

MINUTES

STATE OF NORTH CAROLINA COUNTY OF HENDERSON

BOARD OF COMMISSIONERS MONDAY, MAY 6, 2024

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.

Present for the meeting 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, Finance Director Samantha Reynolds, Emergency Management/Rescue Coordinator Jimmy Brissie, Budget Manager/Internal Auditor Sonya Flynn, Budget Analyst Jennifer Miranda, Health Director Steve Smith, Incoming Health Director David Jenkins, Public Health Nursing Supervisor Kim Berry, Director of Facility Services Andrew Griffin, Assistant Finance Director Randal Cox, Social Services Director Jerrie McFalls, Deputy Director Lorie Horne, Administrative Officer III Melissa Novak, M Admin II Debby Freeman, Register of Deeds Lee King, Parks and Recreation Director Bruce Gilliam, Engineer Marcus Jones, Sheriff Lowell Griffin, Jail Administrator Major Todd McCrain, Community Health Improvement Specialist Juliana Whitaker, Human Resources Director Karen Ensley, A/V Technician Oscar Guerrero, Building Services Director Crystal Lyda, Fire Marshal Kevin Waldrup, Capital Projects Manager Bryan Rhodes, and PIO Kathy Finotti -- videotaping. Deputies Matt Covil and Tracy Davis provided security.

CALL TO ORDER/WELCOME

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

INVOCATION Pastor Phillip Capell with Kings Grove Baptist Church provided the invocation.

PLEDGE OF ALLEGIANCE

Zia Cartrett, with Leaders in Training 4-H Club, led the Pledge of Allegiance to the American Flag.

RESOLUTIONS AND RECOGNITIONS

2024.053 Proclamation – Mental Health Awareness Month

The Henderson County Board of Commissioners was requested to proclaim May as Mental Health Awareness Month. They were also requested to light up the Historic Courthouse in green, the official color of Mental Health Awareness Month.

Chairman McCall read the Proclamation aloud.

Proclamation

Mental Health Awareness Month – May 2024

Approved: June 3, 2024

WHEREAS, Mental Health Awareness Month is part of a nationwide effort to raise awareness of mental health illnesses, reduce the stigma and discrimination surrounding mental health, increase awareness of tools and resources to prevent such challenges and promote recovery, and

WHEREAS, mental health is essential to everyone's overall health, safety, and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, mental illnesses are real and prevalent in our nation, state, and community and nearly one in five Americans live with a mental health condition; and

WHEREAS, mental health has been identified as a priority in Henderson County's 2021 Community Health Assessment and by the Henderson County Partnership for Health; and

WHEREAS, those living with mental health conditions are family, friends, classmates, neighbors, and coworkers, and addressing the complex mental health needs of our citizens and families today is fundamental to the future of Henderson County; and

WHEREAS, prevention is an effective way to reduce the burden of mental illnesses; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges and protect their health, well-being, and

WHEREAS, with early and effective treatment, those individuals with mental illnesses can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization, and citizen share the burden of mental illnesses and has a responsibility to promote mental wellness and support prevention efforts.

NOW, THEREFORE, BE IT PROCLAIMED we, the Henderson County Board of Commissioners, do hereby proclaim May 2024 as Mental Health Awareness Month in Henderson County. As the governing body for Henderson County, North Carolina, we call upon the citizens, government agencies, public and private institutions, businesses, and schools in Henderson County to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses at all stages, and to ensure that our community members who are struggling know they are not alone.

Adopted this 6th day of May 2024.

Chairman McCall made the motion that the Board adopt the Proclamation designating the month

Approved: June 3, 2024

of May 2024 as Mental Health Awareness Month in Henderson County and to light up the Courthouse in green to draw attention to the cause. All voted in favor, and the motion carried.

The Proclamation was presented to Community Health Improvement Specialist Juliana Whitaker,

INFORMAL PUBLIC COMMENT

1. Fork Creek Community resident Kirk Hall opposed the Special Use Permit issued to First Contact Addiction Ministries for a men's drug rehabilitation facility in Saluda. He provided the Board with a copy of Superior Court Judge Warren's final order regarding the case.
2. Zach Carter spoke about the benefits of road cycling and supported bicyclists' right to use main roadways. He proposed the Sheriff's Department create a liaison position between the department and local cycling groups.
3. Joe Sanders spoke about negative comments directed toward cyclists and runners that he had seen on social media. He apologized to the Green River, Tuxedo, and Zirconia communities for the bad behavior of a few cyclists. He said the Blue Ridge Bicycle Club and other cycling groups had been lumped in with those few individuals who misbehave, and all have suffered the consequences. He said with a bit of courtesy, everyone could enjoy the beauty of the area, whether in a motor vehicle, walking, or bicycling.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman McCall moved Discussion Item B – Mountain Home Fire Department Sub-Station – Rugby Middle School property to Discussion Item A. Strategic Behavioral Health Update was moved to Discussion Item D.

Vice-Chair Edney recognized Chairman Rebecca McCall for five years of service with Henderson County. He presented Mrs. McCall with a five-year service award. Mrs. McCall said it had been an honor to have worked for the citizens of Henderson County for the past five years.

Vice-Chair Edney made the motion to approve the agenda with the revisions discussed. All voted in favor, and the motion carried.

CONSENT AGENDA consisted of the following:

Approval of Minutes

Draft minutes were presented for Board review and approval for the following meeting:
April 17, 2024 - Regularly Scheduled Meeting

Motion:

I move the Board approve the minutes of April 17, 2024.

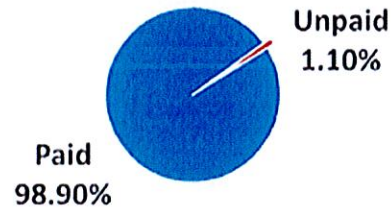
Tax Collector's Report

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

Please find outlined below collections information through April 24, 2024 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:	\$99,218,302.69
Discoveries & Imm.	\$216,128.76
Releases & Refunds:	(\$303,604.80)
<u>Net Charge:</u>	<u>\$99,130,826.65</u>
Unpaid Taxes:	\$1,086,310.25
Amount Collected:	\$98,044,516.40



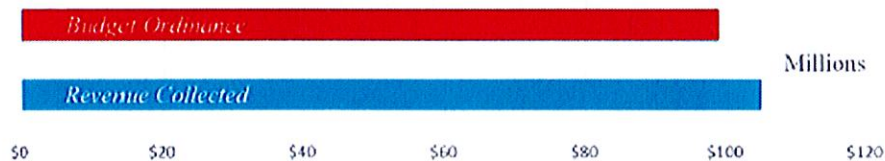
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	\$6,045,212.33
Unpaid Taxes:	\$19,088.89
Amount Collected:	\$6,026,123.44

99.68%

Henderson County FY24 Budget Analysis:

	<u>Budget Ordinance</u>		<u>Revenue Collected</u>
Ad Valorem:	\$97,695,412.00	Ad Valorem:	\$104,070,639.84
Prior Years:	\$1,041,250.00	Prior Years:	\$815,919.15
Budget Total:	\$98,736,662.00	YTD Revenue:	\$104,886,558.99



2024.054 Pending Releases & Refunds

The Assessor reviewed the pending releases and refunds and concluded that these findings were in order. Supporting documentation is on file in the County Assessor's Office.

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

Type:

Amount:

Total Taxes Released from the Charge	\$1,582.84
Total Refunds as a result of the Above Releases	\$1,137.54

Motion:

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

County Financial Report – March 2024

The March 2024 County Financial and Cash Balance Reports were provided for the Board's review and approval.

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

- Administrative Services – timing of board-approved expenditures

Approved: June 3, 2024

- Rescue Squad – payment of 3rd quarter Board appropriations and timing of reimbursable expenditures
- Agri-Business – payment of Board approved appropriation
- Public Education – payment of 9 of 10 annual appropriates made to the public school system

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

Year to Date Net Revenues under Expenditures for the Solid Waste Landfill Fund were due to expenditures incurred related to the Third Transfer Station Bay Project. Revenues associated with borrowing will be recognized upon the closing of the installment financing contract in May 2024.

HENDERSON COUNTY
FINANCIAL REPORT
MARCH 2024

GENERAL FUND REVENUES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
General Fund	203,124,024.00	11,838,935.88	160,259,595.90	0.79	-	160,259,595.90
GENERAL FUND EXPENDITURES						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
Governing Body	690,655.00	52,134.93	458,898.14	0.66	4,631.47	463,529.61
Dues/Non-Profit Contributions	829,896.00	177.60	602,126.08	0.73	-	602,126.08
County Manager	470,511.00	39,545.20	236,449.40	0.50	-	236,449.40
Administrative Services	823,862.00	85,558.26	630,936.05	0.77	-	630,936.05
Human Resources	1,444,007.00	141,533.88	1,056,482.35	0.73	24,352.96	1,080,835.31
Elections	1,127,819.00	234,397.17	815,159.57	0.72	32,542.72	847,702.29
Finance	1,344,653.00	155,841.57	984,599.06	0.73	-	984,599.06
County Assessor	2,133,023.00	165,027.44	1,378,685.57	0.65	-	1,378,685.57
Tax Collector	589,966.00	63,858.95	384,906.19	0.65	-	384,906.19
Legal	1,086,063.00	115,776.33	799,762.06	0.74	-	799,762.06
Register of Deeds	726,643.00	121,377.83	547,497.02	0.75	2,799.00	550,296.02
Facilities Services	6,367,233.00	483,252.34	3,514,131.14	0.55	524,098.02	4,038,229.16
Garage	553,002.00	48,301.42	316,261.64	0.57	-	316,261.64
Court Facilities	153,000.00	10,331.24	92,895.14	0.61	-	92,895.14
Information Technology	6,542,927.00	331,109.39	4,191,672.40	0.64	340,117.30	4,531,789.70
Sheriff	23,892,521.00	2,330,090.81	16,830,927.21	0.70	537,951.17	17,368,878.38
Detention Center	6,830,443.00	620,019.89	4,480,601.46	0.66	184,539.89	4,665,141.35
Emergency Management	843,109.00	75,026.48	578,927.34	0.69	11,523.00	590,450.34
Fire Services	1,199,855.00	57,176.29	488,560.44	0.41	31,376.58	519,937.02
Building Services	1,655,748.00	166,526.50	1,170,886.51	0.71	1,785.38	1,172,671.89
Wellness Clinic	1,460,986.00	138,874.93	1,068,797.22	0.73	42,388.75	1,111,185.97
Emergency Medical Services	12,376,042.00	1,209,888.40	8,537,711.11	0.69	53,857.60	8,591,568.71
Animal Services	963,795.00	69,213.37	580,570.33	0.60	43,864.58	624,434.91
Rescue Squad	757,750.00	4,547.20	577,962.90	0.76	-	577,962.90
Forestry Services	151,972.00	4,997.87	29,762.73	0.20	-	29,762.73
Soil & Water Conservation	971,421.00	51,545.80	346,928.05	0.36	255,104.50	602,032.55
Planning	1,026,955.00	98,608.23	686,679.03	0.67	5,400.00	692,079.03
Code Enforcement Services	331,303.00	33,432.34	219,456.59	0.66	-	219,456.59
Site Development	326,490.00	23,480.80	220,159.31	0.67	-	220,159.31
Heritage Museum	100,000.00	8,333.33	74,999.97	0.75	-	74,999.97
Cooperative Extension	682,639.00	53,958.01	495,139.22	0.73	-	495,139.22
Projects Management	267,360.00	26,546.05	164,251.34	0.61	-	164,251.34
Economic Development	945,777.00	39,971.25	596,558.05	0.63	-	596,558.05
Agri-Business	220,084.00	79,866.25	170,000.00	0.77	-	170,000.00
Public Health	12,403,028.00	1,056,153.15	7,761,856.09	0.63	291,937.74	8,053,793.83
Environmental Health	1,876,787.00	192,363.32	1,296,743.97	0.69	-	1,296,743.97
H&CC Block Grant	844,293.00	91,486.50	590,828.00	0.70	-	590,828.00
Medical Services - Autopsies	90,000.00	7,250.00	51,450.00	0.57	-	51,450.00
Strategic Behavioral Health	298,615.00	38,873.47	133,843.87	0.45	-	133,843.87
Mental Health	528,612.00	-	396,459.00	0.75	-	396,459.00
Rural Transportation Assist Program	201,384.00	22,607.18	143,773.69	0.71	-	143,773.69
Social Services	22,729,501.00	2,076,620.05	15,033,335.08	0.66	36,763.48	15,070,098.56
Juvenile Justice Programs	302,020.00	27,346.13	223,966.28	0.74	-	223,966.28
Veteran Services	245,704.00	21,621.27	149,645.86	0.61	-	149,645.86
Public Library	4,206,930.00	407,002.64	2,936,517.29	0.70	167,355.42	3,103,872.71
Recreation	3,230,020.00	269,209.93	2,187,203.98	0.68	78,663.82	2,265,867.80
Public Education	40,128,000.00	3,896,133.33	35,252,699.97	0.88	-	35,252,699.97
Debt Service	19,178,617.00	1,642,372.95	10,254,339.54	0.53	-	10,254,339.54
Non-Departmental	4,863,137.00	210,091.46	2,508,802.49	0.52	-	2,508,802.49
Interfund Transfers	12,109,866.00	979,895.84	9,114,062.56	0.75	-	9,114,062.56
TOTAL	203,124,024.00	18,079,364.57	141,364,868.29	0.70	2,671,053.38	144,035,921.67
Net Revenues over (under) Exp.	-	(6,240,418.69)	18,894,727.61		(2,671,053.38)	16,223,674.23

APPROPRIATIONS DETAIL						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
SOCIAL SERVICES						
Staff Operations	18,535,353.00	1,909,982.37	12,866,770.09	0.69	36,761.48	12,903,531.57
Federal & State Programs	4,094,148.00	161,531.36	2,123,407.65	0.52	-	2,123,407.65
General Assistance	100,000.00	5,106.32	43,157.34	0.43	-	43,157.34
TOTAL	22,729,501.00	2,076,620.05	15,033,335.08		36,761.48	15,070,096.56
EDUCATION						
Schools Current Capital Expense	34,628,000.00	3,437,800.00	31,127,700.00	0.90	-	31,127,700.00
Blue Ridge Community College	5,500,000.00	458,333.33	4,124,999.97	0.75	-	4,124,999.97
TOTAL	40,128,000.00	3,896,133.33	35,252,699.97		-	35,252,699.97
DEBT SERVICE						
Public Schools	11,642,875.00	1,242,251.07	5,714,396.07	0.49	-	5,714,396.07
Blue Ridge Community College	3,297,401.00	133,373.83	1,870,960.48	0.57	-	1,870,960.48
Henderson County	4,238,341.00	266,748.05	2,668,982.99	0.63	-	2,668,982.99
TOTAL	19,178,617.00	1,642,372.95	10,254,339.54		-	10,254,339.54
INTERFUND TRANSFERS						
Capital Projects Fund	306,116.00	20,833.34	187,500.06	0.61	-	187,500.06
Capital Reserve Fund	4,603,500.00	383,625.00	3,452,625.00	0.75	-	3,452,625.00
Fire Districts Fund	20,000.00	-	20,000.00	1.00	-	20,000.00
HCPS MRTS	4,603,500.00	383,625.00	3,452,625.00	0.75	-	3,452,625.00
BRCC MRTS	2,301,750.00	191,812.50	1,726,312.50	0.75	-	1,726,312.50
Solid Waste	275,000.00	-	275,000.00	1.00	-	275,000.00
TOTAL	12,109,866.00	979,895.84	9,114,062.56		-	9,114,062.56
SPECIAL REVENUE FUNDS						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
FIRE DISTRICTS FUND						
Revenues:	15,915,648.00	207,549.01	16,487,321.74	1.04	-	16,487,321.74
Expenditures:	15,915,648.00	286,168.27	16,283,892.57	1.02	-	16,283,892.57
Net Revenues over (under) Exp	-	(78,619.26)	203,429.17		-	203,429.17
REVALUATION RESERVE FUND						
Revenues:	1,510,021.00	133,424.57	1,220,749.81	0.81	-	1,220,749.81
Expenditures:	1,510,021.00	104,373.83	1,001,422.79	0.66	10,800.00	1,012,222.79
Net Revenues over (under) Exp	-	29,050.74	219,327.02		(10,800.00)	208,527.02
EMERGENCY TELEPHONE SYSTEM (911) FUND						
Revenues:	346,116.00	3,080.24	34,812.66	0.10	-	34,812.66
Expenditures:	346,116.00	30,493.11	273,405.79	0.79	-	273,405.79
Net Revenues over (under) Exp	-	(27,412.87)	(238,593.13)		-	(238,593.13)
PUBLIC TRANSIT FUND						
Revenues:	1,240,801.00	29,816.70	1,003,952.74	0.81	-	1,003,952.74
Expenditures:	1,240,801.00	68,607.83	532,136.28	0.43	-	532,136.28
Net Revenues over (under) Exp	-	(38,791.13)	471,816.46		-	471,816.46
MISC. OTHER GOVERNMENTAL ACTIVITIES						
Revenues:	960,000.00	52,986.17	388,985.66	0.41	-	388,985.66
Expenditures:	960,000.00	56,557.84	387,587.02	0.40	-	387,587.02
Net Revenues over (under) Exp	-	(3,571.67)	1,398.64		-	1,398.64
ARPA FUND						
Revenues:	16,692,537.00	66,418.53	21,939,097.77	1.31	-	21,939,097.77
Expenditures:	16,692,537.00	-	559,992.94	0.03	-	559,992.94
Net Revenues over (under) Exp	-	66,418.53	21,379,104.83		-	21,379,104.83
OPIOID FUND						
Revenues:	668,882.00	183,478.43	3,073,628.41	4.60	-	3,073,628.41
Expenditures:	668,882.00	11,576.43	135,317.36	0.20	-	135,317.36
Net Revenues over (under) Exp	-	171,902.00	2,938,311.05		-	2,938,311.05
CAPITAL PROJECTS						
	BUDGET	CURRENT MONTH	PROJECT TO DATE	% USED	ENCUMBRANCES	TOTAL
EDNEYVILLE ELEMENTARY SCHOOL PROJECT (1702)						
Revenues:	26,854,136.00	9,396.46	27,891,962.18	1.04	-	27,891,962.18
Expenditures:	26,854,136.00	-	25,331,294.76	0.94	-	25,331,294.76
Net Revenues over (under) Exp	-	9,396.46	2,560,667.42		-	2,560,667.42
HENDERSONVILLE HIGH SCHOOL PROJECT - 2019 (1903) - PROJECT COMPLETE						
Revenues:	60,442,694.00	-	61,181,021.22	1.01	-	61,181,021.22
Expenditures:	60,442,694.00	342.00	60,940,000.37	1.01	-	60,940,000.37
Net Revenues over (under) Exp	-	(342.00)	241,020.85		-	241,020.85

Approved: June 3, 2024

ENTERPRISE FUNDS						
	BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
SOLID WASTE LANDFILL FUND						
Revenues:	9,620,547.00	676,537.12	6,706,602.52	0.70	-	6,706,602.52
Expenditures:	9,620,547.00	747,051.30	6,730,341.97	0.70	6,135,279.18	12,865,621.15
Net Revenues over (under) Exp	-	(70,514.18)	(23,739.45)		(6,135,279.18)	(6,159,018.63)
JUSTICE ACADEMY SEWER FUND						
Revenues:	67,739.00	6,052.66	61,282.97	0.90	-	61,282.97
Expenditures:	67,739.00	2,635.45	26,567.55	0.39	5,793.49	32,361.04
Net Revenues over (under) Exp	-	3,417.21	34,715.42		(5,793.49)	28,921.93

Henderson County - Cash Balance Report – March 2024

<u>Fund(s)</u>	<u>03/01/24 Beg. Cash Balance</u>	<u>Debits Revenues</u>	<u>(Credits) Expenditures</u>	<u>03/31/24 Ending Cash Balance</u>
General	\$ 122,063,643.02	\$ 11,975,824.10	\$ (18,287,959.67)	\$ 115,751,507.45
Special Revenue	43,713,977.67	1,053,484.31	(558,432.74)	\$ 44,209,029.24
Capital Projects	2,218,868.12	2,022,482.71	(1,337,406.24)	\$ 2,903,944.59
Enterprise	1,926,102.10	682,650.06	(749,747.03)	\$ 1,859,005.13
HCPS - Maint. and Repair	10,334,670.33	383,625.00	(20,226.40)	\$ 10,698,068.93
BRCC - Maint. and Repair	2,480,839.95	191,812.50	(294,603.38)	\$ 2,378,049.07
Custodial	605,943.26	326,410.97	(389,083.49)	\$ 543,270.74
Total	<u>\$ 183,344,044.45</u>	<u>\$ 16,636,289.65</u>	<u>\$ (21,637,458.95)</u>	
Total cash available as of	March 31, 2024			<u>\$ 178,342,875.15</u>

Motion:

I move the Board approve the March 2024 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Report – March 2024

The Henderson County Public Schools March 2024 Local Current Expense Fund / Other Restricted Funds Report was provided for the Board's information.

Approved: June 3, 2024

**HENDERSON COUNTY PUBLIC SCHOOLS
LOCAL CURRENT EXPENSE/OTHER RESTRICTED FUNDS
as of March 31, 2024**

	LOCAL CURRENT EXPENSE FUND		OTHER RESTRICTED FUND			
REVENUES:	Budget	YTD Activity	Budget	YTD Activity	Combined Total	Prior YTD
3200 State Sources	\$ -	\$ -	\$ 8,000	\$ 6,263	\$ 6,263	\$ 8,000
3700 Federal Sources-Restricted	-	-	1,522,494	432,693	432,693	352,672
3800 Other Federal-ROTC	-	-	106,000	99,386	99,386	83,858
4100 County Appropriation	32,878,000	29,590,200	-	-	29,590,200	28,240,200
4200 Local -Tuition/Fees	-	-	55,000	47,500	47,500	35,395
4400 Local-Unrestricted	705,000	419,475	152,579	173,224	592,699	544,556
4800 Local-Restricted	-	-	1,495,169	1,100,269	1,100,269	496,905
4900 Fund Balance Appropriated/Transfer From school	2,001,317	-	132,816	35,168	35,168	-
TOTAL FUND REVENUES	\$ 35,584,317	\$ 30,009,675	\$ 3,472,059	\$ 1,894,503	\$ 31,904,178	\$ 29,761,586
EXPENDITURES:						
Instructional Services:	Budget	YTD Activity	Budget	YTD Activity	Combined Total	Prior YTD
5100 Regular Instructional Services	\$ 9,934,680	\$ 5,702,793	\$ 680,806	\$ 324,712	\$ 6,027,505	\$ 6,297,261
5200 Special Populations Services	1,378,356	703,684	935,525	321,266	1,024,970	906,255
5300 Alternative Programs and Services	183,243	94,556	377,954	209,258	303,814	273,000
5400 School Leadership Services	3,114,291	2,304,748	12,513	9,904	2,314,652	2,165,102
5500 Co-Curricular Services	890,423	633,347	390,727	395,784	1,029,131	614,723
5800 School-Based Support Services	1,911,109	1,373,701	9,500	4,596	1,378,297	1,122,290
Total Instructional Services	\$ 17,412,102	\$ 10,812,829	\$ 2,407,024	\$ 1,265,539	\$ 12,078,368	\$ 11,378,632
System-Wide Support Services:						
6100 Support and Development Services	\$ 312,404	\$ 220,157	\$ 6,500	\$ 9,690	\$ 229,847	\$ 211,976
6200 Special Population Support	183,034	153,658	116,579	84,231	237,889	175,081
6300 Alternative Programs	106,286	78,539	431	431	78,969	72,105
6400 Technology Support Services	1,287,752	974,709	92,281	73,555	1,048,264	940,830
6500 Operational Support Services	9,491,369	6,106,897	425,671	289,051	6,395,948	5,885,768
6600 Financial and Human Resource Services	2,346,702	1,920,090	123,292	56,396	1,976,486	1,909,585
6700 Accountability Services	120,174	96,471	1,200	1,200	97,671	159,980
6800 System-Wide Pupil Support Services	415,304	312,430	538	538	312,968	282,686
6900 Policy, Leadership and Public Relations	781,001	526,754	25,970	20,470	547,223	512,290
Total System-Wide Support Services	\$ 15,044,025	\$ 10,389,704	\$ 792,461	\$ 535,561	\$ 10,925,266	\$ 10,149,301
Ancillary Services:						
7100 Community Services	\$ 388	\$ 388	\$ 165,108	\$ 119,656	\$ 120,044	\$ 91,367
7200 Nutrition Services	265,803	97,747	23,725	23,725	121,472	84,171
Total Ancillary Services	\$ 266,190	\$ 98,135	\$ 188,833	\$ 143,381	\$ 241,516	\$ 175,538
Non-Programmed Charges:						
8100 Payments to Other Governments	\$ 2,362,000	\$ 1,871,988	\$ -	\$ -	\$ 1,871,988	\$ 1,415,337
8400 Interfund Transfers	500,000	-	47,741	55,634	55,634	63,572
8500 Contingency	-	-	-	-	-	-
8600 Educational Foundations	-	-	36,000	976	976	25,608
Total Non-Programmed Charges	\$ 2,862,000	\$ 1,871,988	\$ 83,741	\$ 56,610	\$ 1,928,598	\$ 1,504,517
TOTAL FUND EXPENDITURES	\$ 35,584,317	\$ 23,172,656	\$ 3,472,059	\$ 2,001,092	\$ 25,173,748	\$ 23,207,988

Motion:

I move the Board approve the March 2024 Henderson County Public Schools Financial Report and Cash Balance 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."

- Animal Services Committee – 2 vacs.
Position # 2 – At Large
Position # 7 – At Large
- Environmental Advisory Committee – 4 vacs.
Positions # 1, 2, 5, & 7 – At Large
- Fire and Rescue Advisory Committee- 2 vacs.
Position # 1 – Fire Association Nominee

Approved: June 3, 2024

Position # 5 – Committee Nominee

4. Henderson County Board of Health – 4 vacs.
 Position # 1 – Physician
 Position # 4 – Veterinarian
 Position # 6 – Pharmacist
 Position #10 – At Large
5. Henderson County Historic Courthouse Corp. dba/Heritage Museum – 3 vacs.
 Positions # 4, 5, & 6 – Regular
6. Henderson County Rail -Trail Advisory Committee – 2 vacs.
 Positions # 6 & 9 – At Large
7. Historic Resources Commission – 3 vacs.
 Positions # 1 & 4 – Regular
 Position # 7 – Flat Rock Representative
8. Juvenile Crime Prevention Council – 14 vacs.
 Positions # 1, 2, 5, 6, 7, 10, 12, 13, 14, 15, 17, 21, 22, & 24
9. Mountain Area Workforce Development Board – 4 vacs.
 Position s# 1, 2, 5, & 6 – Chamber of Commerce Nominee

2024.055 Adoption of financing resolution for Solid Waste Third Bay Transfer Station Installment Financing Contract

The required resolution prepared by the County's Bond Counsel, Parker Poe Adams & Bernstein LLP, approves the installment financing contract and provides for certain other related matters for the financing of the Solid Waste Third Transfer Station Bay Project. The maximum amount of this borrowing will not exceed \$10,000,000. The County's obligation would be secured by the pledge of the Solid Waste Facilities, including improvements and fixtures located therein. (Resolution is attached to these minutes).

A reimbursement resolution was previously adopted by the Board on August 7, 2023.

The Board previously approved the initial financing resolution on March 4, 2024.

The public hearing was held by the Board on April 17, 2024.

Motion:

I move that the Board adopt the financing resolution authorizing the negotiation of an installment financing contract, which provides for certain other related matters for the financing.

2024.056 Budget Amendment – Solid Waste Debt Service Payoff

Pending approval of the final Financing Resolution for the Solid Waste Third Transfer Station Bay project on May 6th, 2024, Henderson County will submit the payoff for the 2011 Solid Waste financing, including \$400,000 for principal and an estimated \$10,000 for interest.

The Board was requested to approve a budget amendment to transfer funding from the General Fund into the Solid Waste Fund to pay off the remaining principal and interest on the 2011 Solid

Approved: June 3, 2024

Waste Financing.

Motion:

I move the Board approve the attached Budget Amendment as presented.

Facility Use Policy Exemption – Garden Jubilee Banner

The Board was requested to allow a banner thanking the Garden Jubilee Sponsors to hang from the balcony of the Historic Courthouse beginning on Friday, May 24, through May 27, 2024. The banner will be removed on Tuesday, May 28, 2024.

To allow for this banner to be displayed, the Board was requested to grant a one-time exemption to “Specific Instructions Governing Designated Facilities and Ground” #1 (d) of the County Facility Use Policy, which states that “signs, decorations, or other attachments may not be displayed on the building.” This exemption, if granted, would cover the dates as outlined above.

Motion:

I move that the Board grant an exemption to the County Facility Use Policy allowing a banner thanking the Garden Jubilee Sponsors to hang from the balcony of the Historic Courthouse beginning on Friday, May 24, through Monday, May 27, 2024.

Purchase and Installation of the HCPS MRTS Atkinson Elementary HVAC Replacement Project (phase 1)

The Board was requested to approve the Johnson Controls proposal and authorize staff to proceed with the procurement and installation of the HCPS MRTS Atkinson Elementary HVAC Replacement Project (phase 1), per the approved HCPS MRTS FY 23-24 Projects.

The proposal received from Johnson Controls has a total price of \$1,211,444.00 (inclusive of the base bid and alternate #1), versus the budget of \$1,250,000.00 for the HCPS MRTS FY 23-24 Atkinson Elementary HVAC Replacement Project (phase 1).

Motion:

I move the Board award the contract for the purchase and installation of the HCPS MRTS Atkinson Elementary HVAC Replacement Project (phase 1) to Johnson Controls for \$1,211,444.00.

Opioid Settlement Fund – Authorized Expenditures Update

The Opioid Settlement Fund’s authorized expenditures update as of March 31, 2024, 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 (MOA).

As part of the radio system communications project, staff included a “Field Communications Vehicle” as a long-term project goal. This vehicle would transport the County’s cache of disaster communications equipment and serve as a facility for field communications. It would work in conjunction with other assets, such as the Sheriff’s Office Command Bus. It would be more mobile and able to be used in smaller areas, such as the recent search in Big Hungry.

Approved: June 3, 2024

Motion:

I move that the Board of Commissioners approve the March 31, 2024, Authorized Expenditures Update as presented.

2024.057 Dogwood Health Trust Grant

In 2022, Henderson County was awarded a grant of \$300,000 from Dogwood Health Trust for initiatives related to the Opioid Settlement Funding. The County subsequently awarded funds from this grant to support Strategic Planning for the Opioid Settlement Funding and the creation and implementation of an Adult Recovery Court (ARC) to REAL Academy and The Hope Coalition, respectively. The Strategic Plan is complete and was presented to and accepted by the Board of Commissioners on August 16, 2023.

The Adult Recovery Court is now operational and meets twice monthly. As planning for the ARC was underway, it became known that some related expenses would not be allowable with Opioid Settlement Funds until the “Exhibit B” options were unlocked. DHT offered an extension of the planning and implementation grant to cover these costs incurred by the District Attorney’s office for prosecutorial services necessary for the ARC. While Exhibit B is now unlocked, the grant request to DHT for these expenses was submitted prior to that action. The grant award in the amount of \$35,000 will be transferred to the DA’s office to cover those fees retroactively.

The Board was requested to approve receipt of the grant funds for the intended purposes outlined above. No county funds or county positions will be required for the initiative.

Motion:

I move the Board accept the Dogwood Health Trust grant award for Henderson County and approve the necessary budgetary amendment to implement the initiative subject to funding limitations of the grant.

2024.058 Budget Amendment – Public Transit – Paratransit Van

During FY2024, \$92,707 was budgeted within the Public Transit Fund, utilizing Federal Transit Authority funds, to purchase a paratransit van. Based on the current estimate of costs, the total cost to purchase a paratransit van, including tax, taxes, and license fees, is \$97,531.55.

The Board was requested to approve a Budget Amendment to appropriate the Public Transit Fund Balance for \$4,825 to cover the cost of a paratransit van above available grant funding. As of June 30, 2023, the total fund balance for the Public Transit Fund was \$2,540,229.

Motion:

I move that the Board approve the budget amendment as presented, appropriating fund balance to cover the cost of a paratransit van above available grant funding.

Facility Use Policy Exemption – Vehicles

The Board was requested to allow Jimmie Johnson's race car to park in the courtyard at the Historic Courthouse on Friday, May 24, 2024.

To allow for this, the Board was requested to grant a one-time exemption to Footnote 1 of the “Application for Use of the Historic Courthouse Courtyard”, which prohibits vehicles on the courtyard.

Approved: June 3, 2024

Motion:

I move that the Board grant an exemption to the County Facility Use Policy to allow Jimmie Johnson's race car to park in the courtyard at the Historic Courthouse on Friday, May 24, 2024.

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

DISCUSSION**Mountain Home Fire Department Sub-Station – Rugby Middle School Property (Moved from Discussion Item B)**

Emergency Management Director Jimmy Brissie and Mountain Home Fire Department Chief Mark Wilson presented the Board with the current state and issues with the existing Mountain Home Fire Department Sub-Station in the Carriage Park subdivision.

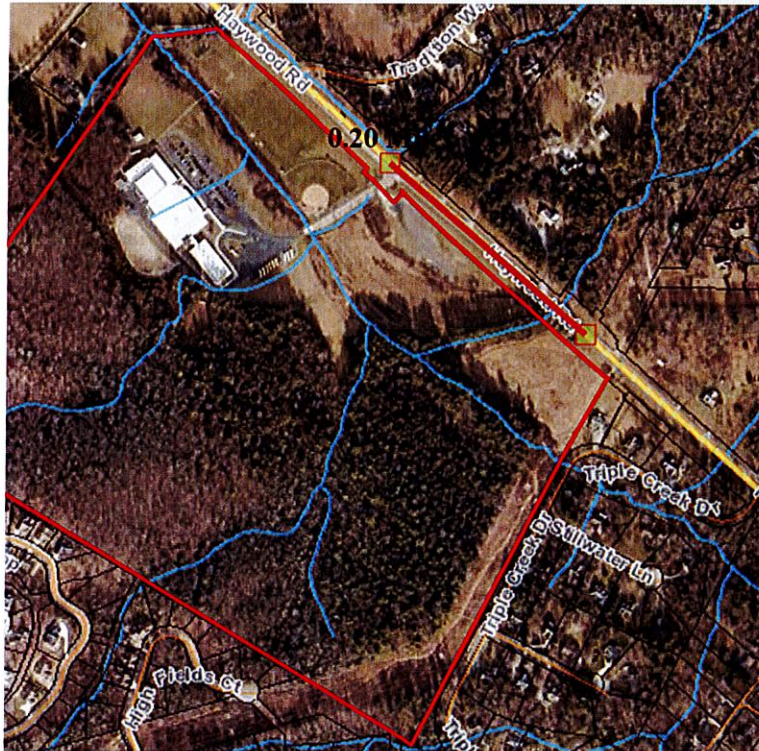
Current State and Issues

- Location- inside Carriage Park gated community
- Leased property and building on a year-to-year contract with multiple owners since 1999
- Established inside Carriage Park at the request of their management to promote housing sales
- Unmanned station (requiring remodel for manned station)
- Time to gate 2 minutes (.8 miles)
- Pass by 25 homes before hitting 191
- Carriage Park is currently planning 17 additional homes around the current location
- Response required from Station 1 as Station 3 unmanned

Future State and Benefits

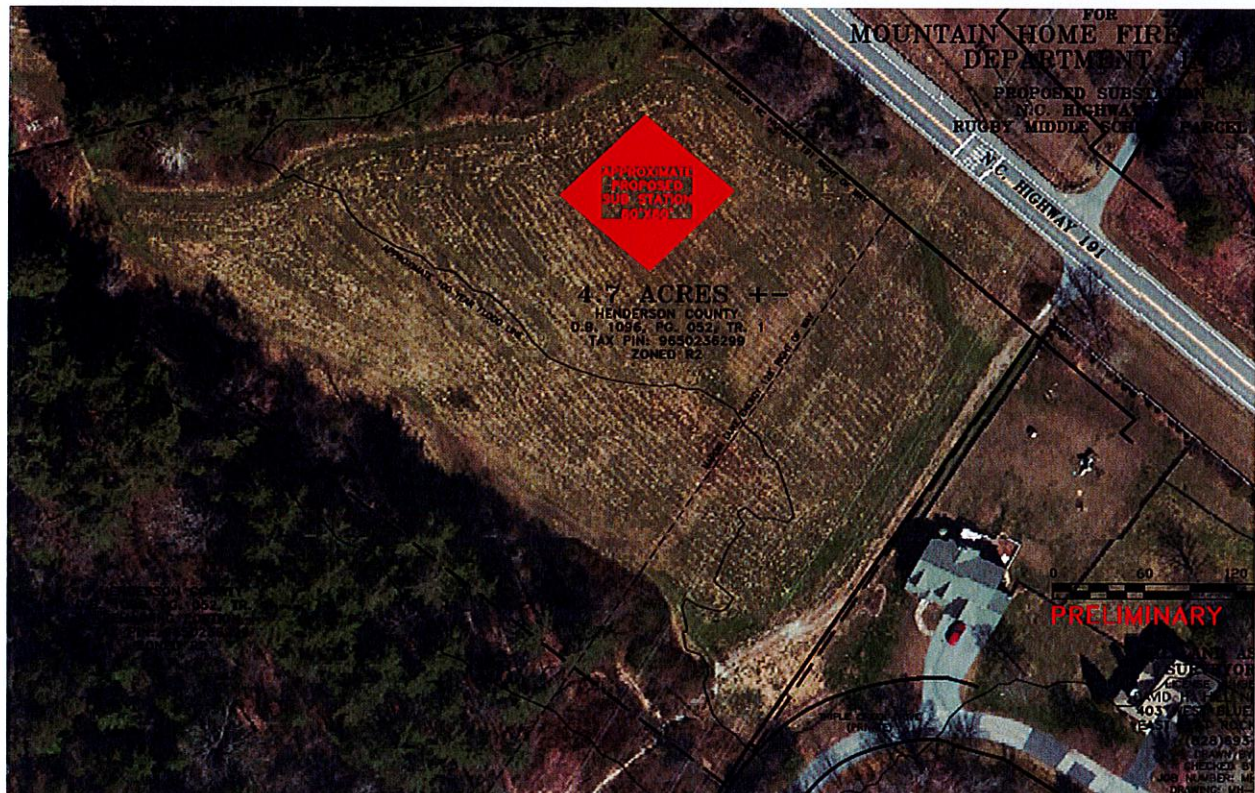
- County appointed land located directly off 191
- Permanent ownership of property and building
- Manned station with full-time (24/7) personnel
 - Plans for 2 new hires with room to add in future
- Direct entry onto 191
- 5 homes nearby
- Quicker response time in a growing area with increased traffic
- Able to serve the community more efficiently
- Example:
 - Station 1 to Rugby Middle- 6 minutes (2.2 miles)
 - Current Station 3 to Rugby Middle- 7 minutes (2.1 miles)
 - New Station 3 to Rugby Middle- 1 minute (.2 miles)

Call Volume- Station 3
January 1- May 1, 2024
123 Calls



Driveway to Driveway View

Proposed Station 3
to
Rugby Middle School Entrance



Approved: June 3, 2024

Streetview Concept



Collaboration with DOT



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

DATE: May 2, 2024

TO: Mr. Mark Wilson, Fire Chief
Mountain Home Fire and Rescue

FROM: R.H. Darnell
Assistant District Engineer

SUBJECT: Potential driveway on NC 191

DocuSigned by
R.H. Darnell
E3005A681042402

The purpose of this memorandum is to confirm NCDOT's support for the proposed fire station on NC 191, near Rugby Middle School. Looking from a traffic management perspective, the entire corridor and surrounding community would benefit from a fire station with direct access to NC 191.

NCDOT has been and will continue to work with the fire department during the planning and design process. The proposed 36' driveway turn-out for the station and a mountable median crossing can be incorporated into the R-2588B project. Due to time constraints and design criteria, it is advisable to begin the process soon to prevent adverse effects to construction of the NCDOT project.

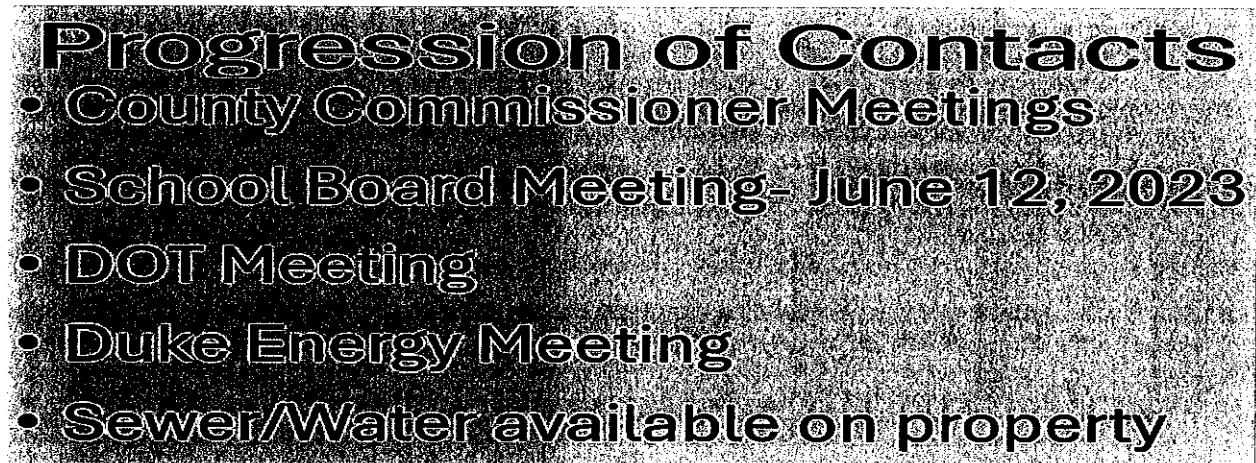
Mailing Address
NC DEPARTMENT OF TRANSPORTATION
DIVISION 14 / DISTRICT 1 FIELD OFFICE
4142 HAYWOOD ROAD
MILLS RIVER, NC 28759

Telephone: (828) 891-7911
Fax: (828) 891-5026
Customer Service: 1-877-368-4968

Website: ncdot.gov

Location
4142 HAYWOOD ROAD
MILLS RIVER, NC 28759

Approved: June 3, 2024



Commissioner Andreotta said he believes this is an essential project for public safety and asked about the proposed sub-station's size and capacity. Mr. Wilson said the fire department envisions a structure with two eight-foot drive-through bays to house four vehicles.

Commissioner Andreotta proposed the Board of Commissioners request the School Board to discuss this possible location at its next meeting. Mr. Andreotta asked that this item be added to the agenda for next week's May mid-month meeting.

Commissioner Lapsley asked if the fire department had investigated other properties for the sub-station. Mr. Wilson said they had looked for alternate sites, but nothing had been identified.

Chairman McCall said the Board would look forward to hearing the School Board's comments after they have discussed the proposed project.

County Manager's FY 2024-2025 Recommended Budget

County Manager John Mitchell presented the FY 2024-2025 Recommended Budget. He said the budget documents were a culmination of months and months of staff time. On behalf of the budget office, finance, tax, department heads, and commissioners. Mr. Mitchell shared that the FY24-25 Proposed Budget would be posted on the County's website later in the evening.

FY 2024-2025 RECOMMENDED BUDGET

Budget Preparation Framework

- Recommended Tax Rate remains at \$0.431
- Recommended Collection Rate = 98%
- Sales tax projections reflect actual receipts from FY23

FY25 Recommended Budget \$ 202,142,366

Tax Rate \$ 0.431

Fund Balance Appropriated \$ 20,742,795

FY 2024-2025 RECOMMENDED BUDGET

	FY 2024 Adopted	FY 2025 Proposed	Variance
Ad Valorem Taxes	\$98,736,662	\$104,403,363	\$5,666,701
Local Option Sales Taxes	\$41,726,791	\$43,739,610	\$2,012,819
Other Taxes and Licenses	\$1,655,000	\$1,616,000	(\$39,000)
Unrestricted Intergovernmental Revenue	\$50,000	\$61,000	\$11,000
Restricted Intergovernmental Revenue	\$16,869,371	\$16,977,323	\$107,952
Permits and Fees	\$2,067,735	\$2,278,750	\$211,015
Sales and Services	\$8,232,966	\$8,404,357	\$171,391
Investment Earnings	\$1,505,000	\$2,010,000	\$505,000
Other Revenues	\$1,344,388	\$1,435,557	\$91,169
Transfers from Other Funds	\$72,217	\$473,611	\$401,394
Fund Balance Appropriated	\$22,848,365	\$20,742,795	(\$2,105,570)
TOTAL GENERAL FUND REVENUE	\$195,108,495	\$202,142,366	\$7,033,871

FY25 Proposed Expenditures - \$ 202,142,366

FY24 Revised Budget - \$ 204,896,918

\$ Variance = (\$ 2,754,552)

% Variance = (1.3%)

- Full funding of County's Debt Service obligation of \$22,690,510
- Maintains funding to meet current and approved future obligations

FY 2024-2025 RECOMMENDED BUDGET

Funding Priorities

➤ Education	\$ 61,323,856	30%
➤ Public Safety	\$ 51,982,139	26%
➤ Human Services	\$ 39,657,598	20%
	<hr/>	
	\$ 152,963,593	76%

FY 2024-2025 RECOMMENDED BUDGET

Proposed Expenditures	\$ 202,142,366
Proposed Revenues (Excluding Fund Balance)	<hr/> \$ 181,399,571
Variance	\$ 20,742,795

NEXT STEPS

FY 2025 BUDGET PROCESS

-
- ✓ **May 6, 2024 – Regularly Scheduled Meeting**
 - County Manager’s Recommended Budget Presented to the Board of Commissioners
 - Schedule the Public Hearing for Monday, June 3, 2024
 - ✓ **Advertise the Presentation and Publication of the Recommended Budget and June 3rd Public Hearing**
 - The Budget Publication, Workshop, and Public Hearing will be advertised in the Hendersonville Lightning on May 8th
 - ✓ **May 15, 2024 – Regularly Scheduled Meeting**
 - FY25 Budget Workshop

Approved: June 3, 2024

FY25 BUDGET WORKSHOP

Henderson County Public Schools

- Budget Request not yet received – due by Statute on May 15, 2024
- Funding amount consistent with FY24
- Unfunded amount of \$4,901,262 based on January 17th Preliminary Request

Blue Ridge Community College

- Unfunded Operational = \$1,994,318
 - Operating Expenses = \$1,044,546
 - Maintenance in lieu of a new facilities building = \$949,772
- Unfunded MRTS Capital = \$96,123

Not-For-Profit Organizations

- Unfunded requests = \$1,477,000

Solid Waste

- Solid Waste is \$325,682 out of balance, primarily due to mandated post-closure costs

County Departments

- Total unfunded County Department requests = \$3,058,441
-

FY 2025 BUDGET PROCESS

- ✓ **May 6, 2024 – Regularly Scheduled Meeting**
 - County Manager's Recommended Budget Presented to the Board of Commissioners
 - Schedule the Public Hearing for Monday, June 3, 2024
- ✓ **Advertise the Presentation and Publication of the Recommended Budget and June 3rd Public Hearing**
 - The Budget Publication, Workshop, and Public Hearing will be advertised in the Hendersonville Lightning on May 8th
- ✓ **May 15, 2024 – Regularly Scheduled Meeting**
 - FY25 Budget Workshop
- ✓ **June 3, 2024 – Regularly Scheduled Meeting**
 - FY25 Budget Public Hearing
 - FY25 Budget Adoption

The Board was requested to schedule the Public Hearing on the FY 2024-2025 Budget for Monday, June 3, 2024, at 5:30 pm.

Chairman McCall made the motion to schedule the Public Hearing on the FY 2024- 2025 Budget for Monday, June 3, 2024, at 5:30 p.m. All voted in favor, and the motion carried.

Chairman McCall asked retiring Director of Public Health Steve Smith to introduce the new incoming Director, David Jenkins. Mr. Jenkins said he was proud to begin working and living in Henderson County, and board members welcomed him to the county.

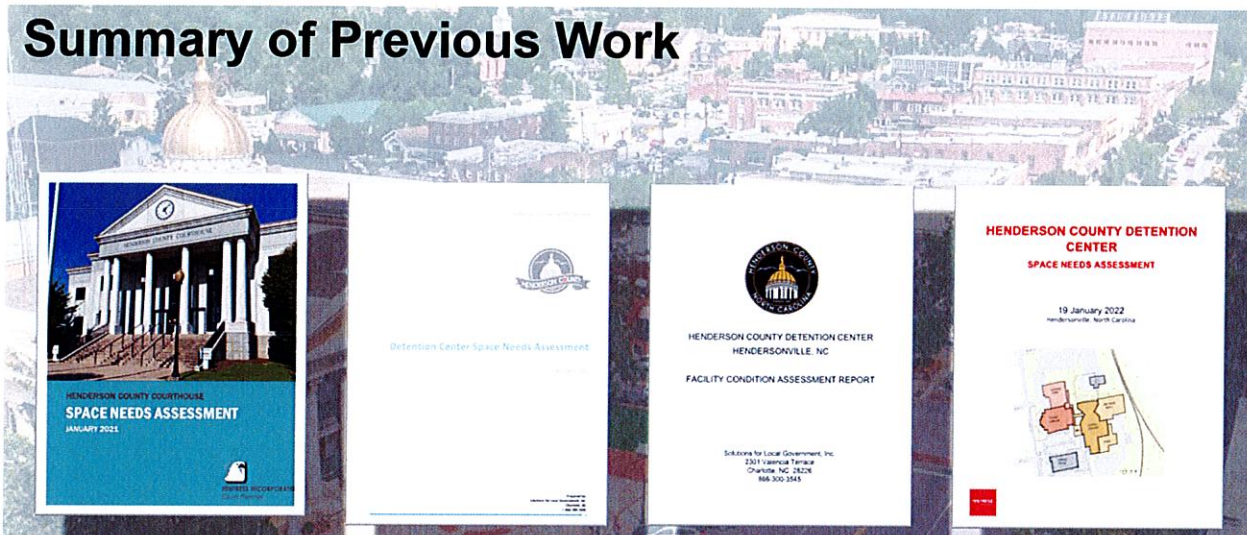
Approved: June 3, 2024

Judicial Center Addition and Renovation (Moved from Discussion Item – A)

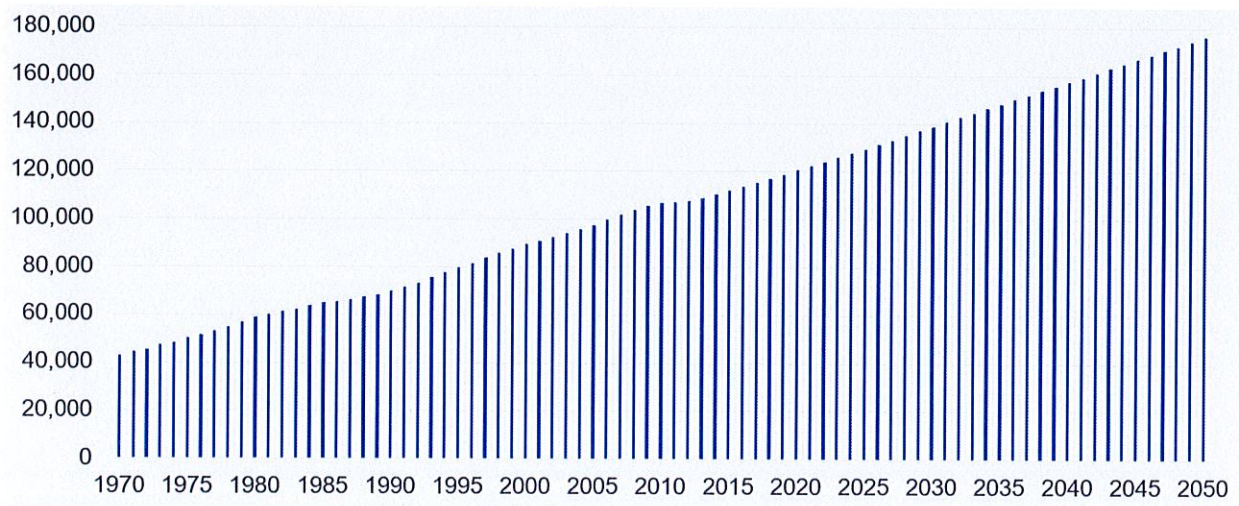
On September 20th, 2023, the Board directed staff to work with Vice-Chair Edney and Commissioner Lapsley to review the project and identify potential cost savings. Staff, Fentress Architects, and Haskell/Cooper provided an update on the project and the potential cost savings that was identified.

Chris Todd provided a brief history of the JCAR project. Representatives from Fentress Architects, McMillan-Pasden-Smith Architects, and members of Haskell–Cooper were in attendance.

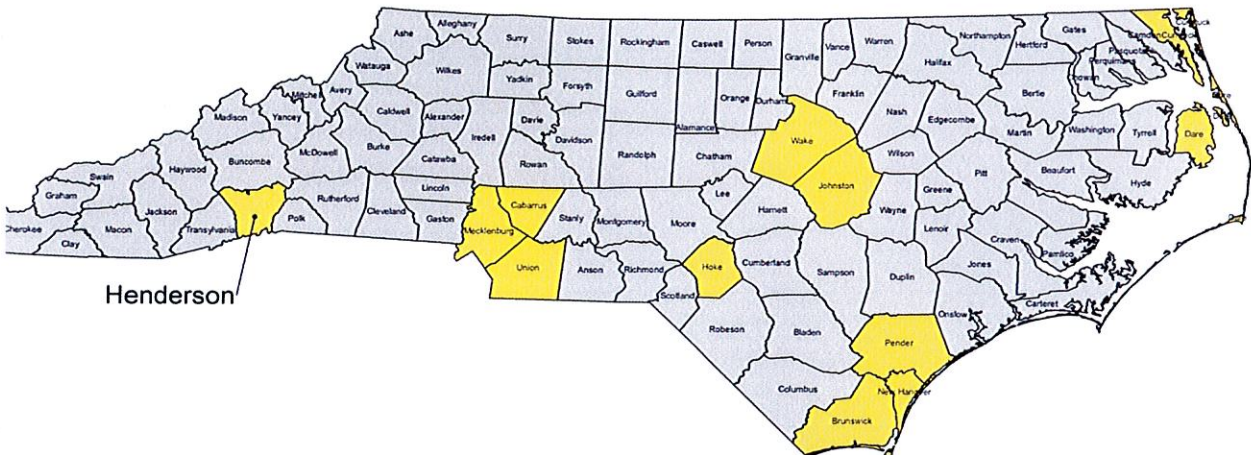
Summary of Previous Work



Henderson County Population



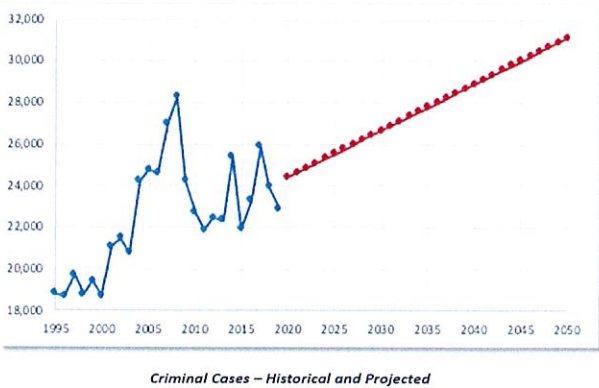
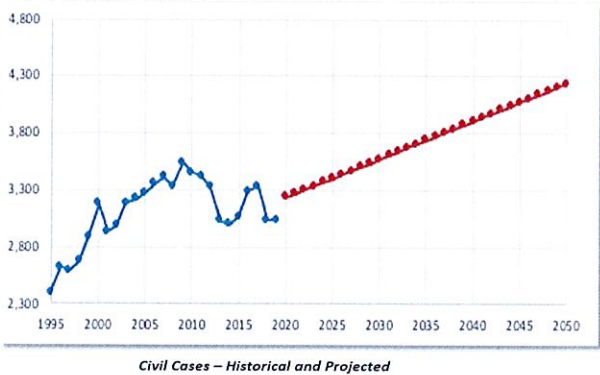
Population Growth, 1969-2019
Top 12 Counties (% Growth)



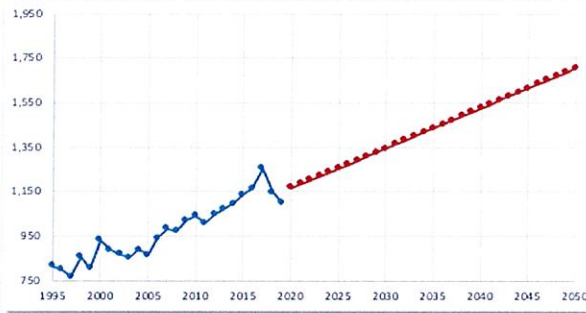
Population Growth, 2019-2050
Top 17 Counties (% Growth)



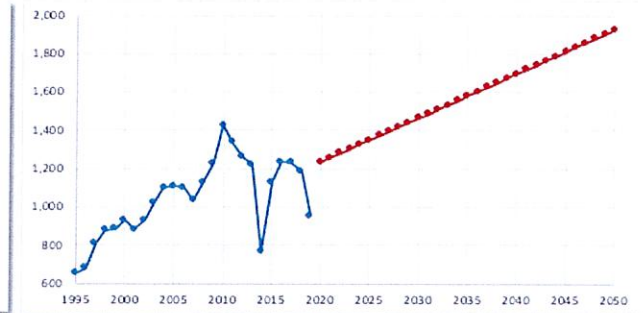
Caseload Growth – Civil and Criminal Cases



Caseload Growth – Estates and Special Proceedings



Estate Cases – Historical and Projected



Special Proceedings – Historical and Projected

Detention Center Needs

Figure 6
Inmate ADP Projections
2021-2030

Factor/Variable	Jul-21	Jul-22	Jul-23	Jul-24	Jul-25	Jul-26	Jul-27	Jul-28	Jul-29	Jul-30
County Population	121,108	122,454	123,767	125,039	126,283	127,495	128,673	129,824	130,943	132,035
Admin/Pop. Ratio	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398
Annual Admissions	4818	4871	4924	4974	5024	5072	5119	5165	5209	5253
ADP/Admissions Ratio	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367
"Cov'd" ADP	177	179	181	183	184	186	188	190	191	193
Adjusted ADP	187	192	196	201	205	210	214	219	223	228

Figure 7
Inmate ADP Projections
2031-2040

Factor/Variable	Jul-31	Jul-32	Jul-33	Jul-34	Jul-35	Jul-36	Jul-37	Jul-38	Jul-39	Jul-40
County Population	133,097	134,133	135,140	136,124	137,081	138,015	138,920	139,805	140,668	141,698
Admin/Pop. Ratio	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398
Annual Admissions	5295	5336	5376	5415	5453	5490	5526	5562	5596	5637
ADP/Admissions Ratio	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367
"Cov'd" ADP	134	136	137	139	140	142	143	144	145	146
Adjusted ADP	232	237	241	246	250	255	259	264	268	273

Figure 8
Inmate ADP Projections
2041-2050

Factor/Variable	Jul-41	Jul-42	Jul-43	Jul-44	Jul-45	Jul-46	Jul-47	Jul-48	Jul-49	Jul-50
County Population	142,548	143,646	144,745	145,843	146,941	148,039	149,137	150,236	151,334	152,432
Admin/Pop. Ratio	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398	0.0398
Annual Admissions	5671	5714	5758	5802	5846	5889	5933	5977	6020	6064
ADP/Admissions Ratio	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367	0.0367
"Cov'd" ADP	208	210	211	213	215	216	218	219	221	223
Adjusted ADP	277	282	287	291	296	300	305	309	314	318



Figure 3 – Roof at support area-Equipment drainage



Figure 2 – Example of rust at intel




Figure 7 – Rust at exterior doors and frames.



Figure 11 – Mold and efflorescence at minimum housing recreation yard

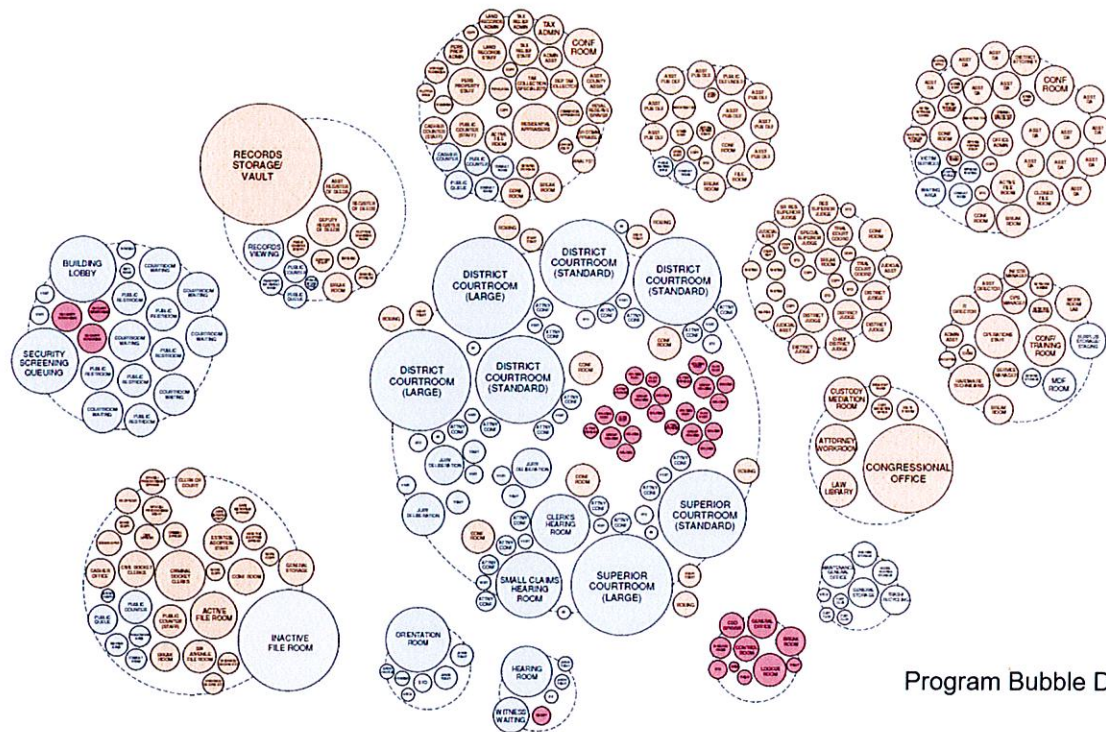
Courthouse Needs

Table 1-1. Henderson County Courthouse Overview

BUILDING SUMMARY		
Year Constructed	1995	
Major Renovation Year(s)	2016	
Historic Designation	No	
Number of Floors (including basement)	3	
Approx. Building Area (GSF)	99,100	
SPACE SUMMARY		CORE SUMMARY
	QTY	OVERALL CORE SCORE58.7
Courtrooms	5	SPACE STANDARDS57.0
Hearing Rooms	1	SPACE FUNCTIONALITY58.6
Judges' Chambers	7	SECURITY51.8
Courtroom Holding Cells	3	BUILDING CONDITION71.2
Jury Deliberation Rooms	4	BUILDING SYSTEMS63.5
Attorney-Witness Rooms	3	TECHNOLOGY50.0
Cellblock Single Cells	In Sheriff's Office	
Cellblock Observation Cell	In Sheriff's Office	
Cellblock Group Holding Cells	In Sheriff's Office	
	Y/N	
Dedicated Vehicle Sallyport	In Sheriff's Office	
Dedicated Prisoner Elevator	Y	
Dedicated Judges/Staff Elevator	Y	

Approved: June 3, 2024

Basis of Design

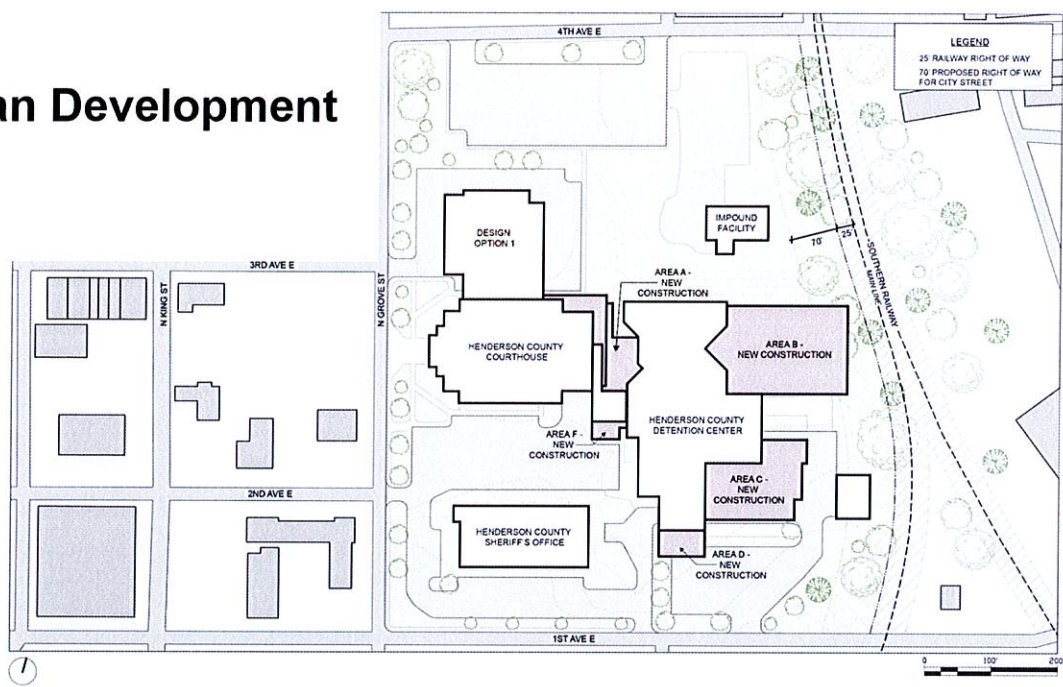


Program Bubble Diagram

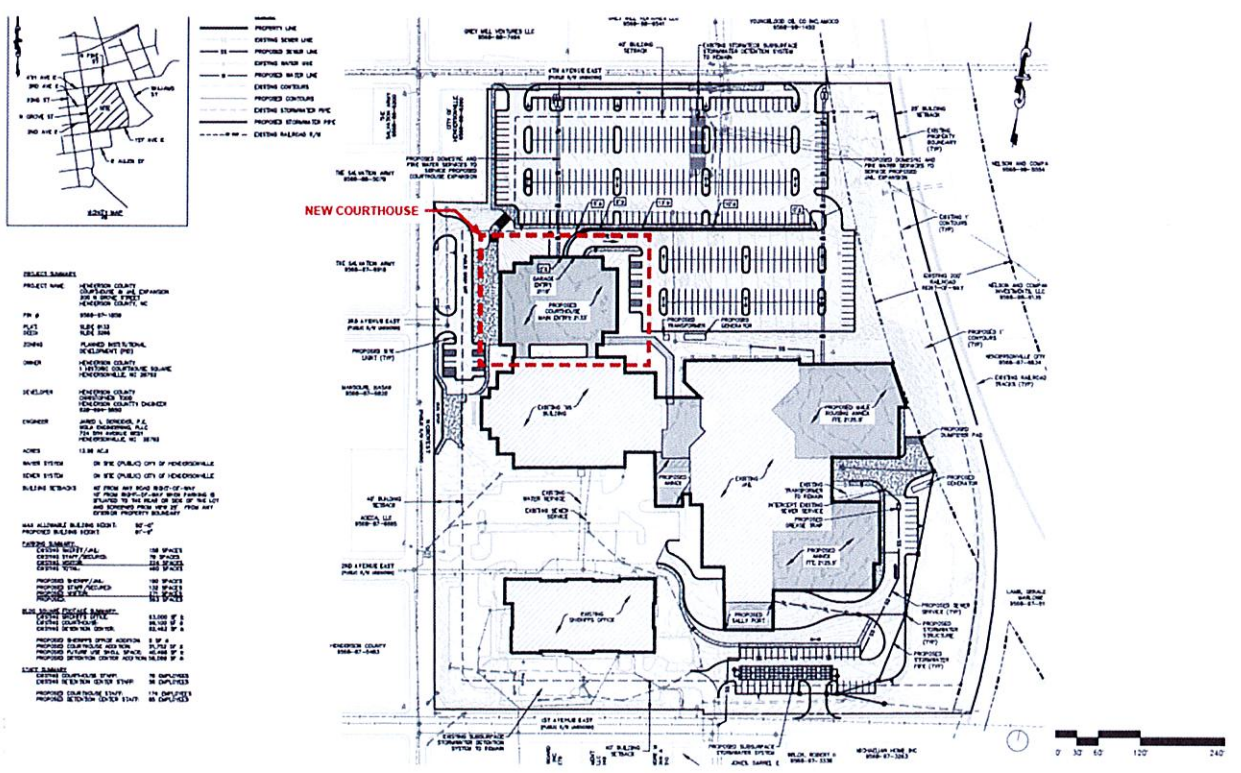
Current Site



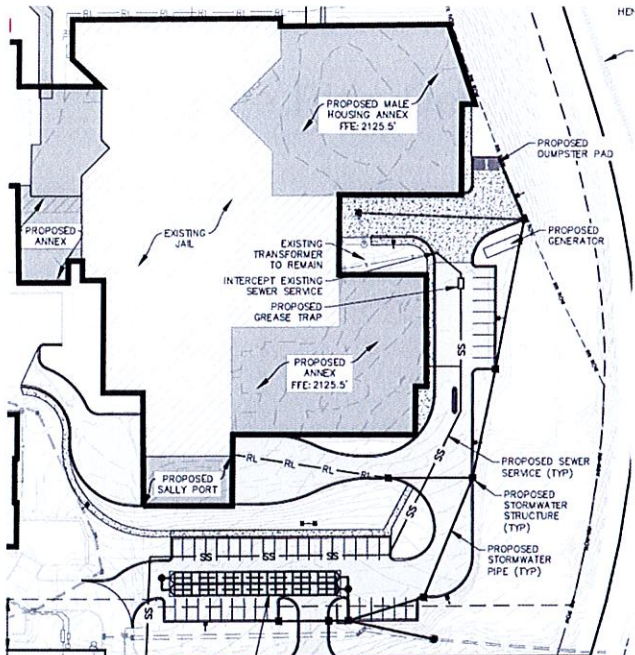
Site Plan Development

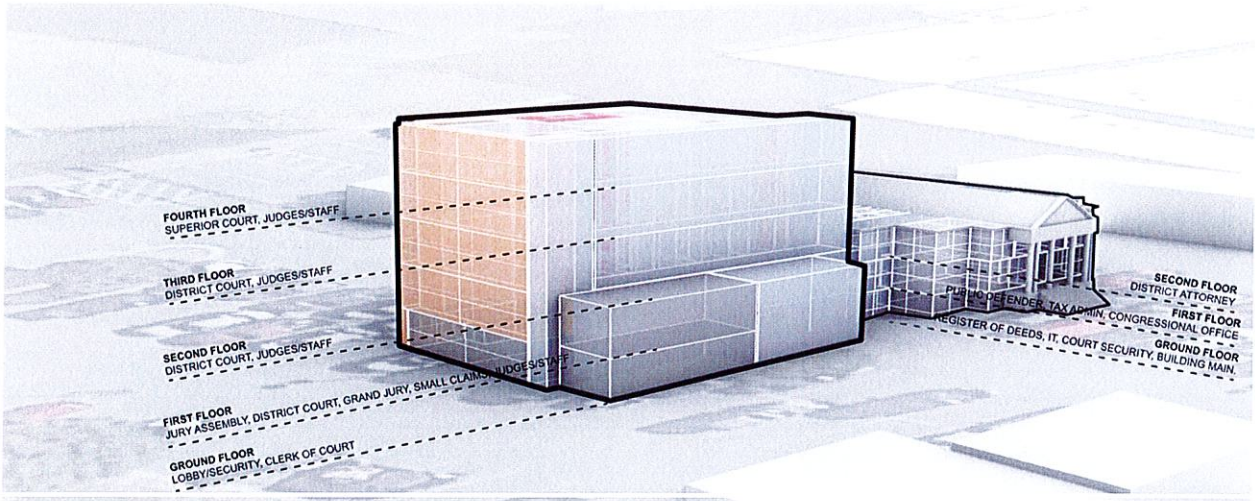


Parking

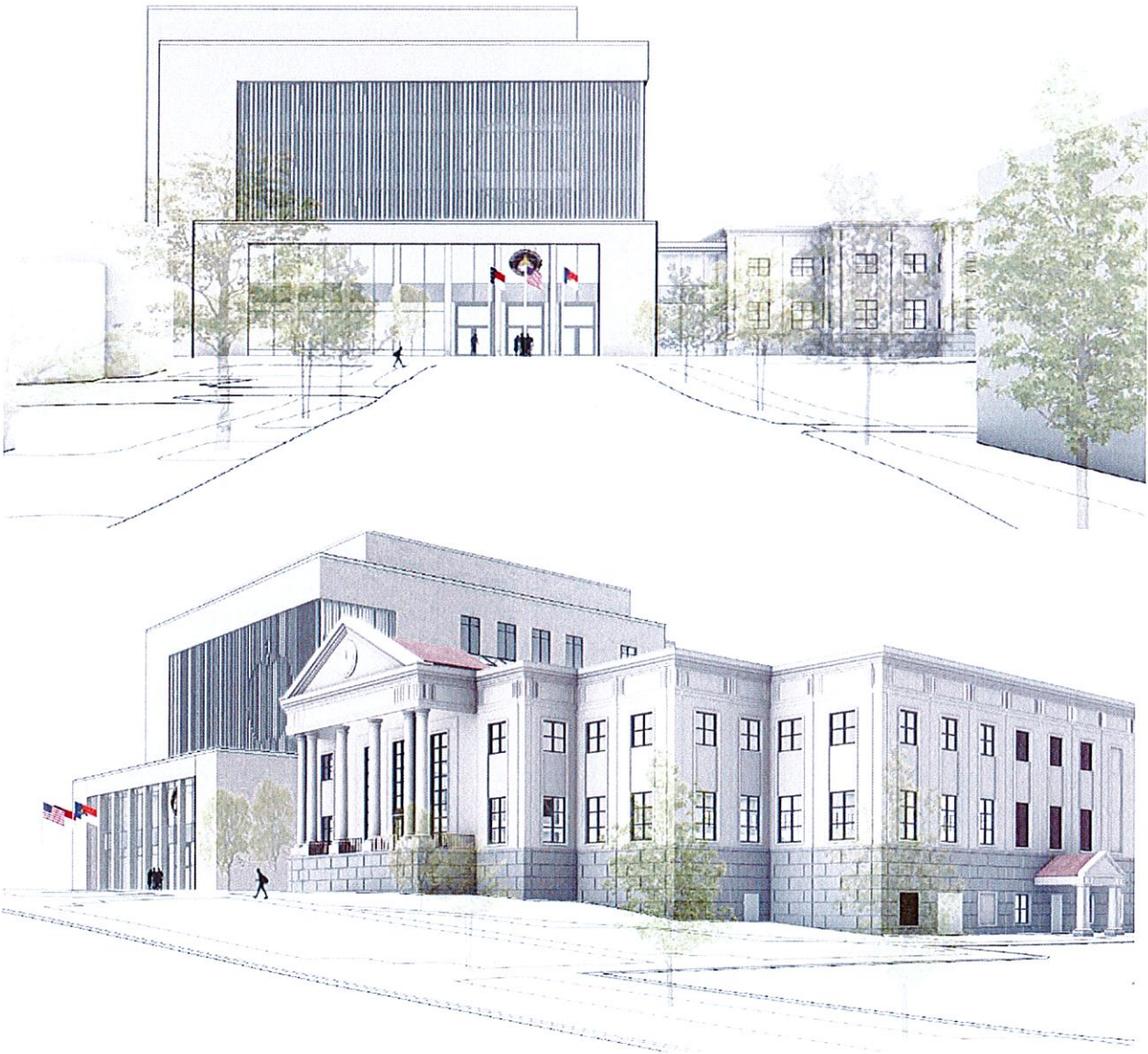


Detention Center





Courthouse Development – Basis of Design



JCAR TOTAL PROJECT ESTIMATE

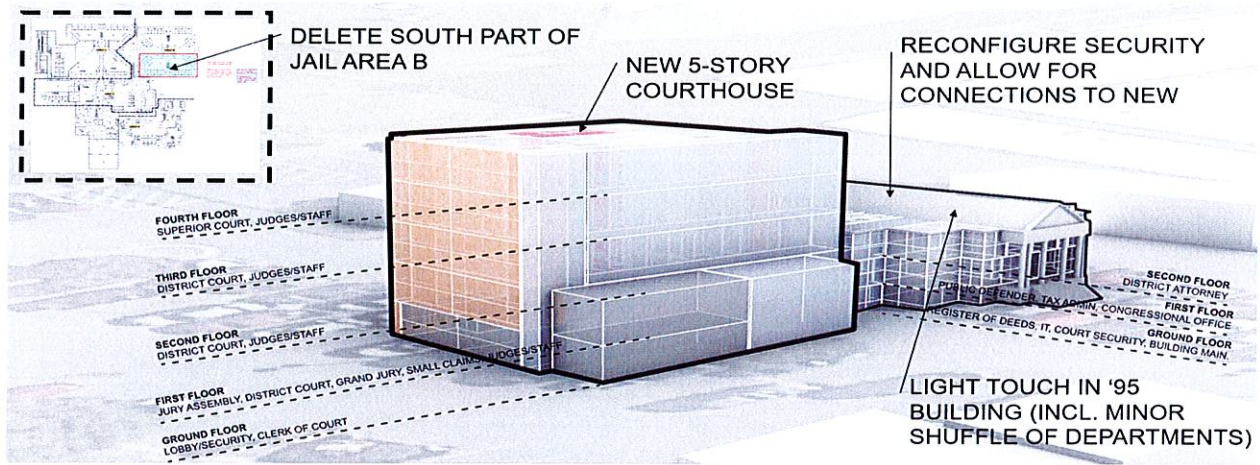
Construction Cost	\$175,005,074
Construction Cost Estimate (Includes 3.2% Contingency)	\$168,679,589
Construction Manager at Risk Fee	\$6,325,485
Soft Cost	\$40,027,026
FF&E and Technology Allowance	\$12,500,000
A&E Design Fees	\$11,921,759
Permit Fees	\$1,180,757
Geo Technical and Materials Testing Fees	\$2,024,155
Construction Manager at Risk Pre-Construction Fee	\$1,750,051
EERC Allowance	\$150,000
Design Contingency	\$17,476,561
Escalation Contingency	\$10,587,757
Owner Contingency	\$10,500,304
OVERALL TOTAL BUDGET	\$215,032,100

Henderson County - Courts VE cost options

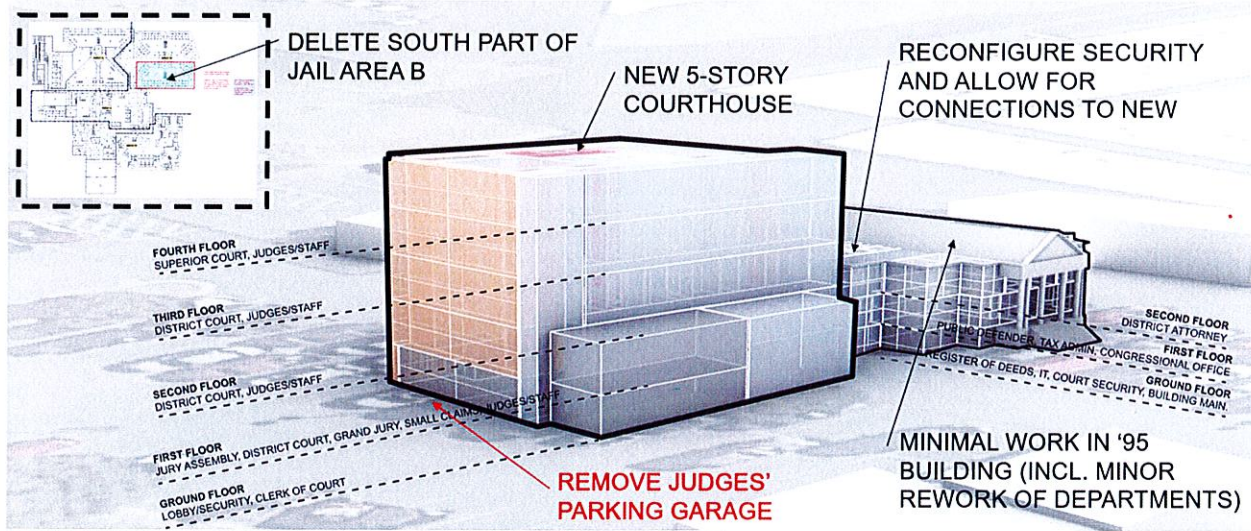
Option	Courts VE Item list	Base Option	Option 1 - delete Judge's garage	Option 2 - delete level 5 fully	Option 3 - shell out level 5
	SD starting point	\$175.0	\$175.0	\$175.0	\$175.0
Base Option	Existing 95 Bldg. security office space demo and build, relocate to south entry	\$0.7	\$0.7	\$0.7	\$0.7
	Don't renovate 95 Bldg.	(\$35.6)	(\$35.6)	(\$35.6)	(\$35.6)
	Light touch to 95 Bldg. levels G, 1 and 2 for public and staff corridor connections	\$1.5	\$1.5	\$1.5	\$1.5
	Delete south half of jail area B	(\$9.1)	(\$9.1)	(\$9.1)	(\$9.1)
	Minor cost for existing department shuffle into existing 95 Bldg. spaces & levels	\$3.5	\$3.5	\$3.5	\$3.5
1	Delete secure Judge's parking garage		(\$3.0)		
2	Delete level 5 of new courts Bldg., reduces courtroom total to 7 (can't be added back in later)			(\$12.7)	
3	Shell out level 5 only, temporarily reduces courtroom total to 7				(\$4.1)
	Total for Buildings only	\$136.0	\$133.0	\$123.3	\$131.9
	HC soft cost budget	\$35.0	\$35.0	\$35.0	\$35.0
	Total project with all cost included	\$171.0	\$168.0	\$158.3	\$166.9

New Courthouse Proposed Pre-packaged VE Cost Options

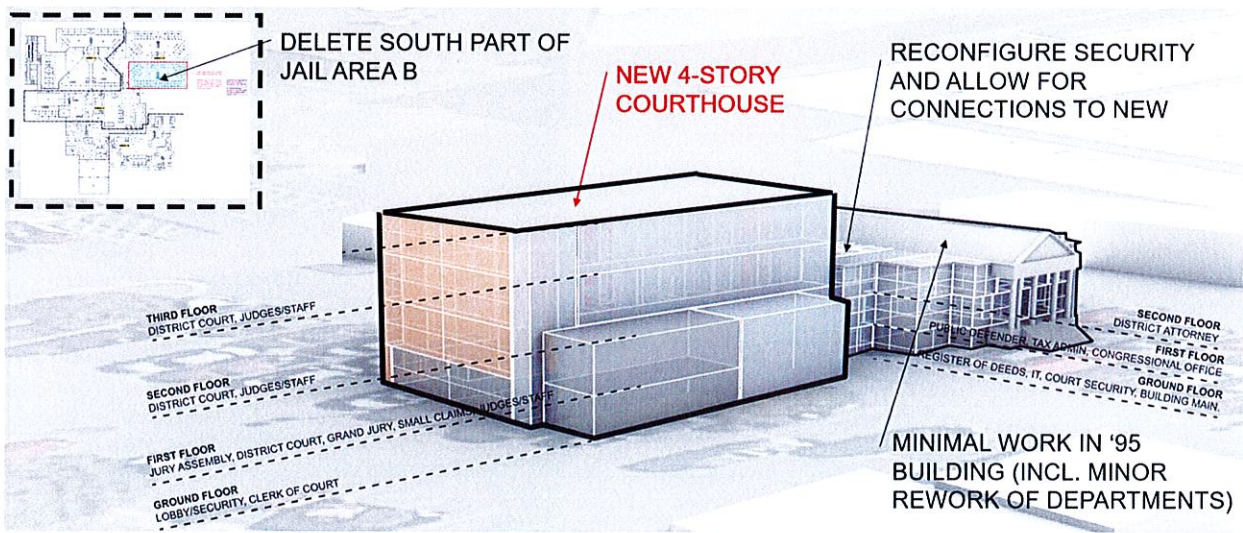
Approved: June 3, 2024



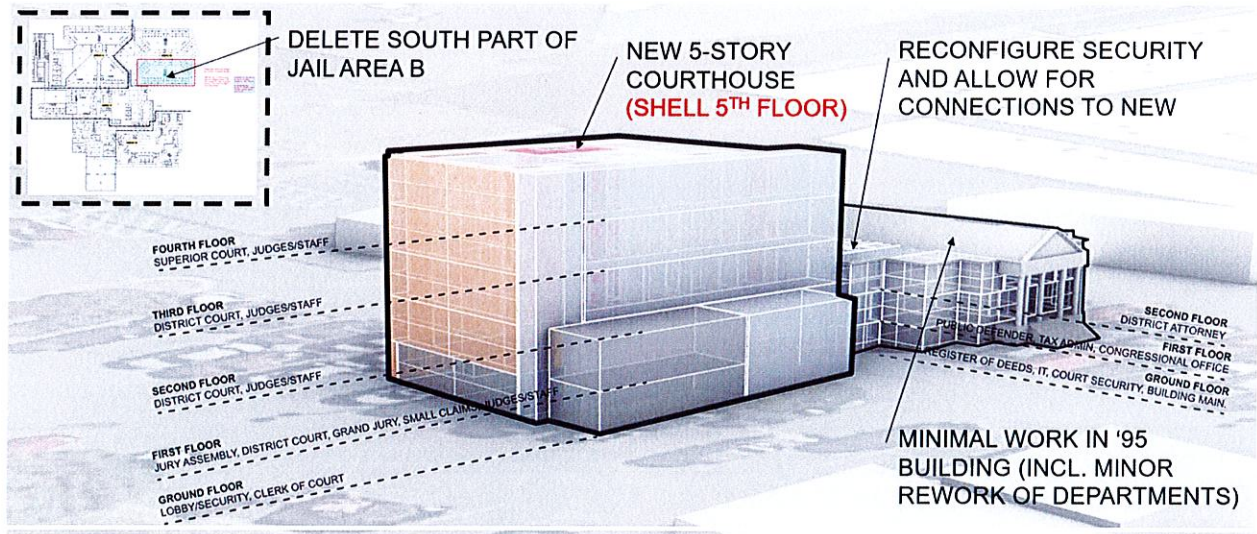
COURTHOUSE – BASE OPTION - \$136M



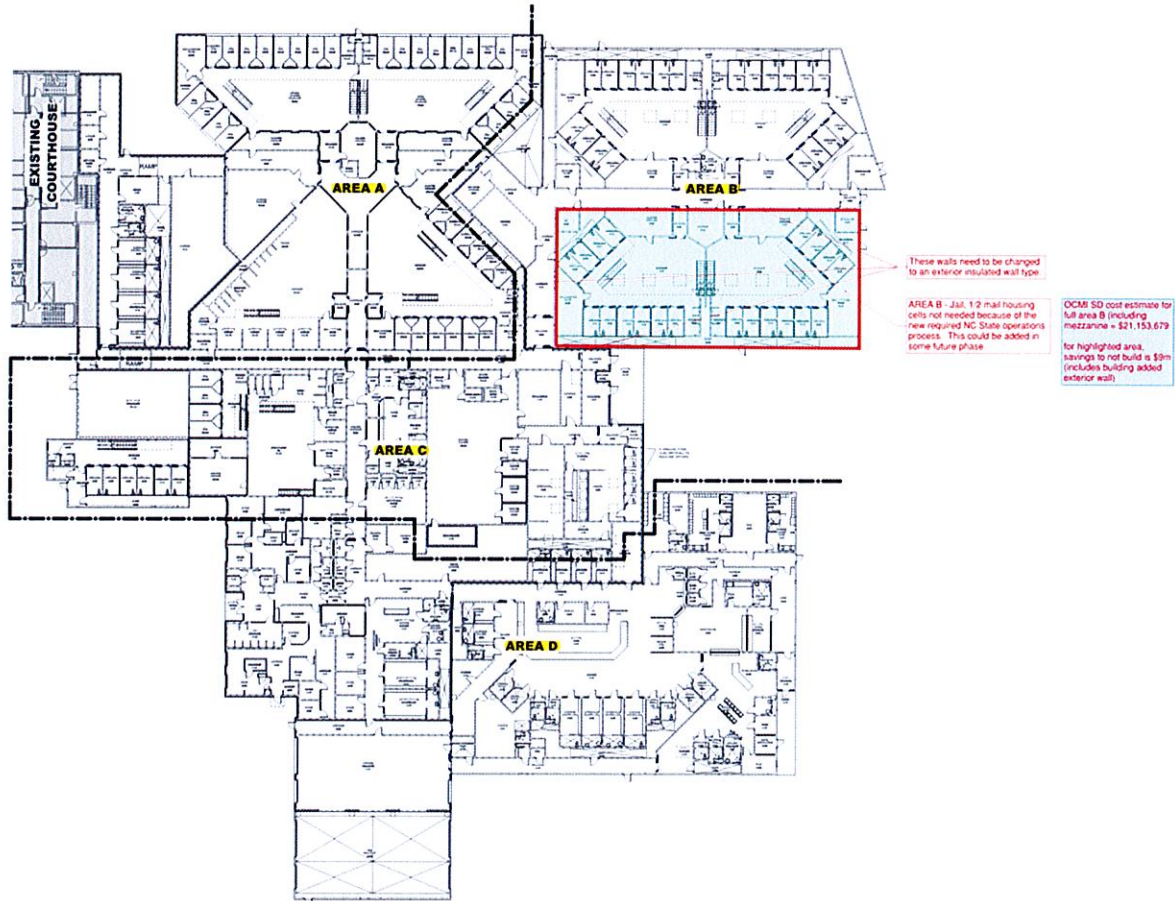
COURTHOUSE – OPTION 1 - \$133M



COURTHOUSE – OPTION 2 - \$123.3M



COURTHOUSE – OPTION 3 - \$131.9M

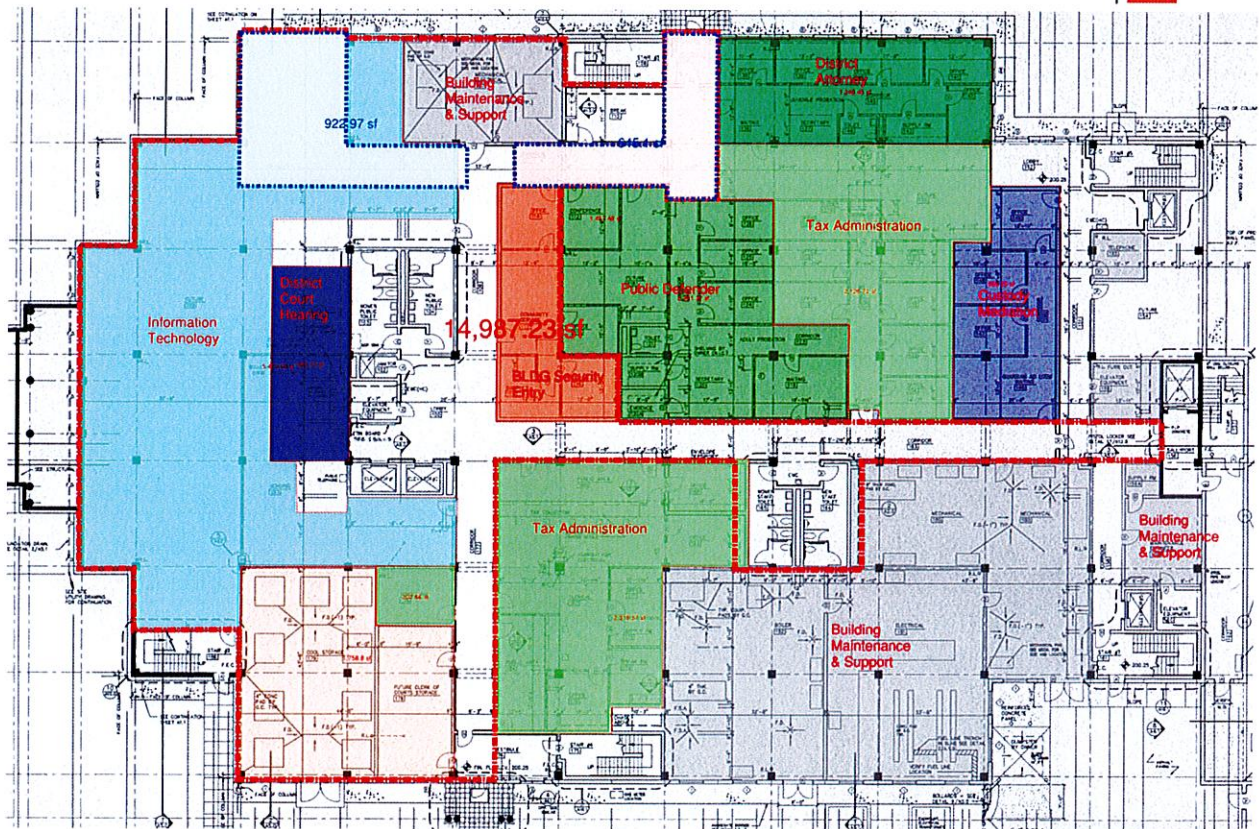


Detention Center

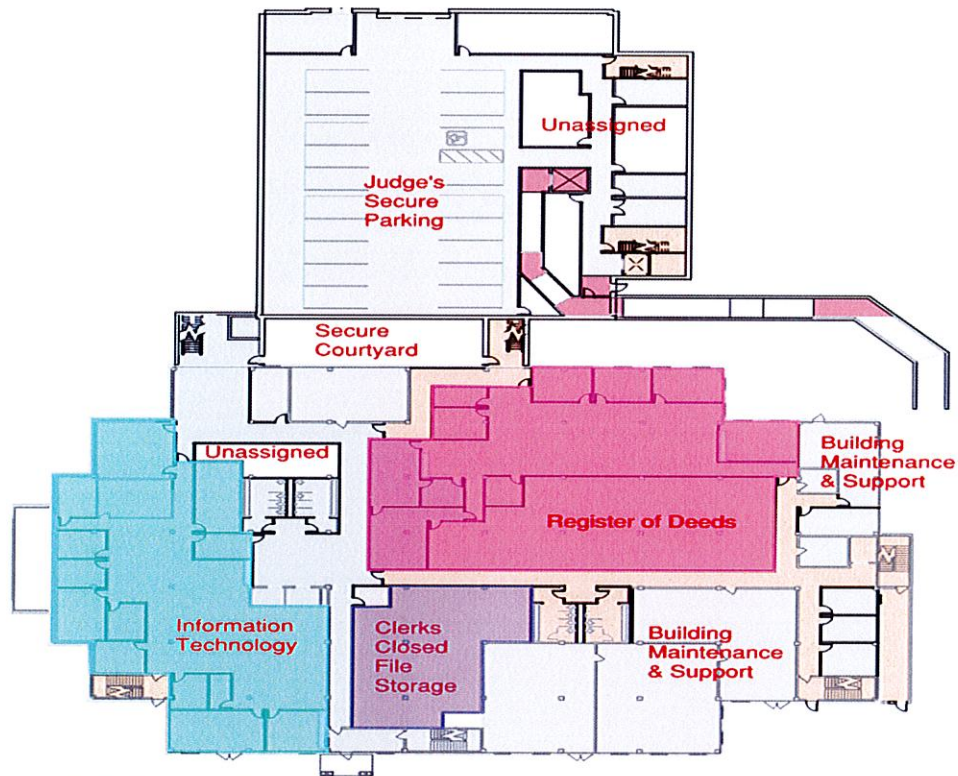
Courts Delay – Cost Impact

- General Conditions
 - Management Staff
 - Support Infrastructure
- Inflation (4%/Yr Average)
 - Materials Escalation
 - Labor Market

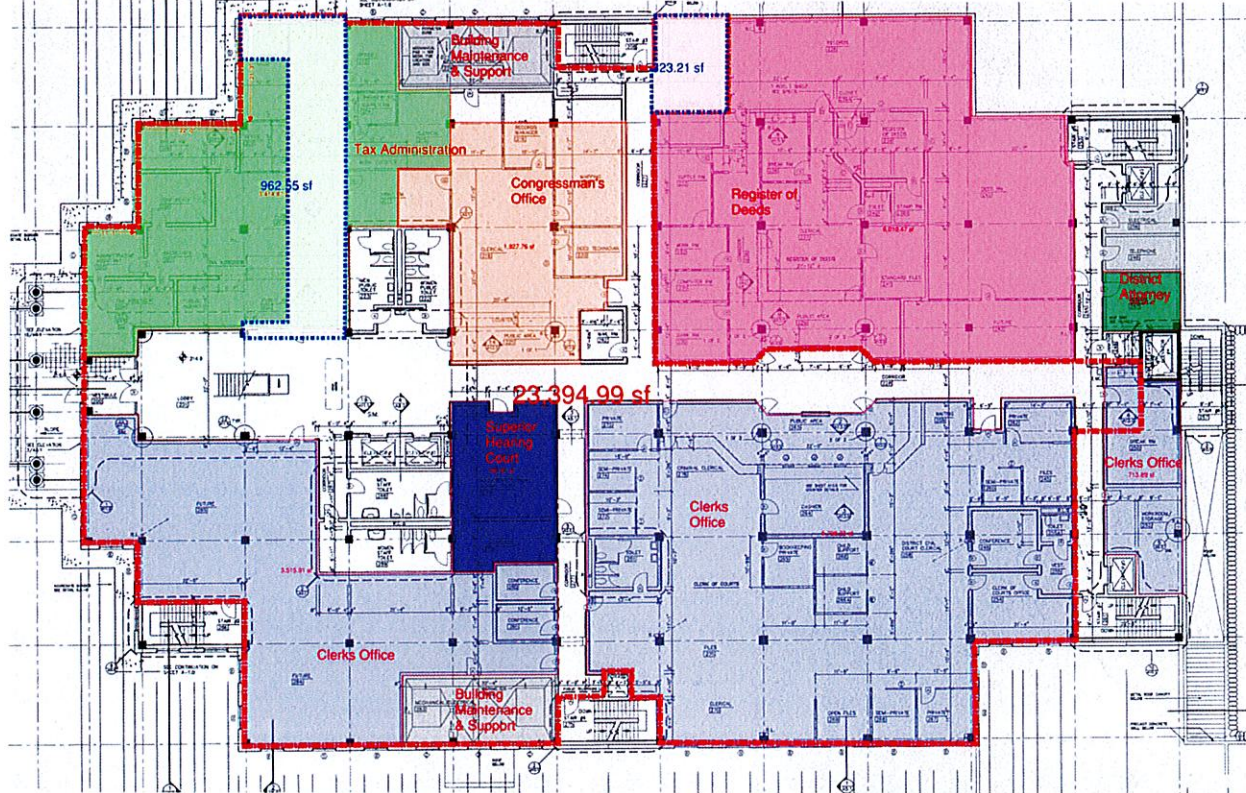
PROJECT PHASING	COST IMPACT (FORECASTED)
Baseline – Courts + Detention	\$ -
Courts Delay + 12 Months - (Jan/Feb 2026 Construction Start)	\$8,307,918
Courts Delay + 18 Months - (July/Aug 2026 Construction Start)	\$12,682,622
Courts Delay + 24 Months - (Jan/Feb 2027 Construction Start)	\$17,204,491



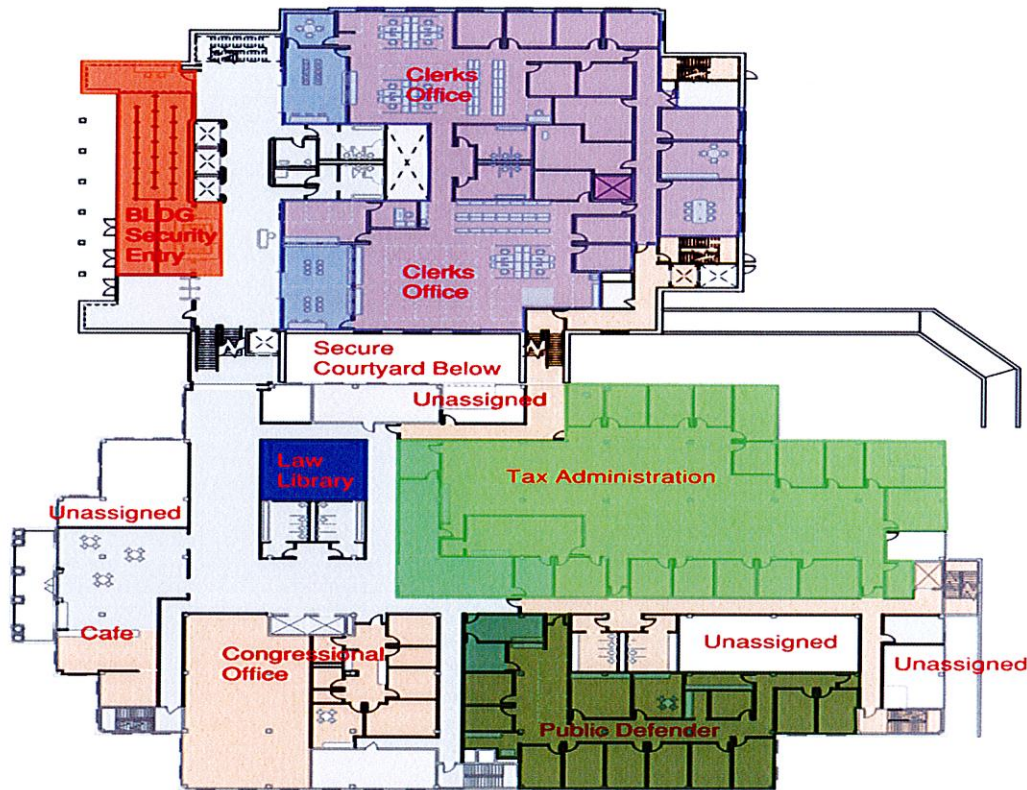
Existing 95 Bldg. Ground Level - Existing Departments



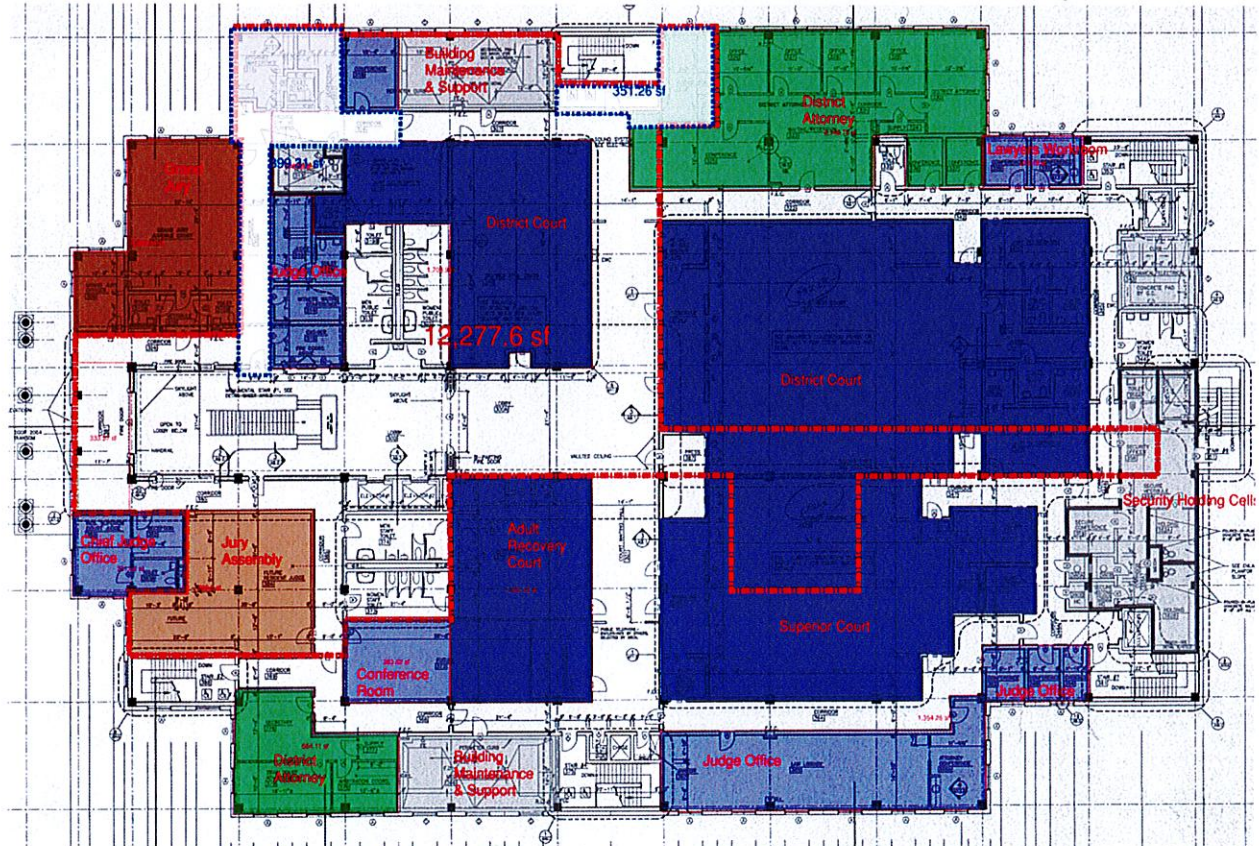
Existing 95 Bldg. Ground Level – Light Touch Shuffled Departments



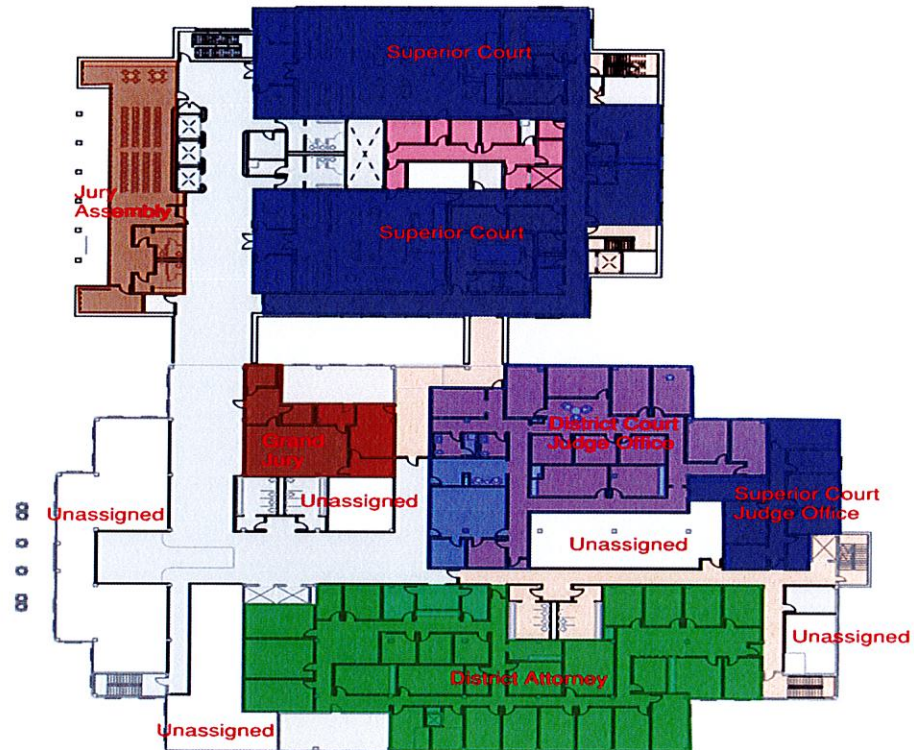
Existing 95 Bldg. First Level - Existing Departments



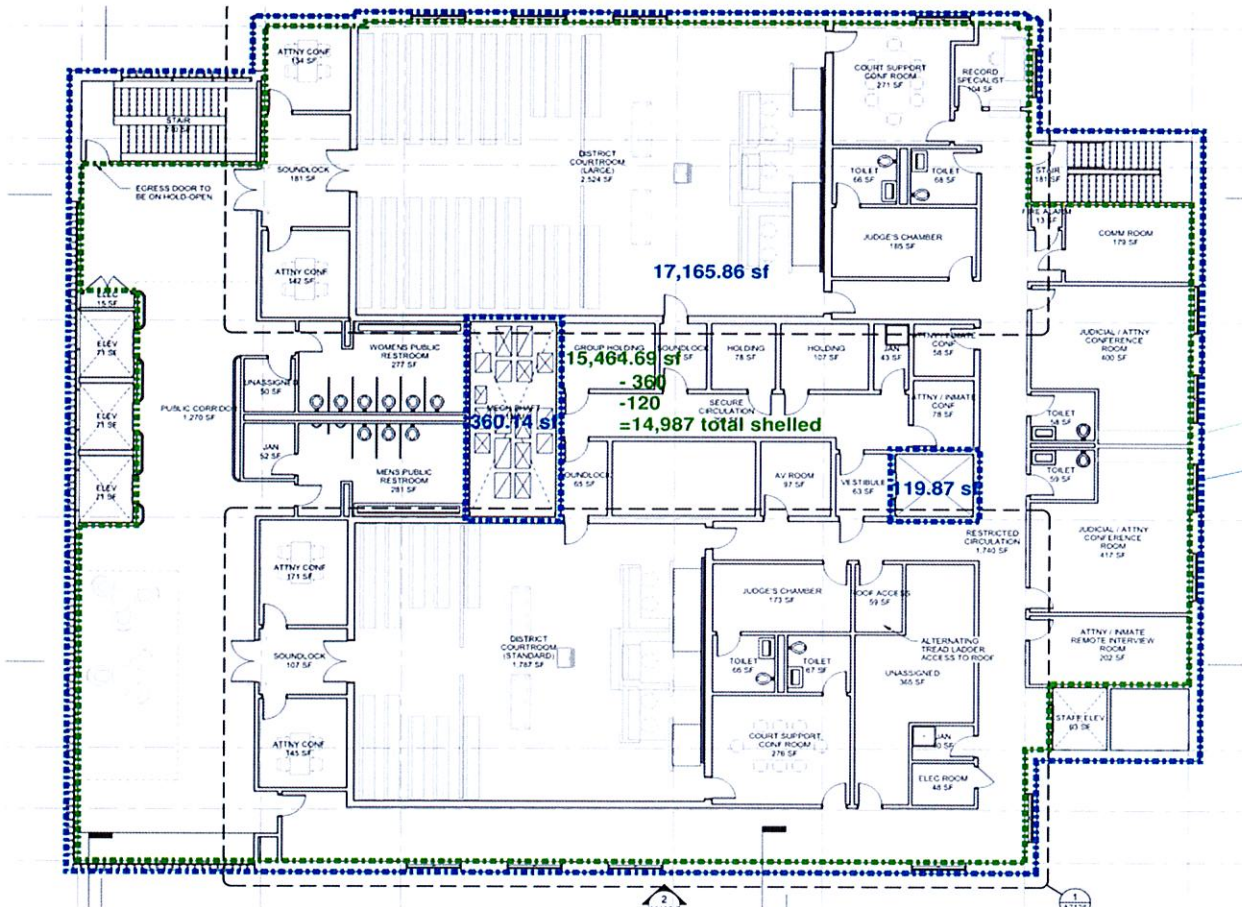
Existing 95 Bldg. First Level – Light Touch Shuffled Departments



Existing 95 Bldg. Second Level - Existing Departments

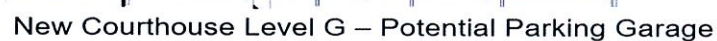


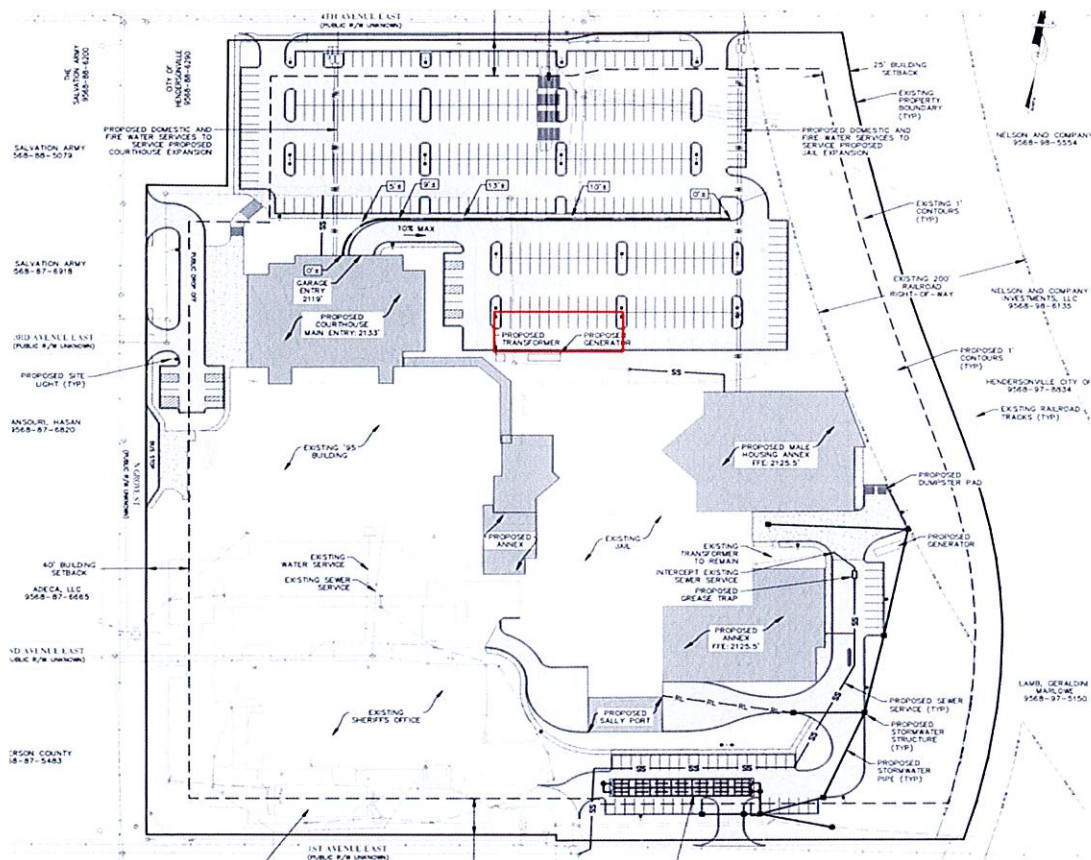
Existing 95 Bldg. Second Level – Light Touch Shuffled Departments



New Courthouse Level 5 – Shelled Out

Approved: June 3, 2024





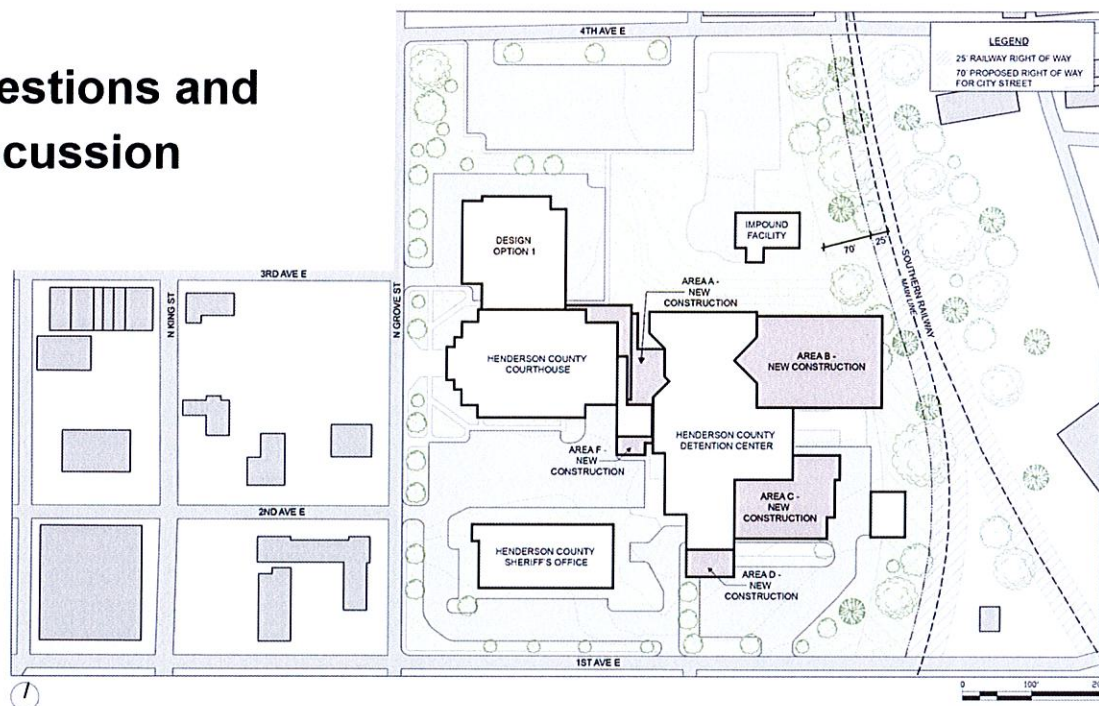
New Courthouse Site Parking – Potential Secure Parking Area
Henderson County - Courts VE cost options

Option	Courts VE Item list	Base Option	Option 1 - delete Judge's garage	Option 2 - delete level 5 fully	Option 3 - shell out level 5
	SD starting point	\$175.0	\$175.0	\$175.0	\$175.0
Base Option	Existing 95 Bldg. security office space demo and build, relocate to south entry	\$0.7	\$0.7	\$0.7	\$0.7
	Don't renovate 95 Bldg.	(\$35.6)	(\$35.6)	(\$35.6)	(\$35.6)
	Light touch to 95 Bldg. levels G, 1 and 2 for public and staff corridor connections	\$1.5	\$1.5	\$1.5	\$1.5
	Delete south half of jail area B	(\$9.1)	(\$9.1)	(\$9.1)	(\$9.1)
	Minor cost for existing department shuffle into existing 95 Bldg. spaces & levels	\$3.5	\$3.5	\$3.5	\$3.5
1	Delete secure Judge's parking garage		(\$3.0)		
2	Delete level 5 of new courts Bldg., reduces courtroom total to 7 (can't be added back in later)			(\$12.7)	
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	HC soft cost budget	\$35.0	\$35.0	\$35.0	\$35.0
	Total project with all cost included	\$171.0	\$168.0	\$158.3	\$166.9

New Courthouse Proposed Pre-packaged VE Cost Options

Approved: June 3, 2024

Questions and Discussion



There was discussion regarding the different options and the total number of courtrooms with each option.

Chairman McCall asked Clerk of Court Tyler Ray how often the Superior Court was held. Mr. Ray spoke about court proceedings, but those comments were inaudible. Mrs. McCall asked if superior courtrooms may be used for other court cases when the superior court was not in session. Mr. Ray said yes, and those existing courtrooms were currently being used for child support court, and other court is held there when needed. He referred to a courtroom on the ground floor of the existing building and said it was essentially a cinder block storage room that was being used as a courtroom. He said the space was not suitable for use as a courtroom. The four functional courtrooms in the building, which can function as district and superior courtrooms, are on the top floor of the existing building. Mrs. McCall said she did not want the perception that courtrooms were being constructed that would only be used occasionally. Commissioner Andreotta asked how many days the four functioning courtrooms sit unused. The answer for May was six days, and Mr. Ray added that those days would often be backfilled with something else.

Commissioner Andreotta discussed the “non-courtroom” problems in the 95 courthouse. A shortage of space exists for the District Attorney, Clerk of Court, and other staff. Mr. Andreotta said the District Attorney was currently taking victim and witness statements in little more than a public hallway. Mr. Ray said the space is disjointed at best, lacking continuity of the workflow in the building. He said at one time, the District Attorney’s office was scattered throughout all three floors of the building. He said the DA’s office was already out of space, and more employees were needed.

Mr. Ray said when speaking to citizens who have recently lost a loved one, they must speak with them in a small public lobby through two small windows. Conference space is needed to allow staff to speak privately with citizens.

There was discussion about a slide included in the presentation that eliminated the two courtrooms on the second floor of the 95 courthouse. Chris Todd informed the Board that the slide featured a scenario where all courtrooms would be in the new court tower, and all office space would be shifted to the 95 building. Mr. Edney said this would be the ultimate goal, even though it may not occur for several years.

Mr. Mitchell explained each of the options presented to offer clarity to the Board.

Vice-Chair Edney asked if the architect had a recommendation about the four- or five-floor option. Mr. Todd said that the staff had asked that question, and an analysis was completed on the space requirements, which was the base study from which staff has operated. The study set the original number of courtrooms and square footage needed for each of the uses in the building. In working with the architects, staff attempted to maximize the space available and provide the Board with options to bring a cost reduction to the project. It was not exactly within the original direction of the study, but it was the direction of the Board to find ways to reduce the price from \$215m to a number that is more tolerable to the Board. Mr. Todd said there was a solution sitting in option two which was the reduction of a floor of the building. If the floor is reduced, it is the only place where there would be a significant reduction in the potential square footage of this project. Everything else remains constant other than the reduction of a floor. If that floor is reduced, there will be a loss of two courtrooms in the original programming. Those courtrooms were maintained in the “light touch” in the 95, which accomplished the Board’s goal of doing less work and finding substantial cost savings. If some of the space in the new tower was utilized for offices, that would provide the opportunity because four courtrooms have been preserved in the 95 to have a number that is sustainable and close to the study requirement. Suppose the five-story tower of just under 100,000 square feet is reduced by approximately 20,000 square feet worth of space. The net loss would be accomplished; the programming reduction to achieve significant cost savings would be two courtrooms. Mr. Edney said that did not have to be done to accomplish the savings. There could be five stories, shell out the fifth, and not use the courtrooms in the 95 and still be within a budget that would not require a tax increase. Mrs. McCall noted that converting the two courtrooms in the 95, as Edney proposed, would create additional costs in the “light touch” of the 95. Edney said those costs would be minimal. Mr. Todd clarified that the “light touch” requires leaving the court spaces. Commissioner Lapsley said if the fifth floor is constructed and “shelled out,” the county would spend \$8.6m for an empty space. Mr. Edney said spending \$8.6m now could save \$50m twenty years from now.

There was additional discussion regarding the four or five-story addition. Mr. Lapsley asked if the Board could decide later in the project on the four or five-story option. Mr. Todd said the building and the systems must be designed for one or the other or potentially “over-designed.” However, one of the tasks of the CMR was to complete pricing checkpoints throughout this project. One thing that could be done at the end of the DD phase for the courts is to work with the architecture team and the contractor to do a pricing activity that shows the difference at that time. Mrs. McCall asked at what point, using the pricing checkpoints, would be the cut-off point for the Board to make a decision. Mr. Todd said that going all the way through the construction documents for both would add about six weeks to the drawing phase of the project. Both can be done. Just know that it takes more time. The cost for this would be approximately \$460,000.

Fentress Architect Steve White said the design and development, if started immediately, would be finished around the first of 2025, and that would be the point at which the Board would have to

make its decision. The cost would be 20%- 30% of the \$460,000.

Commissioner Lapsley said this project, even at the reduced scope, looking at option two as the lowest of the numbers, \$158m, is close to 2.7 times more than what was the largest capital project (Hendersonville High School) in our county's history, and it was not to be taken lightly. While he knew the need was there, he believed it to be the obligation of the Board to complete the project at the best possible price to accomplish the goals and needs.

Commissioner Lapsley made the motion to approve proceeding with option two, which included fully deleting level five at a total project cost of 158.3 million dollars.

Vice-Chair Edney did not support the motion and felt that "building to a budget" would not meet the long-term needs of the county and its citizens. He believed it was imperative to separate courtrooms and office space. He said this was due to how things work in the court structure, the clerk's office, register of deeds, and tax office. To get to nine courtrooms, where the professionals say we need to be, is to do what Gaston County did and "shell-in" the top floor. He said this would mean spending a little more now to save a whole lot of money later. He said he would counter with a motion at the appropriate time to proceed with option three to put all courtrooms in the tower.

Commissioner Hill found none of the options appealing at the project costs presented. With today's economy, he said he could not in good conscience lay \$150, \$155, \$170, or \$180 million on the county's taxpayers. He said he would not support any of the options presented.

Commissioner Andreotta said, "In the 1970s, we were largely in a place in the part where we are now. We had "stagflation," a layer worse than inflation. The response in the 1970s was two-fold; it was painful, but over time, it worked. Interest rates were raised, and they stopped printing money. In 2024, interest rates have been raised significantly; the problem is that money is still being printed. So now no one knows what to predict because there is no history to look back on". While Mr. Andreotta understood the views from the standpoint of the architect and the people using the space, he had "heavy on his heart" the view of the payer.

Mr. Andreotta said, "What would happen in three to four years if Glen Marlow and Rugby Middle School, for example, both need to be greatly expanded? Or a new school needed to be constructed. Would the county be able to do that, or would there be a tax increase?" Commissioner Lapsley stated that the County had the borrowing power, but there was no question in his mind that taxes would have to be increased. Mr. Andreotta said, "It isn't the borrowing; it's the paying back." He said, "If the Board decided to proceed with any of the options presented, then the Board would need to dive in and make many people unhappy. The Board would have to learn how to say no, not just for this year but for years to come." If he were to support any of the options, it would be option two only. He would support option two without the inclusion of the judge's garage. In closing, he said the Board needed to step cautiously and soberly.

Chairman McCall said her initial request was to find thirty million, and she appreciated that more than thirty million was found. She said that in the county's history, any time a project was undertaken that she could recall, it always seemed to be undersized. The schools are a perfect example of that. She said Upward Elementary was undersized the day it first opened. "She understands why that was done because the board members who sat in these seats were concerned about spending the taxpayer's money and making sure they got the most value for the dollar." She said schools would need expansion in the future, and there was a great need for expanded

recreation facilities. She believed keeping children involved in activities to occupy their time was vital in keeping them on the right path.

The clerk was asked to poll the Board on Commissioner Lapsley's earlier motion "*to approve proceeding with option two, which included deleting level five fully and at a total project cost of 158.3 million dollars.*" There were three nay votes, and the motion was not approved. Vice-Chair Edney, Commissioner Hill, and Commissioner Andreotta were nay votes. Commissioner Lapsley and Chairman McCall did not vote.

Vice-Chair Edney made the motion to proceed with option three: bid alternate the judge's parking to get the project under \$165m.

Chairman McCall asked the clerk to poll the Board.

There were three nay votes, and the motion was not approved. Commissioner Lapsley, Andreotta, and Hill were nay votes. Vice-Chair Edney and Chairman McCall did not vote.

There was no consensus on any of the options presented.

The meeting was recessed for a ten-minute break.

The meeting reconvened at 8:50 p.m.

Strategic Behavioral Health Update

Strategic Behavioral Health Director Jodi Grabowski updated the Board on the Strategic Behavioral Health program in Henderson County.

Craig Halford with First Contact Ministries spoke about adult recovery in First Contact's Addiction Recovery Program. He highlighted the program's holistic approach, combining spiritual guidance, peer support, and practical tools to facilitate healing and growth. Brooks Lancaster, Kimberly Searcy, and David Oates provided testimonials describing the program's impact, showcasing stories of resilience, redemption, and renewed purpose.

NOMINATIONS AND APPOINTMENTS

1. Blue Ridge Community College Board of Trustees – 1 vac.

Vice-Chair Edney made the motion to nominate Dr. John Bryant for appointment to position #1 on the Blue Ridge Community College Board of Trustees. All voted in Favor, and the motion carried.

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

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

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

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

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

Vice-Chair Edney made the motion to nominate Amy Brantley for appointment to position #6. All voted in favor, and the motion carried.

5. Industrial Facilities and Pollution Control Financing Authority – 1 vac.

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

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

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

COMMISSIONER UPDATES

Commissioner Andreotta shared that this was National Teachers Week and thanked all those who serve or have served in the education field.

Vice-Chair Edney and Commissioner Lapsley had no updates to share.

Commissioner Hill said he was honored to have attended the Henderson County Employee Service Awards luncheon last week.

Chairman McCall shared that she had recently attended the Top Scholars dinner and had the pleasure of meeting inspiring top seniors from area high schools. She also shared that the Pathfinders program had recruited and vetted enough volunteers to begin the mentoring program in the fall as scheduled.

COUNTY MANAGER'S REPORT

John Mitchell stated that the Technical Corrections Bill had passed and that 12.7 million dollars would remain within Henderson County.

In closing, he shared that during tonight's meeting he had received the news that the state had approved the County's Sewer Discharge permit.

Commissioner Edney made the motion to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(4). All voted in favor, and the motion carried.

CLOSED SESSION

Chairman McCall made the motion to go out of closed session and adjourn the meeting at 9:40 p.m. All voted in favor, and the motion carried.

ADJOURN


Denisa A. Lauffer, Clerk to the Board


Rebecca McCall, Chairman

Approved: June 3, 2024

During the May 6, 2024, regular meeting, the Board enacted the following:

- | | |
|-----------------|---|
| 2024.053 | Proclamation – Mental Health Awareness Month 2024 |
| 2024.054 | Pending Releases and Refunds |
| 2024.055 | Adoption of financing resolution for Solid Waste Third Bay Transfer Station
Installment Financing Contract |
| 2024.056 | Budget Amendment – Solid Waste Debt Service Payoff |
| 2024.057 | Dogwood Health Trust Grant |
| 2024.058 | Budget Amendment – Public Transit – Paratransit Van |

Henderson County Board of Commissioners

1 Historic Courthouse Square • Suite 1 • Hendersonville, NC 28792
Phone (828) 697-4808 • Fax (828) 692-9855 • www.hendersoncountync.gov

Rebecca K. McCall
Chairman
J. Michael Edney
Vice-Chairman



William G. Lapsley
Daniel J. Andreotta
David H. Hill

Proclamation

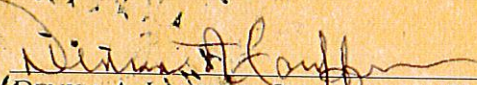
Mental Health Awareness Month – May 2024

- WHEREAS,** Mental Health Awareness Month is part of a nationwide effort to raise awareness of mental health illnesses, reduce the stigma and discrimination surrounding mental health, increase awareness of tools and resources to prevent such challenges and promote recovery; and
- WHEREAS,** mental health is essential to everyone's overall health, safety, and well-being; and
- WHEREAS,** all Americans experience times of difficulty and stress in their lives; and
- WHEREAS,** mental illnesses are real and prevalent in our nation, state, and community and nearly one in five Americans live with a mental health condition; and
- WHEREAS,** mental health has been identified as a priority in Henderson County's 2021 Community Health Assessment and by the Henderson County Partnership for Health; and
- WHEREAS,** those living with mental health conditions are family, friends, classmates, neighbors, and coworkers, and addressing the complex mental health needs of our citizens and families today is fundamental to the future of Henderson County; and
- WHEREAS,** prevention is an effective way to reduce the burden of mental illnesses; and
- WHEREAS,** there is a strong body of research that supports specific tools that all Americans can use to better handle challenges and protect their health and well-being; and
- WHEREAS,** with early and effective treatment, those individuals with mental illnesses can recover and lead full, productive lives; and
- WHEREAS,** each business, school, government agency, healthcare provider, organization, and citizen share the burden of mental illnesses and has a responsibility to promote mental wellness and support prevention efforts.

NOW, THEREFORE, BE IT PROCLAIMED we, the Henderson County Board of Commissioners, do hereby proclaim May 2024 as Mental Health Awareness Month in Henderson County. As the governing body for Henderson County, North Carolina, we call upon the citizens, government agencies, public and private institutions, businesses, and schools in Henderson County to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses at all stages, and to ensure that our community members who are struggling know they are not alone.

Adopted this 6th day of May 2024.

ATTEST:


DENISA A. LAUFFER, CLERK TO THE BOARD


REBECCA MCCALL, CHAIRMAN

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: May 6, 2024

SUBJECT: Budget Amendment – Solid Waste Debt Service Payoff

PRESENTER: Samantha Reynolds, Finance Director

ATTACHMENTS: Yes
1. Budget Amendment

SUMMARY OF REQUEST:

Pending approval of the final Financing Resolution for the Solid Waste Third Transfer Station Bay project on May 6th, 2024, Henderson County will submit the payoff for the 2011 Solid Waste financing, including \$400,000 for principal and an estimated \$10,000 for interest.

The Board is requested to approve the attached budget amendment to transfer funding from the General Fund into the Solid Waste Fund to pay off the remaining principal and interest on the 2011 Solid Waste Financing.

BOARD ACTION REQUESTED:

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

Suggested Motion(s):

I move the Board approve the attached Budget Amendment as presented.

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: May 6, 2024

SUBJECT: Dogwood Health Trust Grant

PRESENTER: Jodi Grabowski, Director, Department of Strategic Behavioral Health

ATTACHMENTS: YES

1. Budget Amendment
2. Dogwood Health Trust Grant Award

SUMMARY OF REQUEST:

In 2022 Henderson County was awarded a grant in the amount of \$300,000 from Dogwood Health Trust for initiatives related to the Opioid Settlement Funding. The County subsequently awarded funds from this grant to support Strategic Planning for the Opioid Settlement Funding and for creation and implementation of an Adult Recovery Court (ARC) to REAL Academy and to The Hope Coalition respectively. The Strategic Plan is complete and was presented to and accepted by the Board of Commissioners on August 16, 2023.

The Adult Recovery Court is now operational and meets twice monthly. As planning for the ARC was underway, it became known that some of the related expenses would not be allowable with Opioid Settlement Funds until the "Exhibit B" options were unlocked. DHT offered an extension of the planning and implementation grant to cover these costs incurred by the District Attorney's office for prosecutorial services necessary for the ARC. While Exhibit B is now unlocked, the grant request to DHT for these expenses was submitted prior to that action. The grant award in the amount of \$35,000 will be transferred to the DA's office to cover those fees retroactively.

It is requested that the Henderson County Board of Commissioners approve receipt of the grant funds for the intended purposes as outlined above. No county funds or county positions will be required for the initiative.

BOARD ACTION REQUESTED:

The Board is requested to accept the Dogwood Health Trust grant award and approve the budget amendment to implement the initiative as outlined subject to the funding limitations of the grant.

Suggested Motion:

I move the Board accept the Dogwood Health Trust grant award for Henderson County and approve the necessary budgetary amendment to implement the initiative subject to funding limitations of the grant.

Please make the following line-item transfers:

What expense line-item is to be increased?

[illegible]

What expense line-item is to be decreased? Or what additional revenue is now expected?

Account	Line-Item Description	Amount
114517-454019-9030	STRATEGIC BEHAVIORAL HEALTH: MISC - LOCAL GRANT	\$35,000
		\$35,000

Justification: Please provide a brief justification for this line-item transfer request.

TO BUDGET FOR EXENTION OF DOGWOOD HEALTH TRUST GRANT FOR PLANNING AND IMPLEMENTATION EXPENSES RELATED TO THE ADULT RECOVERY COURT. BOC APPROVED ON 5.6.2024.

\$0

Authorized by Department Head

Date _____

For Budget Use Only

Batch # _____

BA #

Batch Date

Authorized by Budget Office

Date _____

Authorized by County Manager

Date _____

**REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: May 6, 2024

SUBJECT: Budget Amendment – Public Transit – Paratransit Van

PRESENTERS: Janna Bianculli, Senior Planner
Samantha Reynolds, Finance Director

ATTACHMENTS: Yes
1. Budget Amendment

SUMMARY OF REQUEST:

During FY2024, \$92,707 was budgeted within the Public Transit Fund, utilizing Federal Transit Authority funds, to purchase a paratransit van. Based on current estimate of costs, the total cost to purchase a paratransit van, including tax, taxes and license fees, is \$97,531.55.

The Board is requested to approve a Budget Amendment to appropriate Public Transit Fund Balance for \$4,825 to cover the cost of a paratransit van above available grant funding. As of June 30, 2023, total fund balance for the Public Transit Fund was \$2,540,229.

BOARD ACTION REQUESTED:

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

Suggested Motion:

I move that the Board approve the budget amendment as presented, appropriating fund balance to cover the cost of a paratransit van above available grant funding.

LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY



Department: PUBLIC TRANSIT

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
335497-553000-3310	CAPITAL OUTLAY - VEHICLES	\$4,825
		\$4,825

What expense line-item is to be decreased? Or what additional revenue is now expected?

Account	Line-Item Description	Amount
334497-401000-3310	FUND BALANCE APPROPRIATED	\$4,825
		\$4,825

Justification: Please provide a brief justification for this line-item transfer request.

TO APPROPRIATE PUBLIC TRANSIT FUND BALANCE TO COVER COSTS ASSOCIATED WITH PURCHASE OF A PARATRANSIT VAN ABOVE GRANT FUNDS RECEIVED. BOC APPROVED 5.6.2024.

Authorized by Department Head Date

Authorized by Budget Office Date

Authorized by County Manager Date

For Budget Use Only	
Batch #	_____
BA #	_____
Batch Date	_____

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON,
NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND
DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

WHEREAS, the County of Henderson, North Carolina (the "*County*") is a political subdivision of the State of North Carolina (the "*State*"), validly existing under the Constitution, statutes and laws of the State;

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the "*Board*") has previously determined that it is in the best interest of the County to enter into an installment financing contract to finance the construction and equipping of a third bay at the County's solid waste transfer station (the "*Solid Waste Facility*") and such project is referred to herein as the "*Project*";

WHEREAS, the County has received the bids and selected the contractor for the Project and has received proposals from lenders for the installment financing for the Project;

WHEREAS, based on the bids and total expected costs of the Project and the proposals received from lenders for the installment financing for the Project, the Board has determined that it is in the best interest of the County to receive an advance of funds in an aggregate principal amount not to exceed \$10,000,000 under an installment financing contract (the "*Contract*") with JPMorgan Chase Bank, N.A. (the "*Lender*") in order to (1) finance the costs of the Project and (2) pay the costs related to execution and delivery of the Contract;

WHEREAS, the obligation of the County to make Installment Payments under the Contract is a limited obligation of the County payable solely from currently budgeted appropriations of the County and does not constitute a pledge of the faith and credit of the County within the meaning of any constitutional debt limitation;

WHEREAS, in order to provide security for the County's obligations under the Contract, the County will grant to the Lender a security interest under a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") in the County's fee simple interest in the site of the Solid Waste Facility, together with all improvements and fixtures located thereon (collectively, the "*Mortgaged Property*");

WHEREAS, the Board held a public hearing on April 17, 2024 regarding the County's execution and delivery of the Contract, financing of the Project, and granting of a security interest in the Mortgaged Property;

WHEREAS, the County has submitted an application to the Local Government Commission of North Carolina (the "*LGC*") to consider and approve the Contract as described above and expects to be on the LGC's agenda at its May 7, 2024 meeting;

WHEREAS, there has been made available to the Board the form of the Contract and the Deed of Trust, which the County proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing;

WHEREAS, it appears that each of the Contract and the Deed of Trust (collectively, the “*Instruments*”) is in appropriate form and is an appropriate instrument for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Approval, Authorization and Execution of Instruments.*** The Board approves and authorizes the financing of the Project in accordance with the terms of the Instruments, which will be valid, legal and binding obligations of the County in accordance with their respective terms. The Board approves the amount to be advanced by the Lender to the County pursuant to the Contract in an aggregate principal amount not to exceed \$10,000,000, such amount to be repaid by the County to the Lender as provided in the Contract. The form, terms and content of the Instruments are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director, and the Clerk to the Board, including anyone serving as such in an interim capacity (individually and collectively, the “*Authorized Officers*”), and their respective designees are authorized, empowered and directed to execute and deliver the Instruments for and on behalf of the County, including necessary counterparts, in substantially the forms presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Instruments, each of the Authorized Officers is authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Instruments as executed.

Section 2. ***Further Actions.*** Each of the Authorized Officers is designated as the County’s representative to act on behalf of the County in connection with the transactions contemplated by the Instruments, and each of the Authorized Officers is authorized and directed to proceed with the financing of the Project in accordance with the terms of the Instruments and to seek opinions on matters of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated as required by law. Each of the Authorized Officers is authorized to designate one or more employees of the County to take all actions which each of the Authorized Officers is authorized to perform under this Resolution, and each of the Authorized Officers, including their designees, is in all respects authorized on behalf of the County to supply all information pertaining to the transactions contemplated by the Instruments. Each of the Authorized Officers is authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Instruments or as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution. Any and all acts of the Authorized Officers may be done individually or collectively.

Section 3. ***Related Actions.*** All acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in furtherance of the purposes and intents of this Resolution as described above shall be, and the same are, in all respects ratified, approved and confirmed.

Section 4. ***Repealer.*** All motions, orders, resolutions, ordinances and parts thereof, in conflict herewith are repealed.

Section 5. ***Severability.*** If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.


Section 6. *Effective Date.* This Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF HENDERSON) SS:

I, DENISA A. LAUFFER, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**” adopted by the Board of Commissioners of the County of Henderson, North Carolina, at a meeting held on the 6th day of May, 2024.

6th **WITNESS** my hand and the corporate seal of the County of Henderson, North Carolina, this the _____ day of May, 2024.




Denisa A. Lauffer
County Clerk
County of Henderson, North Carolina

Henderson County Board of Commissioners

1 Historic Courthouse Square • Suite 1 • Hendersonville, NC 28792
Phone (828) 697-4808 • Fax (828) 692-9855 • www.hendersoncountync.gov

Rebecca K. McCall
Chairman
J. Michael Edney
Vice-Chairman



William G. Lapsley
Daniel J. Andreotta
David H. Hill

May 6, 2024

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

Dear Mr. Rising:

Attached, please find tax release requests in the amount of \$1,582.84 and tax refund requests in the amount of \$1,137.54 reviewed at the Henderson County Board of Commissioners' Meeting on Monday, May 6, 2024. All Releases and refunds were approved.

Sincerely,

A handwritten signature in dark ink, reading "Rebecca McCall". The signature is fluid and cursive, with the first name "Rebecca" written in a larger, more prominent script than the last name "McCall".

Rebecca McCall, Chairman
Henderson County Board of Commissioners

RM/dal

enclosures

NCPTS Pending Release/Refund Report. Tuesday, April 23, 2024*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND	
CARAMORE, THOMAS JAMES	0003089033-2021-0000	REQUEST FOR RELEASE/REFUND FOR 2016 HARLEY DAVIDSON MOTORCYCLE. VEHICLE WAS SOLD 10/21/2020 PER STATE OF NEVADA TITLE.	(\$11,870)	8973	KOLIVER	208 TANGLEWOOD DR MILLS RIVER NC 28759	COUNTY	TAX	\$77.81	\$77.81	\$66.59	\$66.59	
								LATE LIST FEE	\$7.78	\$7.78	\$6.66	\$6.66	
								TOTAL:			\$73.25	\$73.25	
	0003089033-2022-0000	REQUEST FOR RELEASE/REFUND FOR 2016 HARLEY DAVIDSON MOTORCYCLE. VEHICLE WAS SOLD 10/21/2020 PER STATE OF NEVADA TITLE.	(\$11,870)	8974	KOLIVER	208 TANGLEWOOD DR MILLS RIVER NC 28759	COUNTY	TAX	\$77.95	TOTAL:	\$66.59	\$66.59	
								LATE LIST FEE	\$7.80	\$7.80	\$6.66	\$6.66	
								TOTAL:			\$73.25	\$73.25	
	0003089033-2023-0000	REQUEST FOR RELEASE/REFUND FOR 2016 HARLEY DAVIDSON MOTORCYCLE. VEHICLE WAS SOLD 10/21/2020 PER STATE OF NEVADA TITLE.	(\$11,870)	8975	KOLIVER	208 TANGLEWOOD DR MILLS RIVER NC 28759	COUNTY	TAX	\$60.21	\$0.00	\$51.16	\$0.00	
								LATE LIST FEE	\$6.02	\$0.00	\$0.00	\$0.00	
								TOTAL:			\$56.28	\$0.00	
	PNC EQUIPMENT FINANCE	0003103062-2022-0000	VOIDED ABSTRACT EFFECTIVE 12/31/22. PER TIMLEY FILED 2022 LISTING FORM - ALL ASSETS DISPOSED OF PRIOR TO 1/1/2022.	(\$35,610) (\$2,419)	8966	MHANEY	129 REEDS WAY FLAT ROCK NC 28731	COUNTY	TAX	\$13.57	\$13.57	\$13.57	\$146.50
LATE LIST FEE									\$0.00	\$0.00	\$0.00	\$0.00	
TOTAL:											\$13.57	\$13.57	
0000083220-2023-0000		THIS MOBILE HOME WAS SOLD 6/6/2022 (PER BILL OF SALE). THIS ABSTRACT WAS VOIDED FOR 2023 & 2024, THE NEW ABSTRACT #3114868 FOR NEW OWNER FOR 2023 AND FORWARD.	(\$2,419) (\$15,470)	8952	RIONES	138 APPLE BLOSSOM PARK DR FLETCHER NC 28732	COUNTY	TAX	\$66.68	\$66.68	\$66.68	\$16.71	
								LATE LIST FEE	\$6.67	\$6.67	\$6.67	\$6.67	
								TOTAL:			\$73.35	\$73.35	
SULLIVAN, BONNIE		0003111017-2023-0000	VOIDED YEAR 2023- MOBILE HOME WAS SOLD ON 5/8/22 AND MOVED OUT OF THE PARK / HENDERSON COUNTY PER THE 2022 PARK REPORT AND THE BILL OF SALE (ATTACHED).	(\$15,470) (\$11,871)	8953	RIONES	48 BOGEY LN HENDERSONVILLE NC 28792	COUNTY	TAX	\$51.16	\$51.16	\$51.16	\$73.35
									LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
									TOTAL:			\$51.16	\$51.16
		0003111017-2023-0000	VOIDED YEAR 2023- MOBILE HOME WAS SOLD ON 5/8/22 AND MOVED OUT OF THE PARK / HENDERSON COUNTY PER THE 2022 PARK REPORT AND THE BILL OF SALE (ATTACHED).	(\$15,470) (\$11,871)	8953	RIONES	48 BOGEY LN HENDERSONVILLE NC 28792	EDNEYVILLE FIRE	TAX	\$13.65	\$13.65	\$13.65	\$13.65
	LATE LIST FEE								\$0.00	\$0.00	\$0.00	\$0.00	
	TOTAL:										\$13.65	\$13.65	
	WALKER, THOMAS CLARK	0003111017-2023-0000	VOIDED YEAR 2023- MOBILE HOME WAS SOLD ON 5/8/22 AND MOVED OUT OF THE PARK / HENDERSON COUNTY PER THE 2022 PARK REPORT AND THE BILL OF SALE (ATTACHED).	(\$15,470) (\$11,871)	8953	RIONES	48 BOGEY LN HENDERSONVILLE NC 28792	EDNEYVILLE FIRE	TAX	\$13.65	\$13.65	\$13.65	\$13.65
									LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00
									TOTAL:			\$13.65	\$13.65
		0003111017-2023-0000	VOIDED YEAR 2023- MOBILE HOME WAS SOLD ON 5/8/22 AND MOVED OUT OF THE PARK / HENDERSON COUNTY PER THE 2022 PARK REPORT AND THE BILL OF SALE (ATTACHED).	(\$15,470) (\$11,871)	8953	RIONES	48 BOGEY LN HENDERSONVILLE NC 28792	EDNEYVILLE FIRE	TAX	\$13.65	\$13.65	\$13.65	\$13.65
LATE LIST FEE									\$0.00	\$0.00	\$0.00	\$0.00	
TOTAL:											\$13.65	\$13.65	
0003111017-2023-0000		VOIDED YEAR 2023- MOBILE HOME WAS SOLD ON 5/8/22 AND MOVED OUT OF THE PARK / HENDERSON COUNTY PER THE 2022 PARK REPORT AND THE BILL OF SALE (ATTACHED).	(\$15,470) (\$11,871)	8953	RIONES	48 BOGEY LN HENDERSONVILLE NC 28792	EDNEYVILLE FIRE	TAX	\$13.65	\$13.65	\$13.65	\$13.65	
								LATE LIST FEE	\$0.00	\$0.00	\$0.00	\$0.00	
								TOTAL:			\$13.65	\$13.65	
0003111017-2023-0000		VOIDED YEAR 2023- MOBILE HOME WAS SOLD ON 5/8/22 AND MOVED OUT OF THE PARK / HENDERSON COUNTY PER THE 2022 PARK REPORT AND THE BILL OF SALE (ATTACHED).	(\$15,470) (\$11,871)	8953	RIONES	48 BOGEY LN HENDERSONVILLE NC 28792	EDNEYVILLE FIRE	TAX	\$13.65	\$13.65	\$13.65	\$13.65	
	LATE LIST FEE							\$0.00	\$0.00	\$0.00	\$0.00		
	TOTAL:									\$13.65	\$13.65		

NCPTS Pending Release/Refund Report. Tuesday, April 23, 2024*

OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	USER ID	SITUS ADDRESS	TAX DISTRICT	LEVY TYPE	BILLED	PAID	RELEASE	REFUND
ZACK KING CONSTRUCTION INC	0003057635-2022-2022-0000	VOIDED YEARS 2024, 2023, 2022, 2021 AND 2020. STARS SHOWS TRAILERS WERE SOLD ON 03/23/2018, 08/30/2019, AND 03/19/2015.	(\$13,927)	8958	ZMORGAN	2195 HOWARD GAP RD HENDERSONVILLE NC 28792	COUNTY	TAX	\$78.13	\$78.13	\$78.13	\$78.13
								LATE LIST FEE	\$7.81	\$7.81	\$7.81	
								TOTAL:			\$85.94	
								TAX	\$16.71	\$16.71	\$16.71	
								LATE LIST FEE	\$1.67	\$1.67	\$1.67	
								TOTAL:			\$18.38	
											\$104.32	
	0003057635-2023-2023-0000	VOIDED YEARS 2024, 2023, 2022, 2021 AND 2020. STARS SHOWS TRAILERS WERE SOLD ON 03/23/2018, 08/30/2019, AND 03/19/2015.	(\$9,926)	8957	ZMORGAN	2195 HOWARD GAP RD HENDERSONVILLE NC 28792	COUNTY	TAX	\$42.78	\$0.00	\$42.78	\$0.00
								LATE LIST FEE	\$4.28	\$0.00	\$4.28	
								TOTAL:			\$47.06	
								TAX	\$11.41	\$0.00	\$11.41	
								LATE LIST FEE	\$1.14	\$0.00	\$1.14	
								TOTAL:			\$12.55	
											\$59.61	
GRAND TOTALS:	OWNER TOTAL:		(\$50,621)								\$364.47	\$304.86
			(\$242,090)								\$1,582.84	\$1,137.54

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON,
NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND
DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

WHEREAS, the County of Henderson, North Carolina (the "*County*") is a political subdivision of the State of North Carolina (the "*State*"), validly existing under the Constitution, statutes and laws of the State;

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the "*Board*") has previously determined that it is in the best interest of the County to enter into an installment financing contract to finance the construction and equipping of a third bay at the County's solid waste transfer station (the "*Solid Waste Facility*") and such project is referred to herein as the "*Project*";

WHEREAS, the County has received the bids and selected the contractor for the Project and has received proposals from lenders for the installment financing for the Project;

WHEREAS, based on the bids and total expected costs of the Project and the proposals received from lenders for the installment financing for the Project, the Board has determined that it is in the best interest of the County to receive an advance of funds in an aggregate principal amount not to exceed \$10,000,000 under an installment financing contract (the "*Contract*") with JPMorgan Chase Bank, N.A. (the "*Lender*") in order to (1) finance the costs of the Project and (2) pay the costs related to execution and delivery of the Contract;

WHEREAS, the obligation of the County to make Installment Payments under the Contract is a limited obligation of the County payable solely from currently budgeted appropriations of the County and does not constitute a pledge of the faith and credit of the County within the meaning of any constitutional debt limitation;

WHEREAS, in order to provide security for the County's obligations under the Contract, the County will grant to the Lender a security interest under a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") in the County's fee simple interest in the site of the Solid Waste Facility, together with all improvements and fixtures located thereon (collectively, the "*Mortgaged Property*");

WHEREAS, the Board held a public hearing on April 17, 2024 regarding the County's execution and delivery of the Contract, financing of the Project, and granting of a security interest in the Mortgaged Property;

WHEREAS, the County has submitted an application to the Local Government Commission of North Carolina (the "*LGC*") to consider and approve the Contract as described above and expects to be on the LGC's agenda at its May 7, 2024 meeting;

WHEREAS, there has been made available to the Board the form of the Contract and the Deed of Trust, which the County proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing;

WHEREAS, it appears that each of the Contract and the Deed of Trust (collectively, the “*Instruments*”) is in appropriate form and is an appropriate instrument for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Approval, Authorization and Execution of Instruments.*** The Board approves and authorizes the financing of the Project in accordance with the terms of the Instruments, which will be valid, legal and binding obligations of the County in accordance with their respective terms. The Board approves the amount to be advanced by the Lender to the County pursuant to the Contract in an aggregate principal amount not to exceed \$10,000,000, such amount to be repaid by the County to the Lender as provided in the Contract. The form, terms and content of the Instruments are in all respects authorized, approved and confirmed, and the County Manager, the Finance Director, and the Clerk to the Board, including anyone serving as such in an interim capacity (individually and collectively, the “*Authorized Officers*”), and their respective designees are authorized, empowered and directed to execute and deliver the Instruments for and on behalf of the County, including necessary counterparts, in substantially the forms presented to the Board, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Instruments, each of the Authorized Officers is authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Instruments as executed.

Section 2. ***Further Actions.*** Each of the Authorized Officers is designated as the County’s representative to act on behalf of the County in connection with the transactions contemplated by the Instruments, and each of the Authorized Officers is authorized and directed to proceed with the financing of the Project in accordance with the terms of the Instruments and to seek opinions on matters of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated as required by law. Each of the Authorized Officers is authorized to designate one or more employees of the County to take all actions which each of the Authorized Officers is authorized to perform under this Resolution, and each of the Authorized Officers, including their designees, is in all respects authorized on behalf of the County to supply all information pertaining to the transactions contemplated by the Instruments. Each of the Authorized Officers is authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Instruments or as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution. Any and all acts of the Authorized Officers may be done individually or collectively.

Section 3. ***Related Actions.*** All acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in furtherance of the purposes and intents of this Resolution as described above shall be, and the same are, in all respects ratified, approved and confirmed.

Section 4. ***Repealer.*** All motions, orders, resolutions, ordinances and parts thereof, in conflict herewith are repealed.

Section 5. ***Severability.*** If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.


Section 6. *Effective Date.* This Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF HENDERSON) SS:

I, DENISA A. LAUFFER, Clerk to the Board of Commissioners of the County of Henderson, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled **"RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDERSON, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS"** adopted by the Board of Commissioners of the County of Henderson, North Carolina, at a meeting held on the 6th day of May, 2024.

6th **WITNESS** my hand and the corporate seal of the County of Henderson, North Carolina, this the
_____ day of May, 2024.

[SEAL]


Denisa A. Lauffer
County Clerk
County of Henderson, North Carolina