -</b>	<b>\$ 5,167</b>	<b>\$ 5,167</b>	<b>\$ 12,812</b>
<b>Non-Programmed Charges:</b>				
8100 Payments to Other Governmental Units	\$ -	\$ -	\$ -	\$ -
8600 Educational Foundations	-	976	976	6,700
<b>Total Non-Programmed Charges</b>	<b>\$ -</b>	<b>\$ 976</b>	<b>\$ 976</b>	<b>\$ 6,700</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>\$ 2,416,597</b>	<b>\$ 135,594</b>	<b>\$ 2,552,191</b>	<b>\$ 2,184,384</b>

Motion:

*I move the Board approve the Henderson County Public Schools' July 2023 Financial Reports 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 – 1 vac.  
Position #17 – Position Requirement – EMD - Dispatch

Approved:

**2023.122 Budget Amendment – Fund Balance Appropriation**

Staff requested the Board approve a budget amendment, which appropriates fund balance for purchases that will not be fulfilled until FY24. These items, included on the list provided, were approved, budgeted for, and encumbered in FY23 but were not delivered or fulfilled by the end of the fiscal year because of supply chain disruptions or other delays. (Items List attached to the minutes).

Motion:

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

**2023.123 Budget Amendment – Federal Forfeiture Fund**

Staff requested the Board approve a budget amendment which appropriates Federal Forfeiture Funds for a purchase of Covert Trackers. The purchase of the Covert Trackers was approved by the Board in FY23 but was not completed until FY2024.

Motion:

*I move the Board approve the budget amendment to appropriate Federal Forfeiture Funds.*

**2023.124 Budget Amendment – Restricted Fund Balance Sheriff's Office**

Sheriff's Office Staff has requested the Board approve a budget amendment that appropriates fund balance for unused restricted donations for Sheriff's Office special funds. These funds are derived from restricted donations to be used for specific programs, including Pawnbroker, K-9, VIP, STAR, Shop with a Hero, and Honor Guard. The amounts reflected in the budget amendment are the unspent portion of restricted donations from FY2023, to be carried over and spent in FY2024.

Motion:

*I move the Board approve the budget amendment to appropriate restricted fund balance for the special Sheriff Office accounts as presented.*

**2023.125 Budget Amendment - MRTS**

The Board was requested to approve a budget amendment appropriating fund balance from Maintenance, Repair, Technology, and Security (MRTS) for both the Henderson County Public Schools and Blue Ridge Community College. This budget amendment will appropriate funds sufficient for FY24 projects and projects that were budgeted in FY23 but not completed by the close of the fiscal year.

Motion:

*I move the Board approve the budget amendment as presented.*

**Agreement with James R. Vannoy and Sons Construction, Inc. Solid Waste: Third Transfer Station Bay**

During the August 3, 2023, meeting, the Board selected James R. Vannoy and Sons Construction, Inc (Vannoy) as the most qualified responding Construction Manager at Risk firm for the subject project. In turn, staff has negotiated a proposed agreement with Vannoy for \$37,875 for the Board's consideration. This proposed amount is 0.45% of the estimated construction cost and is consistent with previous agreements with Vannoy and other CMR firms.

Approved:



Should the Board approve the proposal, staff will generate an AIA contract consistent with the previous CMR contracts.

Motion:

*I move that the Board authorize the County Engineer to develop and execute a CMR contract with James R. Vannoy and Sons Construction, Inc. based on their proposal of \$37,875.*

### **Temporary Project Position – Site Development**

The Board was requested to approve the addition of a temporary project position in the Site Development Department, effective September 10, 2023, through December 31, 2023. The addition of the position will provide the Department with the capacity to allow for Stormwater/Watershed and Floodplain training requirements.

Motion:

*I move the Board approve the temporary project position, effective September 10, 2023, through December 31, 2023.*

### **Rejection of Bids for the Purchase of 42 Computers with Accessories**

The Board was requested to reject all bids and authorize staff to resolicit bids.

Due to the purchase involving the use of federal funds, bids were solicited from August 3 to August 15. The low bids received within budget were as follows: Archangel Education Technology in the amount of \$74,330.80, Riverside Technologies in the amount of \$86,851, and Y&S Technologies in the amount of \$114,036. These bids were within budget; however, they did not conform to the specifications provided. All other bids received were above the budgeted amount of \$132,950 that was budgeted in the Department of Social Services and Department of Public Health budgets for FY2024.

Motion:

*I move the Board reject all bids and authorize staff to proceed with rebidding the purchase of computer workstations and peripherals.*

### **Home & Community Care Block Grant – FY24 Funding Provider Packets**

At the Board meeting held on June 5, 2023, the FY24 County funding plan for the Home & Community Care Block Grant (HCCBG) was approved. Following approval of the funding plan, area Providers were required to submit completed application packets for remission to Land of Sky (LOS), the Area Agency on Aging for County-Based Aging Services.

Motion:

*I move the Board authorize the Chairman to sign off on the HCCBG County Funding Plan County Services Summary and the County Funding Plan Provider Services Summaries as presented.*

Approved:

**Facility Use Policy Exemption – Camera Club of Hendersonville**

The County has received a request from the Camera Club of Hendersonville to display members' prints from their annual print competition at the Library's main branch in Hendersonville during October 2023.

To allow for this use on County grounds, the Board was requested to grant a one-time exemption to the Public Library Facility Use Policy. This exemption, if granted, would cover only the month of October 2023, as outlined above.

**Motion:**

*I move that the Board grant an exemption to the Public Library Facility Use Policy, allowing the Camera Club of Hendersonville to utilize the Library to display members' prints during the month of October 2023.*

**2023.126 Strategic Plan Adoption – For the use of Opioid Settlement Funds**

At the Board's August 16, 2023 meeting, Katie Varnadoe, Director of Consulting Services with The REAL Academy, presented the Board with a proposed Strategic Plan for the use of Opioid Settlement Funds. This proposed draft was subsequently posted on the County's website for further review by any interested parties.

Following that review period, the Board was requested to formally adopt the Strategic Plan as presented. This adoption allows the County to "unlock" all potential uses for the Opioid Settlement Funds.

**Motion:**

*I move the Board approve the "Strategic Plan for the Use of Opioid Settlement Funding FY2023-2028" as presented.*

**Henderson County Historic Resource Landmark Designation Application – Samuel J. Childs House**

On April 15, 2015, the Board of Commissioners adopted the Historic Resources Landmark Ordinance and associated design guidelines. Although the program participation is voluntary, properties must meet certain criteria to be selected through a quasi-judicial hearing by the Zoning Board of Adjustment and be approved by the Board of Commissioners. By law, the adoption of this ordinance will allow the portions of properties approved for historic designation to be eligible for a 50% tax abatement.

The Henderson County Historic Resources Commission (HRC) recommends that the Samuel J. Childs House, located at 105 Turley Falls Rd., be designated as a Local Landmark based on the information presented in the Local Landmark Designation application. The HRC has completed reports on the historic, architectural, and cultural significance of the church sanctuary building and has determined that it is worthy of Local Landmark designation. The State Historic Preservation Office has also reviewed the application for conformance.

On July 26, 2023, the Zoning Board of Adjustment, through a quasi-judicial proceeding, voted to approve the exterior of the principal structure, Samuel J. Childs House, not including accessory structures or amenities on the grounds, located at 105 Turley Falls Rd as a Local Landmark Designation.

Approved:

The Zoning Board of Adjustment reviewed the draft order during their August 30, 2023, meeting. The order must be forwarded to the Board of Commissioners for approval and eligibility for a tax abatement.

Motion:

*I move that the Board approve the exterior of the principal structure, Samuel J. Childs House, not including accessory structures or amenities on the grounds, located at 105 Turley Falls Road (S.R. 1215) as a Local Landmark Designation.*

### **2023.127 Conditions for Rezoning R-2023-07-C**

This is the conditional rezoning matter heard by the Board on July 19, 2023.

The conditions provided have been approved by the applicant and are consistent with the Board's statements at the hearing. Condition 1 is an attempt to give specificity to the Board's statements in the event the City of Hendersonville refuses sewer connection in the absence of a request for annexation by the property owner.

Motion:

*I move that the Board approve the statement of conditions for the rezoning R-2023-07-C.*

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

### **PUBLIC HEARING**

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

### **2023.128 Project Eagle – Application for Economic Development Incentives**

A public hearing was held at the request of "Project Eagle Corporation" for proposed economic development incentives.

*Vice-Chair Edney made the motion to go out of the Public Hearing. All voted in favor, and the motion carried.*

Public Input

1. Lynn Wilson spoke in opposition to the lack of transparency regarding the identity and scope of the project for Project Eagle.

*Vice-Chair Edney made the motion that the Board offer economic development incentives to the Project Eagle Corporation in accordance with the County's Economic Development Incentives Guidelines. All voted in favor, and the motion carried.*



Approved:

## DISCUSSION

### Farm to School Update

School Superintendent Mark Garrett introduced Robert Roth, who presented information on a Farm to Table project for Henderson County Public Schools.

**NC Farm to School Program**  
*est. 1997*

Heather Barnes  
Marketing Specialist  
North Carolina Department of Agriculture & Consumer Services

**The Beginning....**

- Began in 1997
- Schools identified need
- Farmers diversifying markets
- NCDA Programs
  - USDA foods
  - Emergency Feeding
  - Summer Feeding/Camps
  - Disaster Relief



**Where Do Schools Buy food?**

- Distributors
- Food service management companies
- NC Farm to School program
- USDA Foods
- DoD Fresh
- Individual farmers
- Other



**How Do Schools Procure Food?**

- National, State and Local regulations
- Competitive, Fair and Open Competition
- Informal and Formal

**How does NC Farm to School meet bidding requirements?**

- Quarterly
- What is "local"?
- Cannot require "local" or "Grown in North Carolina"
- Geographic Preference
- Bid matching

**NC Farm to School Products**

Apples	- Honeydew melons
Asian pear	- Strawberries
Blueberries	- Sweetpotatoes
Broccoli crowns	- Tomatoes
Cabbage	- Watermelon
- Cantaloupes	Collards*
Peaches	Kale*
Romaine lettuce	Apple slices (bagged)*

**NC Farm to School Program Advisory Committee**

- School Nutrition Directors
- Regional representatives
- Insight on crops programs use
- Guidance on promotional materials
- Input on training needs




**SN Training/Resources**

- Farm Tours
- Best Practices Award
- New SND training
- Produce Safety Academy
- Procuring Local Foods



### Farm to School Resources

- NC Farm to School Program Artwork Calendar
- Storybooks, Activity Guides, Posters
- Lesson Plans
- Farm to School Videos
- NC Farm to School Cookbook



### What farmers need to know

- What schools already serve
- Quantity
- Grade/Size/Variety
- How they will use it
- Transportation
- Packaging
- Procurement Policies
- Food Safety Requirements -GAP
- Liability Insurance
- Post Harvest/Processing Preferences
- Traceability

### What schools need to know

- Who farmers are
- Seasonal availability of crops
- Quantity available
- Price point
- Food Safety/GAP/HACCP
- What you are growing
- What you could grow
- Transportation
- Liability Insurance

### Barriers for Schools

- Cost
- Availability
- Storage
- Transportation
- Staff
- Equipment
- Prep Time

### Partnerships and Grants

- Blue Cross Blue Shield Foundation of NC
- USDA Farm to School grants (2 received)
- USDA Specialty Crop Grant
- NC Grange
- NC Ag in the Classroom
- School Nutrition Association of NC
- Commodity Associations
- NCDPI



### Program Impacts 2019-20

85 school districts participated

\$1,375,084.02 of produce from NC farmers sold to NC schools

### For more information...

Heather Barnes  
NCDA&CS  
[heather.barnes@ncagr.gov](mailto:heather.barnes@ncagr.gov)  
[ncfarmtoschool.com](http://ncfarmtoschool.com)

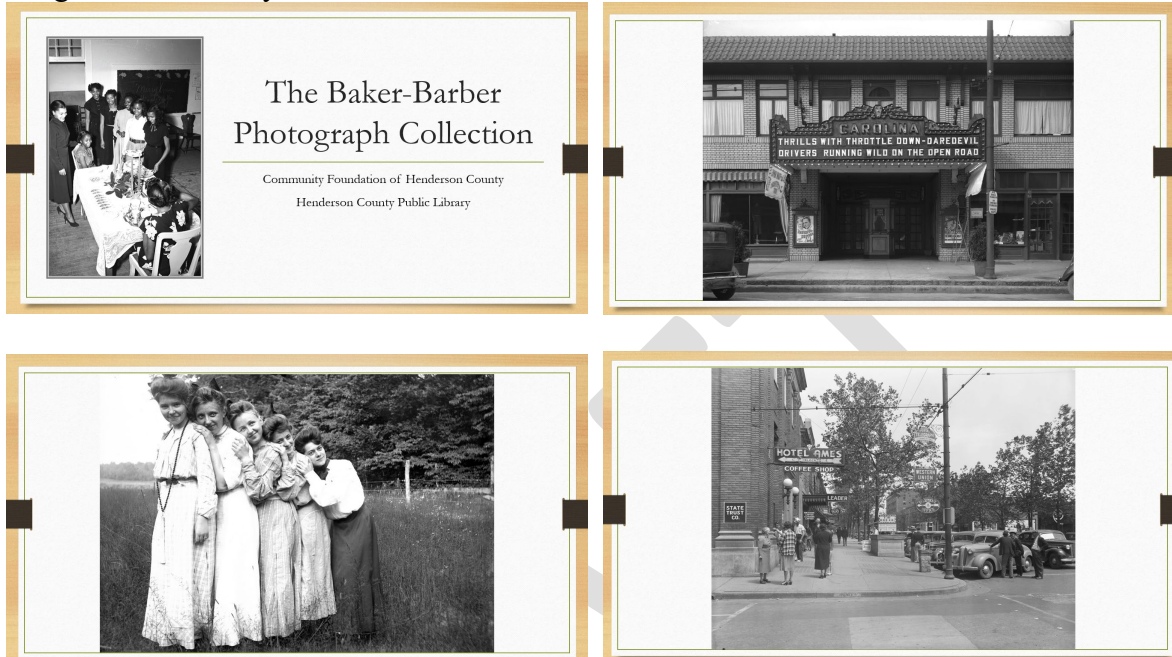
Greg Hoggard – NCDA Grading/GAP Inspections  
[gregory.hoggard@ncagr.gov](mailto:gregory.hoggard@ncagr.gov)  
<https://www.ncagr.gov/markets/gradnreg/foodsafety/index.htm>

GAP Cost Share  
<http://www.ncagr.gov/markets/NCgradesvc/index.htm>



### Baker Barber Collection Update

Library Director Trina Rushing provided the Board with an update on the digitization of the Baker Barber Collection. Reference/Special Collections Librarian Mark Burdette answered questions from the Board. He explained the method for uploading and cataloging the collection's 40,000 images to the County's website.



The Board directed Staff to upload the Baker Barber collection in its entirety to the County's website and to continue to work on the cataloging and organization of the project to create a searchable index. Staff was further directed to develop a timeline and proposed cost for completing the Baker Barber Collection within the next five years.

### 2045 Comprehensive Plan – Map Update

After receipt of the draft 2045 Comprehensive Plan from the Planning Board on December 5<sup>th</sup>, 2022, the Board of Commissioners has been conducting a thorough review of the draft plan. As part of that process, the Board of Commissioners wished to review the Future Land Use Map.

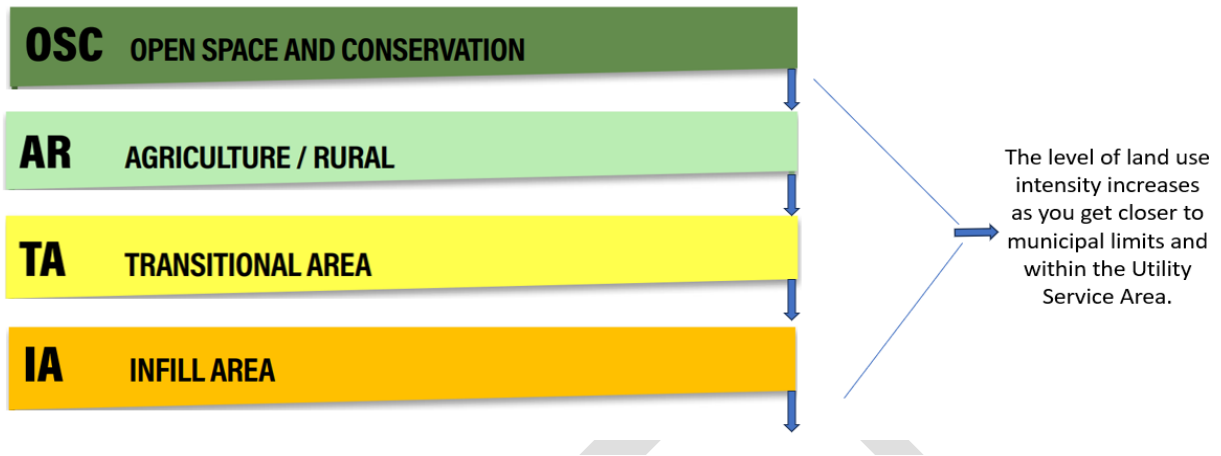
The Board of Commissioners directed staff at their meeting on August 16<sup>th</sup>, 2023, to break down the current draft map into smaller geographic areas for review.

### Future Land Use Map

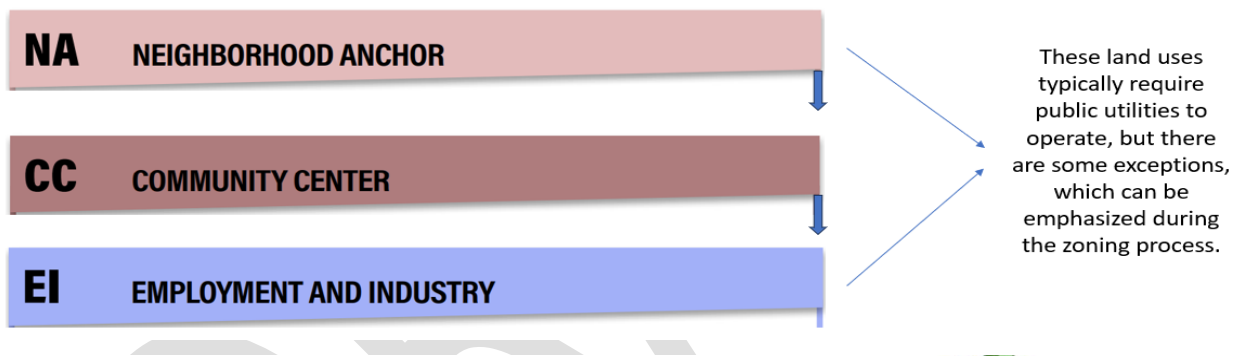
- Legally required and is the backbone of the comprehensive plan.
- Has seven Character Areas that cover the whole County aside from municipal limits and ETJ areas.
- Is NOT the same as a zoning map since it's high-level and envisions land use 20 years in the future.
  - FLUM should inform rezoning decisions along with an in-depth analysis and public feedback
  - Character Areas could represent multiple different zoning districts
- Agriculture is exempt from County zoning and can be practiced in any of the Character Areas.

Approved:

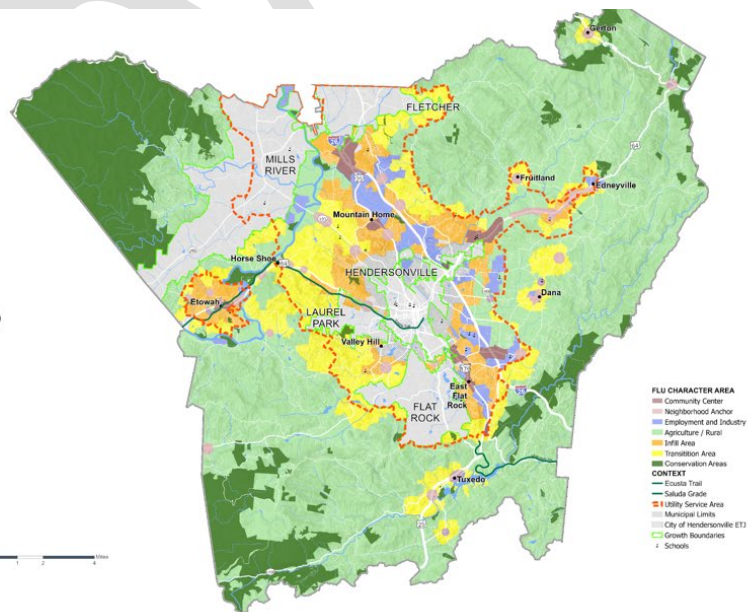
# Character Areas



# Character Areas



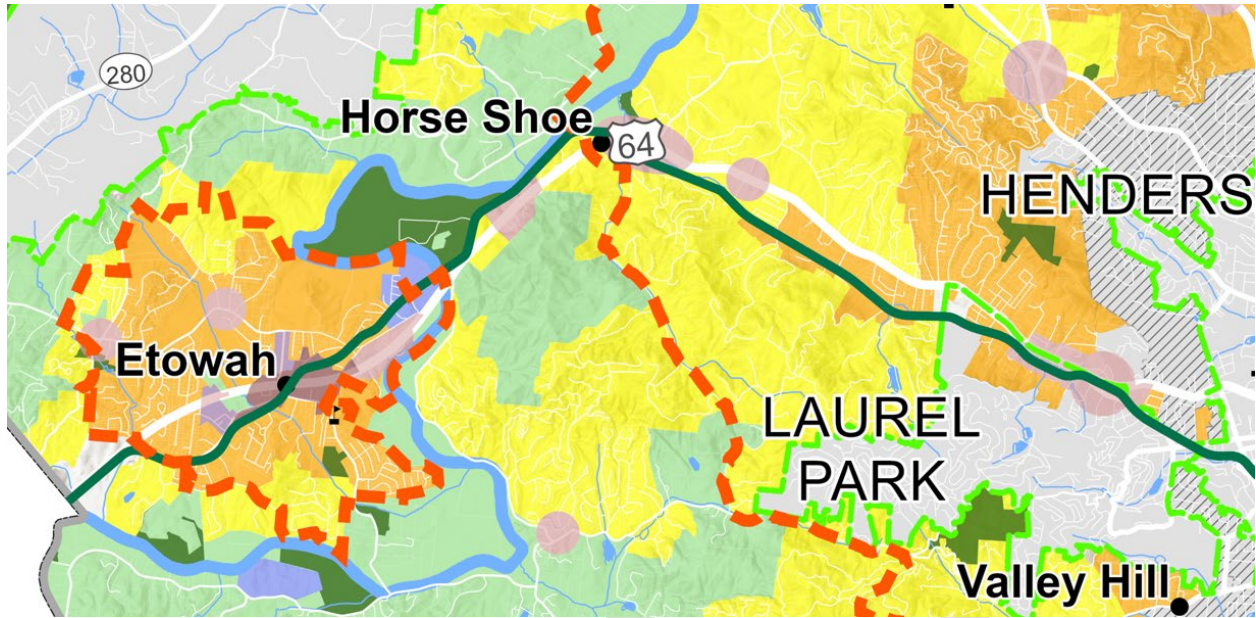
Future Land Use Map Option 2



HENDERSON COUNTY COMP PLAN  
- Draft Future Land Use Map -



Approved:



The Board began the discussion with the Etowah region of the county.

Commissioner Lapsley noted that the Future Land Use Map is a visionary document, not a regulatory document.

Commissioner Lapsley asked to revisit the density range for the yellow and orange shaded areas of the proposed map and asked for the proposed density for each of those areas. Mr. Todd said the yellow-shaded areas would have a maximum of 2-4 units per acre and the orange areas a maximum of 8-12 units per acre.

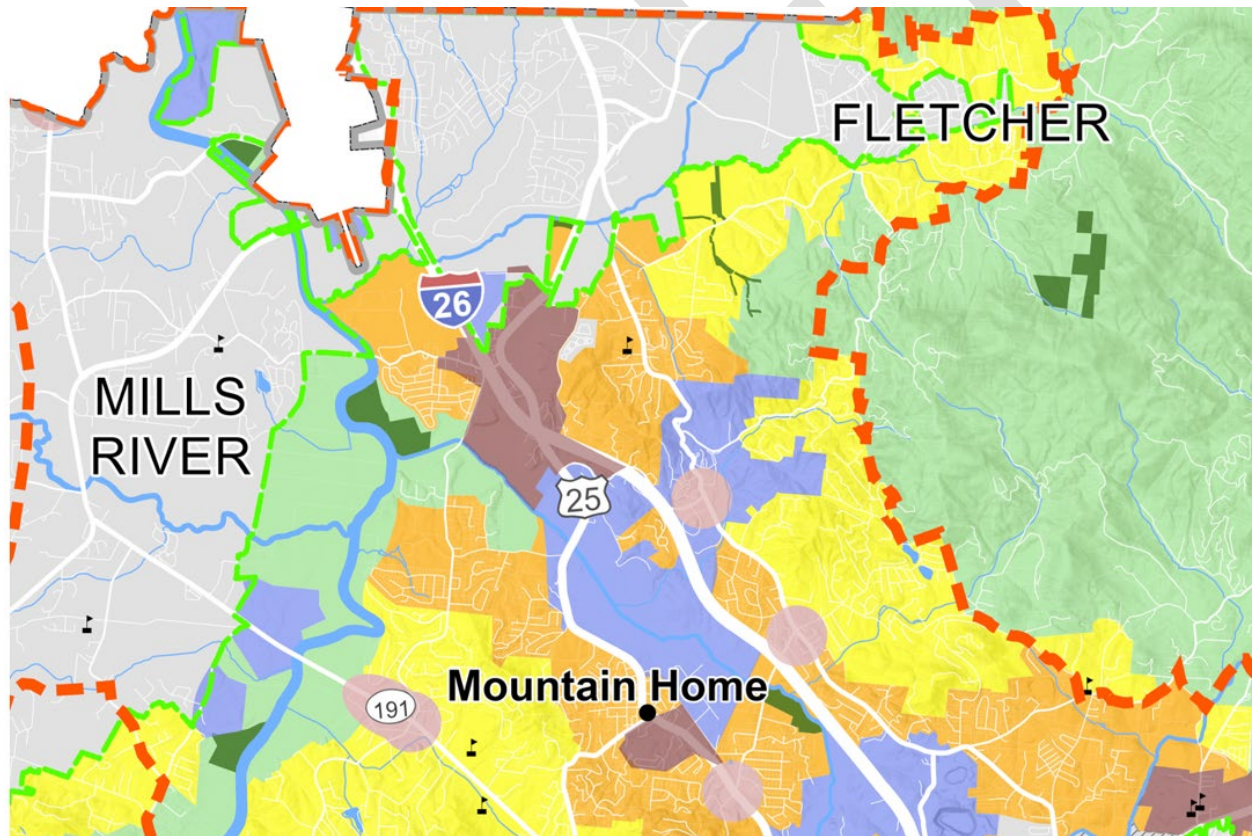
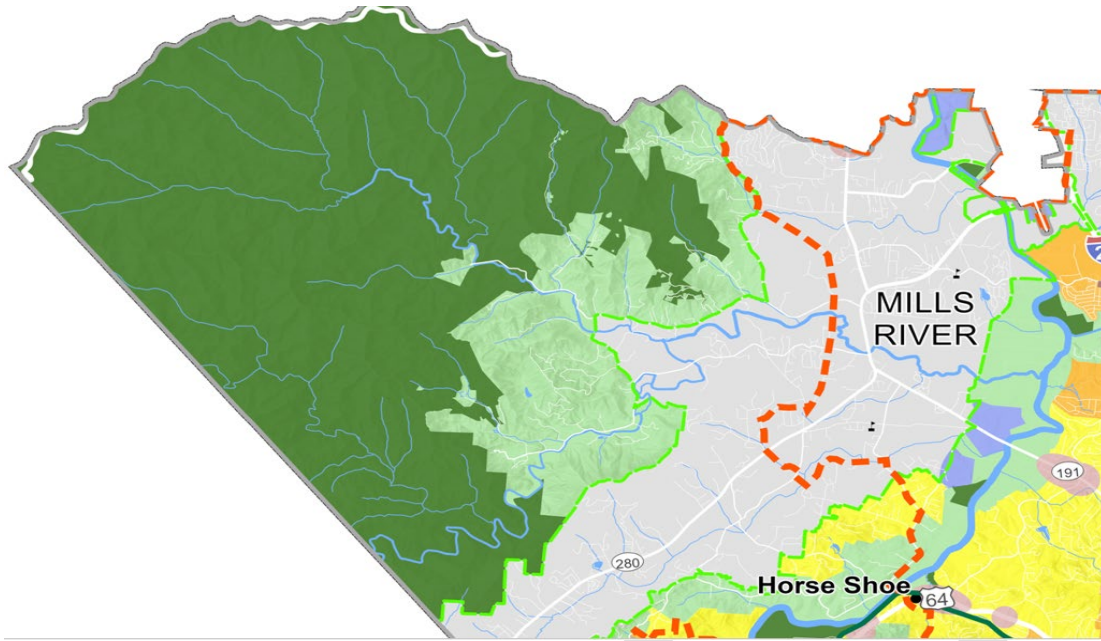
Commissioner Hill proposed that the orange be left along the US64 Corridor and yellow for outlying areas.

Chris Todd said the County had achieved almost all goals outlined in the 2020 Comprehensive Plan adopted in 2004.

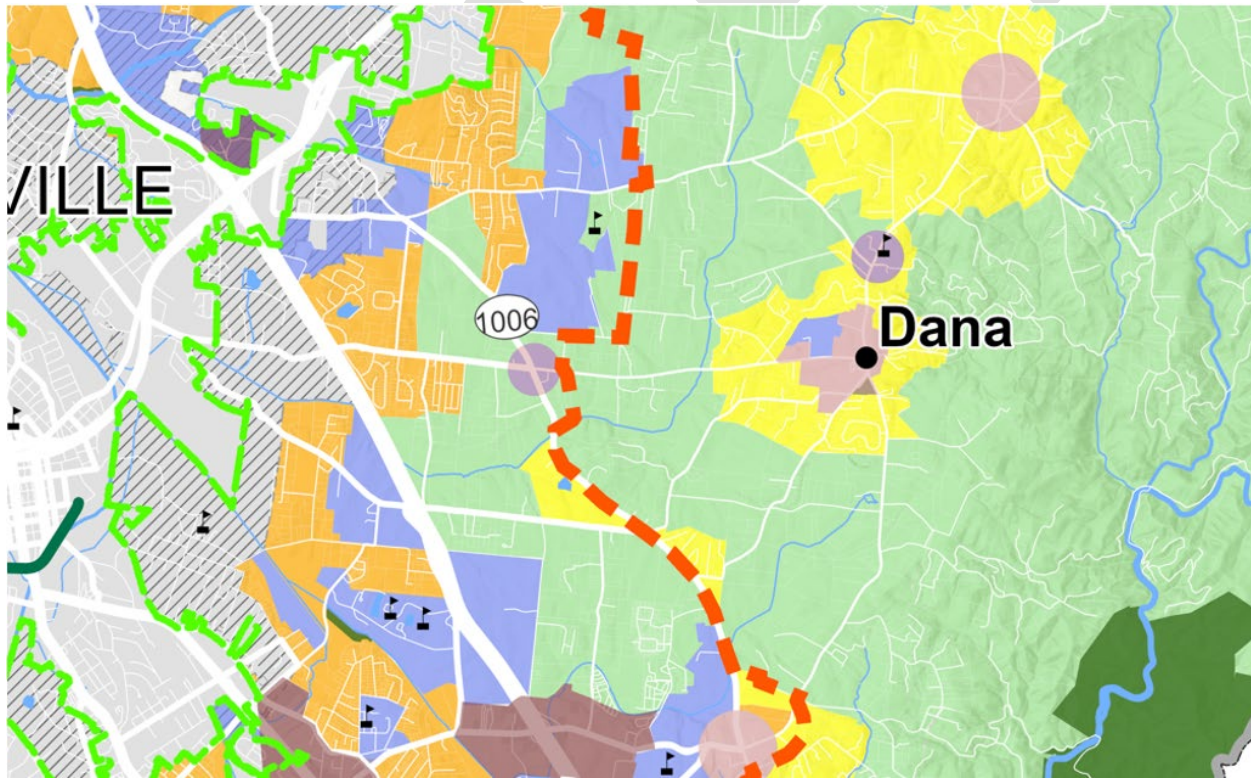
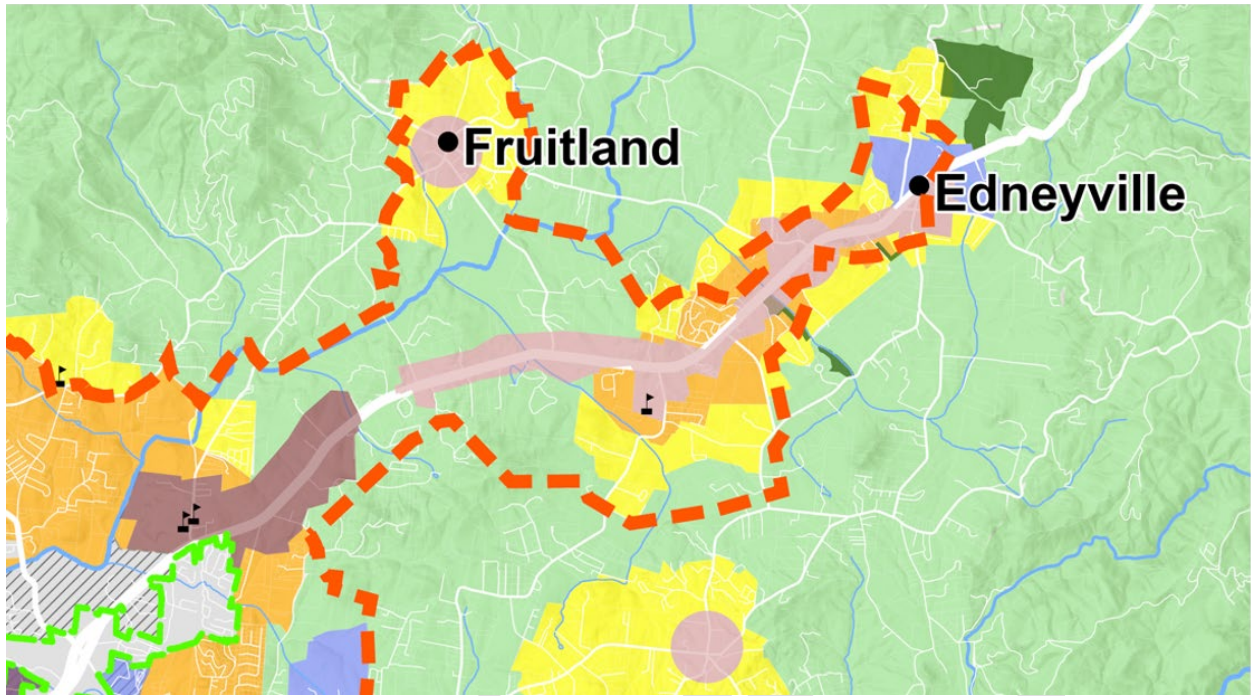
Commissioner Lapsley proposed that the Board members review each of the proposed maps and come back with their recommendations individually.

Approved:

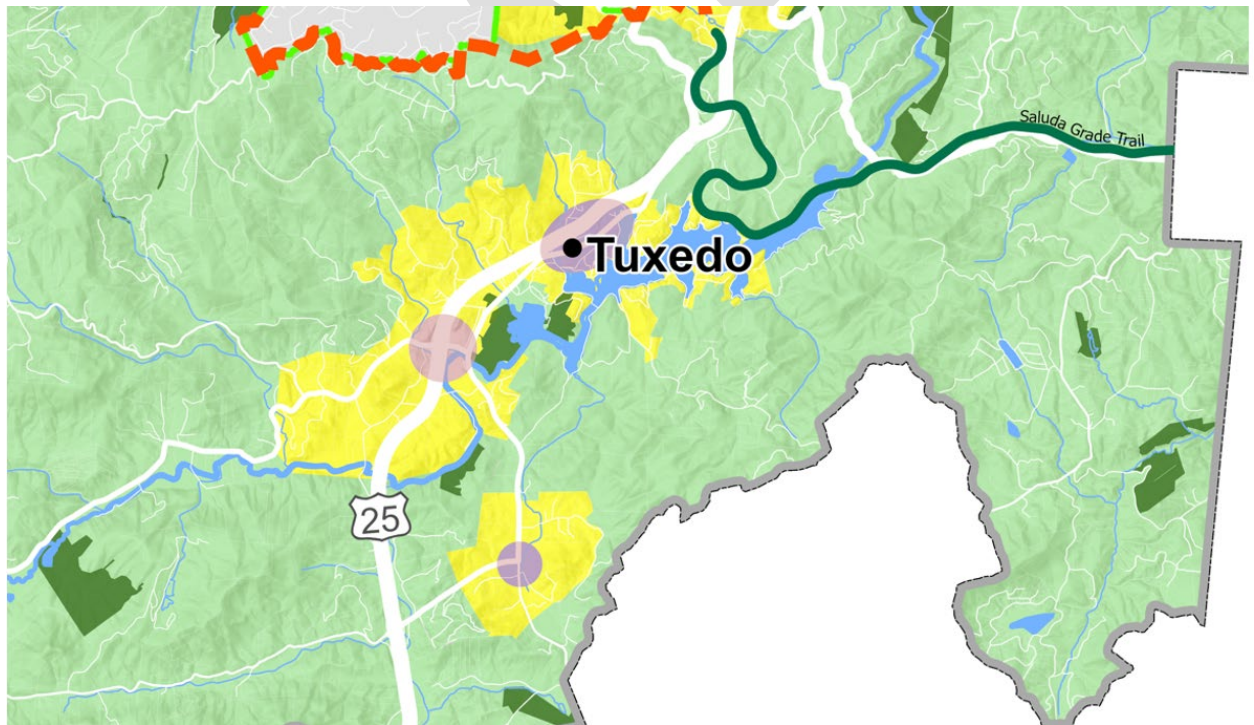
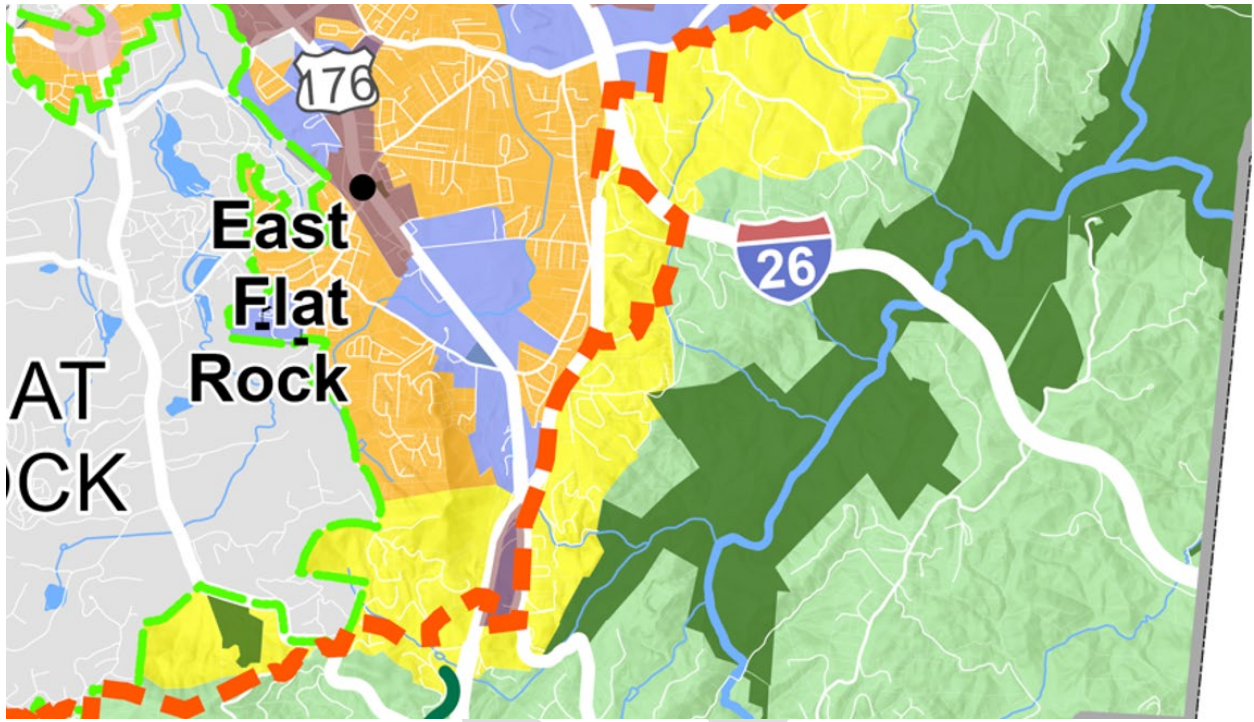




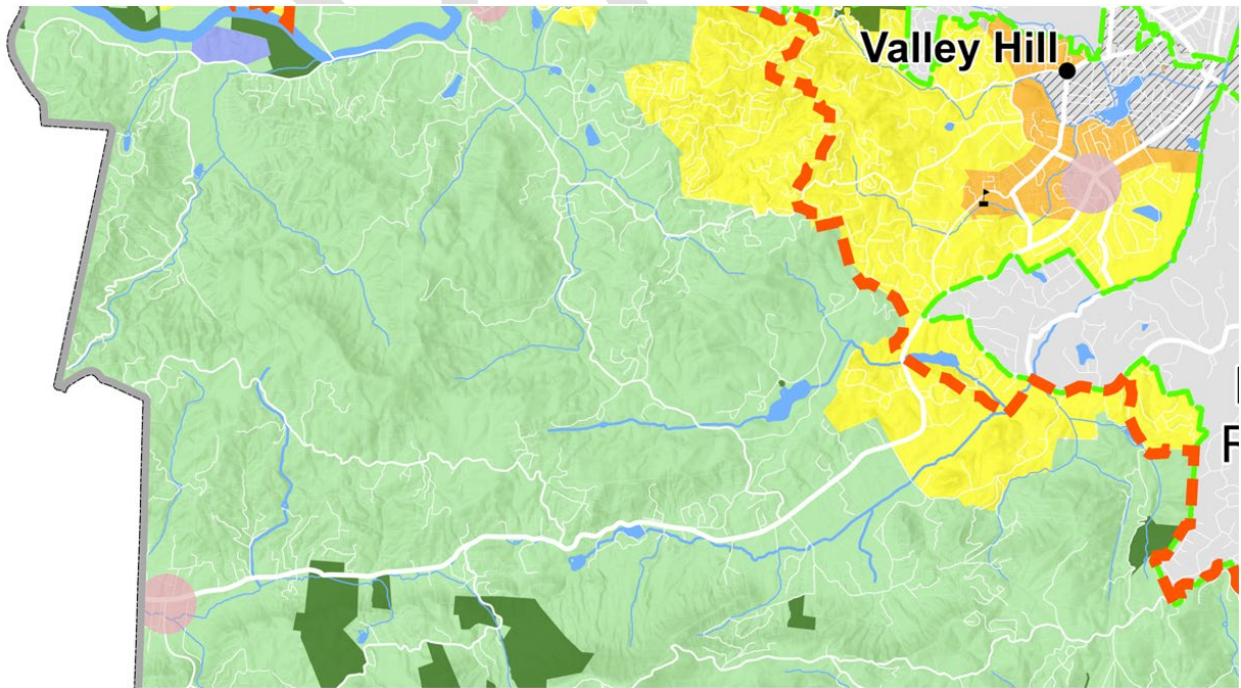
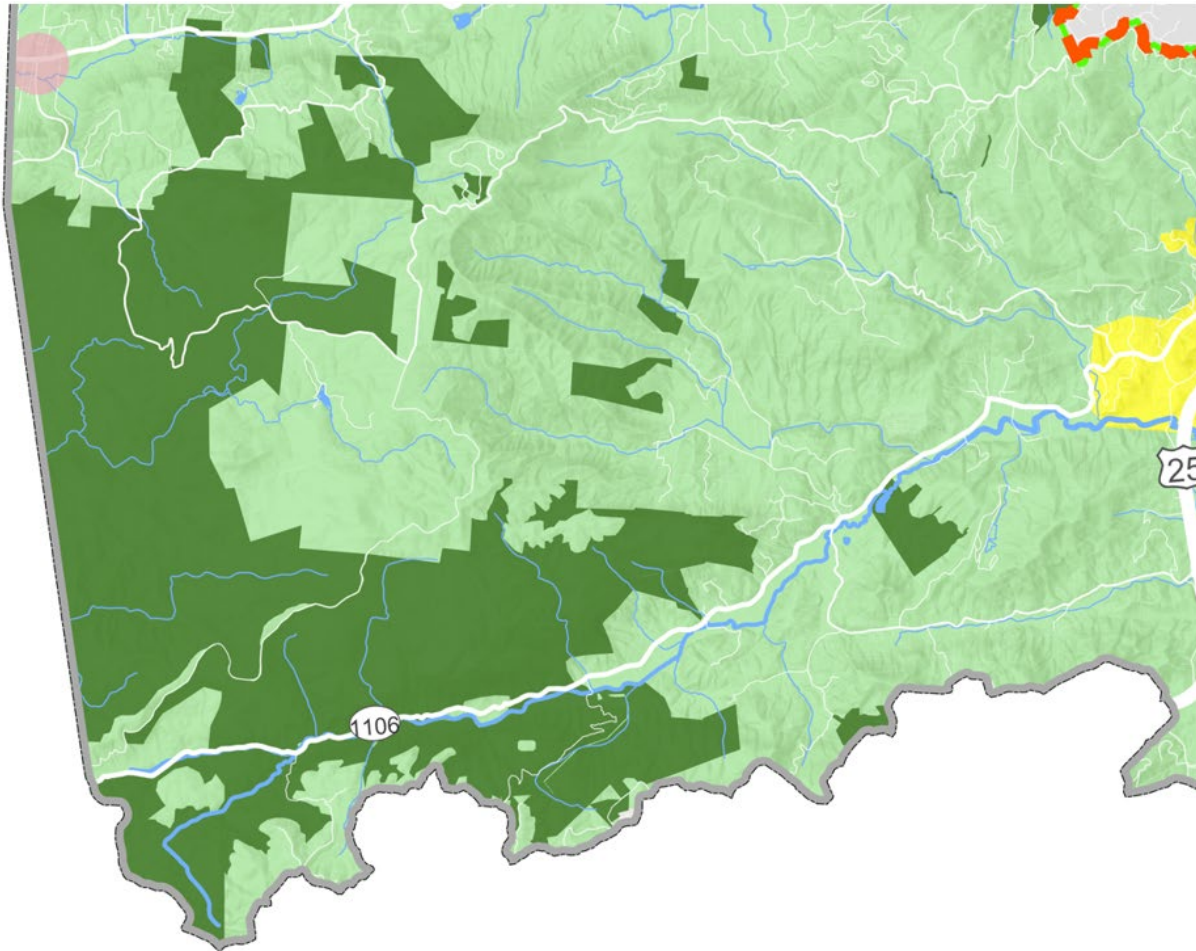
Approved:



Approved:



Approved:



Approved:

After discussion, Chairman McCall directed Staff to provide blank maps that show municipality boundaries and water and sewer availability for the Board to review and indicate what uses they would support for future Land Use Maps.

Vice-Chair Edney asked that Staff work on the verbiage used regarding the density of each of the areas. He wants the proposed uses to be clear and not focused on the maximum density.

John Mitchell said this item would be added to the Board's agenda for their mid-month meeting.

## **NOMINATIONS AND APPOINTMENTS**

1. Cemetery Advisory Committee – 2 vacs.

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

2. Child Protection and Fatality Prevention Team – 1 vac.

*Commissioner Hill made the motion to nominate Lucretia Starling to position #1. All voted in favor, and the motion carried.*

3. Environmental Advisory Committee – 1 vac.

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

4. Henderson County Board of Equalization and Review – Reassignment of Existing Members

*Vice-Chair Edney made the motion to reassign Marty Allen to position #1 and to reassign Angela Hunter to position # 6. All voted in favor, and the motion carried.*

5. Henderson County Board of Health – 1 vac.

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

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

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

7. Historic Resources Commission – 1 vac.

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

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

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

9. Juvenile Crime Prevention Council – 2 vacs.

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

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

Approved:

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

### **COMMISSIONER UPDATES**

Commissioner Andreotta shared that he had recently attended the NCACC Commissioner Conference in Raleigh, and the event proved to be a great learning opportunity for County Commissioners throughout the State.

Commissioner Andreotta said that the County would hold a groundbreaking ceremony on Wednesday, September 6, 2023, at 9:00 a.m. at the site for the new Fletcher EMS Station at 500 Howard Gap Road in Fletcher. In closing, he commended all staff involved with the Apple Festival for their hard work in creating another successful event.

Vice-Chair Edney echoed Commissioner Andreotta's comments regarding his attendance at the NCACC Commissioner Conference. He said the conference is an excellent resource for all NC Counties. He encouraged other Board members to consider attending in the future.

Commissioner Lapsley did not have any updates to share.

Commissioner Hill thanked Emergency Personnel for their support during last weekend's Apple Festival.

Chairman McCall informed the audience that an information session to introduce the concept of a mentoring program in schools was recently held in the Steve Wyatt Auditorium at Blue Ridge Community College. The program would provide mentors for all students in grades seven through twelve to help guide them toward their future goals. She said organizers were expecting 30 – 50 people to attend. However, the auditorium was at its total capacity of 105 people. The information session included a presentation by the director of the mentoring program in Rutherford County that Henderson County hopes to emulate. A link to the presentation will be available on the County's website tomorrow.

In closing, Chairman McCall encouraged citizens to participate in the Fall Litter Sweep that was coming up on September 16 – 30, 2023.

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

John Mitchell shared that security cameras have been installed at the County's new playground in Jackson Park. In closing, he reminded everyone about the groundbreaking ceremony to be held the following day for the Fletcher EMS Station #6 at 500 Howard Gap Rd in Fletcher at 9:00 a.m.

*Commissioner Edney made the motion that the Board go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(5)(6), for the reasons set out in the Board's agenda packet. All voted in favor, and the motion carried.*

Approved:

*Chairman McCall made the motion to go out of closed session and adjourn at 8:27 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

DRAFT

Approved: