

**MINUTES**

**LOCAL GOVERNMENT COMMITTEE FOR COOPERATIVE ACTION (LGCCA)**

**July 21, 2020**

The Local Government Committee for Cooperative Action (LGCCA) held its quarterly meeting on Tuesday July 21, 2020 at 3:00 pm in the Henderson County Commissioners' Meeting Room/Courtroom of the Historic Courthouse on Main Street, downtown Hendersonville.

Present were:

Henderson County: Chairman Grady Hawkins, Attorney Russ Burrell, County Manager Steve Wyatt

Hendersonville: Mayor Barbara Volk, City Manager John Connet

Laurel Park: Mayor Carey O'Cain

Flat Rock: Vice Mayor Sheryl Jamerson, Mayor Nick Weedman, Village Administrator/Zoning Administrator Pat Christie

Fletcher: Mayor Rod Whiteside, Councilman Preston Blakely

Mills River: Mayor Chae Davis, Councilman Roger Snyder

**WELCOME**

Commissioner Grady Hawkins called the meeting to order and welcomed everyone in attendance.

**APPROVAL OF AGENDA –ADDITIONS/DELETIONS**

*Commissioner Grady Hawkins made the motion to approve the agenda as presented. All voted in favor and the motion carried.*

**APPROVAL OF MINUTES – JANUARY 21, 2020**

*Commissioner Grady Hawkins made the motion to approve the minutes of January 21, 2020. All voted in favor and the motion carried.*

**MERGER OF “CCWSD” CANE CREEK WATER AND SEWER DISTRICT TO “MSD” METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY**

Commissioner Hawkins noted particularly in Fletcher, customers should see a dramatic reduction in rates. The Board of Commissioners have been working 20 years or more for approval of this merger.

Henderson County Attorney Russ Burrell provided information regarding the merger of CCWSD to MSD.

Establishment:

CCWSD was established in the 1980s because of problems in an area that later was incorporated into the Town of Fletcher. Early on an agreement was reached with MSDBC to treat the sewerage. This agreement was later expanded to allow for a large daily capacity allocation for CCWSD in the MSD system, and to allow MSD to run a gravity line through the County from the Sweeten Creek area to the main MSD line on the French Board. All effluent created by all CCWSD customers was ultimately treated by MSD, at the same cost as all other MSD customers. However, CCWSD paid a large monthly fee, to finance expansion and maintenance in the CCWSD system.

#### Process of Merger:

HB758 became law in late July of 2019. It changed G.S. §162A-68.5, which establishes one of the procedures to include additional political subdivisions to a metropolitan sewerage district.

On August 5, 2019, the Board of Commissioners adopted a Resolution requesting inclusion of the entire CCWSD into the MSD. Among the reasons cited:

1. All CCWSD customers were already served by MSD.
2. Service to the CCWSD customers in a merged system would be “on substantially the same basis and in the same manner as such services are provided within the rest of the district prior to the inclusion of the new territory”.
3. A system merger would mean an approximate 30 percent reduction in the service fee for CCWSD customers.
4. Future expansion of the “former” CCWSD district would be financed by MSD, on the same basis and under the same rules as expansion anywhere else in the MSD district.

The process of G.S. §162A-685 was followed:

1. The Resolution was presented to the MSD Board.
2. MSD created and sent to the NC Environmental Management Commission “EMC” maps showing the proposed new MSD boundaries, the existing system, and any proposed extensions.
3. EMC holds a public hearing (in this case, two). One was held at West Henderson High School. The other was held by telephone conference.
4. EMC then met and unanimously agreed that the merger of the systems was in the interest of both those served by CCWSD and of regional planning for sewer resources.

The final documentation of the merger was executed just before the end of the 2020 fiscal year. Under G.S. §162A-68.5, the County appoints two members to the MSD Board (which now has a total of 14 members – 2 from Henderson County, 3 from Buncombe County, 3 from Asheville, and one each from Woodfin Sanitary District, Biltmore Forest, Black Mountain, Montreat, Weaverville, and Woodfin).

MSD now has an office in the county permit center, at 100 North King Street. This allows “one-stop shopping” for residents needing zoning, building, sewer, and City of Hendersonville water permits.

#### **ESSENTIAL WORKERS APPRECIATION EVENT**

Mayor Rod Whiteside stated Fletcher is interested in gauging the level of support they would have for a countywide celebratory event for essential workers, once we get to the other side of COVID 19.

Commissioner Hawkins felt this was a wonderful idea, and Henderson County would like to participate.

*It was consensus that everyone attending supports a celebratory event.*

#### **UPDATES**

##### **Henderson County**

Commissioner Hawkins stated the County adopted their budget with no tax increase. One of the biggest items dealt with was aggressive construction projects for the public schools, as well as the community college. If there had not been a contract let for the project, it was placed on hold. Hiring was frozen except for essential personnel. By working with the Board of Education, the County was able to handle most of the short-term

needs of the school system. Hopefully when the sales tax report is received it will be close to our estimations of loss.

#### COVID 19 / Cares Act Funding

With regard to the COVID 19 “Care Act Funding”, it is mandated by the Federal Government to share 25% of the funds with municipalities. There are more than enough funds to handle any expenses incurred.

Today’s latest information on COVID 19:  
Henderson County Confirmed Cases: 1,066  
Deaths: 52 since March

Looking at the contact confirmed cases, suggests that our Medical Facilities are doing a pretty good job of dealing with the folks who test positive since we have basically put a hold on deaths occurring from COVID 19. We have tested 13,740 people and the number of positive tests continues to rise. However, the Health Department’s tracking system is working, and we are getting a handle on this invisible enemy. We are at about 69% occupancy in the Henderson County hospitals.

#### Broadmoor Golf

The County approved the sale of Broadmoor Property to the GARAA. It will have some affect on Fletcher’s revenues. The County must approve or disapprove of the sale of the land. Approval of the sale of the land meant that GARAA will not have to pay property tax on the land which amounts to about \$11,000 per year. Many folks were interested in keeping the public golf course, and GARAA assured the Board of Commissioners this is their intent. GARAA is looking for a management entity to run the golf course. Buildings on the property will still be taxed.

#### Historic Resources Commission

A position is open on the Historic Resources Commissioners for a Fletcher Representative.

#### CCWSD & MSD

The Board has waited a long time to see the rate reduction for the Town of Fletcher with the CCWSD and MSD merger.

#### Proposed Asphalt Plant

The County has received a vast number of calls, emails, and letters regarding the Asphalt Plant. It will probably be mid-September before the Board of Commissioners sees the proposal for the plant. Much of the correspondence addresses air and water quality. The Board of Commissioners will deal with land use only. Raleigh will be issuing the Air Quality Permit, so if anyone has concerns with air or water quality, they should reach out to Raleigh.

#### 2020 Census

The 2020 Census is in process. It is very critical that folks are encouraged to complete the questionnaire. There is a lot of Federal money wrapped up in the Census.

#### Tax Collection

The tax collection process is working well.

### **Town of Laurel Park**

Mayor Carey O’Cain stated the Town of Laurel Park had adopted their budget without a tax increase. Their revenue has been reduced based upon the projected reduction of sales tax revenue.

### **Town of Mills River**

Town Manager Daniel Cobb shared the Mills River budget was adopted without a tax increase. Their collection rate for last year was 99.14%.

### COVID 19

A window has been installed in their lobby separating staff from the public.

### Mills River Park

Mills River’s baseball field is under construction. Fence posts are going in and nearly complete. Dugouts are finished and concrete work began this week. The infield work is under way and grading should be finished in the next few weeks. The park has been very busy with people trying to get outside.

### Solar Panels

A solar panel project is underway at their park, Town Hall, and Maintenance Facility. Solar panels will be on the picnic shelter, the restroom facility, and the Town Hall. The last building to receive solar panels will be the Maintenance Facility.

### Stream Restoration Grant

A grant for stream restoration was received from the State. It was awarded last year but the State did not authorize release of the funds. They should receive more information over the next few weeks. It will be for the entirety of Mills River. They hope to have the project complete before they lose their bike path to the river.

### Dog Park

Mills River’s Dog Park opened a few weeks ago.

### Construction

Permit activity is up, and above where they were last year. There is a lot of single-family home construction and remodels. There are a couple of big commercial projects pending, but nothing on the books yet.

Councilman Roger Snyder thanked Henderson County for the years of work achieving the merger of CCWSD and MSD. This will save Mills River and Fletcher citizens and businesses a lot of money.

### **City of Hendersonville**

Mayor Barbara Volk noted the City of Hendersonville adopted a conservative budget with no tax increase.

### Police Department

They have started work on their new Police Department.

### COVID 19

With stores and restaurants struggling, the City of Hendersonville has tried an “open streets” concept. Main Street was opened for restaurants and businesses to allow business outside and take advantage of putting some their merchandise out on the sidewalks. Trying to encourage people to come downtown with a few special activities for families. The Avenues remained open. This was met with mixed success, some businesses that

feel it hurt their business rather than helped. Hendersonville will continue to try this for a while and another event will take place the first weekend in August, to encourage people to shop locally.

#### City Clerk

City Clerk Tammie Drake retired, and their New City Clerk is Angela Reece.

#### City Attorney

City Attorney Sam Fritschner is retiring in September with a new city attorney (Angela Beeker) to begin in August to work with Mr. Fritschner for a short period before he leaves.

#### **Village of Flat Rock**

Mayor Nick Weedman stated the Village of Flat Rock passed their budget with no tax increase. Their tax collection rate is at 99.94% with one outstanding tax bill.

#### COVID 19

COVID 19 guidelines are being followed by the Village of Flat Rock, and when citizens do not comply, they are asked to leave. One of their meeting rooms has been opened up subject to social distancing and face coverings. Looking at the Cares Act Funding, they do not qualify for any reimbursement of funding, and will be turning over \$104,000 back to the county. Their meetings are all ZOOM based at this time.

#### Proposed Asphalt Plant

The Village of Flat Rock is receiving complaints regarding the proposed Asphalt Plant, with most complaints coming from people who do not live in Flat Rock. The Council voted to oppose the proposed asphalt plant.

#### Halfway Tree Sewer Project

Halfway Tree Sewer Project is underway by the City of Hendersonville. The new owner is willing to fund the expansion.

#### **Town of Fletcher**

Mayor Rod Whiteside shared the Town of Fletcher budget was adopted with no change to the tax rate.

- The Town Center Development is in the RFP process.
- Their Concert in the Park summer series has been moved to August and September and they will offer Drive-in movie in the park event in August.

#### **Reminder of Next Meeting**

October 20, 2020 hosted by the Town of Fletcher.

#### **Adjournment**

*Commissioner Hawkins made the motion to adjourn at 3:35 p.m. All voted in favor and the motion carried.*

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Teresa L. Wilson

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Grady Hawkins, Chairman