

September 17, 2025

MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, SEPTEMBER 17, 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, Chief Communications Officer Mike Morgan, Planning Director Autumn Radcliff, Planner Austin Parks, Code A/V Technician Oscar Guerrero, DSS Director Lorie Horne, Parks and Recreation Director Bruce Gilliam, Grants Administrator Emily Kanipe, Director of Human Resources Karen Ensley, Recovery Director Natalia Santana-Pollard, 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, 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

John Mitchell provided the invocation.

PLEDGE OF ALLEGIANCE

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

RESOLUTIONS AND RECOGNITIONS

2025.157 Resolution - We are Hope Week

The Board of Commissioners was requested to adopt a resolution, designating September 22-26, 2025, as "We Are Hope" Week in Henderson County Public Schools' middle and high schools.

RESOLUTION – HONORING THE OBSERVANCE OF “WE ARE HOPE” WEEK IN HENDERSON COUNTY PUBLIC SCHOOLS’ MIDDLE AND HIGH SCHOOLS

WHEREAS, Substance and alcohol misuse adversely affect the brain, liver, heart, and overall health and can cause adverse behavioral, psychological, social, and fatal consequences; and

WHEREAS, there were more than 83,300 drug overdose deaths in the United States in 2024, and the overall trend since 2018 is marked by a sharp rise, driven largely by synthetic opioids like fentanyl; and

WHEREAS, substance and alcohol abuse continue to occur among children and youth in our society: with overall usage among youth declining during the last 10 years due to education and prevention efforts; and

Approved: October 6, 2025

WHEREAS, student leaders in Henderson County Public Schools' six high schools and four middle schools have joined with local Henderson County Hope Coalition in educating their peers on alcohol, tobacco, marijuana, and prescription drug use and misuse; and

WHEREAS, students at Apple Valley Middle, Flat Rock Middle, Hendersonville Middle, Rugby Middle, East Henderson High, Innovative High School, Henderson County Career Academy, Hendersonville High, North Henderson High, and West Henderson High are pledging to be and remain substance-free.

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners, that September 22nd, 2025 – September 26th, 2025, be observed in Henderson County Public Schools' middle and high schools as "We Are Hope" substance abuse prevention week.

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

Adopted this the 17th day of September 2025.

Commissioner McCall made a motion for the Board to adopt the Resolution, designating September 22-26, 2025, as "We Are Hope" Week in Henderson County Public Schools' middle and high schools. All voted in favor, and the motion carried.

2025.158 Resolution in Memoriam – Charles James Kirk (Add on)

The Henderson County Board of Commissioners was requested to adopt a resolution recognizing Mr. Charles James Kirk.

RESOLUTION OF MEMORIAM
Charles James Kirk
October 14, 1993 – September 10, 2025

WHEREAS, On September 10, 2025, Charles James Kirk ("Charlie Kirk") was publicly assassinated at Utah Valley University while speaking at an event; and

WHEREAS, Charlie Kirk built his mission on the cornerstone of the belief that political discourse is best when it is open, civil, and rooted in the First Amendment; and

WHEREAS, Charlie Kirk was dedicated to fostering an environment for open debate and dialogue on some of the toughest issues facing American politics; and

WHEREAS, The Henderson County Board of Commissioners proudly uphold the First Amendment and believes that exercising that right should come without risk of death or injury; and

WHEREAS, The United States of America was founded upon the universal truths that men are endowed with certain unalienable rights, among which are life, liberty, and the pursuit of happiness.

Approved: October 6, 2025

NOW, THEREFORE, BE IT RESOLVED that Charles James Kirk will be remembered for his dedication to pursuing open dialogue in a world of polarized politics. The Board of Commissioners reaffirms its commitment to the First Amendment and the rights of all Americans to peacefully assemble and to express their political views and opinions without fear of violence.

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

ADOPTED this 17th day of September 2025.

Chairman Lapsley made the motion to adopt the resolution. All voted in favor, and the motion carried.

PUBLIC COMMENT *(Comments are the views and opinions of the speaker)*

There was none.

DISCUSSION/ADJUSTMENT OF AGENDA

Vice-Chair Edney added a Closed Session to the Agenda Pursuant to N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body.

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

Vice Chair Edney made a motion to approve the consent agenda. 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:

September 2, 2025

Motion: I move the Board approve the minutes from September 2025.

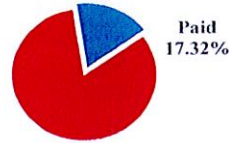
Tax Collector's Report

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

Please find outlined below collections information through September 3, 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:	\$103,831,601.64	
Discoveries & Imm.	\$149,663.12	
Releases & Refunds:	(\$16,207.26)	
Net Charge:	\$103,965,057.50	
Unpaid Taxes:	\$85,961,415.68	Unpaid 82.68%
Amount Collected:	\$18,003,641.82	



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

Net Charge:	\$1,457,383.98	
Unpaid Taxes:	\$5,237.12	99.64%
Amount Collected:	\$1,452,146.86	

Henderson County FY25 Budget Analysis:

<u>Budget Ordinance</u>	<u>Revenue Collected</u>
Ad Valorem: \$106,227,288.00	Ad Valorem: \$19,455,788.68
Prior Years: \$1,030,500.00	Prior Years: \$206,443.72
Budget Total: \$107,257,788.00	YTD Revenue: \$19,662,232.40



2025.158 Grant – NC Arts Council Grassroots Program

A grant contract and related budget amendment for the North Carolina Arts Council's Grassroots Art Program were presented for the Board's review and approval. Henderson County is acting as a pass-through entity for these funds, totaling \$80,837. With the Board's approval, Henderson County will accept the grant funds from the North Carolina Arts Council, serve as a member on the awardee selection committee, draft grant contracts for each awardee, and disburse all grant funds to the organizations selected by the committee. The Grant Administrator will ensure that subgrantees meet the North Carolina Arts Council's reporting requirements and submit the grant's final report.

Motion: I move that the Board of Commissioners approve the grant contract with the North Carolina Arts Council for the Grassroots Art Program and the associated budget amendment as presented.

Architect of Record Proposal – Medical Office Building, Mills River

The Board was requested to approve a proposal letter from LS3P Architects for design services, including Design Development through Construction Administration Phase (finish), for the Mills River location Medical Office Building, and to authorize staff to proceed with the Henderson County/Henderson Hospital Corporation Medical Office Building.

Motion: I move that the Board approve the proposal letter from LS3P Architects, in the amount of \$2,304,571, for the Mills River Medical Office Building location.

Chronic Nuisance Property – 264 Misty Mountain Drive

The Code Enforcement and Zoning Department has cited a particular parcel of property three times within the past year for violation of the County's nuisance ordinance, Chapter 52 of the Henderson County Code. The property is listed in the geographical information system under PIN 9528786300, with the owner identified as "Joan Kilpatrick". A copy of each notice of violation was provided as part of this agenda item.

Approved: October 6, 2025

Under N.C.G.S. §153A-140.2,

A county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to violate the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation. The expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

This matter would come back before the Board before a contractor was hired to clear up the property under the authority noted above.

Motion: I move that the Board give the owner(s) of the property which is the subject of this agenda item the notice provided for under N.C.G.S. §153A-140.2.

Vaya Health – Quarterly Fiscal Monitoring Report for the quarter ended June 30, 2025

N.C.G.S. 122C-117(c) requires the staff of the local area mental health authority to provide the County Finance Officer with the quarterly Fiscal Monitoring Report (FMR) within 30 days of the end of the quarter. The County Finance Officer is then required to provide the FMR to the Board of Commissioners at the next regularly scheduled meeting of the board. The County Finance Officer received the FMR for Vaya Health on August 25, 2025.

Fiscal Monitoring Report

LME / MCO NAME: VAYA HEALTH

FOR THE PERIOD ENDING: 6/30/2025 - Unaudited

of month in the fiscal year (July = 1, August = 2, ..., June = 12) =====>

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1. REPORT OF BUDGET VS. ACTUAL

	(1)	(2)	(3)	(4)	(5)	(6)
	PRIOR YEAR		CURRENT YEAR 2024-2026			
	2023-2024			ACTUAL	BALANCE	ANNUALIZED
	BUDGET	ACTUAL	BUDGET	YR-TO-DATE	(Col. 3-4)	PERCENTAGE
REVENUE						
Interest Earned	3,000,000	2,944,864	6,585,000	7,104,660	(519,660)	107.89%
IGT Income	9,291,857	20,113,170	-	-	-	-
Appropriation of Fund Balance	2,530,964	-	-	-	-	-
Other Local	4,830,027	4,699,689	6,283,443	6,794,558	(511,115)	108.13%
Total Local Funds	19,652,847	27,757,723	12,868,443	13,899,218	(1,030,775)	108.01%
County Appropriations (by County, includes ABC Funds):						
Alamance County	-	-	1,031,000	1,031,000	-	100.00%
Alexander County	50,000	50,000	50,000	50,000	-	100.00%
Allegany County	20,000	20,000	20,000	20,000	-	100.00%
Ashe County	189,566	189,566	189,566	189,566	-	100.00%
Avery County	89,600	89,600	89,600	89,600	-	100.00%
Buncombe County	600,000	600,000	600,000	600,000	-	100.00%
Catawba County	-	-	-	97,197	(97,197)	-
Caldwell County	121,138	125,199	121,138	127,402	(6,264)	105.17%
Chatham County	430,450	399,328	415,450	446,346	(30,896)	107.44%
Cherokee County	75,000	75,000	75,000	75,000	-	100.00%
Clay County	15,000	15,000	15,000	15,000	-	100.00%
Franklin County	142,600	109,700	129,700	129,700	-	100.00%
Graham County	6,000	6,000	6,000	6,000	-	100.00%
Granville County	130,846	118,215	119,846	120,446	(600)	100.50%
Haywood County	112,000	110,221	112,000	106,389	5,611	94.99%
Henderson County	528,612	528,612	528,612	528,612	-	100.00%
Jackson County	123,081	123,081	123,081	123,081	-	100.00%
Madison County	106,623	106,623	106,623	106,623	-	100.00%
Madison County	30,000	30,000	30,000	30,000	-	100.00%
McDowell County	67,856	67,856	67,856	67,856	-	100.00%
Mitchell County	18,000	18,000	18,000	18,000	-	100.00%
Person County	360,273	357,968	360,273	360,046	227	99.94%
Polk County	79,491	80,722	79,491	81,336	(1,845)	102.32%
Rockingham County	138,250	138,250	311,800	311,800	-	100.00%
Rowan County	492,000	492,000	492,000	492,000	-	100.00%
Stokes County	18,000	4,529	4,500	4,492	8	99.82%
Swain County	30,000	27,491	30,000	25,855	4,145	86.18%
Transylvania County	99,261	99,261	99,261	99,261	-	100.00%
Vance County	194,099	171,774	173,099	154,128	18,971	89.04%
Watauga County	171,194	171,194	171,194	171,194	(600)	100.35%
Wires County	237,612	238,274	237,612	235,021	2,591	98.91%
Yancey County	26,000	26,000	26,000	26,000	-	100.00%
Total County Funds	4,702,752	4,589,455	5,933,702	5,939,550	(105,848)	101.81%
DAW/DORAS State and Federal Funding	168,515,616	124,963,971	209,701,686	166,266,403	43,445,283	79.28%
Medicaid Funding	789,803,890	796,575,374	1,530,487,824	1,540,708,794	(10,220,970)	100.67%
Medical Risk Reserve Funding	7,030,000	7,030,102	-	-	-	-
All Other State/Federal Funds	4,375,000	4,732,466	6,285,000	6,427,976	(142,976)	102.27%
Total State, Federal and Medicaid Funds	969,724,506	933,299,914	1,746,474,509	1,713,393,173	33,081,336	102.66%

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TOTAL REVENUE	993,080,105	964,647,101	1,765,176,654	1,733,231,941	31,544,713	98.19%
EXPENDITURES:						
Administration	172,011,382	160,459,737	226,663,269	196,934,786	29,528,483	86.81%
LME Provided Services (Service Support)	3,340,664	3,608,849	4,676,288	4,056,452	480,836	89.49%
Provider Payments (State Funds)	88,871,217	72,970,626	127,612,830	117,633,773	9,878,767	92.26%
Provider Payments (Federal Funds)	70,891,596	48,625,734	75,697,300	49,922,141	25,775,159	65.95%
Provider Payments (County Funds)	6,235,546	3,766,936	6,247,282	5,179,076	1,068,207	82.90%
Provider Payments (Medicaid)	651,199,204	665,473,221	1,323,272,509	1,355,165,767	(31,893,258)	102.41%
Permanent Supported Housing and Back at Home Payments	930,606	928,488	1,607,476	667,232	49,244	55.91%
TOTAL EXPENDITURES	993,080,105	955,829,581	1,765,176,654	1,729,899,225	35,279,429	98.00%
Net Income or (Loss) (from Operations and Risk Reserve)		8,817,120		3,333,716		
Less Risk Reserve Revenue		(7,035,102)		-		
NET INCOME OR (LOSS) FROM OPERATIONS		1,782,018		3,333,716		
2. FUND BALANCE						
Restricted FB for Risk Reserve		113,042,171		-		
Restricted FB-State Statute, Ppdc & Investment in Fixed Assets, in Lieu of Risk Corridor		77,323,998		111,019,430		
Unrestricted FB (Including Board Commitments)		(15,066,212)		84,840,827		
TOTAL FUND BALANCE		175,299,957		195,860,257		
3. CURRENT CASH POSITION						
Current Cash and Investments				257,207,083		
4. ESTIMATED SERVICES INCURRED BUT NOT REPORTED/PAID (BNR)				54,157,700		

Motion: I move that the Board of Commissioners approve the Vaya Health Fiscal Monitoring Report for the quarter ended June 30, 2025.

HCPS Needs-Based Public School Capital Fund Grant Application

Henderson County Public Schools (HCPS) requested that Henderson County partner in applying for a Needs-Based Public School Capital Fund Grant to replace part of the Rugby Middle School HVAC System.

The total grant funding requested is \$397,500 for the project, which is estimated to cost \$530,000. A local match of 25% is required, \$132,500, and is anticipated to be expended from Maintenance, Repair, Technology, and Security (MRTS) funding allocated to HCPS, as appropriate.

Motion: I move that the Henderson County Board of Commissioners approve and execute the Henderson County Public Schools Needs-Based Public School Capital Fund 2025-2026 Grant Application.

2025.159 Grant Project Resolution – NC Department of Environmental Quality

Staff was pursuing grant funding for the design of the Etowah Sewer System. The North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure requires a resolution for their Fall 2025 grant application, due September 30. Any grant funding awarded by NCDEQ, up to \$500,000, will be used to advertise and contract for the design of the Etowah Sewer System.

Motion: I move that the Board approve the project resolution required for the Division of Water Infrastructure Fall 2025 grant application to fund the design of the Etowah Sewer system.

Correction of Motion – September 2, 2025

On September 2, 2025, the Board authorized the County Engineer to execute an agreement with WithersRavenel, Inc. to perform services utilizing the Asset Inventory and Assessment Grant (AIA) Grant for the Etowah Sewer System.

The amount set out in the Suggested Motion to the Board, as well as the amount approved by the

Approved: October 6, 2025

Board, was \$177,000. The correct total award (shown on the documents attached to the Request for Board Action) was \$177,750.

Motion: I move the Board amend the minutes of its September 2, 2025, meeting to show a contract award to WithersRavenel, Inc. of \$177,750.

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

PUBLIC HEARINGS

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

2025.160 Close an Unopened 40 Foot Right-of-Way

Planning and Property Addressing staff received a petition to close a 40-foot unopened right-of-way. Under North Carolina General Statute (NCGS) 153A-241, counties have the power to close any public road or easement not within a city, except public roads or easements for public roads under the control of the Department of Transportation.

To close any road, the Board must:

- Vote to adopt a resolution declaring its intent to close the public road or easement.
- Call and notice a public hearing on closing the road or easement, with notice “reasonably calculated to give full and fair disclosure of the proposed closing to be published once a week for three successive weeks before the hearing, a copy of the resolution to be sent by registered or certified mail to each owner as shown on the county tax records of property adjoining the public road or easement who did not join in the request to have the road or easement closed, and a notice of the closing and public hearing to be prominently posted in at least two places along the road or easement”.
- Hold the public hearing, where the Board must “hear all interested persons who appear with respect to whether the closing would be detrimental to the public interest or to any individual property rights”.
- Then, if the Board “is satisfied that closing the public road or easement is not contrary to the public interest and (in the case of a road) that no individual owning property in the vicinity of the road or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the Board may adopt an order closing the road or easement”.
- File a copy of the Board’s order with the Register of Deeds.

The Board approved a Resolution of Intent to close the ROW and to hold a public hearing on this ROW closure at its September 2nd, 2025, meeting.

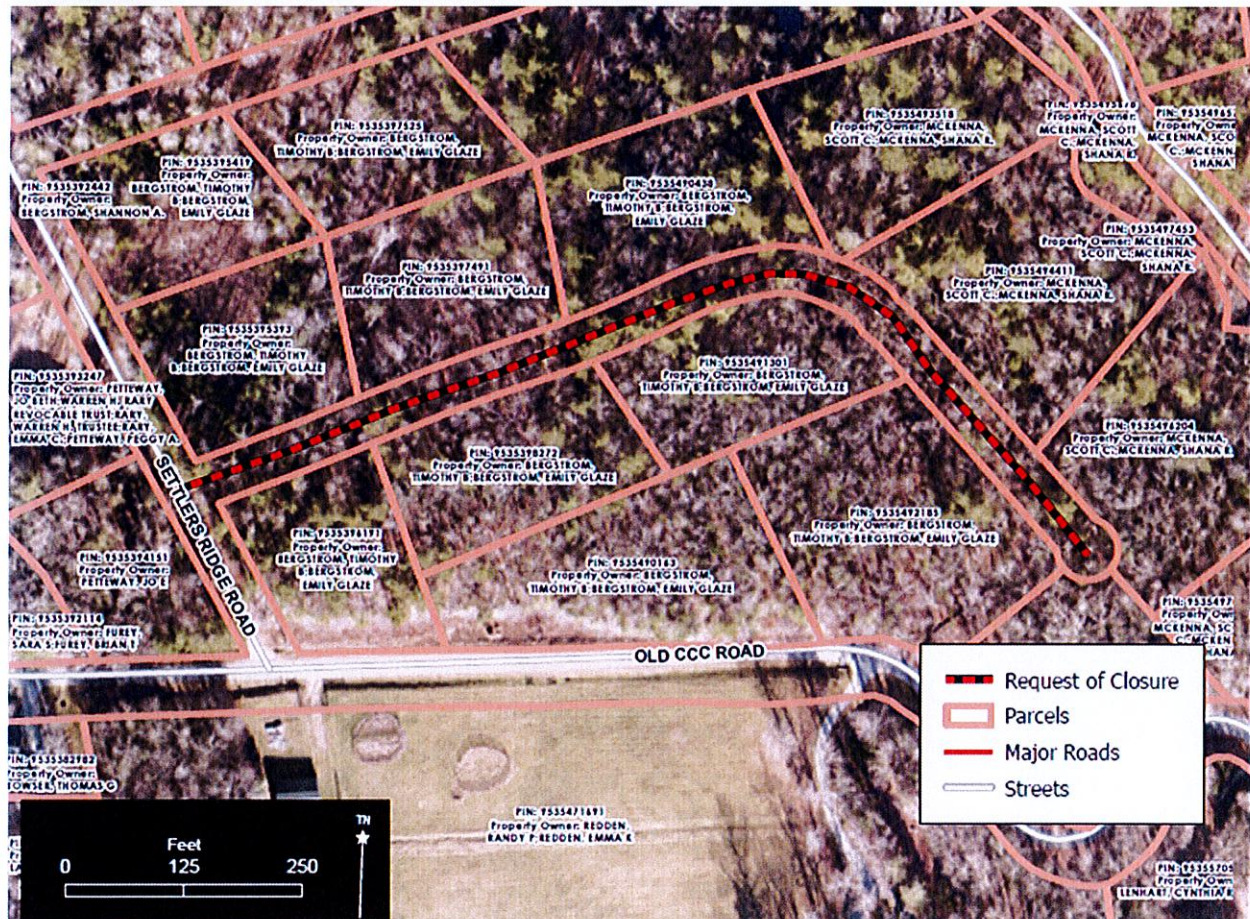
PUBLIC NOTICE:

Approved: October 6, 2025

The public hearing notice was advertised in the Hendersonville Lightning on September 3, 2025, September 10, 2025, and September 17, 2025. Notices of the hearing were mailed on August 18th, 2025, to the adjacent property owners.

Application Summary

- Request submitted to close a unopened portion of 40 ft ROW off Settlers Ridge Rd
- Petitioner is Dallas Ducote on behalf of the adjacent property owners
- On September 2nd, BOC approved resolution of intention to close ROW and set a public hearing
- Public notice of the hearing was given
 - Notice in the Hendersonville Lightning on September 03, 2025, September 10, 2025, and September 17, 2025.
 - Notice to adjacent property owners was mailed on August 18th.
 - Notice posted on the property on September 5th



Public Input: There was none.

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

Approved: October 6, 2025

Vice-Chair Edney made the motion that the Board approve the right-of-way closure for an unopened 40-foot right-of-way and sign the Order of Closure. All voted in favor, and the motion carried.

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

2025.161 Rezoning Application #R-2025-08, Vulcan ETJ

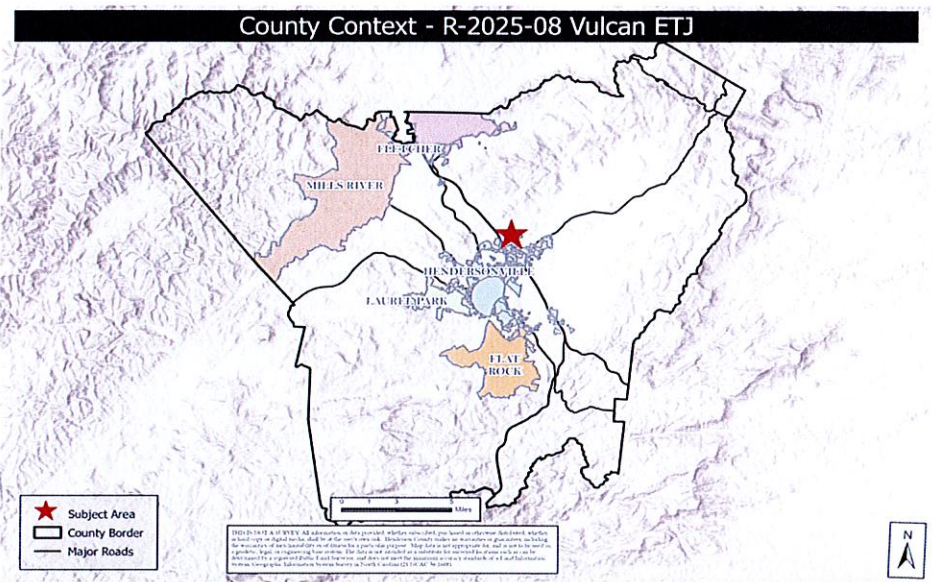
The zoning map amendment, application #R-2025-08, pertains to a portion of PINs 9670-03-8082 and 9670-12-8754, which Vulcan Lands, Inc. owns. The subject area is located off Clear Creek Rd and Nix Rd. The parent parcels are currently split zoned between the City of Hendersonville and the County. The owner has requested the 16.12-acre portion of the property in the City of Hendersonville's Extra-territorial Jurisdiction (ETJ) be removed. The City of Hendersonville recently processed and approved this request. Planning Staff initiated the application on July 28, 2025, to rezone approximately 16.12 acres of land and to regulate via the County's Land Development Code.

The Technical Review Committee (TRC) reviewed this application during its meeting on August 19, 2025, and voted to forward it to the Planning Board. The Planning Board held a public meeting on August 21, 2025, and voted to send forward a favorable recommendation to the Board of Commissioners.

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 September 17, 2025, public hearing regarding rezoning application #R-2025-08 was published in the Hendersonville Lightning on September 3, 2025, and September 10, 2025. The Planning Department sent notices of the hearing via first-class mail to the property owners within 400 feet of the Subject Area on September 3, 2025, and posted signs advertising the hearing on September 4, 2025.

- Rezoning Application #R-2025-08 , was initiated by Planning Staff on July 28, 2025, to rezone approximately 16.12 acres of land within the City's ETJ to Henderson County's Industrial (I) zoning district
- Portion of PINs: 9670-03-8082 & 9670-12-8754
- Subject area is currently zoned COH R-15 and COH C-3
- Access from Clear Creek Rd and Nix Rd
- Owners: Vulcan Lands, Inc.
- Agent: Denise Hallet

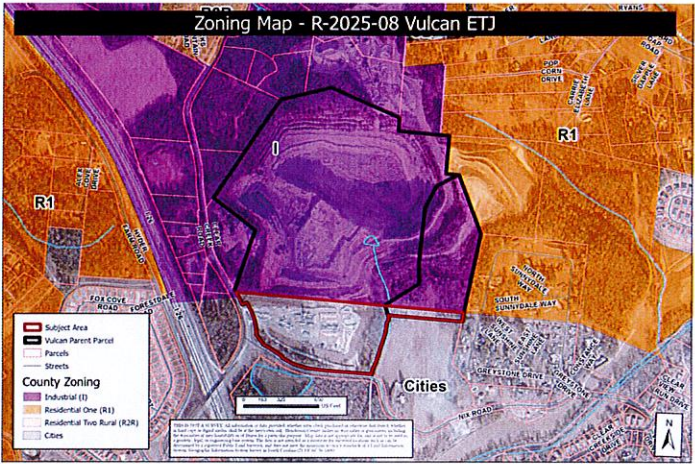


Property Owner: Vulcan Lands, Inc. (Represented by: Denise Hallett & Tom Terrell)
Subject Area Acreage: 16.12 Acres / Portion of PINs: 9670-12-8754 & 9670-03-8082
Requested Zoning: Henderson County Industrial (I) Zoning District

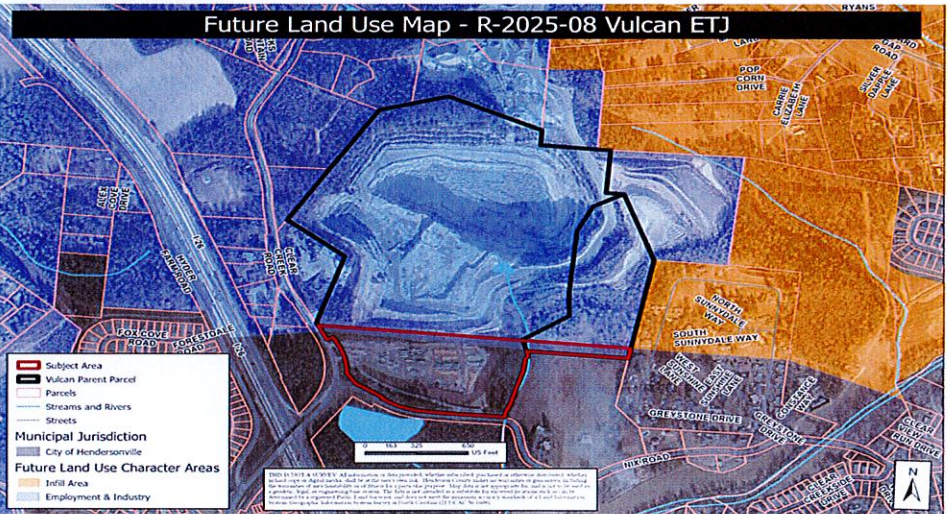


Current Zoning:
COH C-3 (Highway Business) & COH R-15 (Medium Density Residential)

Requested Zoning:
Henderson County Industrial (I) Zoning District



Property Owner: Vulcan Lands, Inc. (Represented by: Denise Hallett & Tom Terrell)
Subject Area Acreage: 16.12 Acres / Portion of PINs: 9670-12-8754 & 9670-03-8082
Requested Zoning: Henderson County Industrial (I) Zoning District



Property Owner: Vulcan Lands, Inc. (Represented by: Denise Hallett & Tom Terrell)
Subject Area Acreage: 16.12 Acres / Portion of PINs: 9670-12-8754 & 9670-03-8082
Requested Zoning: Henderson County Industrial (I) Zoning District



2045 COMPREHENSIVE PLAN FUTURE LAND USE CHARACTER AREAS

FLUM Character Areas:

Employment and Industry: "Employment and Industry areas offer job-generation, site-ready parks, accessible road networks, and utilities. Industries come in many different forms including manufacturing, agriculture, distribution, office, research and development (R&D) etc. The design of development sites in these areas should be tailored to be compatible with other nearby uses."

Note: Planning Staff recommends extending the Employment & Industry Character Area onto the subject area if the rezoning request is approved.

2045 COMPREHENSIVE PLAN

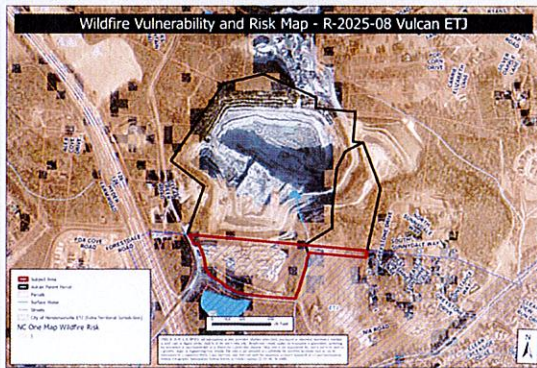
Plan Outcomes & Goals

- Goal 6: Stimulate innovative economic development initiatives, entrepreneurship, and local businesses.
- Industrial (I) zoning helps accomplish Goal 6 of the 245 Plan. The I zoning district's primary goal is to promote economic growth and support the existing local business

Utilities Map - R-2025-08 Vulcan ETJ

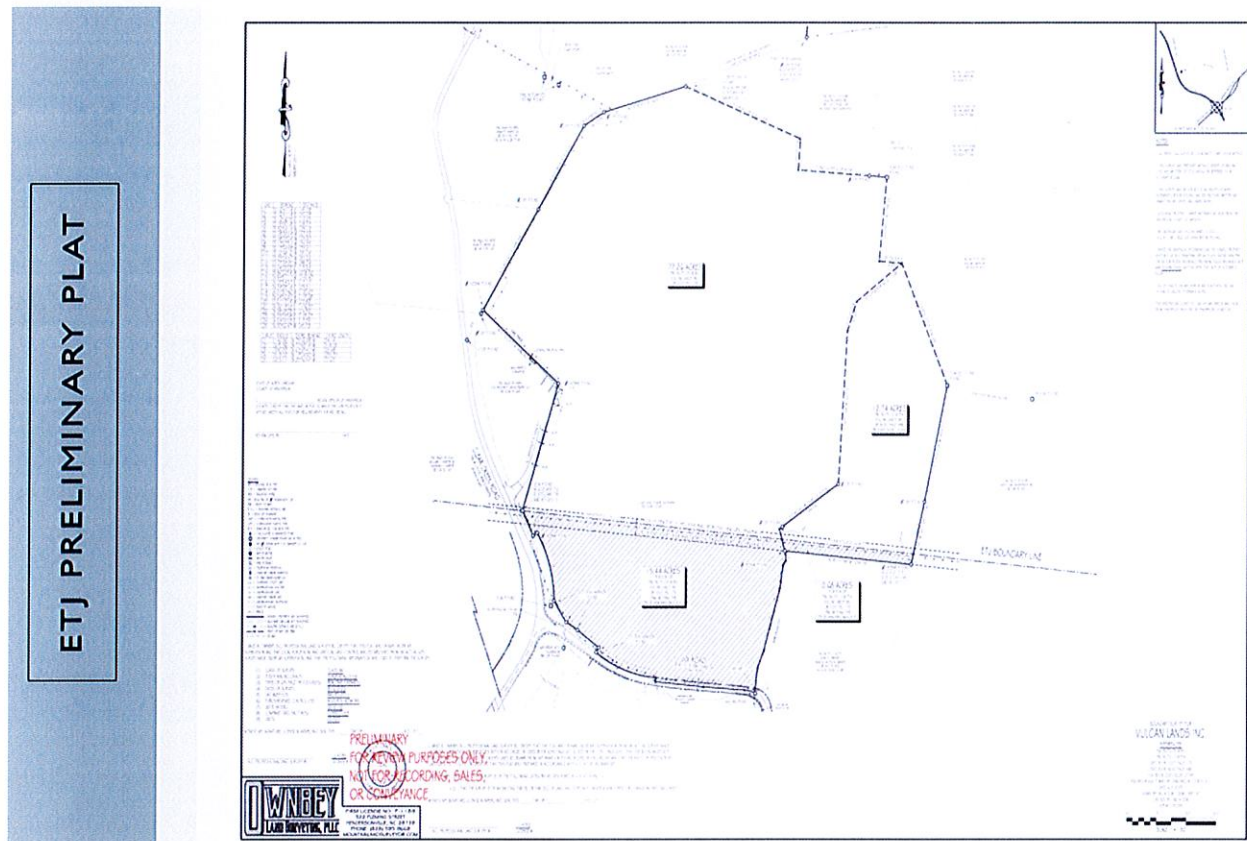


ACCELADAPT



Property Owner: Vulcan Lands, Inc. (Represented by: Denise Hallett & Tom Terrell)
Subject Area Acreage: 16.12 Acres / Portion of PINs: 9670-12-8754 & 9670-03-8082
Requested Zoning: Henderson County Industrial (I) Zoning District

Property Owner: Vulcan Lands, Inc. (Represented by: Denise Hallett & Tom Terrell)
Subject Area Acreage: 16.12 Acres / Portion of PINs: 9670-12-8754 & 9670-03-8082
Requested Zoning: Henderson County Industrial (I) Zoning District



REVIEW PROCESS

- TRC reviewed the application on August 19, 2025
 - The TRC forwarded the application to the Planning Board
- Planning Board reviewed the application August 21, 2025
 - The Planning Board voted unanimously to forward a favorable recommendation to the Board of Commissioners
- A 2045 Comprehensive Plan Statement is included as an attachment

Public Input: There was none.

Chairman Lapsley made the motion to go out of the public hearing. All voted in favor, and the motion carried.

Vice-Chair Edney made the motion that the Board approve rezoning application #R-2025-08 to rezone the Subject Area to an Industrial (I) zoning district with the 2045 Comprehensive Plan Statement based on the recommendations of the 2045 Comprehensive Plan. All voted in favor, and the motion carried.

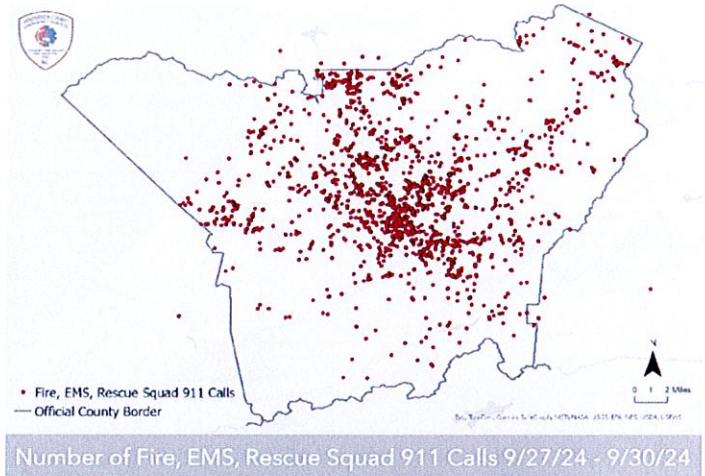
Approved: October 6, 2025

DISCUSSION

A. Hurricane Helene Update

Calls for Service

- ▶ During the first 24 hours of the storm the 911 center received over 4,000 phone calls.
- ▶ At one time there were over 1,000 active calls for service in the computer aided dispatch system.
- ▶ The EOC – Helene Call Center has received over 11,500 calls since September 2024.



Financial Summary to Date

Revenues:

FEMA Funding Received	\$16,532,644.16
Cash Flow Loan Net Proceeds	\$ 8,046,192.57
Donations, Unassigned	\$ 104,628.30
Insurance Proceeds	\$ 538,876.21
Interest Earned	\$ 55,690.13
Grants	\$ 25,000.00
Reimbursements	\$ 5,384.00
	<hr/>
	\$ 25,308,415.37

Expenditures:

Personnel	\$3,681,455.06
Debris Management/Monitoring	\$ 20,205,722.07
Debris Mgt/Monitoring (open invoices)	\$ 32,690,193.08
Other Disaster Response	2,757,159.97
	<hr/>
	\$59,334,530.18

Net

\$-34,026,114.81

FEMA Projects Summary - Obligated

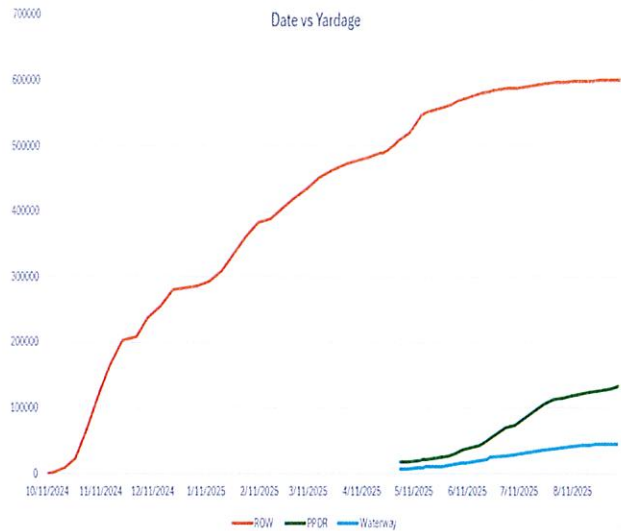
Title	Process Step	Total Cost
Expedited Funding	Obligated, Payment Received	\$15,224,300
United Way	Obligated, Payment Received	\$91,277
Private Property Debris Removal	Obligated, Payment Received	\$78,048.30

Total \$15,393,625.30

Approved: October 6, 2025

Debris Collection

- ▶ Total Days of Debris Removal Operations: 331
- ▶ Cubic Yards of Debris Removed: 998,720
- ▶ Tons of Debris Removed: 65,269 (or 22,000 elephants)
- ▶ Approximately 1,157 waterway debris sites have been identified by County staff and are awaiting FEMA approval.



Private Property Debris Removal

- ▶ A total of 1,839 applications were received.
 - ▶ 767 Completed or 42%
- ▶ County is working diligently with FEMA, NC Emergency Management and associated contractors for continued long-term success of the program.



Hazard Mitigation Grant Program

- ▶ 131 applications submitted for landslide stabilization.
 - ▶ 6 Acquisitions
 - ▶ 54 Stabilizations
- ▶ 87 flooding/landslide acquisition applications now submitted to FEMA for review.



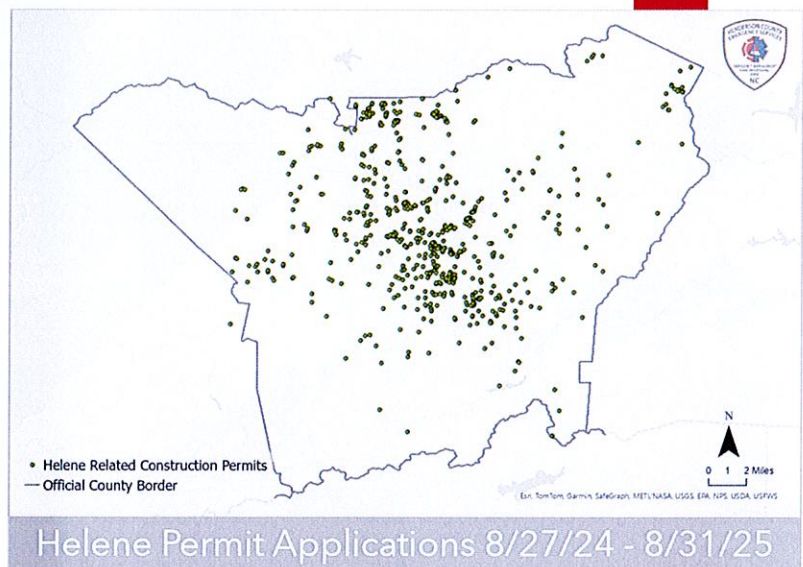
Roadway Repairs

- ▶ According to North Carolina Department of Transportation, 425 miles of roadway have been repaired in Henderson County since the storm.
- ▶ This is the distance from Hendersonville, NC to Gettysburg National Military Park!
- ▶ Repairs continue throughout the county including the coordination of efforts in the Hickory Nut Gorge.



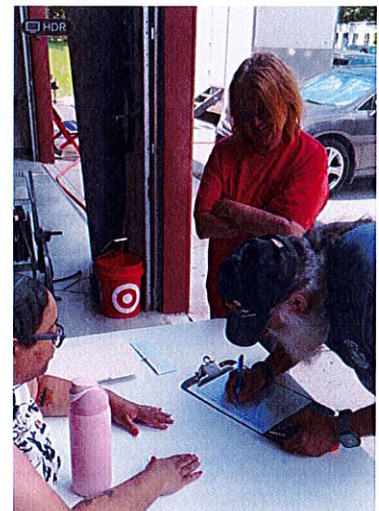
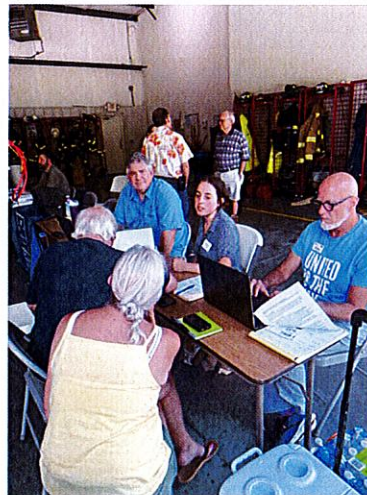
Repairing and Rebuilding

- ▶ In the aftermath of the storm the County conducted 59,400 damage assessments.
 - ▶ 1,400 were majorly damaged
 - ▶ 1,700 incurred minor damage
 - ▶ 288 were destroyed
- ▶ From October 2024 – August 2024 the County has issued 722 permits for building repairs and demolitions specifically related to Hurricane Helene.
- ▶ Almost 300 Certificate of Occupancies have been provided to residents.



Community Partnerships

- ▶ Henderson County is partnering with the Disaster Recovery Partnership for long-term recovery needs.
- ▶ The Disaster Recovery Partnership is a coalition of 50-member nonprofit organizations which fill with gap in resident needs.
- ▶ Additionally, over 500 residents have visited the Multi Agency Resource Center hosted at the VFW.



B. Construction Projects Update

Bryan Rhodes and Chris Todd provided the Board with an update on construction projects throughout Henderson County.

BRCC MRTS Projects – Programming is underway for the Facilities Building. Henderson County staff, BRCC, and the design team are collaborating to address the City of Hendersonville's utility extension requirements, ensuring the selected site is suitable for new construction.

Henderson County Public Schools MRTS Projects

- Tarheel Paving is the contractor for multiple paving improvement projects. Work is planned at Hendersonville Elementary, Glenn Marlow, Fletcher Elementary, Clear Creek Elementary, Apple Valley, and Flat Rock Middle, with all improvements scheduled for completion by the end of September.
- Bonitz Roofing is the contractor for multiple roofing projects. Work is planned for West and East Henderson High Schools.
- Johnson Controls is the contractor for HVAC projects at Apple Valley, Flat Rock, Hendersonville Middle, North Henderson High, West Henderson High, and Rugby Middle.

Henderson County Capital Projects

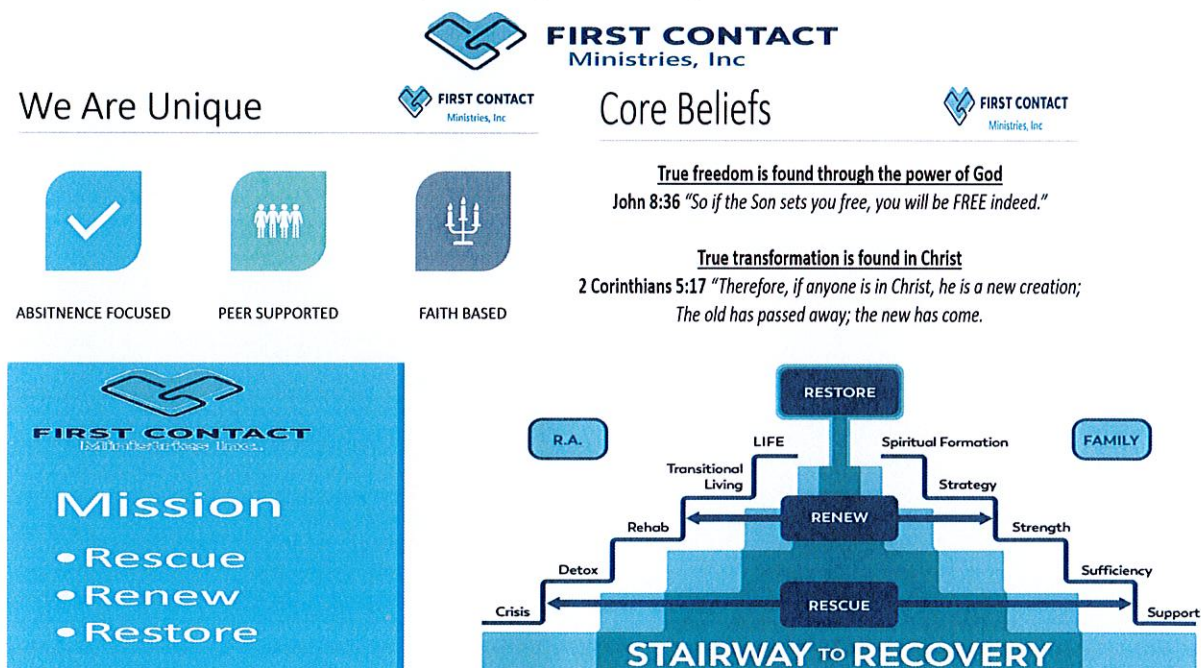
Mr. Rhodes provided updates on the schedules for the Medical Office Building at the Spartanburg Highway location, the JCAR Courts, and the Sports Complex.


Henderson County Public Schools Bus Garage

- RFQ architect launched September 3rd.
- The architect selection committee will meet on September 24th.
- Selected architectural firm presented for approval on October 15th.

C. Nonprofit Update

Funded nonprofit organizations provide operational updates.





Our Purpose:


To reach and help as many individuals as we can

Treatment

Transitional Living (substance free housing)

Re-Assimilation Into the Community (substance free communities)

Reunite With the Family



We Provide the Following Services:

Navigation: 1000 Organization data-base

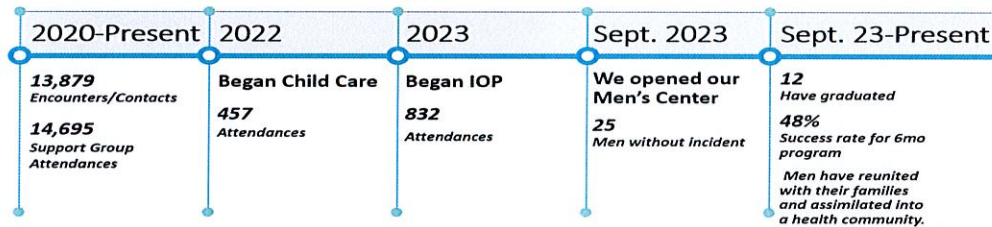
Both peer and professional Counseling

Support groups – recovering addicts and family members

Intensive out-patient and aftercare services

Men's recovery center

Transitional living

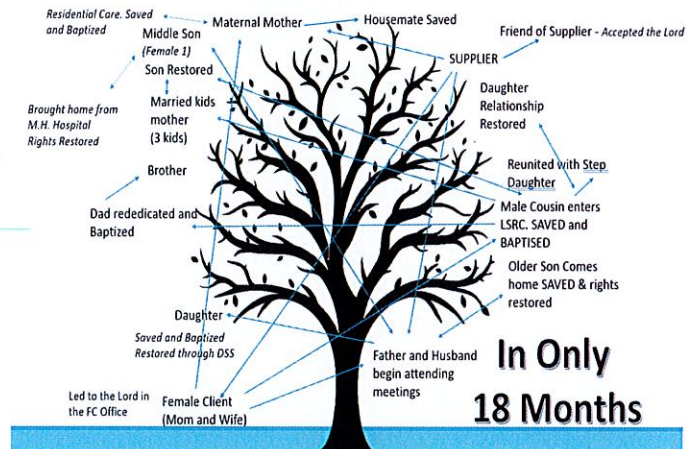


Evidence

One Family Tree



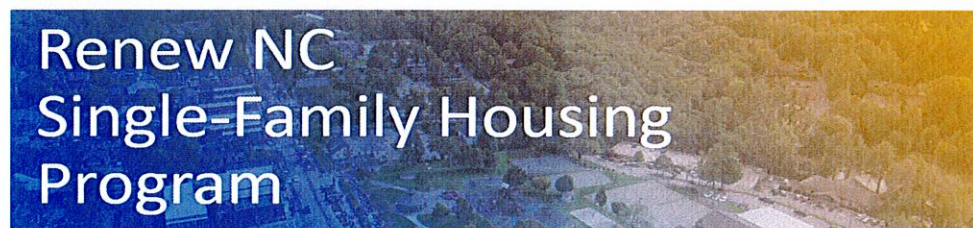
First Contact Ministries Inc.



Renew NC Single Family Housing Program

(This item was moved up in the meeting due to time constraints of the presenter.)

Stephanie McGarrah, Deputy Secretary for Community Revitalization within the North Carolina Department of Commerce, provided a presentation on Renew NC's Single Family Housing Program.



Stephanie McGarrah, Deputy Secretary
Division of Community Revitalization



Approved: October 6, 2025

CDBG-DR ALLOCATION BREAKDOWN



- \$807M: Single-Family Housing Program
- \$191M: Multi-Family Housing Program
- \$53M: Workforce Housing for Ownership



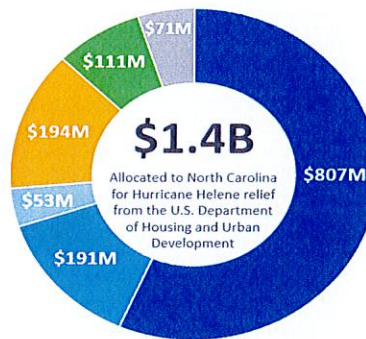
- \$194M: Community Infrastructure Program



- \$111M: Economic Revitalization Program



- \$71M: Administration



HUD REQUIREMENTS

- HUD identifies Most Impacted and Distressed (MID) areas for the grantees & requires that at least 80% of the CDBG-DR funds are spent in these areas
- HUD requires that at least 70% of CDBG-DR funds must benefit Low to Moderate Income (LMI) households and communities
- An action plan outlines the proposed use of Community Development Block Grant – Disaster Recovery (CDBG-DR) funds
- Grantee must comply with federal laws – procurement, environmental, housing, etc.

HUD and STATE MID AREAS



RENEW NC SINGLE-FAMILY HOUSING PROGRAM

INTRODUCTION

Program Mission

The Renew NC Single-Family Housing Program is North Carolina's long-term disaster recovery effort to address remaining unmet owner-occupied, single-family disaster recovery needs in areas impacted by Hurricane Helene by providing housing and mobile home rehabilitation, reconstruction, replacement, or, in some cases, reimbursement.



Program Administration

Renew NC is a program delivered through the North Carolina Department of Commerce Division of Community Revitalization, funded by a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) grant.



RENEW NC SINGLE-FAMILY HOUSING PROGRAM

FREQUENTLY ASKED QUESTIONS

What can the program provide applicants?

- The program seeks to repair, reconstruct, or replace Helene-damaged, owner-occupied single-family housing. It is expected that the program will mostly be reconstructing homes.

What kind of finishes will the program provide in homes it repairs or reconstructs?

- The program will be providing contract grade finishes to program houses.

A full list of Frequently Asked Questions and Answers can be found at renewnc.org/resources/.

RENEW NC SINGLE-FAMILY HOUSING PROGRAM

ELIGIBILITY CRITERIA

Applicants must meet **all** the following criteria to qualify for the program:

- ✓ The applicant must have owned the damaged property at the time of Hurricane Helene, September 27, 2024, and must still own the property.
- ✓ The applicant must have occupied the home as a primary residence at the time of Hurricane Helene, September 27, 2024.
- ✓ The property must have been damaged as a result of Hurricane Helene.
- ✓ The property must be an eligible structure type.
- ✓ The applicant must be current on their property taxes or on a payment plan in good standing.
- ✓ If there is a mortgage on the property, the mortgage must be in good standing.
- ✓ The applicant's household must qualify as low-to-moderate income, with a combined annual household income of no more than 120% of the Area Median Income, adjusted for family size.

RENEW NC SINGLE-FAMILY HOUSING PROGRAM

DOCUMENTS NEEDED TO APPLY

Required:

- Valid Photo ID
- Proof of Citizenship or Immigration Status
- Income Documentation
- Proof of Ownership
- Proof of Primary Residence
- Proof of Damage
- Benefit Information from Other Recovery Sources

Required if Applicable:

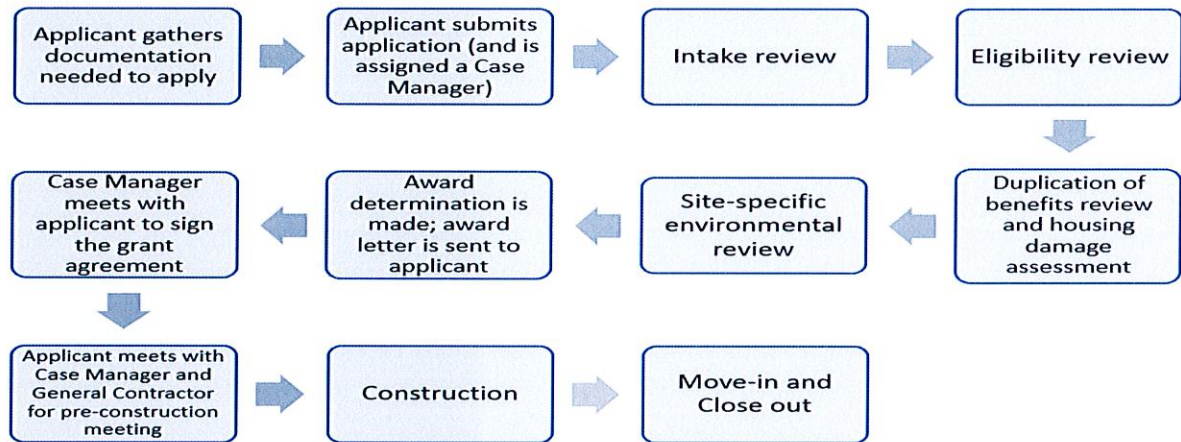
- Proof of Insurance for Damaged Property
- Proof of Disability
- Power of Attorney/Communication Designee

Why do I need to provide income information for the program?

This is a federal requirement of CDBG-DR funding from HUD.

RENEW NC SINGLE-FAMILY HOUSING PROGRAM

APPLICANT PROCESS OVERVIEW



RENEW NC SINGLE-FAMILY HOUSING PROGRAM

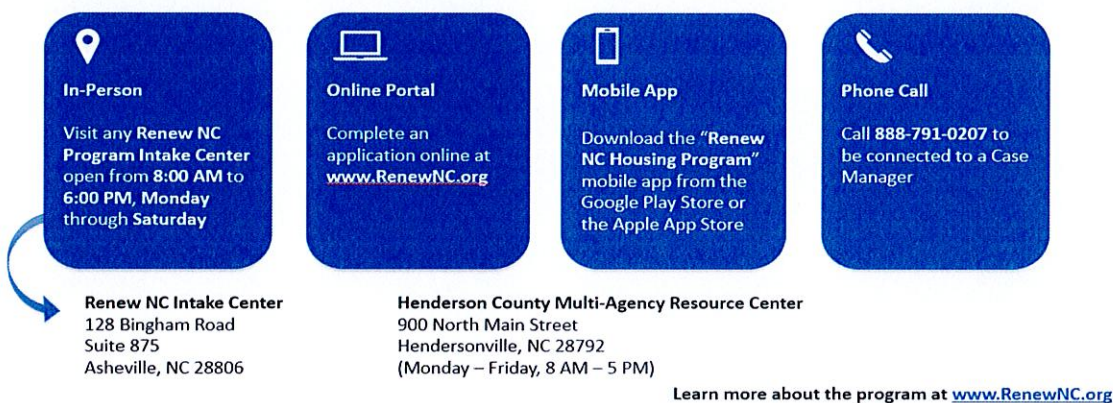
HENDERSON COUNTY APPLICATIONS

As of September 16, 2025:




RENEW NC SINGLE-FAMILY HOUSING PROGRAM

APPLY BY DECEMBER 31, 2025



RENEW NC UPCOMING PROGRAMS

Program and Anticipated Timeline	Award Range	Description	Applicants	Locations	<div> <div>HUD MID</div> <div>State MID</div> </div>
Multi-Family Housing Program (October 2025)	Small projects: \$250K - \$1.5M Large projects: \$500K - \$15M	Competitive grant funding to support reconstruction, rehabilitation or construction of affordable rental housing	Private developers, local governments, public or non-profit organizations, and CHDOs/CBDOs		HUD & State MID areas
Workforce Housing for Ownership (Early 2026)	\$2M - \$5M	Competitive grant funding for development and construction of units for purchase by LMI (low to moderate income) households	Local governments, public, private, or nonprofit organizations, and CHDOs/CBDOs		HUD MID areas only
Economic Revitalization Program (November 2025)	\$500K - \$10M	Grant funding to support revitalization activities (e.g., rehabilitation of commercial structures, small business locations) in impacted commercial areas	Local governments and non-profit organizations		HUD & State MID areas
Community Infrastructure Program (November 2025)	\$500K - \$15M	Competitive grant funding for infrastructure projects that will help Helene impacted communities become more resilient to natural hazards	Local governments		HUD & State MID areas

Housing Assistance Chief Executive Officer Meg Lebeck provided the following presentation to the Board.



10 funds supporting Henderson County residents

20 clients year-to-date

4 households served by County grant funding



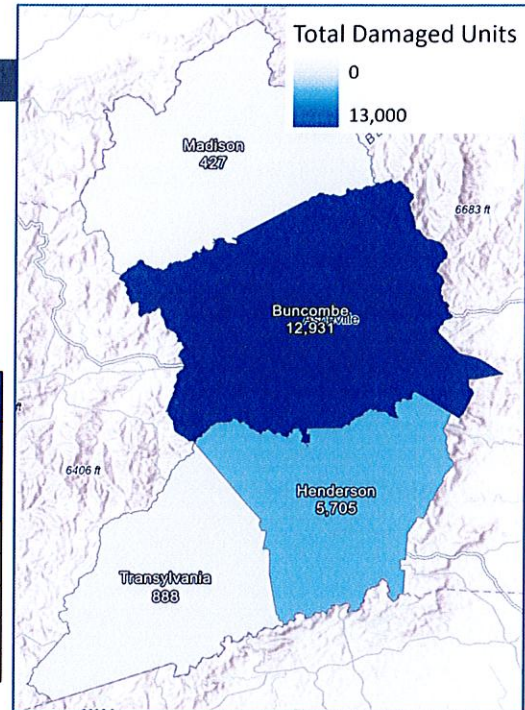
Approved: October 6, 2025

Natural Disaster Impact

Of the **19,951 housing units** that were damaged due to Tropical Storm Helene in September 2024, **nearly two-thirds (64.8%)** were located in **Buncombe County** and **over quarter (28.6%)** were within **Henderson County**. The **vast majority (85.9%)** of the region's **damaged units were owner occupied**.

County	Owner-Occupied Damaged Units	Share of Damaged Units	Renter-Occupied Damaged Units	Share of Damaged Units	Total Damaged Units
Buncombe	11,070	85.6%	1,861	14.4%	12,931
Henderson	4,933	86.5%	772	13.5%	5,705
Madison	357	83.6%	70	16.4%	427
Transylvania	774	87.2%	114	12.8%	888
Region	17,134	85.9%	2,817	14.1%	19,951

Source: FEMA



DISASTER RESPONSE

177 on waitlist

7 new applications

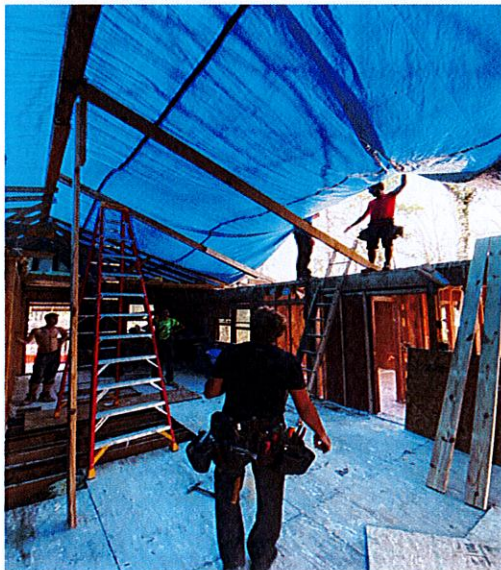
20 repair projects in progress

2 complete rebuilds underway

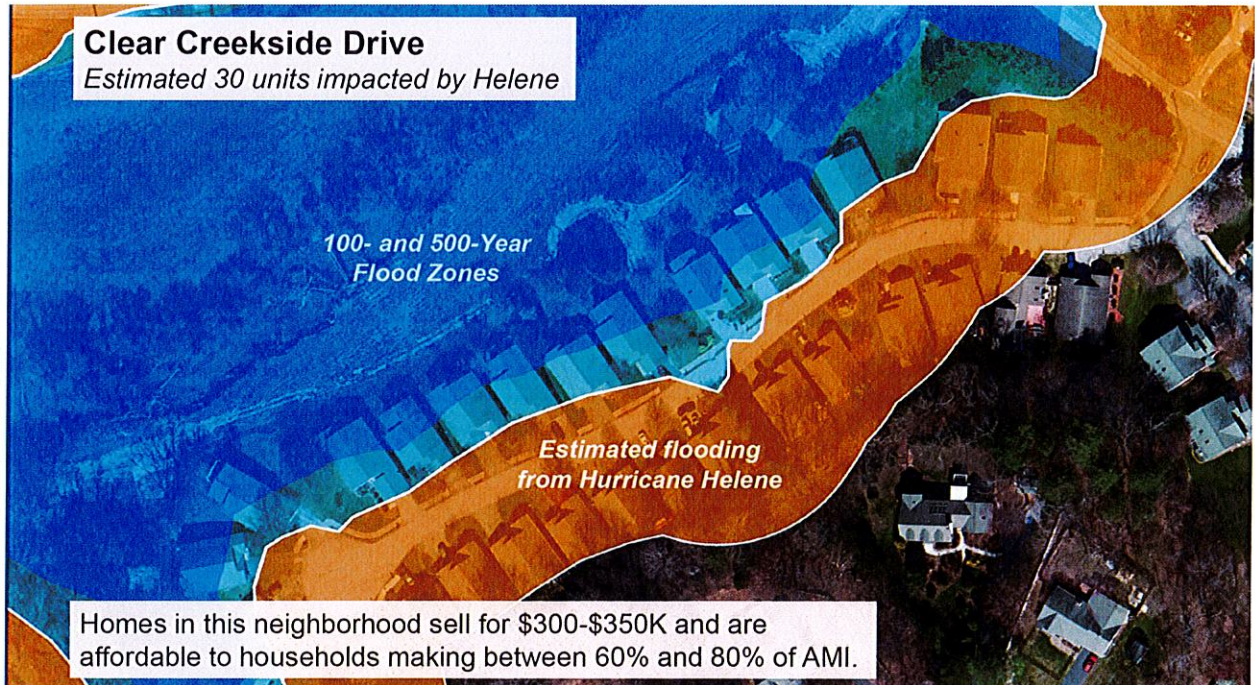
14 total projects closed

672 volunteer hours logged this month

Hired an additional case manager



Approved: October 6, 2025



An estimated 5,700 housing units are in the Henderson County pipeline

Type	For Sale	For Rent
Affordable	169	163
Market Rate	3,066	2,333
Total	3,235	2,496
% in Hendersonville	35%	83%



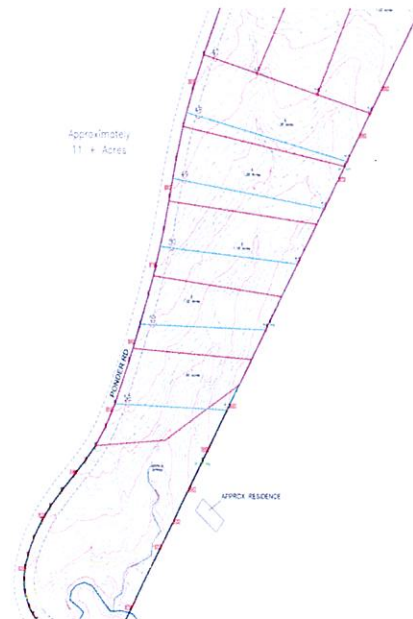
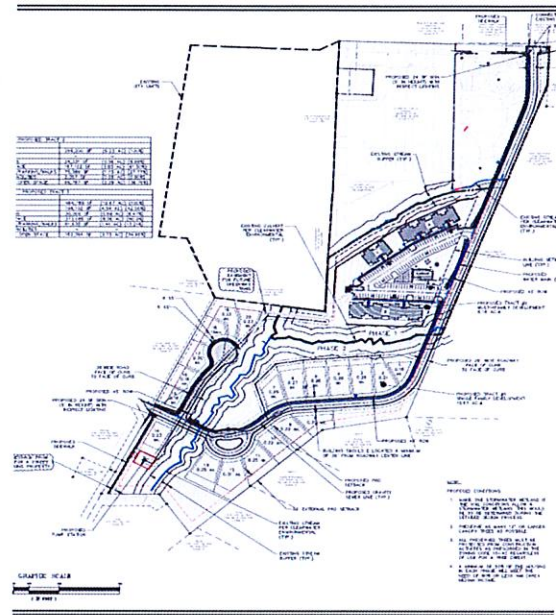
Cantrell Hills

Affordable at households earning 130% AMI or \$110,000
\$450,000+ / 3-bedroom

Source: Henderson County Planning Department & Hendersonville Housing Dashboard.
Projects recently completed, under construction, entitled, or in pre-entitlement.



APPLE RIDGE



Development agreements with municipalities, conditional zoning, soft loans from DAFs for land acquisition

NOMINATIONS AND APPOINTMENTS

1. Cemetery Advisory Committee – 4 vacs.

Commissioner McCall made the motion to nominate Warren Scott for reappointment to Seat #1, Jennie Giles for reappointment to Seat #2, Jay Jackson for reappointment to Seat #3, and Ernest McCall for reappointment to Seat #4. All voted in favor, and the motion carried.

Approved: October 6, 2025

2. Fletcher Planning and Zoning Board of Adjustment – 1 vac

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

3. Hendersonville City Zoning Board of Adjustment – 2 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. Jury Commission – 1 vac.

Commissioner Franklin made the motion to nominate Joseph Guy for appointment to Seat #1. All voted in favor, and the motion carried.

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

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

7. Library Board of Trustees – 1 vac

Commissioner Franklin made the motion to nominate Bonnie Mangold for appointment to Seat #3. All voted in favor, and the motion carried.

8. Nursing/Adult Care Home Community Advisory Committee – 13 vacs.

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

COMMISSIONER UPDATES

The only update was from Commissioner McCall, who noted that the NCDOT litter sweep was the week of September 13-27.

GENERAL ASSEMBLY UPDATE

Mr. Mitchell provided a brief update on the General Assembly.

COUNTY MANAGER'S REPORT

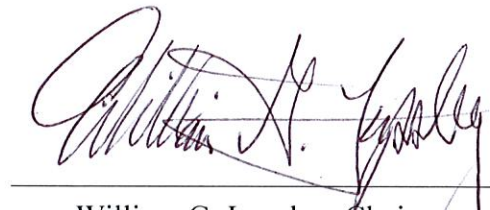
Mr. Mitchell thanked Jimmy Brissie for organizing the September 11th ceremony and asked Mike Morgan to review plans for the one-year anniversary of Hurricane Helene. Mr. Morgan reported that on September 27th, the county will hold a noon moment of silence followed by twelve bell tolls from the courthouse dome to honor the citizens who lost their lives in the storm.

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

ADJOURN



Denisa A. Lauffer, Clerk to the Board



William G. Lapsley, Chairman

Enactments

Wednesday, September 17, 2025 – Board of Commissioners Meeting

2025.157 Resolution - We are Hope Week

2025.158 Resolution – Charles James Kirk

2025.159 Grant – NC Arts Council Grassroots Program

2025.160 Grant Project Resolution – NC Department of Environmental Quality

2025.161 Close an Unopened 40 Foot Right-of-Way

2025.162 Rezoning Application #R-2025-08, Vulcan ETJ

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

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



Rebecca K. McCall
Sheila W. Franklin
J. Jay Egolf

RESOLUTION – HONORING THE OBSERVANCE OF “WE ARE HOPE” WEEK IN HENDERSON COUNTY PUBLIC SCHOOLS’ MIDDLE AND HIGH SCHOOLS

WHEREAS, Substance and alcohol misuse adversely affects the brain, liver, heart, and overall health and can cause adverse behavioral, psychological, social and fatal consequences; and

WHEREAS, there were more than 83,300 drug overdose deaths in the United States in 2024, and the overall trend since 2018 is marked by a sharp rise, driven largely by synthetic opioids like fentanyl; and

WHEREAS, substance and alcohol abuse continue to occur among children and youth in our society: with overall usage among youth declining during the last 10 years due to education and prevention efforts; and

WHEREAS, student leaders in Henderson County Public Schools’ six high schools and four middle schools have joined with local Henderson County Hope Coalition in educating their peers on alcohol, tobacco, marijuana and prescription drug use and misuse; and

WHEREAS, students at Apple Valley Middle, Flat Rock Middle, Hendersonville Middle, Rugby Middle, East Henderson High, Innovative High School, Henderson County Career Academy, Hendersonville High, North Henderson High, and West Henderson High are pledging to be and remain substance-free.

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners, that September 22nd, 2025 – September 26th, 2025 be observed in Henderson County Public Schools’ middle and high schools as “We Are Hope” substance abuse prevention week.

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

Adopted this the 17th day of September 2025.

WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

DENISA 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 W. Franklin
J. Jay Egolf

RESOLUTION OF MEMORIAM

Charles James Kirk

October 14, 1993 – September 10, 2025

WHEREAS, On September 10, 2025, Charles James Kirk (“Charlie Kirk”) was publicly assassinated at Utah Valley University while speaking at an event; and

WHEREAS, Charlie Kirk built his mission on the cornerstone of the belief that political discourse is best when it is open, civil, and rooted in the First Amendment; and

WHEREAS, Charlie Kirk was dedicated to fostering an environment for open debate and dialogue on some of the toughest issues facing American politics; and

WHEREAS, The Henderson County Board of Commissioners proudly uphold the First Amendment and believe that exercising that right should come without risk of death or injury; and

WHEREAS, The United States of America was founded upon the universal truths that men are endowed with certain unalienable rights, among which are life, liberty, and the pursuit of happiness.

NOW, THEREFORE, BE IT RESOLVED that Charles James Kirk will be remembered for his dedication to pursuing open dialogue in a world of polarized politics. The Board of Commissioners reaffirms its commitment to the First Amendment and the rights of all Americans to peacefully assemble and to express their political views and opinions without fear of violence.

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

ADOPTED this 17th day of September 2025.

ATTEST:


DENISA A. LAUFFER, CLERK TO THE BOARD


WILLIAM LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: September 17, 2025

SUBJECT: Grant - North Carolina Arts Council Grassroots Arts Program

PRESENTER: Emily Kanipe, Grants Administrator

ATTACHMENTS: Yes

1. Budget Amendment
2. Grant Contract

SUMMARY OF REQUEST:

Attached for the Board's review and approval is a grant contract and related budget amendment for the North Carolina Arts Council's Grassroots Art Program. Henderson County is acting as a pass-through entity for these funds, totaling \$80,837. With the Board's approval, Henderson County will accept the grant funds from the North Carolina Arts Council, serve as a member on the awardee selection committee, draft grant contracts for each awardee and disburse all grant funds to the organizations selected by the committee. The Grant Administrator will ensure subgrantees meet North Carolina Arts Council reporting requirements and submit the grant's final report.

BOARD ACTION REQUESTED:

The Board is requested to consider approving the contract from the North Carolina Arts Council's Grassroots Art Program and the associated budget amendment to act as a pass-through agency for grant funds to be disbursed to selected Henderson County art programs.

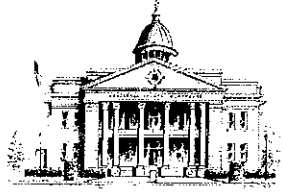
Suggested Motion:

I move that the Board of Commissioners approve the grant contract with the North Carolina Arts Council for the Grassroots Art Program and the associated budget amendment as presented.

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

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



Rebecca K. McCall
Sheila W. Franklin
J. Jay Egolf

PROJECT RESOLUTION NC DEPARTMENT OF ENVIRONMENTAL QUALITY ETOWAH SEWER SYSTEM DESIGN

WHEREAS, Henderson County has need for and intends to construct, plan for, or conduct a study in a project described the design of the Etowah Sewer System Wastewater Treatment Plant, and

WHEREAS, Henderson County intends to request State loan and/or grant assistance for the project,

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners that Henderson County, the applicant, will arrange financing for any remaining costs of the project, if approved for a state loan and/or grant award.

That the applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the any repayment of all principal and interest on the debt.

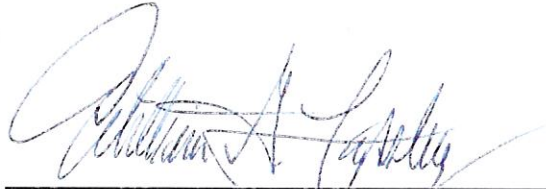
That the Henderson County Board of Commissioners agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the County to make a scheduled repayment of the loan, to withhold from the County any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That John Mitchell is an Authorized Representative, and successors so titled, is hereby authorized to execute any agreements and Emily Kanipe, Grants Administrator is an Authorized Representative and successors so titled, is hereby authorized to file an application on behalf of the applicant with the State of North Carolina for a loan and/or grant to aid in the design of the sewer system.

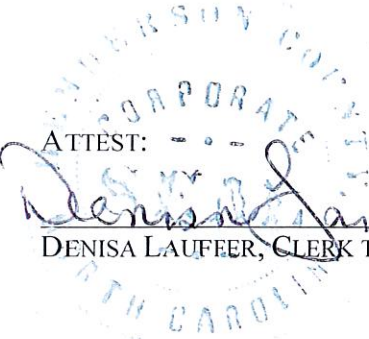
That the applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.


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

Adopted this, the 17th day of September 2025.



WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS



ATTEST: - - -


DENISA LAFEER, CLERK TO THE BOARD



**Henderson County
North Carolina**

BOARD OF COMMISSIONER ENACTMENT 2025- 160

ORDER CLOSING AN UNOPENED 40-FOOT RIGHT-OF-WAY

THIS MATTER came on for hearing before the Henderson County Board of Commissioners at its regular September 17, 2025, meeting, pursuant to N.C. Gen. Stat. §153A-241, on the issue of closing the unopened 40-foot right-of-way and was heard by the Board after public hearing. The Board of Commissioners makes the following findings:

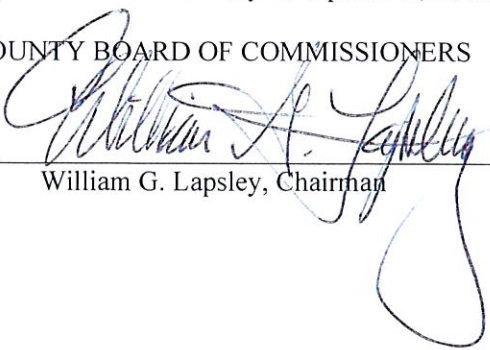
1. This matter first came before the Board of Commissioners at the Board's regular meeting on September 17, 2025, on the petition by close an unopened 40-foot right-of-way located in Henderson County.
2. At the Board's September 02, 2025, the Board adopted a resolution "declaring its intent to close" the unopened 40-foot right-of-way.
3. A map showing the area under consideration is shown on the attachment hereto, Exhibit A, (indicated by a broken red line).
4. A notice of this Board's September 17, 2025, hearing was published once a week for three successive weeks before the hearing in the *Hendersonville Lightning*, a notice of the closing and public hearing was mailed to adjacent property owners as shown on the county tax records, and a notice of the closing and public hearing to be prominently posted in at least two places along the road or easement.
5. Before the Board on September 17, 2025, the Board heard "all interested persons who appear with respect to whether the closing would be detrimental to the public interest or to any individual property rights" are required by N.C. Gen. Stat. §153A-241.
6. After such hearing, the Board is satisfied and finds:
 - A. That closing the public road or easement is not contrary to the public interest; and,
 - B. That no individual owning property in the vicinity of the road or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property.

WHEREFORE IT IS ORDERED that to close a 40-foot unopened right-of-way located in Henderson County as shown on the attached map is hereby closed. It is further ordered that a certified copy of this Order shall be filed in the office of the register of deeds of the county.

Adopted by the Board by motion duly made this the 17th day of September, 2025.

HENDERSON COUNTY BOARD OF COMMISSIONERS

By:


William G. Lapsley, Chairman

Attest:


Denisa Lauffer, Clerk to the Board

Needs-Based Public School Capital Fund

2025-26 Grant Application

Application Deadline: October 3, 2025

Rev. 8/15/2025

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

PROGRAM CRITERIA

Date: September 2, 2025

BACKGROUND

The Needs-Based Public School Capital Fund was established to assist counties with their critical public school building capital needs. Grants from the NBPSCF are funded with revenue from the NC Education Lottery. Grant funds are available to eligible counties for construction of new school buildings and additions, repairs, and renovations of existing school facilities.

APPLICATION TIMELINE

- Guidance Issued August 15, 2025
- Application Opens August 18, 2025
- Application Deadline October 3, 2025

ELIGIBILITY

Counties with an adjusted market value of taxable real property of less than \$40 billion are eligible to apply for a grant under the NBPSCF program. The list of eligible counties is published by DPI annually prior to the NBPSCF application period. The list of eligible counties for FY2025-26 is available here: [FY25-26 Eligibility](#)

Grant funds must be used only for construction of new school buildings and additions, repairs, and renovations. Grant funds cannot be used for real property acquisition or for capital improvements to administrative buildings.

PROGRAM FUNDING

Funding appropriated for NBPSCF Grant awards exceeds \$258 million for FY2025-26.

MATCHING FUNDS

Counties receiving a grant are required to provide local matching funds from county funds, other non-state funds, or a combination of these sources, in accordance with G.S. 115C-546.11.(a). Local matching fund requirements range from 0% to 35% of the grant amount, and are published by DPI annually prior to the NBPSCF application period. The local match requirement applicable to the project is the published local match requirement in effect at the time of the grant award. Local matching requirements for FY2025-26 grant applicants are available here: [FY25-26 Local Matching Requirements](#)

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

Date: September 2, 2025

MAXIMUM AWARD Grant award maximums are as follows:

- Up to \$42 million for an Elementary School
- Up to \$52 million for a Middle School
- Up to \$62 million for a High School

An applicant may not apply for projects that exceed an aggregate amount greater than the maximum grant award amounts listed above in any single year.

Applications will be reviewed in the context of projected enrollment to evaluate the reasonableness of project size and scope.

REPORTING

Grant recipients are required to submit a report by April 1 of each year, with each grant funds distribution request, and upon completion of the project, detailing: the use of grant funds, progress on the project, and impact of the project on the county's school capital plan.

Grant funds will be disbursed in a series of payments based on the progress of the project. To receive a distribution, the grant recipient must submit a request for distribution, along with documentation of the expenditures for which the distribution is requested, and evidence that the matching requirement has been met. DPI will provide grant recipients with Reporting and Distribution Request forms following announcement of awards.

AGREEMENT

A county receiving Needs-Based grant funds is required to enter into an agreement with the Department of Public Instruction detailing the use of grant funds, in accordance with G.S. 115C-546.12.(a). DPI will provide grant recipients with Agreement Forms following announcement of awards. Signed Agreements are due within 60 days of award announcement.

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION**PROGRAM CRITERIA**Date: September 2, 2025**EVALUATION**

Applications are evaluated on critical needs, budget detail, and the following criteria per G.S. 115C-546.10.:

Prioritization	Definition/Calculation/Data Source
Tier Designation	Counties designated as development tier one areas. (NC Department of Commerce, 2025 NC Development Tier Designations)
Ability to Generate Tax Revenue	Total revenue generated by a one-cent per \$100 valuation increase in the county property tax rate. (NC State Treasurer, Analysis of Debt of North Carolina Counties 6-30-2024)
Ratio of Debt to Tax Revenue	<u>Debt</u> : Sum of County Debt [General Obligation Bonds, Installment Purchase Debt, Enterprise Debt, Special Obligation Bonds, Revenue Bonds, Revolving and Bond Loans] (NC State Treasurer, Analysis of Debt of North Carolina Counties 6-30-2024) <u>Revenue</u> : Sum of County Revenues from Property Taxes (NC State Treasurer, Analysis of Debt of North Carolina Counties 6-30-2024)
Critical Deficiency	The extent to which a project will address critical deficiencies in adequately serving the current and future student population.
Facility Construction	Projects with new construction or complete renovation of existing facilities.
Facility Replacement	Projects that will consolidate two or more schools into one new facility.
Applicant Status	Applicants that have not received a grant in the previous three years.

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

CONTACT INFORMATION

Date: September 2, 2025

SUBMIT ONE APPLICATION PER SCHOOL CAMPUS – A PROJECT MAY INCLUDE MULTIPLE BUILDINGS

County: Henderson
Primary Contact: Bryan Rhodes
Title: Capital Projects Director
Address: 100 N. King Street, Hendersonville, NC 28792
Phone: (828) 694-6525
email: brhodes@hendersoncountync.gov

School Unit: Henderson County Public Schools
Primary Contact: Carl Taylor
Title: Chief Administrative Officer
Address: 414 4th Avenue West, Hendersonville, NC 28739
Phone: (828) 697-4733
email: cwtaylor@hcpsnc.org

APPLICATION SUBMITTAL

Submit completed applications and supporting materials by Friday, October 3, 2025, via email to:

Nathan Maune | School Facilities Director | 984-236-2919 | SchoolPlanning-NBPSCF@dpi.nc.gov

SUBMITTAL CHECKLIST – SUBMIT ALL FILES IN PDF FORMAT

- Contact Information
- Application Form
- Project Narrative
- Budget Estimate
- Additional Documentation (as appropriate)
- Signed Assurance Page

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

PROJECT INFORMATION

Date: September 2, 2025

Project Title:

Rugby Middle School HVAC Replacement

Location:

Rugby Middle School

Type of Facility:

Middle School (6-9)

Short Description of Proposed School Construction Project:

This project will replace the old and inefficient HVAC system that controls temperatures in five areas of the building (A-Hall, E-Hall, Media Center, Cafeteria, and Kitchen).

The current HVAC system serving the school's A-Hall (4 classrooms), E-Hall (3 classrooms), Media Center, Cafeteria, and Kitchen is outdated and no longer able to provide consistent, reliable climate control. The system struggles to maintain proper temperature and humidity levels, which has led to uncomfortable conditions for students and staff. The age and inefficiency of the system also create frequent maintenance needs, diverting funds and staff time away from educational priorities.

Replacing the HVAC system will directly improve the health, comfort, and learning environment of students and staff. A modern, energy-efficient system will ensure that these classrooms, Media Center and Cafeteria maintain appropriate air quality, temperature, and humidity levels. A new system will also create spaces where students can learn and eat in a safe, welcoming environment. Improved air circulation will reduce the spread of airborne irritants and support better overall wellness. Additionally, an updated system will lower energy costs and reduce the frequency of costly repairs, allowing the school to direct more resources toward academic programs and student support. This investment will enhance both the daily student experience and the long-term sustainability of the school facility.

(please attach additional information as necessary)

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NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

PROJECT INFORMATION

Date: September 2, 2025

Was this project identified in the 5-year plan in the 2020-21 Facility Needs Survey?

☒ YES ☐ NO

If not, provide explanation and attach equivalent information:

Will this project replace any existing facilities?

☐ YES ☒ NO

If YES, which school(s):

How many students will be served by this project?

Has Advanced Planning been done for this project?

☐ YES ☒ NO

Have Construction Documents been completed for this project?

☐ YES ☒ NO

Anticipated or Actual Bid Date: (xx/xxxx) 07/2026

Planned Start Date of Construction*: (xx/xxxx) 01/2027

Planned Completion Date of Construction: (xx/xxxx) 08/2027

*Construction must begin within 24 months of grant award under G.S. 115C-546.12.(b) .

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

PROJECT BUDGET

Date: September 2, 2025

Total NBPSCF Grant funding requested for this project: \$393,750

Minimum NBPSCF Grant funding for project to proceed (optional): _____

Estimated Project Costs	Local (non-State)	NBPSCF Grant Funds	Total
Planning	\$ <u>7,500</u>	\$ <u>22,500</u>	\$ <u>30,000</u>
Construction	\$ <u>125,000</u>	\$ <u>375,000</u>	\$ <u>500,000</u>
Other Costs*	\$ _____	\$ _____	\$ _____
Total	\$ <u>132,500</u>	\$ <u>397,500</u>	\$ <u>530,000</u>

*Project costs normally categorized as 'owner's direct costs' on a construction project – may include items such as site surveys, materials testing, site utilities, geotechnical reports, etc. Land acquisition costs are not eligible.

Source(s) of required Local Matching Funds:

Henderson County designates \$0.02 of the property tax rate for school maintenance projects such as this one. The matching funds required for this project will come from this fund.

Have any of the Local Matching Funds been expended at the time of application?

☐ YES ☒ NO

If YES, provide amount expended: _____

If YES, provide description of work: _____

Estimated Project Expenditures by Fiscal Year (show estimated period over which funds will be spent by Fiscal Year)

Total Planned Expenditures	2024-25 or earlier	2025-26	2026-27	2027-28 or later	Total
Local Matching Funds	\$	\$	\$132,500	\$	\$
Requested NBPSCF Grant Funds*	\$	\$	\$397,500	\$	\$
Total Estimated Expenditures by Fiscal Year	\$	\$	\$530,000	\$	\$

*Total requested grant funding cannot exceed maximum allowed under G.S. 115C-546.11.(c) .

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

ADDITIONAL DOCUMENTATION

Date: September 2, 2025

Any project funded with a grant from the Needs-Based Public School Capital Fund must follow the same review process as any other LEA capital project.

- A registered Architect and/or registered Engineer shall prepare the drawings and specifications in accordance with G.S. 133-1 through 133-4.1, as applicable.
- School Planning design review is required. Design documents must be submitted at appropriate intervals during design – SD, DD, and CD. Neither the LEA nor the County shall invest any funds in construction of the project until the review process is completed.
- Transmittal of drawings and specifications to School Planning must include the form at: <https://www.dpi.nc.gov/documents/schoolplanning/project-submittal-form/download>
- Design of the project should be in compliance with DPI School Planning Guidelines: <https://www.dpi.nc.gov/districts-schools/district-operations/school-planning>
- DPI Facility Design Guidelines can be found at: <https://www.dpi.nc.gov/documents/schoolplanning/facility-design-guidelines/download>
- DPI School Science Facility Requirements can be found at: <https://www.dpi.nc.gov/documents/schoolplanning/science-facilities-planner/download>
<https://www.dpi.nc.gov/documents/schoolplanning/science-safety-checklist/download>
- For projects involving the closing of an existing school, the LEA must follow these procedures: <https://www.dpi.nc.gov/documents/schoolplanning/school-closing-procedure/download>
- For projects involving the demolition of an existing school building, the LEA must follow the closing procedure noted above and must submit a Feasibility and Cost Analysis: <https://www.dpi.nc.gov/documents/schoolplanning/costfeas-1/download>
- DPI Lottery Capital Funding FAQ can be found at: <https://www.dpi.nc.gov/documents/schoolplanning/lottery-capital-funding-faq-document/download?attachment>

NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FY2025-26 GRANT APPLICATION

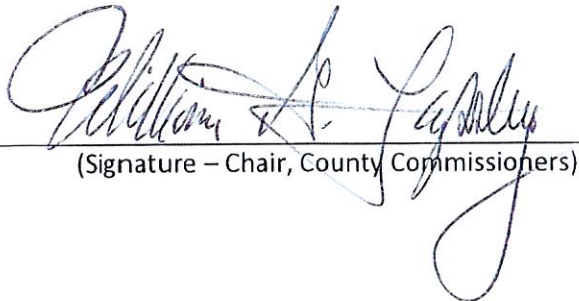
ASSURANCE PAGE

Date: September 2, 2025

By signing below, we assure the North Carolina Department of Public Instruction that we are officials of our respective organizations and we are authorized to submit this application on behalf of these organizations.

We certify the following:

- The information provided in this proposal is correct and complete.
- The project described in the application is within the parameters of the Needs-Based Public School Capital Fund as required in Article 38B of G.S. 115C-546, and that all of the required local funding is available and designated as a match for this project.
- All Needs-Based Public School Capital Fund grant proceeds and the required Local Matching funds will be used for the construction project described in the application.
- We will work cooperatively with the North Carolina Department of Public Instruction in monitoring and evaluating the progress of the project to meet statutory reporting requirements. We will report on project status and State and local funds expended by April 1 of each year, at the time of each distribution request, and within 90 days of project completion.
- Within 60 days of receiving a Needs-Based Public School Capital Fund grant award, we will enter into an agreement with the Department of Public Instruction detailing the use of grant funds, in accordance with G.S. 115C-546.12.(a).
- All applicable federal and state laws will be adhered to, including equal opportunity without regard to race, color, religion, gender, age, disability, political affiliation, or national origin.
- Procurement and contracting for design and construction services will be conducted in accordance with the requirements of G.S. 133 and G.S. 143.
- Generally accepted fiscal control and accounting procedures will be followed to ensure proper disbursement and accounting of funds from the Needs-Based Public School Capital Fund grant proceeds and required Local Matching funds.
- All Needs-Based Public School Capital Fund grant proceeds are subject to forfeiture provisions, requiring full repayment, in accordance with G.S. 115C-546.12.(c).


(Signature – Chair, County Commissioners)

9/26/2025
(Date)

(Signature – Chair, Board of Education)

(Date)