

August 20, 2025

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, AUGUST 20, 2025**

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

Present were: Chairman William Lapsley, Vice-Chair J. Michael Edney, Commissioner Rebecca McCall, Commissioner Sheila Franklin, Commissioner Jay Egolf, County Manager John Mitchell, Assistant County Manager Chris Todd, Public Safety Director Jimmy Brissie, Financial Services Director Samantha Reynolds, County Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Also present were: Budget Manager/Internal Auditor Sonya Flynn, Human Resources Director Karen Ensley, Chief Communications Officer Mike Morgan, Planning Director Autumn Radcliff, Code A/V Technician Oscar Guerrero, Code Enforcement Director Matt Champion, DSS Director Lorie Horne, Deputy DSS Director Debbie Dunn, IT Director Mark Seelenbacher, GIS Coordinator Jack Drost, Parks and Recreation Director Bruce Gilliam, Grants Administrator Emily Kanipe, Strategic Behavioral Health Director Jodi Grabowski, Tax Assessor Kevin Hensley, Building Services Director Crystal Lyda, Capital Projects Manager Bryan Rhodes, Social Media Coordinator Tiffany Lucey, Finance Director Randal Cox, Special Projects Coordinator Nora Sjue, and NC Lead Fellow Abby Buxton. Deputy Chris Stepp provided security.

CALL TO ORDER/WELCOME

Commissioner Lapsley called the meeting to order and welcomed all in attendance.

INVOCATION

Pastor Karen Easter-Baine provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Franklin led the Pledge of Allegiance to the American Flag.

RESOLUTIONS AND RECOGNITIONS

Recognition –The Salvation Army of Hendersonville - Majors Susan and Michael Rodgers

The Salvation Army of Hendersonville has two new officers, Majors Susan and Michael Rodgers. Majors Rodgers transferred from Waynesville and has served in several appointments in both North and South Carolina since 1995.0

On behalf of the Board of Commissioners, Commissioner McCall welcomed the new leaders of the Salvation Army of Hendersonville.

PUBLIC COMMENT

1. Travis Bonnema commented on the recent increase in the county's occupancy tax rate. He stated that his main reason for speaking was in response to an earlier Board discussion regarding a potential legislative change to reduce the two-thirds requirement for TDA marketing expenditures. He said he believed the TDA's marketing efforts were a key factor in Hendersonville becoming a desirable tourist destination and expressed concern that such a change could negatively impact the growth opportunities for restaurants, hotels, and attractions in Henderson County.

Approved: September 2, 2025

2. Amy Lynn Holt spoke about two recently approved subdivisions off Sugarloaf and Pace Road. She noted significant traffic congestion on Sugarloaf and Howard Gap Roads, particularly during school drop-off and pick-up times. She urged the Board to request a DOT traffic study to evaluate the need for turning lanes.

Ms. Holt also addressed funding for the nonprofit Only Hope. She stated she did not support reinstating county funding, noting that DSS had not approved the organization to place minors, the organization had received cease-and-desist letters from the Attorney General, and was not licensed to operate as a facility for children. She expressed that taxpayer dollars should not support such an organization.

DISCUSSION/ADJUSTMENT OF AGENDA

Chairman Lapsley added to the consent agenda Item P: Grant – Etowah Sewer System.

Vice-Chair Edney moved to approve the agenda as amended. All voted in favor, and the motion carried.

Vice-Chair Edney made the motion to approve the consent agenda with the addition of Item P – Grant – Etowah Sewer System. All voted in favor, and the motion carried.

CONSENT AGENDA

Approval of Minutes

Draft minutes were presented for Board review and approval for the following meeting:

August 4, 2025

Motion: I move the Board approve the minutes from August 4, 2025.

Tax Collector's Report

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

Please find outlined below collections information through August 7, 2025 for 2025 real and personal property bills mailed on July 31, 2025. Vehicles taxes are billed monthly by NC DMV.

Henderson County Annual Bills (Real and Personal Property):

2025 Beginning Charge:	\$101,761,646.71		
Discoveries & Imm.	\$85,738.60		
Releases & Refunds:	(\$10,412.53)		
Net Charge:	\$101,836,972.78		
Unpaid Taxes:	\$98,855,233.01		
Amount Collected:	\$2,981,739.77		



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

Net Charge:	\$880,900.23	
Unpaid Taxes:	\$3,095.47	99.65%
Amount Collected:	\$877,804.76	

Henderson County FY25 Budget Analysis:

	<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem:	\$106,227,288.00	\$3,859,544.53
Prior Years:	\$1,030,500.00	\$141,339.03
Budget Total:	\$107,257,788.00	YTD Revenue: \$4,000,883.56



Approved: September 2, 2025

2025.133 2026 Holiday Schedule

The proposed 2026 Holiday Schedule for Henderson County Local Government agencies was presented for the Board's review and approval.

HOLIDAY	DATES	WEEKDAY(S)
New Year's Day	January 1, 2026	Thursday
ML King, Jr.'s Birthday	January 19, 2026	Monday
Good Friday	April 3, 2026	Friday
Memorial Day	May 25, 2026	Monday
Independence Day	July 3, 2026	Friday
Labor Day	September 7, 2026	Monday
Veteran's Day	November 11, 2026	Wednesday
Thanksgiving	November 26 & 27, 2026	Thursday & Friday
Christmas	December 24, 25 & 28, 2026	Thursday, Friday & Monday

Motion: I move that the Board approve the 2026 Holiday Schedule as presented.

2025.134 2026 Animal Services Center Operating Schedule

The proposed 2026 Operating Schedule for the Animal Services Center follows:

HOLIDAY	DATES	WEEKDAY(S)
New Year's Day	January 1, 2026	Thursday
ML King, Jr.'s Birthday	January 19, 2026	Monday
Good Friday	April 3 & 4, 2026	Friday & Saturday
Memorial Day	May 25, 2026	Monday
Independence Day	July 3 & 4, 2026	Friday & Saturday
Labor Day	September 7, 2026	Monday
Veteran's Day	November 11, 2026	Wednesday
Thanksgiving	November 26, 27 & 28, 2026	Thursday, Friday & Saturday
Christmas	December 24, 25, 26 & 28, 2026	Thursday, Friday, Saturday and Monday

Motion: I move that the Board approve the 2026 Animal Services Operating Schedule as presented.

2025.135 2026 Solid Waste Operating Schedule

The proposed 2026 Operating Schedule for Solid Waste was presented for the Board's review and approval.

HOLIDAY	DATES	WEEKDAYS
New Year's Day	January 1, 2026	Thursday
ML King, Jr.'s Birthday	January 19, 2026	Monday
Good Friday	April 3 & 4, 2026	Friday & Saturday
Memorial Day	May 25, 2026	Monday

Approved: September 2, 2025

Independence Day	July 4, 2026	Saturday
Labor Day	September 7, 2026	Monday
Veteran's Day	November 11, 2026	Wednesday
Thanksgiving	November 26, 2026	Thursday
Christmas	December 25 & 26, 2026	Friday & Saturday

Motion: I move that the Board approve the 2026 Solid Waste Operating Schedule as presented.

2025.136 2026 Library Closing Schedule

The proposed 2026 schedule for Library hours of operation was provided for the Board's review and approval. Library staff will receive the same number of approved paid Holidays as other County employees.

2026 LIBRARY CLOSING SCHEDULE

<u>Holiday</u>	<u>Date(s)</u>	<u>Hours</u>
New Year	Wednesday, December 31, 2025	Main Library closes @ 5:00 PM
	Thursday, January 1, 2026	Closed
ML King, Jr.'s Birthday	Monday, January 19, 2026	Closed
Good Friday	Thursday, April 2, 2026	Main Library closes @ 5:00 PM
	Friday, April 3, 2026	Closed
Memorial Day	Monday, May 25, 2026	Closed
Independence Day	Friday, July 3, 2026	Closed
	Saturday, July 4, 2026	Closed
Labor Day	Monday, September 7, 2026	Closed
Columbus Day	Monday, October 12, 2026	Closed- Staff Development Day
Veterans Day	Wednesday, November 11, 2026	Closed
	Wednesday, November 25, 2026	Main Library closes @ 5:00 PM
Thanksgiving	Thursday, November 26, 2026	Closed
	Friday, November 27, 2026	Closed
	Wednesday, December 23, 2026	Main Library closes @ 5:00 PM
Christmas	Thursday, December 24, 2026	Closed
	Friday, December 25, 2026	Closed
	Saturday, December 26, 2026	Closed
	Monday, December 28, 2026	Closed
New Year's Eve	Thursday, December 31, 2026	Main Library closes @ 5:00 PM

Approved: September 2, 2025

Motion: I move that the Board approve the 2026 Library Schedule as presented.

Annual Volunteer Appreciation Banquet

Staff have made arrangements to hold the Annual Volunteer Banquet in the Gala Meeting Room located on the Campus of Blue Ridge Community College. The date is Tuesday, September 30, 2025, beginning at 6:00 p.m.

Motion: I move the Board schedule the 2025 Annual Volunteer Appreciation Banquet for Tuesday, September 30, 2025, at 6:00 pm.

American Rescue Plan – Approved Projects Update

The American Rescue Plan State and Local Fiscal Recovery Funds (SLFRF) Compliance Report as of June 30, 2025, was provided for the Board's review and approval. The update includes all approved projects to be funded by American Rescue Plan funds, with the amount of funds currently encumbered and expended. Amounts expended and encumbered have been reported to the US Department of the Treasury via a State and Local Government Fiscal Recovery Funds Compliance Report for Quarter 2, 2025.

Motion: I move that the Board of Commissioners approve the June 30, 2025, American Rescue Plan compliance report as presented.

State Bureau of Investigation Background Checks – Additional Requirement

In Session Law 2025-16, the General Assembly adopted a requirement that a condition of employment with county governments in North Carolina in positions which require the applicant "to work with children in any capacity" is that the applicant "be subject to a criminal history record check conducted by the State Bureau of Investigation pursuant to G.S. 143B-1209.26."

A record check under GS 143B-1209.26 requires the County to provide along with the request "the fingerprints of the applicant, a form signed by the applicant consenting to the criminal record check and use of fingerprints and other identifying information required by the State and National Repositories, and any additional information required by the Bureau." The Session Law states that the County "must extend a conditional offer of the position pending the results of the criminal history check".

This portion of Session Law 2025-16 goes into effect on October 1, and this change needs to be placed into effect now to meet that timeline.

Motion: I move that the Board adopt this rule requiring successful criminal history record checks prior to and as a condition of the final offer of employment to any prospective employee who may work with children in any capacity during their employment.

Henderson County Employee Handbook Update

HR Staff, County Attorney, and the Policy Steering Committee conducted a comprehensive periodic review of the Henderson County Employee Handbook.

All changes were documented and found in the document provided. Most changes were related to linking forms, policies, and laws referenced in the handbook, and adding clarifying language.

Upon Board approval, all employees will be notified by NAVEX (Henderson County's policy application) that a new version of the handbook has been published and will be required to attest to having read and understood the document.

Approved: September 2, 2025

Motion: I move the Board of Commissioners approve the Henderson County Employee Handbook as revised by staff, effective August 20, 2025.

2025.137 FY2026 Non-Profit Funding Agreements

Following the adoption of the FY 2025–2026 Budget, staff provided funding agreements to the non-profit organizations that were awarded County funding. The agreements provided had been reviewed and executed by the respective Non-Profit organizations.

Motion: I move that the Board authorize the Chairman to execute the funding agreements provided, thereby approving the release of the first payment to the listed agencies.

2025.138 Home & Community Care Block Grant Funds FY 2025 FINAL Funding Reallocation

At the Board of Commissioners' meeting held on June 19, 2024, the FY 2025 County Funding Plan for the Home & Community Care Block Grant (HCCBG) was approved. Following the close of the fiscal year on June 30, 2025, some area providers had overspent their funding in certain categories, while others had not utilized all of their allocated funding.

In an effort to balance the usage of funds for this area of Western North Carolina and thereby prevent the return of unused funding to the State, some funds were reallocated as needed by the Land of Sky Regional Council's Area Agency on Aging (LOS). The June 2025 LOS Units of Service Report lists all of the providers and the final net budgeted service costs for the fiscal year. As such, the HCCBG Advisory Committee recommends the reallocation of unspent funding as shown on the attached forms.

Motion: I move the Board authorize the Chairman to execute the HCCBG County Funding Plan County Services Summary and the County Funding Plan Provider Services Summaries for FY 2025 as presented.

Extension of Storm Debris Yard Leases

The County is in the process of wrapping up the use of storm debris transfer yards on the site owned by the Town of Mills River and on the site located on McAbee Court. The County continues to operate the sites on North Ridge Road and on property belonging to Blue Ridge Community College and Cason Companies. Those will continue to be needed for the next six (6) months.

Motion: I move that the Board approve the extension of the storm debris yards on the property at North Ridge Road, and on the property of Blue Ridge Community College and Cason Companies, through and until February 28, 2026.

2025.139 Resolution – Opioid Settlement Fund Expenditure Authorization

On June 2, 2025, the Board of Commissioners was presented with the plan for FY 2025-2026, including a Post Overdose Response Team (PORT) position embedded at EMS. The PORT Strategy funds a Peer Support Specialist position wherein the Peer will respond to overdoses and other substance-related calls. This request authorizes funding for the purchase of a vehicle assigned to this position and for behavioral health training for the PORT Peer and staff from the Community Paramedic Program.

The Board must adopt a Resolution per the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, which dictates the process for drawing from the Special Revenue Fund. Sufficient available funding exists for this requested resolution.

Motion: I move the Board adopt the Resolution authorizing the expenditures and revenues associated with the Opioid Settlement Fund [Fund 51] for a vehicle and training for the previously approved strategy of a Post Overdose Response Team.

Hurricane Helene Updates

A presentation was presented that reviewed the following topics:

- FEMA Public Assistance Program Delivery Process – A high-level reminder of how the Public Assistance process works with FEMA, North Carolina Emergency Management, and Henderson County, and common concerns for the Board of Commissioners to consider.
- Financial Status Update – Including the county's financial summary from the period ranging from September 2024 – August 14, 2025.
- Debris and Hazard Mitigation Grant Program Updates – This section discusses the status of the debris removals undertaken between October 2024 – August 2025, the NC SMART debris program and the Hazard Mitigation Buy-Out Program.

2025.140 Grant – Etowah Sewer System (Add on)

On June 2, 2025, the Board approved the selection of WithersRavenel to perform services utilizing the Asset Inventory and Assessment (AIA) Grant for the Etowah Sewer System. Staff plans to use the funding provided by the grant to map, assess, develop a capital improvement plan, and perform a rate analysis for the Etowah Sewer System.

The North Carolina Division of Environmental Quality notified staff that Henderson County had been approved for funding assistance for the Etowah Sewer AIA project.

The Board was requested to approve a resolution and funding offer to accept the award.

Motion: I move that the Board approve the resolution and funding offer to accept the award to complete the AIA for the County's Etowah Sewer System.

Vice-Chair Edney made the motion to adopt the consent agenda as presented, with the additional item that was added, Grant – Etowah Sewer System. All voted in favor, and the motion carried.

PUBLIC HEARINGS

Chairman Lapsley requested to be recused from the discussion and vote on the rezoning request, noting that in his previous career as a consulting engineer, the applicant had been a longtime client for whom he had also served as an advisor.

Commissioner McCall made a motion to recuse Chairman Lapsley from the public hearing for the rezoning request. All voted in favor, and the motion carried.

Vice-Chair Edney presided over the public hearing.

Commissioner McCall made a motion to go into the public hearing. All voted in favor, and the motion carried.

2025.141 Public Hearing for Conditional Rezoning Application #R-2025-05-CD, Baystone Glen

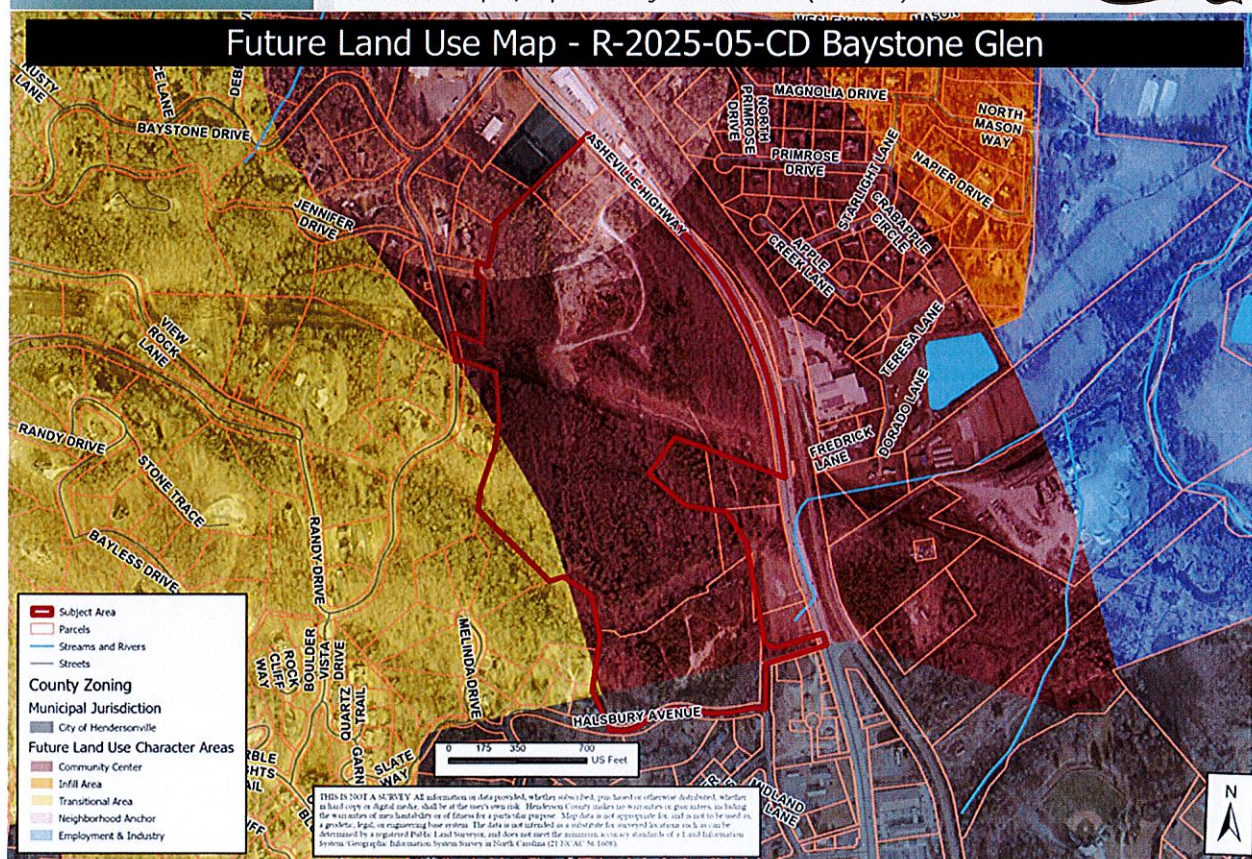
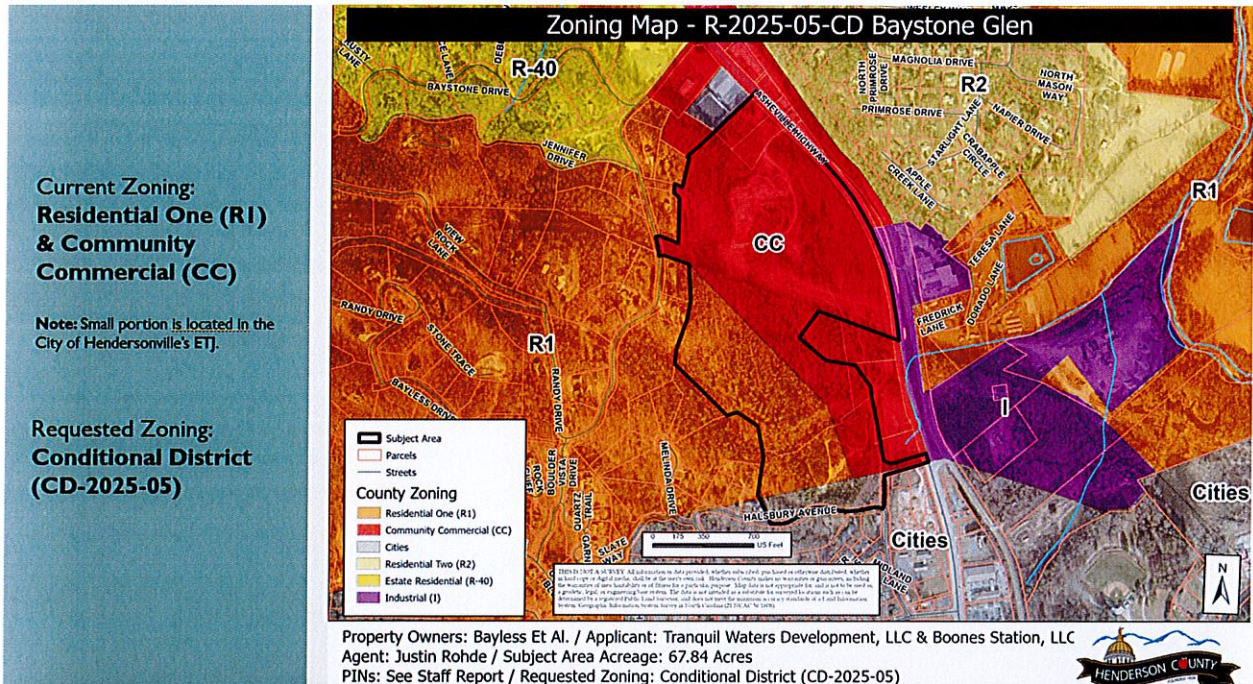
Rezoning Application #R-2025-05-CD was initiated on April 1, 2025, and requests that the County conditionally rezone approximately 67.84 acres of land from Community Commercial (CC) and Residential One (R1) to a Conditional District (CD-2025-05). A small portion of the project area is located within the extraterritorial jurisdiction (ETJ) for the City of Hendersonville. If approved, the applicant must request through an interlocal agreement for the county zoning to apply to this portion of the property under the conditions of the CD-2025-05 zoning district. The project contains portions of PINs 9660-23-6968, 9660-23-7875, 9660-22-8850, 9660-32-5424, 9660-35-6028, 9660-31-7635, and 9660-31-2567 that has direct access to Asheville Hwy (US25). The property owner is Bayless Et. Al. The applicant is Tranquil Waters Development, LLC and Boones Station, LLC, and the agent is Justin Rohde.

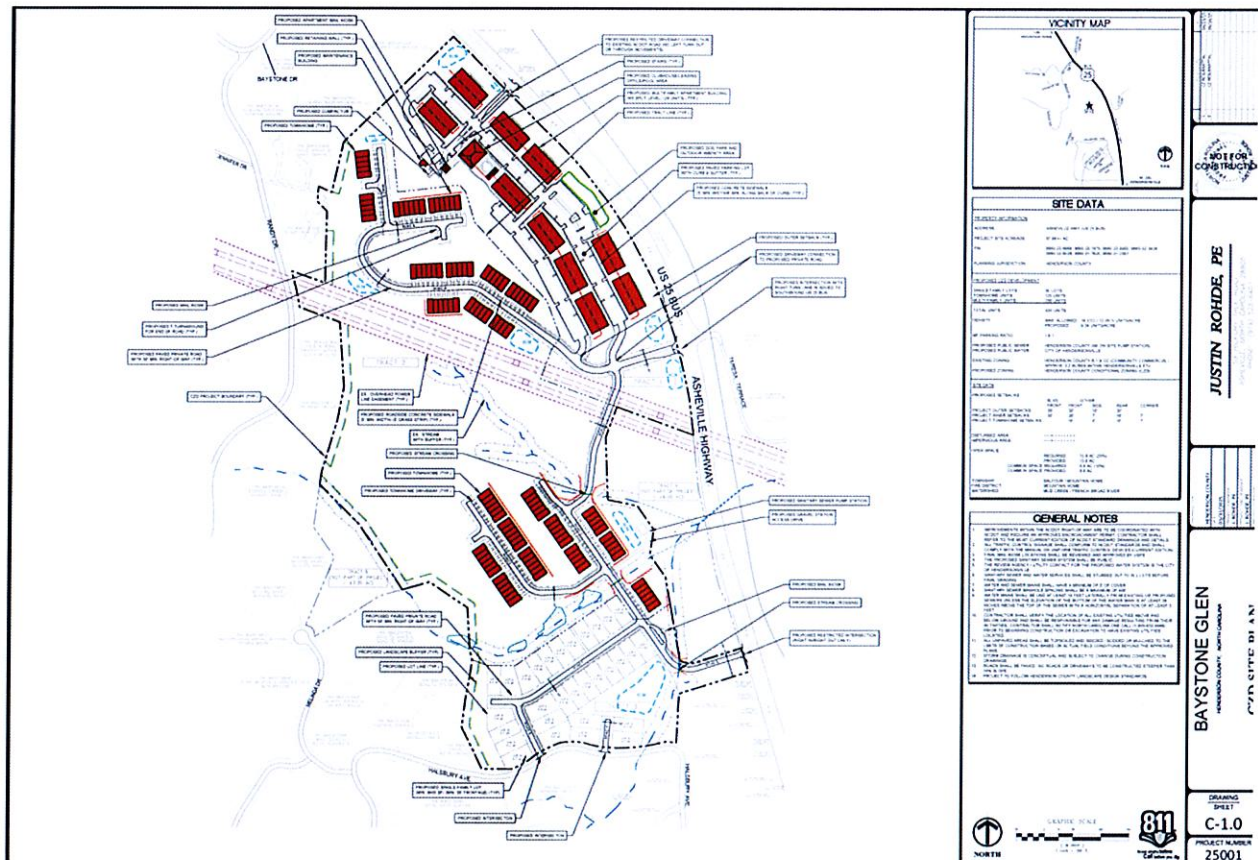
The applicant proposed developing the subject area with a mix of single-family residential dwellings and multi-family residential dwellings, totaling 430 residential units. Conditional rezonings allow for the Board of Commissioners to place conditions on the property to address community concerns and make the proposed development compatible with adjacent uses. A neighborhood compatibility meeting was held on Friday, May 2, 2025, in the King Street Meeting Room. A copy of the meeting summary is included in the agenda item.

The Technical Review Committee (TRC) reviewed this application on May 6th, July 15th, and August 5th. While the project has access to both MSD and City of Hendersonville sewer, the TRC decided to forward the application to the Board of Commissioners, noting unresolved issues with both the public sewer options. The TRC will make its formal review of the associated site plan on the technical requirements pending Board approval. The Planning Board reviewed this application on July 17, 2025, and voted unanimously to forward a favorable recommendation to the Board of Commissioners with the conditions as discussed. A copy of the conditions was included as an attachment.

PROJECT SUMMARY

- | | |
|---|---|
| <ul style="list-style-type: none"> • 67.84 ac • 430 residential units <ul style="list-style-type: none"> • 30 single-family lots • 120 townhome units • 280 multi-family units • Utilities: <ul style="list-style-type: none"> • City of Hendersonville Water • Public Sewer (MSD or City of Hendersonville) • Amenities <ul style="list-style-type: none"> • Clubhouse with rental office • Dog park • Pool | <ul style="list-style-type: none"> • Sidewalks • Hydrants • Street trees • Future Apple Country Transit stop • 50' private rights-of-way <ul style="list-style-type: none"> • Paved drive isles • Internal connections • 3 intersections to Asheville Hwy • 2 intersections to Halsbury Ave • Open Space: 13.6 ac • Common Space: 6.8 ac |
|---|---|





REVIEW PROCESS

- A Neighborhood Compatibility Meeting was held on May 2nd
- TRC reviewed the application on May 6th, July 15th, and August 5th
 - TRC forwarded the application to the BOC, but will review the site plan and technical requirements pending the Board of Commissioners' decision (see attached Summary of Sewer Service Options)
- Planning Board reviewed the application on July 17th and voted unanimously to forward a favorable recommendation to the Board
- The conditions list is included as an attachment
- A 2045 Comprehensive Plan Statement is included as an attachment

SUMMARY OF SEWER SERVICE OPTIONS

MSD Option:

- Project is within the MSD sewer district boundary
- Applicant received an allocation request for sewer, but current plans need approval and do not meet MSD standards
- Private lift station proposed, which will require the development to be under single ownership

City of Hendersonville Option:

- Project is within close proximity to the City of Hendersonville sewer (No allocation request has been submitted)
- City of Hendersonville does not allow private lift stations
- A small portion of the project may be located within the Mud Creek Sewer Agreement
 - The County can consider being the applicant for the sewer, but it would require the County to operate and maintain the system and lift station as a public sewer.

PUBLIC NOTICE:

Before taking action on the application, the Board of Commissioners must hold a public hearing. In accordance with §42-303 and §42-346 (C) of the Henderson County Land Development Code and State Law. Notice of the August 20, 2025, public hearing regarding rezoning application #R-2025-05-CD was published in the Hendersonville Lightning on August 6, 2025, and August 13, 2025. The Planning Department sent notices of the hearing via first-class mail to the owners of properties within 400 feet of the Subject Area on August 4, 2025, and posted signs advertising the hearing on August 5, 2025.

Following a lengthy discussion about project details and water and sewer options, Commissioner Egolf raised concerns about supply and demand, as well as the risk of overdevelopment. He requested current building permit information and MLS data to help evaluate the issue.

Public Input:

1. William Perry spoke in support of the project, noting recent site plan changes related to the number of exits onto Asheville Highway.
2. Beth Sheffield, speaking on behalf of the Sheffield family, stated that they believe the project represents the best-suited use for the property. She noted its convenient access to Interstate 26, Mills River, Fletcher, and Brevard.
3. Carson Stuckey, an adjoining property owner, stated his support for the project, noting that he believes it is a good fit for the area.

Commissioner Egolf made a motion to close the public hearing. All voted in favor, and the motion carried.

Discussion continued regarding sewer options, with Vice-Chair Edney inquiring whether a “master association” could work for a proposed pump station. Commissioner Franklin asked whether all of the multi-family units would be sold or rented and emphasized the county’s need for single-family homes. Commissioner McCall agreed the location was favorable and that the area needed attention, but expressed concern that the county was becoming oversaturated with apartment buildings and did not support that aspect of the project. After some Board members indicated they would not support the project if a vote were taken at today’s meeting, Mr. Justice, the applicant’s attorney, noted that market data is not a criterion in the county’s ordinance and cautioned that considering it could be a “slippery slope.” He requested that the Board delay the vote on the rezoning to allow the applicant to meet with Board members to discuss potential plan modifications in hopes of gaining support.

Commissioner McCall made a motion to continue the Board’s decision in light of the public hearing until the first meeting in October. All voted in favor, and the motion carried.

Commissioner McCall made a motion for Chairman Lapsley to rejoin the meeting. All voted in favor, and the motion carried.

DISCUSSION**A. Construction Projects Update**

Bryan Rhodes and Chris Todd provided the Board with an update on construction projects

throughout Henderson County. During the discussion of paving projects, Commissioner McCall raised the need to widen the entrance to Flat Rock Middle and Hillandale Elementary Schools, citing traffic congestion on Blue Ridge Road. She noted that she had previously discussed the issue with both the current and former superintendents, emphasizing that this would be the second repaving project without addressing the entrance. She requested that staff contact paving contractors to obtain cost estimates for widening the entrance by three to four feet. Several Board members expressed support for the request, and John Mitchell stated that staff would contact school officials regarding the process and bring the matter back before the Board if necessary for resolution.

B. Geographical Information System (GIS) Web Application Update

Mark Seelenbacher and Jack Drost provided the Board with the most up-to-date information regarding Henderson County's new GIS web application.

Purpose / uses Purpose / uses

- **Look up information about:**
 - ownership,
 - property values,
 - addresses,
 - building info
- **Links to:**
 - Plats
 - Deeds
 - Real Property Data
 - Tax Bills
- **Maps of:**
 - property characteristics – topography, floodplain, property dimensions
 - Greenways / Trails / other visitor info
 - Jurisdictions / Districts: municipality, school district, zoning
 - Getting to know our area

Responsive

Adapts to any device – desktop, laptop, tablet, phone



Approved: September 2, 2025

More modern interface

Panels and buttons that expand & collapse

Works on all modern browsers

Tested on Chrome, Edge, Firefox, Opera, Safari, Brave, etc.

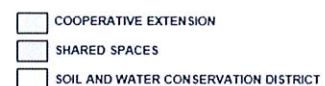
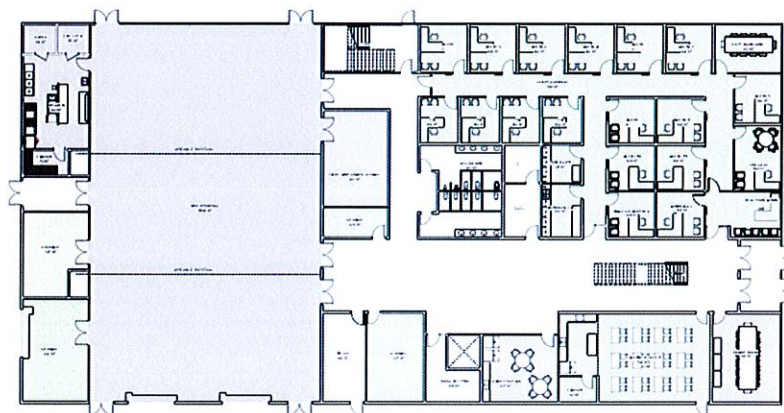
Mr. Seelenbacher noted that the presentation would be available on the County's website following the meeting. Vice-Chair Edney asked if both the new and old GIS programs would remain available for a period of time. Mr. Seelenbacher responded that both systems would be accessible for two weeks.

C. Agriculture Update

Staff provided the Board with the most current information about agriculture in Henderson County. Tiffany Lucey shared a short video about Farmland Preservation in Henderson County.

AGZ Grant Update

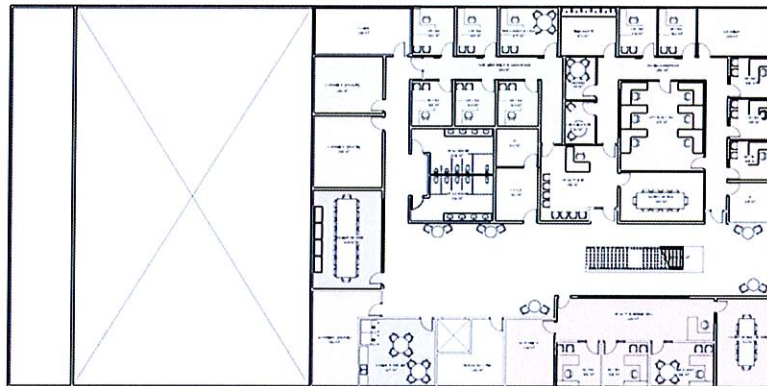
- Staff was interviewed on April 11 by the NC ADFPTF review team to discuss the AGZ grant application
- The total amount of grant funds available will be determined once the state budget is finalized
- Grant funds are anticipated to be awarded in October 2025
- The exact amount of funding for ADFP projects was unclear



HENDERSON COUNTY AGRICULTURAL SERVICES
HENDERSONVILLE, NC

LOWER LEVEL

Approved: September 2, 2025



mcmillan
pardon
smith
ARCHITECTS

HENDERSON COUNTY AGRICULTURAL SERVICES
1435 FORTNELL
HNC

UPPER LEVEL

NOMINATIONS AND APPOINTMENTS

1. Asheville Regional Housing Consortium – 2 vacs.

Chairman Lapsley made the motion to nominate Jennifer Miranda for reappointment to position #1 and nominated Lee Stevens for appointment to position #2. All voted in favor, and the motion carried.

2. Henderson County Zoning Board of Adjustment – Position Changes

Chairman Lapsley made the motion to move alternate Carlos Ruiz to Seat #9 and move Tony Engel to alternate Seat #4. All voted in favor, and the motion carried.

3. Hendersonville City Zoning Board of Adjustment – 3 vacs.

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

4. Home and Community Care Block Grant Committee – 1 vac.

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

5. Laurel Park Zoning Board of Adjustment – 1 vac.

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

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

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

COMMISSIONER UPDATES

Commissioner Egolf reported on his recent visit to the Cooperative Extension Research Station, noting he was impressed by the 400-acre property and the wide range of trials conducted there. He stated the county is fortunate to have such a facility.

Chairman Lapsley, Vice-Chair Edney and Commissioner Franklin had no updates.

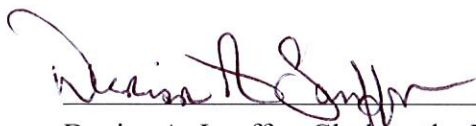
Commissioner McCall shared that she and Commissioner Franklin would be traveling to Pitt County after the meeting to attend the 2025 NCACC Commissioner Conference, accompanied by John Mitchell and Chris Todd.


GENERAL ASSEMBLY UPDATE AND COUNTY MANAGER'S REPORT

Mr. Mitchell reported that the General Assembly had done a "mini-budget" on items agreed to with the Governor, but several matters remain unresolved. He noted they are scheduled to return on August 27 and stated he has been in close communication with the county's legislative delegation regarding priorities, with the hope of accomplishing some of those items during the continuation of the long session.

Mr. Mitchell noted that the County's Communications Team and Swift Water Rescue Team were on standby in preparation for potential impacts from Hurricane Aaron. He added that the County's Swift Water Rescue Team is considered one of the best in the Southeast.

Motion: Vice-Chair Edney made the motion to go into Closed Session pursuant to NCGS 143.318.11(a)(3)(4)(5). All voted in favor, and the motion carried.

ADJOURN

Denisa A. Lauffer, Clerk to the Board

William G. Lapsley, Chairman

Enactments

Wednesday, August 20, 2025 – Board of Commissioners Meeting

2025.133 2026 Holiday Schedule

2025.134 2026 Animal Services Center Operating Schedule

2025.135 2026 Solid Waste Operating Schedule

2025.136 2026 Library Closing Schedule

2025.137 FY2026 Non-Profit Funding Agreements

2025.138 Home & Community Care Block Grant Funds FY 2025 Final Funding Reallocation

2025.139 Resolution – Opioid Settlement Fund Expenditure Authorization

2025.140 Grant – Etowah Sewer System (Add on)

2025.141 Public Hearing for Conditional Rezoning Application #R-2025-05-CD, Baystone Glen

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: August 20, 2025

SUBJECT: Resolution – Opioid Settlement Fund Expenditure Authorization

PRESENTER: Jodi Grabowski, Strategic Behavioral Health Director

ATTACHMENT(S): Yes

1. Budget Amendment
2. Resolution

SUMMARY OF REQUEST:

On June 2, 2025, the Board of Commissioners was presented with the plan for FY 2025-2026, including a Post Overdose Response Team (PORT) position embedded at EMS. The PORT Strategy funds a Peer Support Specialist position wherein the Peer will respond to overdoses and other substance-related calls. This request authorizes funding for the purchase of a vehicle assigned to this position and for behavioral health training for the PORT Peer and staff from the Community Paramedic Program.

The Board must adopt a Resolution per the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation which dictates the process for drawing from the Special Revenue Fund. Sufficient available funding exists for this requested resolution.

BOARD ACTION REQUESTED:

The Board is requested to adopt the Resolution authorizing the expenditures and revenues associated with the Opioid Settlement Fund [Fund 51] for a vehicle and training for the previously approved strategy of a Post Overdose Response Team.

SUGGESTED MOTION:

I move the Board adopt the Resolution authorizing the expenditures and revenues associated with the Opioid Settlement Fund [Fund 51] for a vehicle and training for the previously approved strategy of a Post Overdose Response Team.

HENDERSON COUNTY

Department: Opioid Settlement Fund

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
515500-539000	Contracted services - training	\$10,000
515500-553000	Capital Outlay- Vehicle	\$30,000
515500-525001	Fuel costs	\$3,200
515500-535300	Maintenance & Repair - vehicles	\$1,500

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

Account	Line-Item Description	Amount
514500-401000	Fund balance appropriated	\$44,700

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

Budget amendment to appropriate opioid settlement fund balance for additional funds for Post Overdose Response Team. BOC approved 8.20.2025

Authorized by Department Head

Authorized by Budget Office

Authorized by County Manager

Date

Date

Date

For Budget Use Only

Batch #

BA #

Batch Date

Henderson County Board of Commissioners

1 Historic Courthouse Square • Suite 1 • Hendersonville, NC 28792
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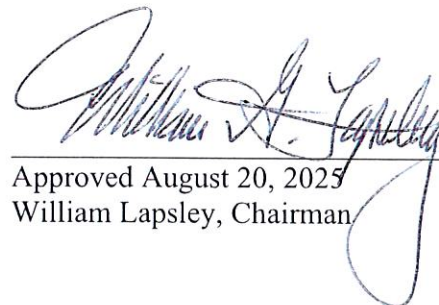
William Lapsley
Chairman
J. Michael Edney
Vice-Chairman



Rebecca McCall
Sheila Franklin
Jay Egolf

HENDERSON COUNTY 2026 HOLIDAY SCHEDULE

HOLIDAY	DATE(S)	WEEKDAY(S)
New Year's Day	January 1, 2026	Thursday
ML King, Jr.'s Birthday	January 19, 2026	Monday
Good Friday	April 3, 2026	Friday
Memorial Day	May 25, 2026	Monday
Independence Day	July 3, 2026	Friday
Labor Day	September 7, 2026	Monday
Veteran's Day	November 11, 2026	Wednesday
Thanksgiving	November 26 & 27, 2026	Thursday & Friday
Christmas	December 24, 25 & 28, 2026	Thursday, Friday & Monday



Approved August 20, 2025
William Lapsley, Chairman

**HENDERSON COUNTY
NORTH CAROLINA**

Before the Board of Commissioners

**A RESOLUTION BY THE COUNTY OF HENDERSON
TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS**

BOARD OF COMMISSIONERS ENACTMENT 2025-139

WHEREAS Henderson County previously joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids, including settlements with drug distributors Cardinal, McKesson, and AmerisourceBergen, and the drug maker Johnson & Johnson and its subsidiary Janssen Pharmaceuticals; and,

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and certain bankruptcy resolutions ("Opioid Settlement Funds") are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation ("MOA"); and

WHEREAS Henderson County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA; and

WHEREAS section E.6 of the MOA states:

E.6. Process for drawing from special revenue funds.

- a. Budget item or resolution required. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
- b. Budget item or resolution details. The budget or resolution should (i) indicate that it is an authorization for expenditure of opioid settlement funds; (ii) state the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy, and (iii) state the amount dedicated to each strategy for a stated period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the MOA, Henderson County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized
 - a. Name of strategy: Post-overdose response team.
 - b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: A.8
 - d. Amount authorized for this strategy: not to exceed \$44,700.
 - e. Period of time during which expenditure may take place: August 20, 2025, through June 30, 2026.
 - f. Description of the program, project, or activity: Vehicle and training to support the work of the Post-overdose response team and the Community Paramedic Program.
 - g. Provider: Henderson County

The total dollar amount of Opioid Settlement Funds at this time appropriated is not to exceed \$44,700.

Adopted this the 20th day of August 2025.



WILLIAM LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:



DENISSA A. LAUFFER, CLERK TO THE BOARD



Henderson County Board of Commissioners

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William G. Lapsley
Chairman
J. Michael Edney
Vice-Chairman



Rebecca K. McCall
Sheila Franklin
Jay Egolf

August 20, 2025

Ms. Katie Lamb
Lipman Family Farms
2123 Ridge Road
Hendersonville, NC 28792

Dear Ms. Lamb:

On behalf of Henderson County and the families of the 500 students who recently received a backpack filled with school supplies at the Henderson County Parks & Recreation Movie Night, the Board of Commissioners would like to thank Lipman Family Farms for their generosity in providing these backpacks. In addition, we understand that 100 brand new bicycles were also donated and distributed to as many lucky recipients who received a backpack with a bicycle coupon included.

It is only because of your forethought and willingness to provide that many of those children will start the new school year on a positive note, complete with all new school supplies.

Thank you for being a good neighbor to the families of Henderson County.

Respectfully,

A handwritten signature in blue ink, which appears to read "William G. Lapsley". The signature is fluid and cursive, with a large loop at the end.

William G. Lapsley, Chairman
Henderson County Board of Commissioners

Henderson County
North Carolina

Before the Board of Commissioners

Resolution Levying Additional Occupancy Tax

BOARD OF COMMISSIONERS ENACTMENT 2025-132

WHEREAS, North Carolina Session Law 2013-61 (and its predecessors) grant to the Board of Commissioners of Henderson County the authority to level a room occupancy and tourism development tax (the "Occupancy Tax") of not less than three percent (3%) and not more than five percent (5%); and,

WHEREAS, Session Law 2013-61 also grants to the Board of Commissioners the authority to levy an additional one percent (1%) room occupancy and tourism development tax (the "Additional Tax") if the Board of Commissioners has levied the Occupancy Tax; and

WHEREAS, the Board of Commissioners has previously levied the Occupancy Tax, and wishes to levy the Additional Tax.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby levies the "Additional Tax" as described in North Carolina Session Law 2013-61, SECTION 1., Sec. 5.(a1), of one percent (1%), making the total room occupancy and tourism development tax levied in Henderson County six percent (6%). This enactment is effective October 1, 2025.

Adopted by unanimous vote of the Board of Commissioners on August 4, 2025.

BOARD OF COMMISSIONERS OF HENDERSON COUNTY

By: _____

WILLIAM LAPSLEY, Chair

Attest: _____

DENISA LAUFFER

Clerk to the Board of Commissioners

Henderson County Board of Commissioners

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Chairman
J. Michael Edney
Vice-Chairman



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J. Jay Egolf

RESOLUTION – ACCEPTING STATE RESERVE GRANT OFFER

WHEREAS, the North Carolina General Statutes Chapter 159G has created Asset Inventory and Assessment (AIA) grants to assist eligible units of government with meeting their water infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Grant in the amount of \$150,000 to perform an Asset Inventory and Assessment study detailed in the submitted application, and

WHEREAS, Henderson County intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED:

Henderson County accepts the State Reserve Grant offer of \$150,000.


Henderson County does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.


That Samantha Reynolds, Finance Services Director and Marcus Jones, PE, County Engineer and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

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

Adopted this the 20th day of August 2025.

ATTEST:


DENISA LAUFFER, CLERK TO THE BOARD


WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS