

## MINUTES

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS  
TUESDAY, FEBRUARY 27, 2024**

The Henderson County Board of Commissioners met for a Special Called Meeting at 5:30 p.m. in the Bo Thomas Auditorium located in the Sink Building of the Blue Ridge Community College campus at 130 Eagles Reach Drive in Flat Rock, NC.

Those present were Chairman Rebecca McCall, Vice-Chair J. Michael Edney, Commissioner Daniel Andreotta, Commissioner David Hill, Commissioner William Lapsley, County Manager John Mitchell, Assistant County Manager Amy Brantley, and Clerk to the Board Denisa Lauffer.

Also present were Community Development Director Christopher Todd, Engineer Marcus Jones, Chief Communications Officer Mike Morgan, Infrastructure Manager Mike McKinney, A/V Technician Oscar Guerrero, Planning Director Autumn Radcliff, Planner Liz Hansen, Cooperative Extension Director Dr. Terry Kelley, Soil and Water Conservation District Director Jonathan Wallin, Soil Conservationist/Educator Coordinator April Hoyt, Conservation Engineer Betsy Gerwig, and Administrative Assistant Rebecca Hanna. Deputies Jesse Blankenship and Mandy Ladd provided security.

### CALL TO ORDER/WELCOME

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

### INVOCATION

County Manager John Mitchell provided the invocation.

### PLEDGE OF ALLEGIANCE

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

Chairman McCall opened the meeting by informing the audience that tonight's meeting was a continuation of the discussion that began at the Board's special called meeting on Tuesday, January 30, 2024.

## **VOLUNTARY AGRICULTURE DISTRICTS**

Soil and Water Conservation Soil Conservationist/Educator Coordinator April Hoyt presented information regarding the Voluntary Agriculture Districts Program.

"The purpose of voluntary agricultural districts shall be to encourage the economic and financial well-being of farming areas, to increase protection from nuisance suits, undesirable nonfarm development and other negative impacts on participating farms and to increase the identity and pride in the agricultural community and its way of life."

-Henderson County Code, Chapter 45, Farmland Preservation



**VOLUNTARY AGRICULTURAL DISTRICTS ARE AREAS OF HENDERSON COUNTY SET ASIDE BY LANDOWNERS FOR AGRICULTURAL USE ONLY.**

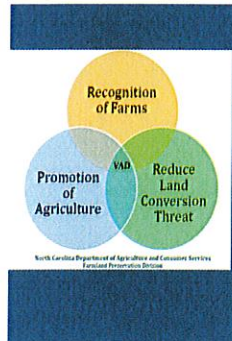
**THESE LANDOWNERS RECOGNIZE THE IMPORTANCE OF AGRICULTURE TO THE ECONOMIC AND CULTURAL LIFE OF HENDERSON COUNTY AND DESIRE TO PRESERVE AND PROTECT THEIR LAND FROM NON-FARM DEVELOPMENT.**



APPROVED: March 20, 2024



## Benefits of Membership



Chiefly, membership helps maintain the rural part of our heritage and a high quality of life for future generations.

- Protection from nuisance suits is increased, as the public is made aware that those within a half mile of an Agricultural District have the potential to experience noise, odor, dust, or slow-moving farm vehicles associated with farming.
- Landowners have a right to a public hearing before any state or local public agency or governmental unit may initiate any condemnation proceedings.
- Voluntary agricultural districts are marked on official maps at the Henderson County Soil and Water Conservation District office, other county offices, and on the Henderson County Geographic Information System.

## WHAT ARE THE QUALIFICATIONS TO JOIN AN AGRICULTURAL DISTRICT?

**UNDERSTANDING  
CHAPTER 45 AND NC G.S. 106-581.1**

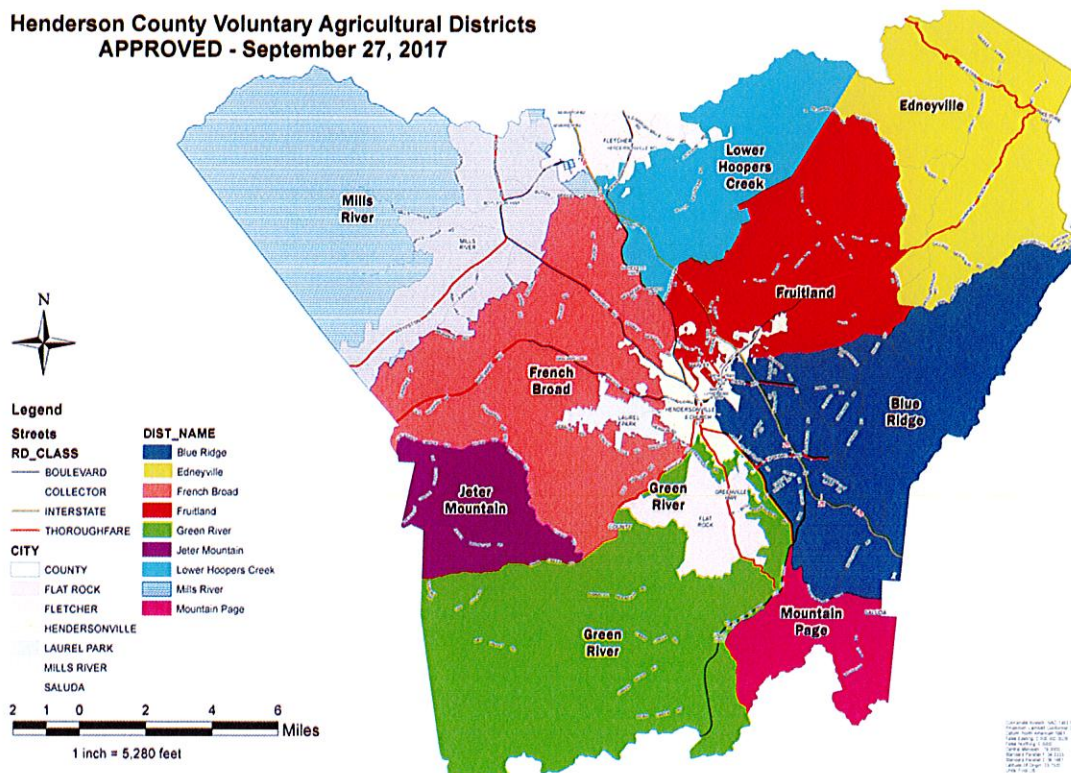
To join an existing district, qualifying farmland must be:

- Located in an unincorporated area of Henderson County or the Town of Mills River
- Managed, if Highly erodible land exists on the farm, in accordance with the Natural Resources Conservation Service-defined erosion-control practices
- Be participating in or qualify for the present use tax value taxation program

or

Be engaged in "agriculture" as defined by NC General Statute 106-581.1 and provide gross agricultural revenue of at least \$2,000 per acre in the year prior to application (or an average of at least \$2,000 per acre for five years prior to application).

**Henderson County Voluntary Agricultural Districts  
APPROVED - September 27, 2017**



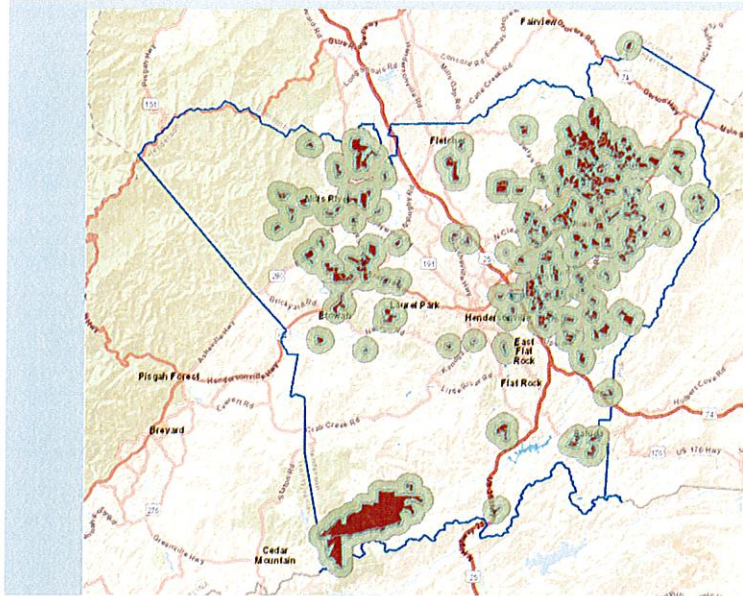


## HENDERSON COUNTY: PARCELS IN VAD

January 2024:

**382 Parcels**

**11143.15 Acres**



## RESTRICTIONS? CHANGES?

The applicant signs an agreement that the land will not be converted to non-farm or development use for a period of at least ten years, except for the creation of not more than three lots on a parcel.

Participation is strictly voluntary. By providing written notice to the Agricultural Advisory Board, a landowner of qualifying farmland may revoke the agricultural districting agreement at any time.



## VAD VS. ENHANCED VAD

1. Same land eligibility requirements
2. Same likelihood of decreased nuisance suits
3. Same right to a public hearing
4. Same visibility on maps and GIS layers

Requires a 10 year irrevocable Conservation Agreement

Must be recorded

Potential for 90% cost share through AgCSP

Additional points for ADFP Trust Fund Grants

May receive up to 25% of gross sales from non-farm products

Utility assessments held in abeyance without interest

1

Landowners who join a Voluntary Agricultural District participate in promoting the agricultural heritage of Henderson County.

APPROVED: March 20, 2024



In closing, Ms. Hoyt reiterated that the program is available at no cost to landowners, it is entirely voluntary, benefits agricultural land, and identifies parcels that are being used for agriculture.

Planner Liz Hansen presented a brief overview of the 2022 USDA Census of Agriculture results.

## 2022 USDA CENSUS OF AGRICULTURE

HENDERSON COUNTY, NC

Board of Commissioners  
February 27<sup>th</sup>, 2024

## What is the USDA Census of Agriculture?

### USDA CENSUS OF AG 2022

- Conducted by National Agricultural Statistics Service
- Complete count of U.S. farms and ranches & who operates them
- Completed every five years
- Includes "rural" & "urban" land (if at least \$1,000 of products were raised or sold annually)
- Land use & ownership
- Operator characteristics
- Production practices
- Income & expenditures

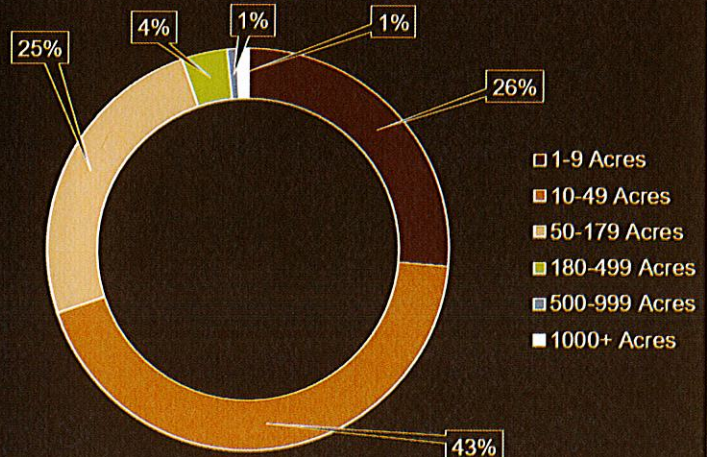


## 02 Henderson County Census Results

## USDA AG CENSUS 2022

Item	Count
Number of Farms	520
Land in Farms	32,743 Acres
Average Farm Size	63 Acres
Median Farm Size	22 Acres
Irrigated Land	2,415 Acres
Total Cropland	19,572 Acres
Harvested Cropland	15,616 Acres

Farms by Size (Acres)



Ms. Hanson said there would be a more in-depth look at the USDA Census Results at the Board of Commissioners Meeting on Monday, March 4, 2024. The meeting will be live-streamed on the county's website for those who want to watch.

Chairman McCall noted that the findings of the USDA Census are significant because farmland preservation is based on these statistics. Organizations that provide the funding look at the statistics when deciding how to provide funding.

### **Public Comment**

1. Lynne Michaels said she was connected with the Farm and Ranch Stress Network. She said the network was designed strictly to support farmers, and the services provided are free of charge. After the meeting, she encouraged farmers to talk with her to get further information.
2. Jeff Nix talked about the importance of farmland preservation. He said farmland is being lost to residential development. He supported the farmer apprentice program that BRCC will start in the fall. He supports growth in the county as long as farmland is protected; he did not support the Edneyville sewer line extension for this reason.

In response to Mr. Nix's comments, Chairman McCall explained that the farming apprenticeship Mr. Nix referred to is a program starting in the fall of this year at BRCC. Any farmer who would like to participate in the program is encouraged to contact the college for more information.

3. Gary Steiner said he is concerned that the current zoning ordinance in the county is contributing to the loss of valuable farmland. He talked about American Farmland Trust and a PDR program.
4. Danielle McCall talked about defining the terms of preserving and conserving. She questioned if the Board was actively preserving and conserving Henderson County farmland. She said the protection of farmland is important because it is what the people want and what the land was made for, and agriculture is an integral part of what makes the county special.
5. Don Ward thanked Vice-Chair Edney and Commissioner Lapsley for recently attending an informal meeting with about twenty farmers in the Edneyville community. He said most farmers are uncomfortable speaking in front of large groups and believe the smaller, more informal meeting format would garner more feedback from the farming community. He proposed that two members of the Board schedule additional smaller meetings in the future.
6. Lynne Williams was in support of maintaining balance in the county. She supported the Agriculture Apprenticeship program to be offered at BRCC. She said the farmers might need assistance with funds to participate in the program to pay the apprentices a living wage. She urged the Board to work with the NCDOT representatives to coordinate freight lines being brought to the area. She believes it is important for the county to have an MOU with the City of Hendersonville regarding development in the city's ETJ.
7. Jeff Darnell believed Henderson County is a leader in farmland preservation. He said the agricultural leadership in the county is second to none.
8. Carolyn Brown voiced her concern over a 5G cell tower that is proposed for a two-acre parcel on Frank Hill and Dana Road.

9. Chris Weilbacher talked about H-2B workers and the \$2,500 - \$4,000 fees that farmers must pay to submit the I-129 form for participation in the program. He said the average wage for farm labor in NC is \$20.64 per hour. He supported hiring high school students for farm labor and discussed ideas on how that might work. He also talked about NC "cottage food" regulations regarding the sale of pickled products.
10. Priscila Barnes was in support of farmland preservation.

Chairman McCall thanked those who shared their comments and moved on to comments from the Board.

Commissioner Andreotta shared that he was born and raised in Henderson County and commented on how the county had changed over time. He encouraged everyone to keep the ideas for farmland preservation coming. He mentioned a farm-to-school program he supported and working to reduce fuel and freight costs for farmers.

Vice-Chair Edney, also a Henderson County native, believed that farmland preservation is the tip of the iceberg when talking about the future of agriculture. He said we need to think about how local government could support the educational process and provide tools so existing farmers and new farmers could be successful in their occupations. Without that, there is no incentive to continue to use their land for farming. He said there are many moving parts and pieces to consider before even getting to farmland preservation.

Commissioner Hill echoed Edney and Andreotta's comments. He said we need to work on the preservation program and create additional local markets, and ways for farmers to value add their products. He said the county has been designated as an Appalachian viticulture area and has been able to promote our local wineries and breweries with that. He said the education of our future farmers is of the utmost importance and supports 4-H and agriculture apprenticeship programs. In closing, he said for farming to be preserved in the county, it had to be a viable and profitable industry.

Commissioner Lapsley said, unlike his fellow board members, he was not a native to the county but was fortunate enough to move here with his family fifty years ago. He has watched the community grow from a population of 45,000 fifty years ago to 120,000 today. The agriculture community in Henderson County was one of the key factors in the decision to relocate his family here. He believes tonight's meeting and the one held in January to discuss the future of agriculture is an opportunity for the Board to show the community that they are being heard and the commissioners want to continue to hear from the farmers and want to do whatever they can to help them succeed.

Chairman McCall said she wanted to address earlier comments about apartments and a nursing facility currently under construction on South Allen Road. She said NC State Statute requires municipalities to own their water and sewer. When a potential developer purchases land and needs water and sewer for the development of the property, they can approach the city and, in return for allowing the land to be annexed into the city limits, they will receive water and sewer. She said the Board of Commissioners for the county has no say in these instances. She wanted the public to understand that the Board of Commissioners nor the Planning Board was involved in those



projects. She said they (the Board) are making efforts to have “more say” in those types of projects because they do not want the city limits to continue to expand further into the county.

Chairman McCall thanked everyone who attended the meeting and said the Board would continue to receive feedback from the farming community. She said the farmland preservation program will be developed for all who wish to participate, not targeted to a select few.

In closing, McCall invited everyone to attend the Board’s regularly scheduled meeting on Monday, March 4, at 5:30 p.m.

*Chairman McCall made a motion to adjourn the meeting at 6:56 p.m. All voted in favor, and the motion carried.*

**ADJOURN**

Attest:

  
Denisa A. Lauffer, Clerk to the Board

  
Rebecca McCall, Chairman

APPROVED: March 20, 2024