

November 3, 2025

Minutes

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 3, 2025**

The Henderson County Board of Commissioners met for a regularly scheduled meeting at 5:30 p.m. in the Commissioners' Meeting Room of the Historic Courthouse on Main Street, Hendersonville.

Present 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, 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, A/V Technician Oscar Guerrero, Environmental Health Director Seth Swift, Local Public Health Administrator Camden Stewart, Special Projects Coordinator Nora Sjue, Director of Facility Services Andrew Griffin, Director of Public Health David Jenkins, DSS Director Lorie Horne, Tax Assessor Kevin Hensley, Social Media Coordinator Tiffany Lucey, Finance Director Randal Cox, and NC Lead Fellow Abby Buxton. Deputies Matt Covil and Kayla Brezilac 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

Wyatt Merrell with the Young Naturalist 4-H Club led the Pledge of Allegiance to the American Flag.

RESOLUTIONS AND RECOGNITIONS

2025.184 Resolution of Memoriam– Vaughan Fitzpatrick (add on)

Chairman Lapsley invited Jim and Brian Fitzpatrick to the podium and read the resolution honoring Vaughan Fitzpatrick aloud.

RESOLUTION OF MEMORIAM

Vaughan Fitzpatrick

July 3, 1949 – October 28, 2025

WHEREAS, Vaughan Fitzpatrick, a descendant of the Westfeldt family, Henderson County citizen, philanthropist, and businessman, passed away on October 28, 2025; and

WHEREAS, Mr. Fitzpatrick earned a law degree from Tulane University and served in the U.S. Navy, he was based in Naples, Italy; and

WHEREAS, Mr. Fitzpatrick was a courageous business partner with a vision toward the future of his family's land and through his vision, Ferncliff Industrial Park in Mills River became a reality; and

Approved:

WHEREAS, Mr. Fitzpatrick, along with other Henderson County leaders, envisioned the creation of the 262-acre Ferncliff Industrial Park as far back as 2006; and

WHEREAS, Ferncliff is a one-of-a-kind industrial park that models for the community at large, how to create a place of business with sustainable employment that protects an area's natural beauty, culture, and character; and

WHEREAS, Ferncliff Industrial Park provides our citizens with employment opportunities; and

WHEREAS, Mr. Fitzpatrick supported numerous non-profits and personal projects which have made a lasting imprint on our County; and

WHEREAS, Mr. Fitzpatrick was a tireless supporter and promoter of Henderson County and its cultural heritage.

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners is forever indebted to Vaughan Fitzpatrick and the contributions that he and his family have made to Henderson County. We join with his many friends to express our sincere condolences to his family and honor a life well lived on behalf of his country and his home.

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

ADOPTED this 3rd day of November 2025.

Chairman Lapsley made the motion to adopt the resolution of memoriam in honor of Vaughan Fitzpatrick as presented. All voted in favor, and the motion carried.

Henderson County Board of Public Health Service Award – William Lapsley

Dr. Maggie Hayes, Chair of the Board of Health, presented Chairman William Lapsley with the Public Health Service Award. She highlighted his ten years of service on the Board of Health, noting key accomplishments including re-accreditation with honors for the Department of Public Health, support during the COVID-19 pandemic, advocacy for tobacco policy, expansion of school nurse capacity, implementation of school-based influenza vaccinations, initiation of substance-use prevention efforts, and coordination of behavioral health services. She also recognized his efforts to support environmental health staff compensation. Dr. Hayes expressed her appreciation for Chairman Lapsley's leadership and dedication. Dr. Hayes and Public Health Director David Jenkins then presented the award.



Approved:

Mr. Lapsley reflected on his tenure on the Board of Health, acknowledging the pandemic as a particularly challenging period during which the County responded effectively and, in his words, “did well—better than most.” He thanked his fellow volunteers for their support and expressed gratitude for the recognition.

PUBLIC COMMENT

1. Kenny Barnwell expressed disappointment that State ARPA funds were reallocated from the Edneyville sewer project to the Etowah project. He emphasized that Edneyville residents have worked for nearly twenty years to secure sewer service, noting its inclusion in the 2020 Comprehensive Plan and its

economic and environmental benefits. He stated that claims of community opposition were inaccurate and referenced multiple public meetings showing strong support. He also highlighted challenges with failing septic systems in the area, including at Edneyville Elementary School.

DISCUSSION/ADJUSTMENT OF AGENDA

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

Vice-Chair Edney made the 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:

October 15, 2025

Motion: I move the Board approve the minutes from October 15, 2025.

2025.184 Pending Releases and Refunds

The Assessor reviewed the pending releases and refunds. As a result of that review, it is the opinion of the Assessor that these findings are in order. Supporting documentation is on file in the County Assessor’s Office.

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

Type:	Amount:
Total Taxes Released from the Charge	\$ 4,379.37
Total Refunds as a Result of the Above Releases	\$ 657.19

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

Tax Collector’s Report

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

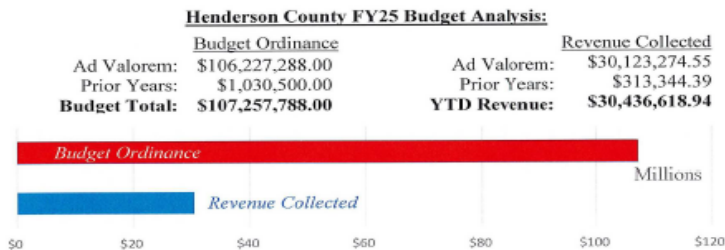
Approved:

Please find outlined below collections information through October 23, 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:	\$103,835,355.51	
Discoveries & Imm.	\$199,030.39	
Releases & Refunds:	(\$60,889.87)	
Net Charge:	\$103,973,496.03	
Unpaid Taxes:	\$76,399,355.48	
Amount Collected:	\$27,574,140.55	
	Unpaid	Paid
	73.48%	26.52%



Henderson County Registered Motor Vehicles (As Collected by NC DMV):		
Net Charge:	\$2,559,531.66	
Unpaid Taxes:	\$10,397.66	
Amount Collected:	\$2,549,134.00	
	99.59%	



County Financial Report/Cash Balance Report – September 2025

The September 2025 County Financial and Cash Balance Reports were presented for the Board's review and approval.

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

- Governing Body – timing of payment of board approved expenditures.
- Administrative Services – timing of payment of board approved expenditures.
- Human Resources - timing of payment of board approved expenditures.
- County Assessor - timing of payment of board approved expenditures.
- Tax Collector – timing of payment of board approved expenditures.
- Legal – timing of payment of board approved expenditures.
- Register of Deeds – timing of payment of board approved expenditures.
- Information Technology - timing of payment of board approved expenditures.
- Library - timing of payment of board approved expenditures.
- Recreation - timing of payment of board approved expenditures.
- Public Education – payment of 3 of 10 annual appropriations made to public school system.

Year to Date Net Revenues under Expenditures for the Emergency Telephone System Fund is due to timing of receipts and disbursements of approved expenditures in FY26.

Year to Date Net Revenues under Expenditures for the Public Transit Fund is due to timing of receipts and disbursements of approved expenditures in FY26.

Year to Date Net Revenues under Expenditures for the Misc. Other Governmental Activities Fund is due to timing of receipts and disbursements of approved expenditures in FY26.

Approved:

Year to Date Net Revenues under Expenditures for the Opioid Fund is due to timing of receipts and disbursements of approved expenditures in FY26.

Year to Date Net Revenues under Expenditures for the Hurricane Helene Fund is due to timing of expenditures and receipt of FEMA reimbursements in FY26.

Year to Date Net Revenues under Expenditures for the Etowah Community Sewer Fund is due to timing of collection receipts and disbursements of approved expenditures in FY26.

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Approved:

HENDERSON COUNTY
FINANCIAL REPORT
SEPTEMBER 2025

GENERAL FUND REVENUES						
	REVISED BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
General Fund	223,080,984.00	13,287,098.01	37,762,803.10	16.9%	-	37,762,803.10
GENERAL FUND EXPENDITURES						
	REVISED BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
Governing Body	713,432.00	116,503.53	224,325.73	31.44%	14,295.00	238,620.73
Dues/Non Profit Contributions	1,408,431.00	1,049.54	349,379.66	24.81%	903,664.90	1,253,044.56
County Manager	412,944.00	23,970.65	85,975.67	20.82%	-	85,975.67
Administrative Services	822,564.00	74,859.95	273,893.18	33.30%	-	273,893.18
Human Resources	1,602,266.00	128,851.07	402,352.96	25.11%	-	402,352.96
Elections	1,502,192.00	88,399.74	202,753.48	13.50%	64,300.00	267,053.48
Finance	1,459,519.00	120,112.24	361,908.17	24.80%	-	361,908.17
County Assessor	2,224,436.00	166,190.21	563,449.33	25.33%	23,024.06	586,473.39
Tax Collector	621,523.00	50,192.91	158,150.15	25.45%	-	158,150.15
Legal	1,153,432.00	76,371.22	339,436.79	29.43%	-	339,436.79
Register of Deeds	804,235.00	110,138.94	241,686.26	30.05%	24,296.00	265,982.26
Facility Services	6,338,247.00	402,111.94	1,492,932.86	23.55%	284,190.19	1,777,123.05
Garage	465,069.00	32,889.52	102,168.28	21.97%	-	102,168.28
Court Facilities	153,000.00	9,467.85	22,921.31	14.98%	-	22,921.31
Information Technology	6,634,986.00	503,151.05	2,010,915.76	30.31%	373,111.69	2,384,027.45
Sheriff Department	26,418,628.00	1,827,914.50	6,452,665.70	24.42%	268,130.86	6,720,796.56
Detention Facility	7,255,267.00	493,276.94	1,636,039.00	22.55%	425,592.92	2,061,631.92
Emergency Management	2,699,005.00	149,972.87	589,478.75	21.84%	47,112.00	636,590.75
Fire Services	1,271,246.00	59,982.73	223,871.69	17.61%	98,807.19	322,678.88
Building Services	1,933,820.00	128,499.70	469,336.29	24.27%	-	469,336.29
Wellness Clinic	1,551,790.00	105,217.06	374,241.27	24.12%	109,079.63	483,320.90
Emergency Medical Services	14,906,523.00	1,019,656.30	3,594,500.12	24.11%	112,371.66	3,706,871.78
Animal Services	1,006,894.00	70,047.74	240,604.54	23.90%	75,000.00	315,604.54
Rescue Squad	821,888.00	(130.26)	205,170.01	24.96%	616,416.00	821,586.01
Forestry Services	131,219.00	4,086.68	4,086.68	3.11%	-	4,086.68
Soil & Water	635,007.00	41,635.78	141,689.66	22.31%	12,850.00	154,539.66
Planning	1,334,114.00	88,422.91	315,785.75	23.67%	111,627.20	427,412.95
Code Enforcement	368,640.00	25,104.02	83,613.82	22.68%	-	83,613.82
Site Development	247,581.00	16,185.05	60,248.69	24.33%	-	60,248.69
Heritage Museum	100,000.00	-	25,000.00	25.00%	75,000.00	100,000.00
Cooperative Extension	794,654.00	54,249.55	179,295.14	22.56%	5,250.00	184,545.14
Project Management	412,211.00	26,631.69	96,731.37	23.47%	-	96,731.37
Economic Development	2,152,642.00	-	108,500.00	5.04%	325,500.00	434,000.00
Public Health	14,308,548.00	880,216.67	3,040,739.27	21.25%	1,556,783.64	4,597,522.91
Environmental Health	2,051,804.00	146,083.74	500,650.52	0.00%	-	-
H&CC Block Grant	863,502.00	61,496.75	141,908.25	16.43%	-	141,908.25
Medical Services - Autopsies	95,000.00	23,550.00	23,550.00	24.79%	-	23,550.00
Strategic Behavioral Health	551,365.00	27,109.98	91,368.18	16.57%	-	91,368.18
Mental Health Services	528,612.00	-	132,153.00	25.00%	-	132,153.00
Rural Transportation Assist Program	201,384.00	12,628.00	12,628.00	6.27%	-	12,628.00
Social Services	24,796,619.00	1,757,378.73	6,006,159.76	24.22%	11,196.66	6,017,356.42
Juvenile Justice Programs	346,020.00	38,650.00	78,770.00	22.76%	-	78,770.00
Veterans Services	343,766.00	22,730.03	69,648.04	20.26%	11,250.00	80,898.04
Library	4,503,354.00	317,435.31	1,236,196.96	27.45%	348,615.47	1,584,812.43
Recreation	3,776,930.00	281,913.31	1,005,662.21	26.63%	239,291.37	1,244,953.58
Public Education	43,641,463.00	4,243,312.97	12,792,438.91	29.31%	-	12,792,438.91
Debt Service	24,307,066.00	3,806,045.81	4,322,845.81	17.78%	-	4,322,845.81
Non-Departmental	5,026,736.00	369,822.55	712,932.80	14.18%	-	712,932.80
Interfund Transfers	7,381,410.00	597,104.17	1,781,312.51	24.13%	-	1,781,312.51
TOTAL	223,080,984.00	18,600,491.64	53,582,072.29	24.02%	6,136,756.44	59,218,178.21
Net Revenues over (under) Exp.	-	(5,313,393.63)	(15,819,269.19)			(21,455,375.11)

Approved:

APPROPRIATIONS DETAIL						
	REVISED BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
SOCIAL SERVICES						
Staff Operations	20,868,566.00	1,478,433.50	5,233,699.57	25.1%	11,196.66	5,244,896.23
Federal & State Programs	3,828,053.00	264,344.71	752,103.28	19.6%	-	752,103.28
General Assistance	100,000.00	14,600.52	20,356.91	20.4%	-	20,356.91
TOTAL	24,796,619.00	1,757,378.73	6,006,159.76		11,196.66	6,017,356.42
EDUCATION						
Schools Current/Capital Expense	37,891,463.00	3,764,146.30	11,354,938.90	30.0%	-	11,354,938.90
Blue Ridge Community College	5,750,000.00	479,166.67	1,437,500.01	25.0%	-	1,437,500.01
TOTAL	43,641,463.00	4,243,312.97	12,792,438.91		-	12,792,438.91
DEBT SERVICE						
Public Schools	9,440,800.00	2,160,523.93	2,160,523.93	22.9%	-	2,160,523.93
Blue Ridge Community College	3,137,704.00	546,973.41	546,973.41	17.4%	-	546,973.41
Henderson County	11,728,562.00	1,098,548.47	1,615,348.47	13.8%	-	1,615,348.47
TOTAL	24,307,066.00	3,806,045.81	4,322,845.81		-	4,322,845.81
INTERFUND TRANSFERS						
Capital Projects Fund	200,000.00	16,666.67	50,000.01	25.0%	-	50,000.01
Fire Districts Fund	60,000.00	5,000.00	5,000.00	8.3%	-	5,000.00
HCPS MRTS	4,603,500.00	383,625.00	1,150,875.00	25.0%	-	1,150,875.00
BRCC MRTS	2,301,750.00	191,812.50	575,437.50	25.0%	-	575,437.50
Solid Waste	216,160.00	-	-	0.0%	-	-
TOTAL	7,381,410.00	597,104.17	1,781,312.51		-	1,781,312.51
SPECIAL REVENUE FUNDS						
	REVISED BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
FIRE DISTRICTS FUND						
Revenues:	17,285,114.00	1,284,926.41	4,011,013.03	23.2%	-	4,011,013.03
Expenditures:	17,285,114.00	2,600,034.47	2,729,215.75	15.8%	-	2,729,215.75
Net Revenues over (under) Exp	-	(1,315,108.06)	1,281,797.28		-	1,281,797.28
REVALUATION RESERVE FUND						
Revenues:	1,477,379.00	136,813.26	409,720.79	27.7%	-	409,720.79
Expenditures:	1,477,379.00	79,343.13	336,757.83	22.8%	7,354.37	344,112.20
Net Revenues over (under) Exp	-	57,470.13	72,962.96		7,354.37	65,608.59
EMERGENCY TELEPHONE SYSTEM (911) FUND						
Revenues:	302,500.00	25,908.20	54,202.10	17.9%	-	54,202.10
Expenditures:	302,500.00	59,208.30	149,264.66	49.3%	40,765.90	190,030.56
Net Revenues over (under) Exp	-	(33,300.10)	(95,062.56)		40,765.90	(135,828.46)
PUBLIC TRANSIT FUND						
Revenues:	1,758,861.00	3,676.13	45,651.56	2.6%	-	45,651.56
Expenditures:	1,758,861.00	58,182.52	137,422.40	7.8%	70,141.07	207,563.47
Net Revenues over (under) Exp	-	(54,506.39)	(91,770.84)		70,141.07	(161,911.91)
MISC. OTHER GOVERNMENTAL ACTIVITIES						
Revenues:	954,000.00	54,143.35	151,820.07	15.9%	-	151,820.07
Expenditures:	954,000.00	81,402.99	173,945.35	18.2%	-	173,945.35
Net Revenues over (under) Exp	-	(27,259.64)	(22,125.28)		-	(22,125.28)
ARPA FUND						
Revenues:	-	66,264.60	215,942.29	0.0%	-	215,942.29
Expenditures:	-	-	-	0.0%	50,000.00	50,000.00
Net Revenues over (under) Exp	-	66,264.60	215,942.29		50,000.00	165,942.29
OPIOID FUND						
Revenues:	1,091,890.00	26,552.87	72,641.64	6.7%	-	72,641.64
Expenditures:	1,091,890.00	135,178.26	209,222.45	19.2%	26,275.66	235,498.11
Net Revenues over (under) Exp	-	(108,625.39)	(136,580.81)		26,275.66	(162,856.47)
HURRICANE HELENE						
Revenues:	78,031,500.00	5,445,469.88	29,501,906.20	37.8%	-	29,501,906.20
Expenditures:	78,031,500.00	154,006.54	52,158,737.11	66.8%	4,794,253.44	56,952,990.55
Net Revenues over (under) Exp	-	5,291,463.34	(22,656,830.91)		4,794,253.44	(27,451,084.35)
CAPITAL PROJECTS						
	REVISED BUDGET	CURRENT MONTH	PROJECT TO DATE	% USED	ENCUMBRANCES	TOTAL
JUDICIAL CENTER PROJECT (2064)						
Revenues:	12,794,251.00	-	-	0.0%	-	-
Expenditures:	12,794,251.00	70,500.00	7,619,537.54	59.6%	5,222,933.47	12,842,471.01
Net Revenues over (under) Exp	-	(70,500.00)	(7,619,537.54)		5,222,933.47	(12,842,471.01)
MEDICAL OFFICE BUILDING PROJECT - SPARTANBURG HWY (2074)						
Revenues:	1,895,042.00	-	-	0.0%	-	-
Expenditures:	1,895,042.00	-	1,458,779.80	77.0%	78,151.74	1,536,931.54
Net Revenues over (under) Exp	-	-	(1,458,779.80)		78,151.74	(1,536,931.54)

Approved:

ENTERPRISE FUNDS						
	REVISED BUDGET	CURRENT MONTH	YEAR TO DATE	% USED	ENCUMBRANCES	TOTAL
SOLID WASTE LANDFILL FUND						
Revenues:	11,339,199.00	934,795.60	2,851,583.91	25.1%	-	2,851,583.91
Expenditures:	11,339,199.00	972,995.77	2,131,419.80	18.8%	6,627,403.87	8,758,823.67
Net Revenues over (under) Exp	-	(38,200.17)	720,164.11		6,627,403.87	(5,907,239.76)
JUSTICE ACADEMY SEWER FUND						
Revenues:	72,091.00	7,428.87	22,326.91	31.0%	-	22,326.91
Expenditures:	72,091.00	2,924.52	6,248.52	8.7%	-	6,248.52
Net Revenues over (under) Exp	-	4,504.35	16,078.39		-	16,078.39
ETOWAH COMMUNITY SEWER FUND						
Revenues:	403,480.00	16,114.12	32,391.07	8.0%	-	32,391.07
Expenditures:	403,480.00	20,797.62	38,904.30	9.6%	182,600.00	221,504.30
Net Revenues over (under) Exp	-	(4,683.50)	(6,513.23)		(182,600.00)	(189,113.23)

**HENDERSON COUNTY
CASH BALANCE REPORT
SEPTEMBER 2025**

Fund(s)	08/31/25 Beg. Cash Balance	Debits Revenues	(Credits) Expenditures	09/30/25 Ending Cash Balance
General	\$ 92,660,669.77	\$ 22,554,662.40	\$ (27,019,607.12)	\$ 88,195,725.05
Special Revenue	43,547,723.04	7,445,116.29	(4,271,805.04)	\$ 46,721,034.29
Capital Projects	16,133,569.87	569,555.25	(1,096,812.06)	\$ 15,606,313.06
Enterprise	1,450,776.13	946,287.55	(969,744.48)	\$ 1,427,319.20
HCPS - Maint. and Repair	6,492,612.20	383,625.00	-	\$ 6,876,237.20
BRCC - Maint. and Repair	4,490,792.71	191,812.50	-	\$ 4,682,605.21
Custodial	3,578,932.82	1,488,054.90	(3,294,728.96)	\$ 1,772,258.76
Total	<u>\$ 168,355,076.54</u>	<u>\$ 33,579,113.89</u>	<u>\$ (36,652,697.66)</u>	
Total cash available as of	9/30/2025			<u>\$ 165,281,492.77</u>

Motion: I move that the Board approve the September 2025 County Financial Report and Cash Balance Report as presented.

Henderson County Public Schools Financial Reports – September 2025

The Henderson County Public Schools September 2025 Local Current Expense Fund / Other Restricted Funds Report was presented for the Board's information.

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Approved:

HENDERSON COUNTY PUBLIC SCHOOLS
LOCAL CURRENT EXPENSE/OTHER RESTRICTED FUNDS
as of September 30, 2025

	LOCAL CURRENT EXPENSE FUND		OTHER RESTRICTED FUND			
REVENUES:	Budget	YTD Activity	Budget	YTD Activity	Combined Total	Prior YTD
3200 State Sources	\$ -	\$ -	\$ 58,908	\$ 10,411	\$ 10,411	\$ 3,244
3700 Federal Sources-Restricted	-	-	2,240,718	138,051	138,051	433,109
3800 Other Federal-ROTC	-	-	128,000	3,622	3,622	-
4100 County Appropriation	36,141,463	10,842,439	-	-	10,842,439	10,613,400
4200 Local -Tuition/Fees	-	-	57,000	22,715	22,715	14,765
4400 Local-Unrestricted	658,000	149,292	140,816	41,885	191,157	129,585
4800 Local-Restricted	-	-	280,399	64,085	64,085	231,680
4900 Fund Balance Appropriated/Transfer From school	731,537	-	529,014	5,598	5,598	6,058
TOTAL FUND REVENUES	\$ 37,531,000	\$ 10,991,731	\$ 3,434,854	\$ 284,348	\$ 11,276,079	\$ 11,431,818
EXPENDITURES:	Budget	YTD Activity	Budget	YTD Activity	Combined Total	Prior YTD
Instructional Services:						
5100 Regular Instructional Services	\$ 10,095,873	\$ 1,145,335	\$ 522,335	\$ 102,516	\$ 1,247,851	\$ 1,568,765
5200 Special Populations Services	1,349,257	31,890	784,059	183,063	214,953	159,092
5300 Alternative Programs and Services	351,791	29,508	803,350	135,352	164,860	176,346
5400 School Leadership Services	3,662,927	743,164	9,473	11,727	754,891	666,264
5500 Co-Curricular Services	1,131,818	50,018	57,000	7,232	57,250	76,489
5800 School-Based Support Services	2,248,164	416,251	390,622	39,446	455,697	359,257
Total Instructional Services	\$ 18,839,830	\$ 2,416,166	\$ 2,666,839	\$ 479,336	\$ 2,895,502	\$ 3,006,213
System-Wide Support Services:						
6100 Support and Development Services	\$ 554,593	\$ 122,852	\$ 5,250	\$ 2,145	\$ 124,997	\$ 88,294
6200 Special Population Support	88,215	18,422	12,200	1,014	19,436	37,632
6300 Alternative Programs	146,574	29,530	431	431	29,961	29,380
6400 Technology Support Services	1,407,498	376,956	44,139	11,357	388,313	379,543
6500 Operational Support Services	9,503,843	2,011,277	476,728	70,733	2,082,010	2,044,443
6600 Financial and Human Resource Services	2,600,753	1,992,460	73,289	53,533	2,045,993	1,869,124
6700 Accountability Services	222,130	47,974	1,400	1,400	49,374	48,469
6800 System-Wide Pupil Support Services	428,507	102,885	538	538	103,423	109,111
6900 Policy, Leadership and Public Relations	735,363	193,461	13,220	13,220	206,680	228,156
Total System-Wide Support Services	\$ 15,687,476	\$ 4,895,817	\$ 627,194	\$ 154,371	\$ 5,050,188	\$ 4,834,153
Ancillary Services:						
7100 Community Services	\$ 388	\$ 388	\$ 181,685	\$ 42,764	\$ 43,152	\$ 40,751
7200 Nutrition Services	267,557	388	-	-	388	1,063
Total Ancillary Services	\$ 267,944	\$ 775	\$ 181,685	\$ 42,764	\$ 43,539	\$ 41,814
Non-Programmed Charges:						
8100 Payments to Other Governments	\$ 2,735,750	\$ 282,211	\$ -	\$ -	\$ 282,211	\$ 253,854
8400 Interfund Transfers	-	-	12,348	5,735	5,735	5,312
8500 Contingency	-	-	-	-	-	-
8600 Educational Foundations	-	-	46,788	18,360	18,360	8,884
Total Non-Programmed Charges	\$ 2,735,750	\$ 282,211	\$ 59,136	\$ 24,095	\$ 306,306	\$ 268,050
TOTAL FUND EXPENDITURES	\$ 37,531,000	\$ 7,594,969	\$ 3,434,854	\$ 700,566	\$ 8,295,535	\$ 8,150,230

Approved:

**HENDERSON COUNTY PUBLIC SCHOOLS
CAPITAL OUTLAY
as of September 30, 2025**

REVENUES:

	Budget	YTD Activity	Balance	Prior Year
3200 State Allocations	\$ 500,000	\$ 500,000	\$ -	\$ -
4100 County Appropriation	1,500,000	450,000	1,050,000	300,000
4400 Windsor-Aughtry Donations		250	(250)	500
4800 Lease Purchases/Insurance Settlement			-	68,089
4900 Fund Balance Appropriated/Transfers In	630,697		630,697	
Total Fund Revenues	\$ 2,630,697	\$ 950,250	\$ 1,680,447	\$ 368,589

EXPENDITURES:

	Budget	YTD Activity	Balance	Prior Year
5100 Regular Instructional Services-Equipment	\$ -	\$ -	\$ -	\$ 885
6400 Technology Support Services			-	
6500 Operational Support Services	523,000	259,696	263,304	24,340
7200 Nutrition Services			-	
8100 Payments to Other Governments			-	
8300 Debt Service			-	
9000 Capital Outlay-Land/Buildings	2,107,697	647,262	1,460,435	424,316
Total Fund Expenditures	\$ 2,630,697	\$ 906,958	\$ 1,723,739	\$ 449,541

Motion: I move that the Board of Commissioners approve the Henderson County Public Schools September 2025 Financial Reports as presented.

Notification of Vacancies

The Notification of Vacancies was provided for the Board's information. They will appear on the next agenda under "Nominations."

1. Henderson County Zoning Board of Adjustment – 2 vacs.
Seat #4 – Regular
Seat #7 - Alternate
2. Hendersonville Planning Board – 1 vac.
Seat #1 – Reside in ETJ
3. Home and Community Care Block Grant Advisory Committee – 3 vacs.
Seat #1 – Regular – At Large
Seat #5 – Regular – At Large
Seat #8 – Older Adult – 60+
4. Laurel Park Zoning Board of Adjustment – 1 vac.
Seat #1 – Reside in ETJ
5. Metropolitan Sewerage District of Buncombe County (MSD) – 1 vac.
Seat #2 – HVL Representative

Approved:

6. Nursing/Adult Care Home Community Advisory Committee – 3 vacs.

Seat #1 – Regular

Seat #18 - Regular

Seat #21- Regular

Records Retention – Local Health Department Records Retention and Disposition Schedule

The NC Department of Cultural Resources issued a new Local Health Departments Records Retention and Disposition Schedule on March 1, 2019. This schedule is the primary means that the Department of Cultural Resources gives its consent to destroy records as outlined in G.S. 121 and G.S. 132. Though the Health Department has been using this Schedule since its issuance, the Department of Cultural Resources has requested that the Board officially approve the Schedule by signing the provided approval sheet.

The Board of Health approved this Schedule at its November 18, 2024, meeting.

Motion: I move the Board approve the Schedule as presented and authorize the Local Health Director and Board of Health Chair to execute the approval sheet.

Records Retention – County Social Services Records Retention and Disposition Schedule

The Henderson County Department of Social Services requested that the 2016 Records Retention Schedule for County Social Services Agencies, as issued by the North Carolina Department of Natural and Cultural Resources Division of Archives and Records Government Records Section, be adopted.

This schedule provides the legal authorization to destroy records when they are no longer needed for administrative, legal, fiscal, or historical purposes. Adoption ensures the department complies with state public records management requirements and supports efficient record management.

Motion: I move the Board adopt the 2016 Records Retention and Disposition for County Social Services Agencies as issued by the North Carolina Department of Natural and Cultural Resources Division of Archives and Records Government Records Section and authorize the Henderson County Department of Social Services to implement the schedule in compliance with applicable laws and guidelines.

Public Records Disposal Request - Tax Department

Staff requested approval from the Board of Commissioners to destroy original records listed on the provided Public Disposal Requests and Destruction Logs – one total page(s) included in accordance with the County's Record Retention Policy and the provisions of the North Carolina Department of Natural and Cultural Resources Records Retention and Disposition Schedule, a copy of said pages were attached, as the period of these records have expired.

Motion: I move the Board approve the Public Records Disposal Request and Destruction Log as presented.

2025.186 Budget Amendment – Return Unspent Debt Service Funds to Capital Reserve Fund

The Board was requested to approve a Budget Amendment, transferring \$6,712,422 from the
Approved:

General Fund to the Capital Reserve Fund. These funds are the result of cost savings in debt service from the financing of the JCAR Courthouse Project – Detention Center portion and the refinancing of the Health Sciences Center.

Motion: I move the Board approve the budget amendment as presented, transferring funds from the General Fund to the Capital Reserve Fund.

2025.187 Budget Amendment – Return Unspent Funds to Capital Reserve Fund

The Hedrick-Rhodes Veterans Center (VFW) Renovation and Repair Project has been successfully completed. Unspent funds remain that were originally transferred from the Capital Reserve Fund. Staff requested that the Board approve a budget amendment to return the unexpended portion to the Capital Reserve Fund.

Motion: I move the Board approve budget amendment as presented.

2025.188 Budget Amendment – Return Unspent Funds to General Fund

The Jackson Park all-inclusive playground project was successfully completed. Unspent funds remain, which were originally transferred to the Capital Projects Fund from the General Fund. Staff respectfully requested that the Board of Commissioners approve a budget amendment to return the unexpended portion to the General Fund.

Motion: I move the Board approve the budget amendment as presented.

2025.189 Budget Amendment – Fund Balance Appropriation

Staff requested that the Board approve a budget amendment that appropriates fund balance for the purchase of uniforms for the Henderson County Sheriff's Office, which will not be fulfilled until FY26. The purchases were approved, budgeted for, and encumbered in FY25 but were not delivered or fulfilled by the end of the fiscal year because of supply chain disruptions or other delays.

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

Regional Transportation Safety Action Plan – Letter of Support

The French Broad River Metropolitan Planning Organization (MPO) requested that Henderson County support the Safe Streets for WNC, a regional safety action plan. This plan was developed with input from the MPO's Prioritization Committee, Technical Coordinating Committee, and the MPO Board, all of which have representation from Henderson County. The plan aims to achieve a 10% reduction in fatal and serious injury crashes by 2035, followed by an additional 45% reduction by 2045, and ultimately move toward zero fatalities and serious injuries by 2050.

Motion: I move to support the Safe Streets for WNC Regional Safety Action Plan.

Redirection of Approved Non-Profit Funding - Open Arms Crisis Pregnancy Center

Henderson County's FY2026 Budget Ordinance, as adopted by the Board of Commissioners on June 2, 2025, included a \$20,000 allocation to Open Arms Crisis Pregnancy Center (Open Arms). Based on the FY2026 Non-Profit funding application, Open Arms planned to use the allocation received for transitional housing for pregnant women with specific, targeted objectives.

Approved:

The Open Arms Board of Directors requested that the Board approve redirecting funding to replace outdated computer equipment used for client data management and sensitive medical records, for counseling and testing services, and to purchase essential items.

Motion: I move the Board approve the redirection of approved non-profit funding for Open Arms Crisis Pregnancy Center as presented.

Reinstatement of Etowah Sewer System Approved Fees

Due to litigation before the North Carolina Utilities Commission, the Board previously approved that fees adopted in the Henderson County budget ordinance for FY2025-2026 be held in abeyance, effective July 2025.

Litigation has now settled. Staff recommended that the fees as adopted in the FY2025-2026 budget ordinance be reinstated effectively immediately.

Motion: I move the Etowah Sewer System fees enacted as a part of the County's fiscal year 2025-2026 budget be reinstated.

2025.190 Surplus and Donation of Vehicles – Blue Ridge Community College

A resolution was presented declaring seven (7) vehicles no longer used by the Henderson County Sheriff's Office as surplus property and the donation of the vehicles to Blue Ridge Community College as allowed by N.C.G.S. 160A-280.

Motion: I move that the Board approve the resolution declaring the vehicles presented as surplus and authorize the donation to Blue Ridge Community College as allowed by N.C.G.S. 160A-280.

American Rescue Plan – Approved Projects Update

The American Rescue Plan State and Local Fiscal Recovery Funds (SLFRF) Compliance Report as of September 30, 2025, for the Board's review and approval. The update included 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 3, 2025.

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

Opioid Settlement Fund – Authorized Expenditure Update

The Opioid Settlement Fund's authorized expenditures update as of September 30, 2025, was provided for the Board's review and approval. Amounts received and expended will be reported annually to the Community Opioid Resources Engine for NC (CORE-NC) in compliance with the Memorandum of Agreement (MOA).

Motion: I move that the Board of Commissioners approve the September 30, 2025 Authorized Expenditures Update as presented.

Approved:

2025.191 Adoption of Financing Resolution for Medical Office Building – Spartanburg Highway Project and Real Property Purchase

Staff presented the required initial resolution prepared by the County's Bond Counsel, Parker Poe Adams & Bernstein LLP, authorizes the negotiation of an installment financing contract and provides for certain other related matters for the financing of (a) the acquisition, construction, and equipping of a new medical office building and related site improvements to expand UNC Health Pardee's outpatient and primary care services within the County, and (b) the acquisition, development, and improvement of real property to support economic development initiatives. The maximum amount of this borrowing would be \$45,000,000. The County's obligation would be secured by the pledge of the medical office building property and/or the real property.

The Board previously adopted a reimbursement resolution on March 4, 2024.

Note: The "maximum amount" figure in the resolution is not intended to accurately state the project costs or amount to be financed but rather act as a safe harbor number for the purpose of these resolutions only.

The resolution makes the necessary findings for the project and the financing, authorizes the Financial Services Director to make an application to the Local Government Commission (LCG) for approval of the financing, and directs staff to retain the assistance of its bond counsel, financial advisor and the underwriter for the financing.

The resolution also sets a public hearing on the proposed financing for November 19, 2025, at 9:30 a.m. and directs the Financial Services Director to cause a notice of public hearing to be published once and no fewer than 14 days prior to the public hearing.

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

I further move that the Board schedule the public hearing on the proposed financing for November 19, 2025, at 9:30 a.m.

Vendor Selection and Fee Proposal – BRCC Water and Sewer Extension

The Board was requested to approve the Request for Proposal (RFQ) selection of WGLA Engineering for the Blue Ridge Community College Water and Sewer Extension project. The Board is also requested to approve the proposal letter from WGLA Engineering for Engineering & Design services, for the Blue Ridge Community College Water and Sewer Extension and authorize staff to proceed. The proposed fee from WGLA is \$45,000.

These services will be funded with Maintenance, Repair, Technology, and Security (MRTS) funding previously allocated to Blue Ridge Community College.

The Statements of Qualifications received were from: High Country Engineering, Terra Firma Engineering, and WGLA Engineering.

Motion: I move the Henderson County Board of Commissioners approve the selection of WGLA as the Engineer and Designer, for the Blue Ridge Community College Water and Sewer

Approved:

Extension Project.

I further move the Henderson County Board of Commissioners approve the proposed fee of \$45,000 and authorize staff to proceed with the project.

Solicitation of Sponsorships for Henderson County Sports Complex

Henderson County Capital Projects Department, in collaboration with Parks and Recreation Department, is requesting consideration from the Henderson County Board of Commissioners to solicit private donations for the Henderson County Sports Complex.

The sponsorship program will provide a guide for community members, local businesses, and funders interested in financially supporting the Henderson County Sports Complex. Any amounts raised will be restricted to fund amenities and additional facilities, including restrooms.

The Henderson County Education Foundation has graciously agreed to provide a platform to receive donations.

Motion: I move the Board approve the Henderson County Sports Complex sponsorship program and direct staff to pursue private funding.

2025.192 Resolution Concurring Mills River Participation in Property Assessed Capital Expenditure (C-PACE) Program

The North Carolina Commercial Property Assessed Capital Expenditure (C-PACE) Program was established by the General Assembly in 2024. The Economic Development Partnership of North Carolina administers the program. It is intended to provide a long-term private financing option for renewable energy, energy efficiency, water conservation, and resiliency improvements to commercial property. Private financing is spread over the useful life of the improvement and can be up to 35% of the property's value. The financing is secured by a voluntary senior lien on the property.

There is no financial or legal responsibility to Henderson County. Mills River has passed a resolution authorizing the program.

The Board was requested to consider adopting a concurring resolution to authorize the C-PACE program in Mills River.

Motion: I move that the Board approve the proposed concurring resolution.

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

DISCUSSION

Clear Creek Sewer System Funding Update

John Mitchell reported that, since the Board's last meeting, the General Assembly reallocated approximately \$12.7 million previously designated for the Clear Creek Sewer System. He referenced the timeline of public meetings available on the County's website and asked the County Engineer to update the Board on the project's history and potential next steps.

Approved:

Marcus Jones presented the following:

Presentation Outline

1. Welcome and Introductions
2. Clear Creek (Edneyville) Sewer System Project
3. Etowah Sewer System Wastewater Plant Replacement Project
4. Questions

CCSS Project: Purpose

- To provide sewer service to Edneyville Elementary school in response to NCDEQ permitting requirement.
- Secondary service benefits of project:
 - NC Justice Academy
 - County Facilities (Community Center, Park, Library)
 - Edneyville Fire Department
 - Existing commercial properties with failing on site systems

CCSS Project: Budget

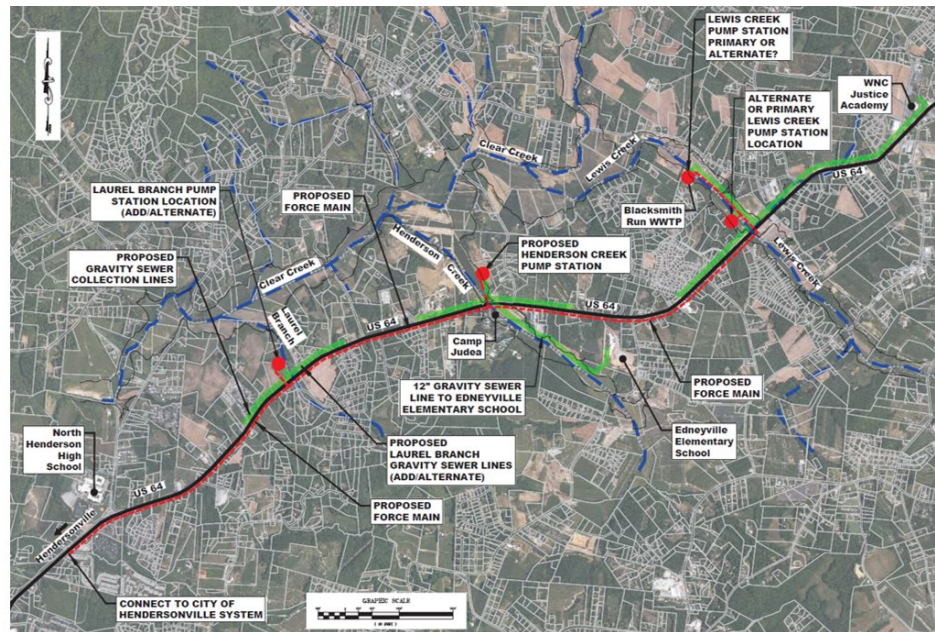
Construction Contract Amount	\$13,993,755.00
Planning and Design Engineering	\$837,750.00 (complete)
Construction Phase Engineering	\$350,000.00
Contingency (5% rounded up)	\$700,000.00
Geotech, Surveys, Etc.	\$311,460.00 (complete)
Appraisals	\$250,000.00 (complete)
Easements	\$597,795.00 (complete)
Legal	\$29,029.00
TOTAL PROJECT COSTS	\$17,069,789.00

CCSS Project: Funding

- NC American Recovery Plan Act of 2021: **\$12.7 million**
(Note, **must** be spent by December 31, 2026)
- County's Capital Reserve (Edneyville Elementary): \$2.5 million
- County Funds (County ARPA allocation) \$1.05 million
- County's NC Justice Academy Fund: \$750,000
\$17 million

Approved:

CCSS Project: Scope



CCSS Project: **History**

- 2017: McGill Engineers preliminary engineering report
- 2017: Sewer System Impact Study by Benchmark
- 2017: Public Hearing
- 2018: County Engineer / Brooks Engineering On-Site Option Analysis for Edneyville Elementary School
- 2018: Edneyville Elementary School opens with a temporary septic system permit from NCDEQ pending completion of Clear Creek Sewer System
- 2021: KCI Engineers preliminary engineering report
- 2021 Public Hearing
- 2022: WGLA Engineers Rate Analysis
- 2022: WGLA Engineers commence NPDES permitting for proposed Clear Creek Treatment Plant
- 2023: NPDES Public Hearing
- January 2024: WGLA Engineering commence design and permitting for sewer system
- May 2024: Receive NPDES discharge permit from NCDEQ

Approved:

- October 2025: Construction Contract awarded to Timberline Construction
- October 2025: Sewer easement and property purchased
- October 21, 2025: Senate Bill 449 removed NC ARPA funds, \$12.7 million

Mr. Jones reported that on October 22, staff learned, via the NC School of Government legislative update page, that Senate Bill 49 had reallocated the \$12.7 million previously designated for the Edneyville Sewer Project to the Etowah wastewater treatment plant. Commissioner McCall noted that the Board received no prior communication from Raleigh regarding the change and only became aware of it through the School of Government update.

Etowah Sewer

- July 2024: Purchased sewer assets from Etowah Sewer Company (private) providing significant benefits to customers and water quality.
- At time of purchase the system was:
 - Not compliant with its permits to operate from NCDEQ
 - Poorly documented regarding to permit requirements and maintenance records
 - Not compliant with NC Utility Commission in system transfer
 - Very poor state of maintenance (much worse than reported by ESC)

Etowah Sewer System: County Efforts

- Numerous repairs addressing safety and compliance
- Changed licensed operator for collection system and treatment plant
- Formed the Etowah Sewer Advisory Committee to ensure engagement from system customers and Etowah Citizens
- Received AIA grant and started work to inventory, assess, develop a capital improvement plan, and perform a rate analysis.
- The Required flow reports to NCDEQ under new operator disclosed that previous owner / operator were significantly under reporting.
- Began Treatment Plant Replacement project

Etowah Sewer System: Plant Replacement Project

- Began project in March 2025
- Cost ranges from \$15 million plus
- Schedule is at the earliest 3 years to a more conservative 5 years or more
- Design and Permitting may be complete by December 31, 2026 (\$12.7 million ARPA funding deadline) but construction will not have started.

Approved:

Etowah Sewer System: Plant Replacement Project



Etowah Sewer System: Moratorium

- Required flow reports to NCDEQ under new operator disclosed that previous owner / operator were significantly under reporting.
- With accurate flow reports from new operator, treatment plant is now noncompliant; the flow to the plant is greater than the NCDEQ permitted flow. A moratorium letter dated April 7, [2025](#) was issued by NCDEQ. Moratorium stops all new extensions and connections to the sewer system and is in effect until plant is replaced with additional capacity.

Etowah Sewer System: Moratorium

JOSH STEIN
Governor
D. REID WILSON
Secretary
RICHARD E. ROGERS, JR.
Director



April 7, 2025

CERTIFIED MAIL 7019 1120 0001 4877 6604 - RETURN RECEIPT REQUESTED

Mr. Marcus Jones
County Engineer
1 Historic Court House Square, Suite 6
Hendersonville, NC 28792

Subject: **imposition of Sewer Line Moratorium**
Demonstration of Future Wastewater Treatment Capacities
NPDES Permit NC0071323
Etowah Sewer Company
Henderson County

Members of the Board made the following comments:

Commissioner Egolf expressed concern that the General Assembly reallocated \$12.7 million from the Edneyville Sewer Project to the Etowah project without consulting County officials. He

Approved:

emphasized the importance of communication and bipartisan cooperation, noting that planning for the project began as early as 2017. He stated that approximately \$2 million had already been spent on the project and would not be recoverable. He felt the Board should have been directly notified of the change rather than learning of it afterward.

Commissioner Franklin commended County staff and engineers for their effective maintenance of the Etowah Sewer System, noting there have been no complaints or failures. She stated that the Department of Environmental Quality (DEQ) has been supportive regarding both the Edneyville and Etowah projects and expressed confidence that DEQ recognizes the County's responsible and diligent management of public funds.

Commissioner McCall stated that the reason behind the General Assembly's decision to reallocate the \$12.7 million from the Edneyville Sewer Project to the Etowah project remains unknown, as there was no prior communication with the County. She suggested the decision may have been influenced by NCDEQ but emphasized that this is uncertain. Commissioner McCall said she and Vice-Chair Edney plan to meet Thursday with Representative Jennifer Balkcom and Senator Tim Moffitt to seek clarification. She noted that, as a result of the change, the funds cannot be used for Etowah due to funding deadlines, leaving the County without the \$12.7 million.

Vice-Chair Edney stated that he, like the rest of the Board, has more questions than answers regarding the reallocation. He expressed doubt that the legislature could restore the funds in time for the County to utilize them, even if they chose to do so. He said the County should hope for the best but plan for the worst by beginning to consider alternative options.

Chairman Lapsley thanked the County Manager and County Engineer for their work on both sewer projects. He remarked that if a previous Board had not purchased the Etowah Sewer System, the community could be facing an environmental disaster, and he commended the Board at that time for taking decisive action. While he appreciated the review of the Clear Creek (Edneyville) Sewer Project's history, he expressed doubt that the seriousness of the current situation has been fully conveyed.

Chairman Lapsley reviewed the recent legislative action reallocating \$12.7 million previously appropriated to Henderson County for the Edneyville Sewer Project. He stated that the decision, passed on October 21, came as a complete surprise to both the Board and staff, with no prior communication from Representative Balkcom or Senator Moffitt. He commended the County Attorney for discovering the change through legislative monitoring on October 22, after which the Board was notified. Chairman Lapsley said Representative Balkcom informed Mr. Mitchell that concerns from local property owners about potential growth in Edneyville prompted the reallocation. He noted that the County had held multiple public hearings over eight years with broad community support and that a construction contract for the project had been awarded just a week earlier—information Representative Balkcom indicated she was unaware of. Chairman Lapsley stated that the loss of the \$12.7 million effectively ends the project and jeopardizes the County's agreement with the NC Division of Environmental Quality to provide sewer service to Edneyville Elementary School unless alternative funding is secured. He expressed disappointment that the issue could not have been resolved through prior communication. Chairman Lapsley noted that the Board had been publicly commended for expanding the Edneyville Sewer Project to include businesses along Highway 64. The project was originally intended only to serve Edneyville

Approved:

Elementary School; however, due to public interest and the need to address failing septic systems along the corridor, additional funding was sought to extend service to those properties.

Chairman Lapsley stated that after the County purchased the Etowah Sewer System in July 2024, consulting engineers were engaged to assess the improvements needed to bring the system into compliance. He explained that the County does not yet have a list of required improvements, cost estimates, or detailed engineering plans, and therefore could not utilize the reallocated funds even if available. He noted that typical grant-funded projects require detailed engineering and a preliminary engineering report, which have not yet been completed. Chairman Lapsley expressed that redirecting the \$12.7 million to Etowah was effectively a loss of funds for Henderson County and criticized the lack of communication from legislators, stating the situation could have been avoided with a phone call. Commissioner McCall added that, since the change was made through a Senate bill, Senator Moffitt should also have contacted the County.

Chairman Lapsley stated that the Board of Commissioners was elected to manage local issues on behalf of Henderson County residents, while Representative Balkcom was elected to address state matters. He expressed his opinion that her involvement in this local issue exceeded reasonable authority and has created significant challenges for the Board.

Chairman Lapsley stated that the Board must act quickly, as the construction bid for the Edneyville Sewer Project will expire in 30 days. He outlined several options: (1) terminate the contract and restart the process; (2) redirect funds from the General Fund, which would require borrowing and result in taxpayer-funded debt; (3) reduce the project scope to serve only Edneyville Elementary School and possibly Camp Judaea; or (4) place the project on hold for 30–60 days to determine whether the General Assembly can restore the funding.

Following further discussion, Commissioner McCall requested that staff collaborate to develop potential funding options for the Edneyville Sewer Project and present them to the Board at its next meeting for consideration and possible action. Vice-Chair Edney asked staff to explore reducing the project scope by removing the Justice Academy component and focusing efforts on serving Edneyville Elementary School.

County Manager Mitchell stated that, at the Board's direction, staff would prepare a brief presentation outlining available options. He noted that the County must also evaluate the potential legal and financial ramifications of canceling the construction contract and the impact on easements previously acquired for the project.

Interlocal Agreement – City of Hendersonville

County Manager Mitchell informed the Board that a letter had been received from the City of Hendersonville regarding the interlocal agreement jointly approved by the City and County in June to support the passage of Senate Bill 69. He noted that there has been no movement in Raleigh on the legislation and that the General Assembly has no meetings scheduled in the coming month to consider the bill. Mr. Mitchell stated that if SB69 is to move forward, it would need to be reintroduced during the next legislative session. He said he had drafted a response letter previously shared with the Board and requested direction on whether to proceed with a reply to the City.

Chairman Lapsley reviewed the history of water and sewer issues in the unincorporated areas of the county and summarized recent legislative and interlocal agreement actions. He highlighted the

Approved:

introduction and progression of Senate Bill 69, the approval of an interlocal agreement on June 16, and subsequent discussion with state representatives.

The consensus of the Board was to communicate the letter to the City of Hendersonville. Mr. Mitchell summarized that the drafted letter expresses the County's appreciation to the City for working collaboratively to develop the interlocal agreement and conveys the County's intent to jointly advocate for the agreement in Raleigh as outlined. Along with the letter, a draft interlocal agreement will be provided should the City wish to proceed with actions that can be undertaken jointly by the County and the City without General Assembly approval.

UNC Health Pardee Spartanburg Highway Medical Office Building (MOB) Guaranteed Maximum Price (GMP)

The Board was requested to approve the Guaranteed Maximum Price (GMP) from Vannoy Construction and authorize staff to proceed to contract for Construction Manager at Risk (CMR) services, for the UNC Health Pardee Spartanburg Highway Medical Office Building Project.

The proposal received from Vannoy Construction is a guaranteed maximum price of \$23,593,501.

Chris Todd outlined the project and highlighted the partnership among Pardee Hospital, UNC Health, and Vannoy Construction. Lance Haney (Vannoy) presented the Guaranteed Maximum Price (GMP) of \$27,264,266.57. The hospital will be responsible for repaying the debt service. Mr. McCall noted the County is borrowing the funds due to its stronger credit rating, with Pardee Hospital covering both interest and principal payments through the lease. Commissioner Edney emphasized that this approach saves taxpayers money. Mr. McCall also stressed the importance of staff involvement in the design process, and Maggie Carvealle (LS3P) confirmed that hospital, design, and County teams have been included in project planning meetings.

Vice-Chair Edney made the motion the Henderson County Board of Commissioners accept the Guaranteed Maximum Price of \$23,593,50, and direct Henderson County Staff to contract with Vannoy Construction on this project. All voted in favor, and the motion carried.

NOMINATIONS AND APPOINTMENTS

1. Animal Services Committee – 1 vac.

Chairman Lapsley made the motion to nominate Barbara Sommerville for appointment to Seat #8. All voted in favor, and the motion carried.

2. Fletcher Planning & Zoning Board of Adjustment

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 was carried to the next meeting.

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

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

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

Approved:

Commissioner McCall made the motion to nominate Charles Backer for appointment to Seat #2. All voted in favor, and the motion carried.

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

- **Egolf** recognized the success of the Wolfpack Connect program at BRCC, which guarantees admission to NC State, and commended all involved.
- **Edney** expressed condolences on the passing of David MacMurray, who led the law enforcement program at BRCC.
- **McCall** announced the Adult Recovery Court graduation will be held November 12 at 10:30 a.m. in the meeting room.
- **Franklin** thanked staff for organizing the Treat Street event.
- **Lapsley** reported that UNC Health and Pardee have submitted a Certificate of Need application to build a \$700 million hospital in Buncombe County and noted progress in recovering FEMA funds owed to Henderson County following a productive discussion with the Assistant Deputy of Homeland Security.

COUNTY MANAGER'S REPORT

Mr. Mitchell reported that the Hickory Nut Gorge Partners program is ongoing and commended the Planning Department's work in the area. He noted the Historic Courthouse dome has been illuminated green in honor of Veterans Day. He thanked Parks and Recreation Director Bruce Gilliam and staff for their efforts with the Treat Street event. Mitchell stated that the County continues to monitor the SNAP program amid the federal government shutdown and will provide the Board with a mid-month update on potential cost impacts, noting that SNAP positions are cost-shared with the federal government. He added that WIC funding is secured through November 30. Regarding FEMA reimbursements, he expressed increased optimism about recent progress. Mitchell also reported that the County has received its audit, which he is reviewing, and that Emergency Management Director Jimmy Brissie is currently in Alaska assisting with typhoon recovery efforts.

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

Approved:

Denisa A. Lauffer, Clerk to the Board

William G. Lapsley, Chairman

DRAFT

Approved: