

DRAFT MINUTES

**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

**BOARD OF COMMISSIONERS
WEDNESDAY, JULY 21, 2021**

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.

Those present were: Chairman William Lapsley, Vice-Chair Rebecca McCall, Commissioner Daniel Andreotta, Commissioner David Hill, Interim County Manager John Mitchell, Assistant County Manager Amy Brantley, Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer. Commissioner Edney arrived at 11:15am.

Also present were: Engineer Marcus Jones, Planning Director Autumn Radcliff, Planner Jacob Compher, Code Enforcement Director Matt Champion, Recreation Director Carleen Dixon, HR Director Karen Ensley, DSS Director Jerrie McFalls, Budget Analyst Sonya Flynn, IT Director Mark Seelenbacher, Construction Project Manager David Berry, EMS Manager Mike Barnett, Tax Administrator Darlene Burgess, Assistant Assessor Kevin Hensley, Deputy Tax Collector Luke Small, Assistant Finance Director Randal Cox, Purchasing Agent Doug Guffey, PIO Kathy Finotti, Site Development Technician/Assistant Engineer Deborah Johnson – videotaping, and Deputy Sheriff Mike Marsteller as security.

CALL TO ORDER/WELCOME

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

INVOCATION

The invocation was provided by Will Compton

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Chairman Lapsley

RESOLUTIONS AND RECOGNITIONS

2021. Resolution of Appreciation – James Homer Levi

The Henderson County Board of Commissioners is requested to adopt the attached Resolution of Appreciation for James Homer Levi. Mr. Levi is a World War II veteran and will turn 100 years old on August 2, 2021.

Chairman Lapsley read the resolution aloud.

RESOLUTION OF APPRECIATION

JAMES HOMER LEVI

WHEREAS, James Homer Levi is a Henderson County native son, born August 2, 1921 in Bob's Creek, the tenth of twelve children. Mr. Levi's family has resided in the Green River community for over eight generations; and

WHEREAS, Mr. Levi left school after sixth grade to work at Mondamin Dairy milking cows, and delivering ice and milk to Lake Summit residents. Mr. Levi remembers that it was a 14 mile walk around the lake; and

APPROVED:

WHEREAS, Following four years at the dairy, Mr. Levi joined his older siblings to work at the local cotton mill; and

WHEREAS, In September 1942, Mr. Levi joined the United States Army to serve his country in World War II. Although the Army intended to send him to the South Pacific, the ship transporting him and 500 other soldiers to Guadalcanal took a blow, disabling it off of the coast of Panama. The orders for the men aboard the ship were destroyed in the explosion and they waited for several months in Panama until they received new orders to stay in Panama and guard the canal against possible enemy attack; and

WHEREAS, Once the war ended, Mr. Levi returned to Henderson County to marry area native Ruth Freeman, and raise their two children, Steve and Marsha; and

WHEREAS, Mr. Levi worked for 33 years as a supervisor at Cranston Print Works in Fletcher, retiring in 1984; and

WHEREAS, Living and serving as a dedicated member of Tuxedo Baptist Church, Mr. Levi's great-nephew, Theron Maybin, once said of him, "He's very dedicated to the church and to leadership in the community"; and

WHEREAS, On August 2, 2021, Mr. Levi will reach the magnificent age of 100;

NOW, THEREFORE, BE IT RESOLVED that the Henderson County Board of Commissioners expresses their deep appreciation for his service to the United States of America and recognizes Mr. Levi's contributions to the Green River community and Henderson County at large. On behalf of the citizens and staff of Henderson County, we wish a very happy birthday to James Homer Levi. In witness whereof I have hereunto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this the 21st day of July, 2021.

WILLIAM G. LAPSLEY, CHAIRMAN

HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST: _____

DENISA A. LAUFFER, CLERK TO THE BOARD

Motion:

I move that the Board adopt the attached Resolution of Appreciation for James Homer Levi.

APPROVED:

INFORMAL PUBLIC COMMENT

1. Helen Stewart spoke in opposition to the COVID-19 vaccine.
2. Janice Parker spoke in opposition to the COVID-19 vaccine.

DISCUSSION/ADJUSTMENT OF AGENDA

Motion:

Chairman Lapsley made the motion to approve the agenda as presented. All voted in favor and the motion carried 4-0.

CONSENT AGENDA**Minutes**

Draft minutes were presented for board review and approval of the following meeting(s):

Motion:

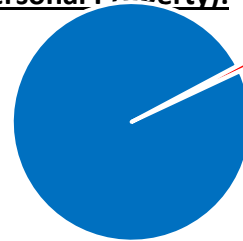
I move the Board approve the minutes of June 7, 2021, June 16, 2020, and June 18, 2021.

Tax Collector's Report

The July 1, 2021, report from the office of the Tax Collector is provided for the Board's information only. No action was required.

Henderson County Annual Bills (Real and Personal Property):

2020 Beginning Charge:	\$86,176,998.24
Discoveries & Imm. Irreg.:	\$289,758.78
Releases & Refunds:	(\$476,119.51)
<u>Net Charge:</u>	<u>\$85,990,637.51</u>
Unpaid Taxes:	\$699,165.28
Amount Collected:	\$85,291,472.23

Paid**99.19%****Unpaid
0.81%****Henderson County Registered Motor Vehicles (As Collected by NC DMV):**

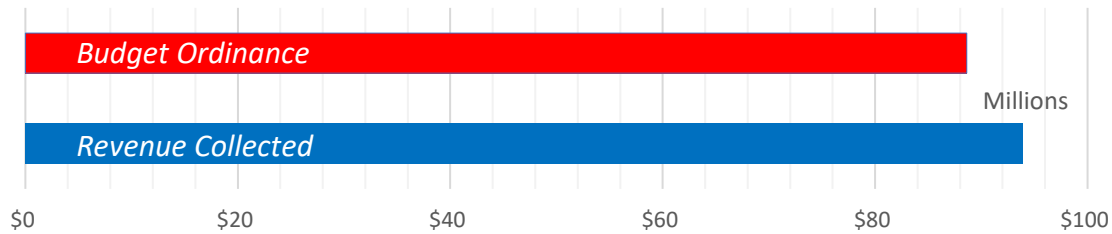
Net Charge:	\$7,567,153.73
Unpaid Taxes:	\$45,342.88
Amount Collected:	\$7,521,810.85

99.40%**Henderson County FY21 Budget Analysis:**

	<u>Budget Ordinance</u>		<u>Revenue Collected</u>
Ad Valorem:	\$87,594,211.00	Ad Valorem:	\$92,813,283.08
Prior Years:	\$1,035,000.00	Prior Years:	\$1,122,004.66

APPROVED:

Budget Total: \$88,629,211.00 YTD Revenue: \$93,935,287.74



PENDING RELEASES AND REFUNDS

The attached pending releases and refunds have been reviewed by the Assessor. 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 are submitted for the approval by the Henderson County Board of Commissioners.

Type:

Amount:

Total Taxes Released from the Charge	\$ 47,182.57
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Total Refunds as a Result of the Above Releases	\$ 331.27
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Motion:

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

COUNTY FINANCIAL REPORT/CASH BALANCE REPORT – MAY 2021

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

- Governing Body – timing of payment for Board approved projects and purchases
- Dues/Non-Profit Contributions – payment of 4PthP quarter Board appropriations
- Rescue Squad – payment of 4PthP quarter Board appropriation and timing of reimbursements
- Heritage Museum – timing of payment of Board approved appropriation
- Agri-Business – excess operating expenditures to be covered by membership fees
- Medical Services – Autopsies – timing and quantity of services provided
- Mental Health – payment of 4PthP quarter Board approved maintenance of effort (MOE)
- Juvenile Justice – timing of provider appropriations and costs incurred for juvenile detention fees
- Public Education – payment of 10PthP of 10 annual appropriations made to the public school system
- Non-Departmental – occupancy tax collections in excess of original budgeted amount
- Interfund Transfers – transfer for HCPS MRTS

NOTIFICATION OF VACANCIES

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

1. **Fire and Rescue Advisory Committee – 1 vac.**
Position # 7

APPROVED:

VOTING DELEGATE TO THE NCACC CONFERENCE

The North Carolina Association of County Commissioners (NCACC) has requested that the Board of Commissioners designate a Voting Delegate for the NCACC Legislative Goals Conference.

The NCACC Legislative Goals Conference will be held in New Hanover County August 12–14, 2021. Each county will be entitled to vote on legislative goal proposal submissions brought before the membership.

In order to facilitate the voting process, in NCACC request that each county designate one voting delegate (and may also assign one alternate voting delegate) prior to the Legislative Goals Conference using the Designation of Voting Delegate Form.

Motion:

I move the Board designate Vice-Chair Rebecca McCall as Henderson County's voting delegate to the NCACC Legislative Goals Conference.

FRENCH BROAD RIVER MPO/TRANSPORTATION ADVISORY COMMITTEE

The Board is requested to appoint Chairman Lapsley to serve as the Board of Commissioner's representative on the French Broad River MPO/ Transportation Advisory Committee to fill the seat currently occupied by Commissioner Andreotta.

Motion:

I move the Board appoint Chairman Lapsley to the French Broad River MPO/ Transportation Advisory Committee.

NON-PROFIT PERFORMANCE AGREEMENTS

Subsequent to the approval of the FY 2021-2022 Budget, staff has distributed the funding agreements to the non-profit agencies receiving County allocations.

1. Blue Ridge Humane Society
2. Blue Ridge Literacy Council
3. Boys & Girls Club of Henderson County
4. Children & Family Resource Center
5. Daniel Boone Council BSA
6. First Contact Ministries, Inc.
7. Flat Rock Playhouse
8. Henderson County Council on Aging, Inc.
9. Henderson County Free Medical Clinic, Inc. (The Free Clinics)
10. Henderson County Heritage Museum
11. Henderson County Partnership for Economic Development, Inc.
12. Henderson County Young Leaders Program (Camplify)
13. Hubert M. Smith American Legion Post 77, Inc.6
14. Interfaith Assistance Ministry
15. Medical Loan Closet of Henderson County
16. Only Hope WNC, Inc.
17. Pisgah Legal Services
18. Safelight, Inc.
19. St. Gerard House
20. The Housing Assistance Corporation
21. United Way of Henderson County
22. Vocational Solutions of Henderson County, Inc.
23. Western Carolina Community Action, Inc. (Grant Match)

APPROVED:

24. Western Carolina Community Action, Inc. (Medical Transport)
25. WNC Communities

Motion:

I move the Board authorize the Chairman to execute the attached funding agreements thereby authorizing the release of the first of the quarterly installments to the named agencies.

HOME & COMMUNITY CARE BLOCK GRANT: FY2022 CONTRACT

The Board is requested to approve the Contract between the Land of Sky Area Agency on Aging and Henderson County. The Home & Community Block Grant Program is State/Federal funded and administered at the local level. The funding plan for this program was approved 6/7/2021 by the Board of Commissioners.

The Contract for County-Based Aging Services outlines the responsibilities of each party for administration of the Home and Community Care Block Grant program and allows the Area Agency on Aging to provide reimbursement payments to the community service providers on behalf of the County.

Motion:

I move that the Board approve the contract between Henderson County and the Land of Sky Area Agency on Aging for County-Based Aging Services.

FIREMEN'S RELIEF FUND TRUSTEE

Pursuant to NC General Statute 58-84-46 the Board of County Commissioners is authorized to appoint Trustees to the Local Firemen's Relief Fund. Trustees are normally appointed by recommendation of the local fire department and serve unlimited terms.

Blue Ridge Fire & Rescue recommends David Flis and Sam Garrett to replace Leonard Nix and Will Sheehan.

Motion:

I move the appointment of David Flis and Sam Garrett as a Local Firemen's Relief Fund Trustee for Blue Ridge Fire & Rescue.

ANNUAL VOLUNTEER APPRECIATION BANQUET

Staff has made arrangements once again to hold the Annual Volunteer Appreciation Banquet at the Hendersonville Country Club. The tentative date (depending on restrictions for COVID 19 being lifted) is Thursday, October 28, 2021. Beginning at 6:00 p.m.

Motion:

I move the Board schedule the 2021 Annual Volunteer Appreciation Banquet for Thursday, October 28, 2021 at 6:00 p.m.

SET PUBLIC HEARING FOR ADMINISTRATIVE TEXT AMENDMENTS TO THE FLOOD DAMAGE PREVENTION SECTION OF THE LDC (#TX-2021-03)

At the request of the Site Development Director/Project Engineer, Natalie Berry, administrative text amendments to the Flood Damage Prevention section are needed. These changes are related to the model ordinance as a result of the adoption of NCGS 160D. The Board of Commissioner adopted the 160D amendments to the Land Development Code, but there are additional administrative amendments necessary to comply the NC's model ordinance as it relates to the 160D changes.

The Planning Board discussed the proposed text amendments at its meeting on June 17, 2021, and voted unanimously to send forward a favorable recommendation on the proposed amendments as attached.

APPROVED:

Motion:

I move that the Board set a public hearing on the proposed LDC Text Amendments (#TX-2021-03) for Wednesday, August 18, 2021 at 9:30 a.m.

SOLE SOURCE OF 3 POWER-LOAD COT FASTENER SYSTEMS

The Board is requested to approve the attached proposal and authorize staff to proceed with the procurement of 3 Stryker EMS Power-Load cot fastener systems via the sole source exception for informal bidding in accordance with N.C.G.S 143-129 (e)(6).

The sole quote was received from Stryker EMS for a total price of \$64,777.05. They are the only manufacturer of this type of lift system, which will be utilized in combination with the Stryker stretchers that Henderson County currently owns. This ensures conformity and operability of these systems as the County has standardized its fleet of stretchers to the Stryker Power Pro Stretcher.

All three (3) Stryker Power-LOAD cot fastener systems were included in the FY2022 budget in the amount of \$64,777.

Motion:

I move the Henderson County Board of Commissioners to accept the sole proposal from Stryker EMS and authorize Henderson County staff to proceed with the purchase of 3 Stryker Power-LOAD cot fasteners in the amount of \$64,777.05 using the sole source exception to informal bidding as allowed under N.C.G.S 143-129 (e)(6).

SOLE SOURCE OF ABI Z23SLT INFIELD GROOMER WITH ACCESSORIES

The Board is requested to approve the attached proposal and authorize staff to proceed with the procurement of (1) ABI Z23SLT Infield Groomer with accessories via the sole source exception for informal bidding in accordance with N.C.G.S 143-129 (e)(6).

The sole quote was received from Benchmark Tool and Supply, Inc. for a total price of \$33,120.20. Benchmark Tool and Supply, Inc is the exclusive dealer of ABI Attachments, Inc. ABI Attachments Inc. is the only manufacturer of this type of equipment that has laser grading ability as well as several unique features protected by US patents.

The ABI Z23SLT Infield Groomer with accessories was included in the FY2022 budget in the amount of \$25,000. Due to the increase in the price of steel because of the Covid-19 pandemic the price has increased to \$33,120.20. The Board is requested to approve a Budget Amendment, transferring \$8,111 from the Maintenance and Repair-Parks to Capital Outlay Equipment.

Motion:

I move the Henderson County Board of Commissioners to accept the budget amendment as presented and the sole proposal from Benchmark Tool and Supply, Inc and authorize Henderson County staff to proceed with the purchase of (1) ABI Z23SLT Infield Groomer with accessories in the amount of \$33,120.00 using the sole source exception to informal bidding as allowed under N.C.G.S 143-129 (e)(6).

SET PUBLIC HEARING TO ABANDON NCDOT MAINTENANCE AND CLOSE A PORTION OF OLD HENDERSONVILLE ROAD RIGHT OF WAY

Planning and Property Addressing staff have received the attached petition to abandon NCDOT maintenance and close a portion of Old Hendersonville Road 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 control of the Department of Transportation. To close any road, the Board must:

APPROVED:

- 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.



Motion:

I move that the Board approve the proposed resolution and set the public hearing for August 18, 2021 at 9:30 am.

HEALTH DEPARTMENT – REQUEST FOR TWO PROJECT POSITIONS

The Henderson County Department of Public Health has identified a need for expanded core capacity to support long term response activities for COVID-19. As outlined in the attached presentation, these needs include vaccine management and distribution, central coordination of case investigations, testing oversight and reporting and ongoing support to long term care facilities, schools, daycare centers and other institutions for testing, reporting and clinical guidance.

APPROVED:

The request is for 2 public health nurse positions (Public Health Nurse II classification) that would be deemed project positions. The cost of the positions would be covered by funds afforded specifically for COVID-19 response through the NC Department of Health and Human Services. The positions would end when there is no longer a need or the funds are exhausted.

The Henderson County Board of Health reviewed the information and supported the need for this expanded capacity at their June 8, 2021 meeting. They asked that the matter be forwarded to the Henderson County Board of Commissioners for consideration and approval.

The positions have been discussed with the Human Resources Department.

No County funding would be required.

Vice-chair McCall clarified the two project positions will be for the increased workload of Health Department nurses due to the COVID pandemic. John Mitchell noted the two project positions were not permanent positions and would be eliminated after the workload returns to normal. He further added that no county employee will coerce any citizen to receive the COVID vaccine.

Motion:

I move the Board approve the addition of two public health nurse project positions for COVID-19 response activities.

Current COVID Duties

- Vaccinations**
 - COVID vaccine is being given daily by appointment and walk in basis with an average of 19 vaccines being given a day.
 - Maintain supply of COVID vaccine and work with community partners to redistribute vaccine as needed
 - Vaccinations for home bound persons
- Contact Tracing/Case Investigation**
 - Daily monitoring of breakthrough cases, school clusters and other trends
 - Liaison to CCNC staff
- Testing**
 - Management of supplies, reporting to state and quality assurance process
- LTCF Liaison**
 - Continued support to LTCF regarding COVID 19 clinical guidance

Who is doing this now?

- **Vaccinations**
 - Managed by Communicable Disease nurse supervisor
 - Executed by CCNC staff (ends 6/30) and PRN staff
- **Contact Tracing/Case Investigation**
 - PRN staff member who will be leaving organization in July
- **Testing**
 - Care Management Nurse Supervisor
- **LTCF Liaison**
 - Clinic Nurse

APPROVED:

Why Hire Another Nurse?

- The nurses that are filling these roles need to transition back to their normal duties as our focus shifts back to traditional community needs
- PRN staff currently completing duties have plans to pursue full time employment.
- Available staff through CCNC contract is decreasing as these employees are also seeing other employment.

How would this position be funded?

- We have received approval to use existing COVID support agreement addenda funds to cover this position.

SOLID WASTE TRANSFER STATION – THIRD BAY PLANNING UPDATE

The 2020 update of the Solid Waste Master Plan analyzed the capacity of our transfer station at the County's Solid Waste facility on Stoney Mountain Road. While the tonnage that triggers the need for additional capacity is not a precise measurement and varies with the economy and operations, we are at the point that planning for additional capacity is appropriate. In addition, the area identified for the expansion is the Henderson County Public School's (HCPS) current bus garage. The HCPS are currently planning to move the garage. By the time the HCPS's project is complete, the additional transfer station capacity will be needed.

The Solid Waste enterprise fund is currently recovering from the impacts of COVID with flat revenues and increased expenses in FY20. However, FY2021 is tracking towards a partial recovery, and a tipping fee is planned for FY23. The fund should be in a good position to support the project. Additionally, the debt service from the FY2010 project is complete in FY2027 which makes debt service capacity available to borrow funding for the project.

Staff will work with a solid waste engineering consultant during FY2022 to scope and cost estimate the 3rd transfer station bay. The project will likely start with design in FY23 and construction in FY24 or dovetailed just behind the HCPS garage project.

APPROVED:

APPROVAL OF 340B AGREEMENT

Private non-profit hospitals certified by Medicaid are allowed to participate in the Federal drug discount program established under Section 340B of the Public Health Services Act. In order to do so, such hospitals must receive an acknowledgement from the local government entity from the area in which the hospital is located that the hospital has committed to providing health care services to low income individuals, and an agreement to continue to do so.

Fletcher Hospital d/b/a AdventHealth Hendersonville has requested that the County execute the attached Agreement under the terms of Section 340B.

Chairman Lapsley clarified this Agreement was for Advent Health to receive certain medications at a discounted cost. The Agreement merely states the county supports Advent Health receive the benefits outlined in the Agreement. Chairman Lapsley continued to explain that one of the conditions of this Agreement is AdventHealth must provide charity care. Chairman Lapsley and Commissioner Edney will meet with AdventHealth in the near future to discuss charity care provided.

Motion:

I move the Board approve the proposed Agreement.

SET PUBLIC HEARING FOR EDNEYVILLE ELEMENTARY SEWER

During the Board's budget workshop, the Board requested a public hearing on the sewer for the Edneyville Elementary school and possibly the surrounding area in the Edneyville Community. The hearing is for the Board to receive an update from KCI Engineers on their sewer study and to hear comments from the Community on the project.

With the Board approval of this agenda item, the Hearing will be set for Tuesday, August 3, 2021, at 6:00 in the gym at Edneyville Elementary school.

Motion:

I move the Board set a public hearing on the proposed sewer system for Edneyville Elementary School for Tuesday, August 3, 2021, at 6:00 p.m. at the gym in Edneyville Elementary School.

Motion:

Chairman Lapsley made the motion to approve the consent agenda as presented. All voted in favor and the motion carried with a 4-0 vote

PUBLIC COMMENT

There was none.

Motion:

Chairman Lapsley made the motion to go into Public Hearing. All voted in favor and the motion carried 5-0.

PUBLIC HEARING FOR REZONING APPLICATION #r-2021-02, ELEMENTAL LANDSCAPES, RESIDENTIAL ONE (R1) TO REGIONAL COMMERCIAL (RC)

Rezoning Application #R-2021-02, initiated on January 21, 2021, requests that the County rezone approximately 0.86 acres of land from Residential One (R1) to Regional Commercial (RC) zoning district. The acreage consists of 1 parcel (PIN: 9651-86-9053) located at the intersection of S. Naples Rd (SR 1695) and S. Old Asheville Rd (SR 1533).

The Planning Board reviewed this request at its May 20th meeting and voted unanimously to send forth a favorable recommendation for approval.

APPROVED:

Motion:

*Vice-chair McCall made the motion the Board approve rezoning application #R-2021-02 to rezone the Subject Area from Residential One (R1) zoning district to a Regional Commercial (RC) zoning district based on the recommendations of the Henderson County Comprehensive Plan, and;
that the Board approve the attached resolution regarding the consistency with the CCP.
All voted in favor and the motion carried 4-0*

Motion:

Chairman Lapsley made the motion to go out of Public Hearing. All voted in favor and the motion carried 4-0.

DISCUSSION – OLD BUSINESS ITEMS
CONSTRUCTION PROJECT UPDATES

David Berry provided an update on ongoing County construction projects including Hendersonville High School, Blue Ridge Community College, and the Animal Shelter. Chairman Lapsley said he would like for the Commissioners to complete a site inspection of the Hendersonville High School Project as the target date approaches.

HENDERSON COUNTY 2045 COMPREHENSIVE PLAN

Autumn Radcliff provided the Board with the first official update on the 2045 Comprehensive Plan. Autumn explained this would be an 18-month process and the planning department would provide an update monthly to keep the Board and the public informed. There will be a lot of public outreach and participation in developing this plan. July is the official kick off for the planning process. This plan will be referred to as Henderson County 2045 Plan, and the 2045 Comprehensive Plan to develop branding and distinction between this plan and the current CCP. There will be a designated website named hendersoncounty2045.com. Staff has been meeting with consultants and offered a tour of Henderson County letting them see the municipalities and see how the county flows in and out of municipalities and the different agricultural, industrial, and residential neighborhoods throughout the County. Consultants will provide a presentation to the Board's at the August Board of Commissioners' meeting. Public outreach will start in August and will include a lot of public interaction.

Chairman Lapsley stated that this is a big deal and encouraged fellow Commissioners to become actively involved. This needs to become an outstanding guide for our commission and future Commissions to see how we view the future our County.

DISCUSSION – NEW BUSINESS ITEMS
MILLS RIVER FIRE DEPARTMENT

Commissioner Andreotta explained Henderson County, along with other counties, receive yearly PILT (Payment in Lieu of Taxes) Funds from the Federal Government. Commissioner Andreotta noted Federal Land is non-taxable. However, the County must provide emergency services to federal property, such as, rescue services, fire, and law enforcement. Each of the forementioned agencies receive funding through the County's budget except for Volunteer Fire Departments which are funded through the County tax base in their district. The majority of the Pisgah National Forest is located in the Mills River Fire District who respond to most rescue calls, medical calls, vehicle accidents, and searches due to their proximity to the forest. These calls require manpower, use of equipment, and special equipment needed for the rugged terrain located in the forest. Chief Rick Livingston provided detailed costs incurred by MRFD department over the last several years. The costs incurred from 2015 to June 2021 are \$64,228 and do not to include

APPROVED:

food, overtime pay, equipment damage and repair, mutual aid, etc. Chief Livingston explained there are 29.7 miles of land in the Pisgah National Forest that lie within Henderson County and is located within the Mills River area. The 29.7 miles is over half the total response area that Mills River Fire Department provide service to. The Board and Chief of the Mills River Fire Department believe the MRFD should receive one third of PILT Funds received by the County.

Vice-Chair McCall agreed the Board needs to pursue increasing the dollar amount of PILT funds the County receives. Chairman Lapsley thanked Chief Livingston for taking the time to explain the Fire Department's situation and Commissioner Andreotta for including it on the agenda. He continued to say he has a keen interest in this matter and has been concerned about the PILT funds MRFD receives for several years. He agreed the amount the county receives in PILT funds needs to be increased. He then stated he had brought this item to the attention of the Board before at the budget discussions and referred to a table provided by Amy Brantley following the budget discussions which showed PILT revenues received for the past ten years. Commissioner Andreotta believes Mills River Fire Department should receive additional PILT funds to help recover some of the costs incurred with emergency calls and to lessen the burden of the taxpayers within the Mills River fire district.

Motion:

Chairman Lapsley made the motion to approve a Budget Amendment transferring \$20,000 of PILT funds (already included in the FY22 budget) to Mills River Fire Department for emergency services provided in the Pisgah National Forest which would come from Fund Balance appropriated. All voted in favor and the motion carried 5-0.

FY 2020-2021 TAX COLLECTOR'S SETTLEMENT APPROVAL FOR BOND AMOUNTS FOR TAX COLLECTOR/DEPUTY; FY2021-2022 TAX ORDER FOR COLLECTION

Delivery of the tax receipts to the Henderson County Tax Collector are due; however before they can be delivered, the following must occur (pursuant to N.C.G.S. 105-352):

- (a) **PREPAYMENTS.** The Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited.
- (b) **SETTLEMENT.** The Tax Collector must make settlement with the Board of Commissioners for all taxes placed in his hands for collection for the past year.
- (c) **BOND.** The Board of Commissioners must approve the bond to be issued for the Tax Collector and Deputy Tax Collector for Delinquent Taxes.
- (d) **ORDER OF COLLECTION.** An Order of Collection must be adopted at today's meeting, which will charge the Tax Collector with the collection of FY 2021-2022 taxes, plus all outstanding delinquent taxes.

Motion:


Vice-Chair McCall made the motion to approve the tax collector's settlement for Fiscal Year 2020-2021 taxes, and further approve the bonds, the order of collection and charge for collection to the tax collector for Fiscal Year 2021-2022 taxes; All voted in favor and the motion carried 4-0.

VAYA HEALTH UPDATE


Angie Garner with Vaya Health provided an update on Medicaid Transformation and the Vaya

APPROVED:

Health/Cardinal Innovations consolidation.

Who & What is Vaya Health


Local government agency that manages publicly-funded services and supports for individuals facing challenges with MHSUIDD needs in a 22-county "catchment area" of WNC.



DEPARTMENT OF HEALTH AND HUMAN SERVICES

We are a local political subdivision of the state of North Carolina originally known as an "area authority" and now referred to as a "local management entity/managed care organization" (LME/MCO).

Vaya Health offers 3 different health plans.

- A MH, SU and IDD health plan for individuals who have a qualifying type of Medicaid based in one of our 22 counties.

We manage this plan under a contract with the NC Department of Health and Human Services pursuant to the NC 1915(b) Medicaid Waiver.
- A MH, SU and IDD health plan for eligible individuals who are uninsured or underinsured.

Because this plan is supported with state, local and federal block grant funds (not Medicaid), there is no entitlement to these services and funding is limited.
- A home and community based services and supports health plan for individuals with I/DD.

This plan is pursuant to the NC 1915(c) "Innovations" Waiver

APPROVED:

House Bill 403-Medicaid Managed Care



- Added Secretary's concept of BH/IDD Tailored Plans that will cover **integrated physical health, pharmacy, BH and IDD** services for complex, high-risk population
- Added **mild to moderate** BH population to scope of Standard Plans –list of services includes inpatient, OPT, crisis and some SUD –overlap with enhanced services
- Established assessment and transition process for members moving between plans
- Excluded Some Medicaid Benefits from Standard & Tailored Plans
- Established a Tribal Option for Enrolled Members of the EBCI/ Federally Recognized Tribes

Goals of Medicaid Transformation



- Deliver whole-person care
- Unite communities to address member needs and deploy cost-effective solutions
- Transition to provider-based care management at site of care
- Improve member experience
- Reduce provider administrative burden
- Support a healthier North Carolina
- Address unique needs of historically marginalized populations

Prepaid Health Plans (PHPs) will be paid capitated payments by DHHS to manage care of eligible Medicaid and NC Health Choice beneficiaries. There will be three types of NC PHPs

- Standard Plans
- Tailored Plans
- Tribal Option

APPROVED:

Approximately 1.6 million of the current 2.5 million Medicaid beneficiaries will transition to NC Medicaid Managed Care

•Beneficiaries will be able to choose from 5 Health Plans (aka “PHPs”)

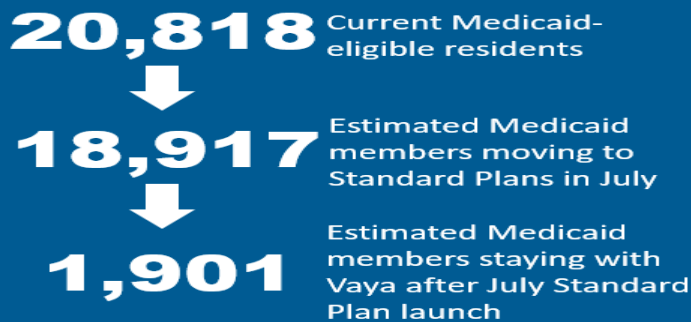
- AmeriHealth Caritas
- Healthy Blue
- United HealthCare Community Plan
- WellCare
- Carolina Complete Health:
 - Serving regions 3, 4, and 5



•Eastern Band of Cherokee Indians (EBCI) Tribal Option

- Will manage the health care for North Carolina’s approximate 4,000 Tribal Medicaid beneficiaries primarily in Cherokee, Graham, Haywood, Jackson, and Swain counties

Medicaid Transformation by the Numbers: Henderson County

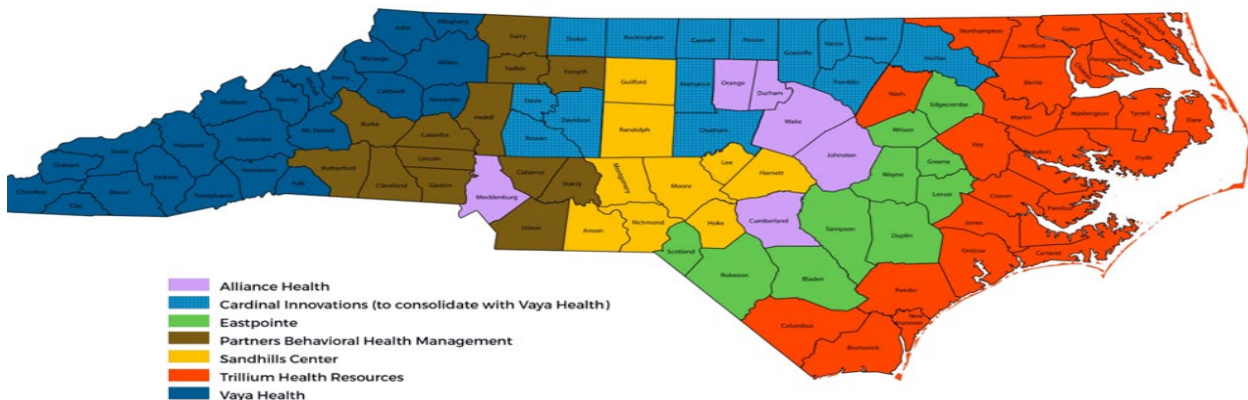


VAYA Health & Cardinal Innovations Consolidation

Proposed County Realignment

NORTH CAROLINA LME/MCO CATCHMENTS

INCLUDES PROPOSED COUNTY REALIGNMENTS



Commissioner J. Michael Edney joined the meeting at 11:15 a.m.

APPROVED:

NOMINATIONS**Cemetery Advisory Committee - 2 vac.**

Positions #4 & 7

Environmental Advisory Committee – 3 vac

Positions #3, 6, 9

Chairman Lapsley nominated Stephen Tillotson for position #3.

*Chairman Lapsley made the motion to accept the nomination of Stephen Tillotson to position #3. All voted in favor and the motion carried 5-0.***Henderson Tourism Development Authority – 1 vac.**

Position #8

Hendersonville City Zoning Board of Adjustment – 1 vac.

Position #3

Hendersonville Planning Board – 1 vac.

Position #3

Historic Resources Commission – 1 vac.

Position #7

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

Position #5

Juvenile Crime Prevention Council - 5 vac.

Positions #4, #16, #18, #19, #25

Commissioner Edney nominated Lily Ferry for position #4 and vice-chair McCall nominated Lauren Riggs for position #19. All voted in favor and the motion carried 5-0.

*Chair Lapsley made the motion to accept the nominations of Lily Ferry for position #4 and Lauren Riggs for position #19. All voted in favor and the motion carried 5-0.***Laurel Park Planning Board – 1 vac.**

Position #1

Mountain Valleys Resource Conservation and Development Program – 1 vac.

Position #2

Nursing/Adult Care Home Community Advisory Committee – 13 vac.

Positions #5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 18, 19, & 22

Vice-chair McCall noted that Nursing/Adult Home Community Advisory Committee is back to meeting and training after a prolonged hiatus due to the COVID-19 pandemic.

COMMISSIONER UPDATES

Commissioner updates included current and ongoing items of interest in the County and allow commissioners an opportunity to bring the full Board up to date on issues that occur between meetings. Commissioners may also use this opportunity to report on related committee work and assignments.

Commissioner Edney provided an update regarding Shepherd Memorial Park. Shepherd's now have 4 full time employees and are working through reorganizing procedures. They are being open and transparent in working with the families that have loved ones buried in the cemetery.

Chairman Lapsley asked the county manager to provide an update on the Ecusta Trail. John Mitchell shared notification was received from Watco this week indicating they are ready to close. This transaction is between Conserving Carolina and Watco. Conserving Carolina informed Mr. Mitchell that Watco is awaiting title insurance to move forward and believes this should occur sometime in the next couple of weeks. He closed in saying he has planned ribbon cutting to celebrate this milestone.

APPROVED:

Chairman Lapsley informed the Board he and vice-chair McCall attended the LGCCA's (Local Government Committee for Cooperative Action) quarterly meeting that was held Tuesday, July 20, 2021. Chairman Lapsley said the meeting went well and all municipalities were represented. Vice-chair McCall added there was a discussion regarding ARP (American Rescue Program) Funds and it was agreed, by that committee, a new group would be formed that will include one elected official and one staff member to meet and confer with all municipalities on the spending of ARP funds so there is no overlap on projects or perhaps municipalities can collaborate on certain projects.

Motion:

Chairman Lapsley made a motion to nominate Vice-Chair McCall to represent the County for the new committee. All voted in favor and the motion carried 5-0.

Chairman Lapsley informed the Board he was contacted by a group known as the North Carolina Leadership Forum. This is a program of the office provost of Duke University and is funded by the Duke Endowment, the John William Pope Foundation, and the Z. Smith Reynolds Foundation. This program is intended to be a venue for Civic, Business, and Political Leaders from across NC to discuss issues central to the future of our state such as jobs, education, and energy. Chairman Lapsley accepted the invitation to be part of the Forum and was honored to be asked to participate.

Chairman Lapsley stated he had been approached again by The Friends of Fletcher Library asking for the Board to consider some level of financial participation in the expansion of the Library in Fletcher.

Vice-Chair McCall was thankful for the opportunity to represent Henderson County at the NCACC (North Carolina Association of County Commissioners) Conference in August. Not only will she be the voting delegate for Henderson County but will serve as the Director for District 16. A lot happens with the NCACC, and she will be reporting on this subject in the August mid-month meeting. She has been involved with The Pathways Initiative for Disconnected Youth through NCACC. She added this was the NCACC's Presidential Initiative the year before last and wanted to carry that task forward to our County. Vice-chair McCall will be setting up a task force in Henderson County focusing on our disconnected youth population and how we can help getting them on the pathway to success.

Commissioner Edney stated, for the record, former Henderson County Commissioner Jere Hyder recently passed away. Commissioner Hyder served during the years 1982 – 1986 and Henderson County would like to express their condolences to the family of Mr. Hyder.

Commissioner Hill noted videos of Commissioner meetings are now up on a different video streaming platform and are available for the public to view once again. Commissioner Hill asked the County Manager to investigate if there are other veterans within Henderson County reaching milestone ages that we may honor with a resolution for their service to our Country.

Commissioner Andreotta received a voicemail from a citizen in Washington State as a result of chairman Lapsley's interview with Epoch Times. The person who left the voicemail praised the Board for doing the right thing regarding the removal of a video from the June 16, 2021, Commissioners' Meeting.

Chairman Lapsley added he had also received emails, phone calls, and letters from across the nation supporting the Board for the action taken against the video removal by YouTube.

The Board has received an update from architects regarding the Hendersonville High School Athletic Field Improvements. This Board approved an appropriation of funds to our architect to provide options for the field improvements. Those options have been presented to the Board members individually and has been presented to the School Board. There are several options to be considered and Chairman Lapsley believes

APPROVED:

the appropriate action is to request the Joint Facilities School Committee meet and review those options and report back to a meeting in the near future to make a recommendation. The county manager advised he would plan a meeting to take place the following week.

GENERAL ASSEMBLY UPDATE

John Mitchell informed the Board the House of Representatives in putting together their budget. Every indication is that their budget will arrive in early August. It is entirely possible we may have the General Assembly Budget to the Governor's office in August. Whether or not the Governor signs the budget is yet to be known.

Chairman Lapsley asked if there were any updates regarding House Bill 401. John Mitchell said he had not received an update but had received a briefing at the Manager's Meeting a month ago and the indications are it is not going to move forward.

COUNTY MANAGER UPDATE

The county manager's office has received 150 pages of interim rules for the ARP Funding. We hope to have some definitive guidelines from the Federal Government on what the funds may be used for. There is an item on the agenda to discuss this topic at the August 2 meeting.

Paving has been completed at Etowah Park and there is a ribbon planned a ribbon cutting to celebrate with the community on Monday, August 9, 2021, at 4:00 p.m.

Vice-Chair McCall noted that the Board needed address the Chair appointment for the TDA and that the action needed to be approved at this meeting. It was not included in the agenda and the committee must have a chair in order to call a meeting. John Mitchell advised the Board current chair, Debbie Smith, is willing to serve again.

Motion:

Chairman Lapsley made the motion to appoint Debbie Smith as Chairman to the TDA. All voted in favor and the motion carried 5-0.

County Attorney Russ Burrell noted news media reports have said Opioid Distribution Lawsuit is announce the imminency of a settlement. If that settlement goes forward NC Distribution Scheme is already set-up. This will be good news for programs that the Board has already designated in terms of assisting opioid abuse program assistance.

CLOSED SESSION

The Board is requested to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3)(4)(5), as allowed pursuant to NCGS 143-318.11 for the following reasons:

To consult with an attorney employed or retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board.

To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.

To establish, or to instruct staff or negotiating agents, concerning the position to be taken in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract.

APPROVED:

Commissioner Edney made the motion to go into closed session pursuant to N.C. Gen. Stat. §143-318.11(a)(3). All voted in favor and the motion carried 5-0.

ADJOURN

Commissioner Edney made the motion to go out of closed session and adjourn at 1:20 p.m. All voted in favor and the motion carried 5-0.

Attest:

Denisa A. Lauffer, Clerk to the Board

William Lapsley, Chairman

APPROVED: