MINUTES

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

BOARD OF COMMISSIONERS
WEDNESDAY, SEPTEMBER 16, 2026

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

Present were: Chairman William Lapsley, Vice-Chair J. Michael Edney, Commissioner Jay Egolf, County Manager John Mitchell, Financial Services Director Samantha Reynolds, County Attorney Russ Burrell, and Clerk to the Board Denisa Lauffer.

Absent were: Commissioner Rebecca McCall and Commissioner Sheila Franklin

Also present were: Budget Manager Sonya Flynn, Director of Public Health David Jenkins, A/V Technician Oscar Guerrero, Director of Human Resources Karen Ensley, Internal Auditor Natalie Pinto, Grants Administrator Emily Schwartz, Construction Projects Coordinator Ronnie Kilby, Parks and Recreation Director Bruce Gilliam, Parks Maintenance Supervisor Jason Kilgore, Tax Assessor Kevin Hensley, Social Media Coordinator Tiffany Lucey, and Finance Director Randall Cox. Deputy 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
Chairman Lapsley led the Pledge of Allegiance to the American Flag.

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

1. Ronald Sobin spoke regarding delayed response times in the Hickory Nut Gorge. He expressed concern that response times may increase due to ongoing road construction in the community. He requested that the Board not relocate EMS equipment to Walmart or another location.
2. Aaron Black spoke in opposition to the use of ALPR cameras in Henderson County. He also addressed concerns regarding the rule of law.

DISCUSSION/ADJUSTMENT OF AGENDA

Vice-Chair Edney added to Closed Session pursuant to N.C. Gen. Stat. 143-318.11 (a)(3) and (a)(5).

Chairman Lapsley moved to approve the agenda with the addition of Closed Sessions (a)3 and (a)5. All voted in favor, and the motion carried.

CONSENT AGENDA

Chairman Lapsley moved to add to the Consent Agenda as Item F - Vendor Change Order – Henderson County Sports Complex at Berkeley Park. All voted in favor, and the motion carried.

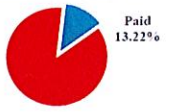
Tax Collector's Report

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

Please find outlined below collections information through September 2nd for 2026 real and personal property bills created and mailed. Vehicles taxes are billed monthly by NCDMV.

Henderson County Annual Bills (Real and Personal Property):

2026 Beginning Charge:	**$114,761,451.77**
Discoveries & Imm. Irreg.:	$183,892.90
Releases & Refunds:	($39,421.96)
Net Charge:	$114,905,922.71
Unpaid Taxes:	$99,719,629.82
Amount Collected:	**$15,186,292.89**



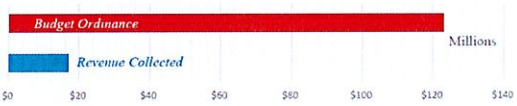
Henderson County Registered Motor Vehicles (As Collected by NC DMV):

Net Charge:	$1,581,855.90
Unpaid Taxes:	$4,929.73
Amount Collected:	**$1,576,926.17**

99.69%

Henderson County FY27 Budget Analysis:

	Budget Ordinance		Revenue Collected
Ad Valorem:	$121,916,161.00	Ad Valorem:	$16,763,219.06
Prior Years:	$1,045,000.00	Prior Years:	$234,094.78
Budget Total:	**$122,961,161.00**	**YTD Revenue:**	**$16,997,313.84**



Chronic Nuisance Property – 108 Appalachian Ave

The Code Enforcement and Zoning Department has cited a parcel of property three times within the past year for violation of the nuisance ordinance, Chapter 52 of the Henderson County Code. The property is shown on the GIS (geographical information system) as PIN 9569862880, with owner shown as "Wallace Allen King." Copies of each notice of violation were provided.

Under N.C.G.S. §153A-140.2,

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

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

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

2026.098 Resolution Appointing Plat Review Officers

N.C. Gen. Stat. §47-30.2 requires that all plat review officers be appointed by a resolution recorded in the Register of Deeds office. Plat review officers ensure that all plats to be recorded comply with the plat requirements set out in the General Statutes.

On September 17, 1997, this Board first adopted a plat review officer resolution, and it has been

revised several times since its adoption. This resolution also sets out certain other procedures that all plat review officers must follow.

Because of staff changes, staff requested that the Board update the list of appointed plat review officers. A proposed resolution was provided for the Board's consideration. This proposed resolution restates all county employees currently appointed as plat review officers, with any former county employees removed, and new employees from the Planning Department and/or Land Records included.

Motion: I move that the Board adopt the resolution updating plat review officers for Henderson County.

2026.099 Tax Release – W. Gilliam
A request was received for the release of *ad valorem* taxes for certain real property.

From the public record, the taxpayer owned two parcels with a structure on January 1, 2025. On February 3, 2025, the North Carolina Department of Transportation filed a condemnation action taking one of the parcels and the entire structure. No notice was given to your tax office of the taking, and the 2026 *ad valorem* property tax bill included both parcels and the structure as property to be taxed.

The taxpayer is seeking release of the portion of his tax bill covering the structure and one of the parcels.

Motion: I move the Board grant the release of the portion of the tax bill for the subject property resulting from the taxation of the structure and the portion of the real property taken by the North Carolina Department of Transportation.

2026.100 Grant Project Resolutions - North Carolina Department of Environmental Quality
Henderson County is pursuing grant funding for the Etowah Sewer System Wastewater Repair and Upgrades Project and the Clear Creek Sewer System. The North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure requires a resolution to be submitted with applications for funding. Staff intends to submit applications for the Clean Water State Revolving Fund and the State Wastewater and Drinking Water Reserve Fund. Henderson County is eligible for both principal forgiveness and grant funding with these programs.

The Grants Administrator will present more information to the Board before any contracts are executed. The Grants Administrator intends to submit these applications before the September 30, 2026, deadline.

Motion: I move that the Board adopt the grant project resolutions required for the Clean Water State Revolving Fund and the State Wastewater and Drinking Water Reserve Fund to fund the Etowah Sewer System and Clear Creek Sewer System construction projects.

Vendor Change Order – Henderson County Sports Complex at Berkeley Park (Add-on)
The Board was requested to approve change orders provided by Musco Sports Lighting and Newco Electric for the Henderson County Sports Complex at Berkeley Park. The Musco change order reflected a helicopter and labor for one (1) day to erect twenty-eight (28) Musco Sports Lighting

Poles on the project site; the total cost of the proposal was $138,000. The Newco Electric change order reflected the cost to run electrical wire to electric service at the three new buildings on site; the wire will be run through existing conduit pathways established by Newco Electric; the total cost of the proposal was $67,111. The total for both proposals was $205.111.

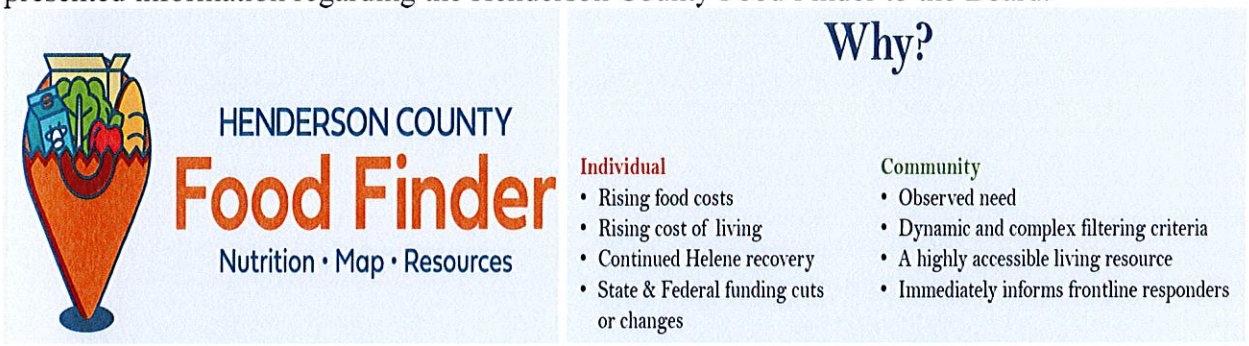
Motion: I move the Board approve the change proposals issued by Musco Sports Lighting and Newco Electric for the Henderson County Sports Complex at Berkeley Park in the amount of $205,111.

Vice-Chair Edney moved to approve the consent agenda with the addition of Item F. All voted in favor, and the motion carried.

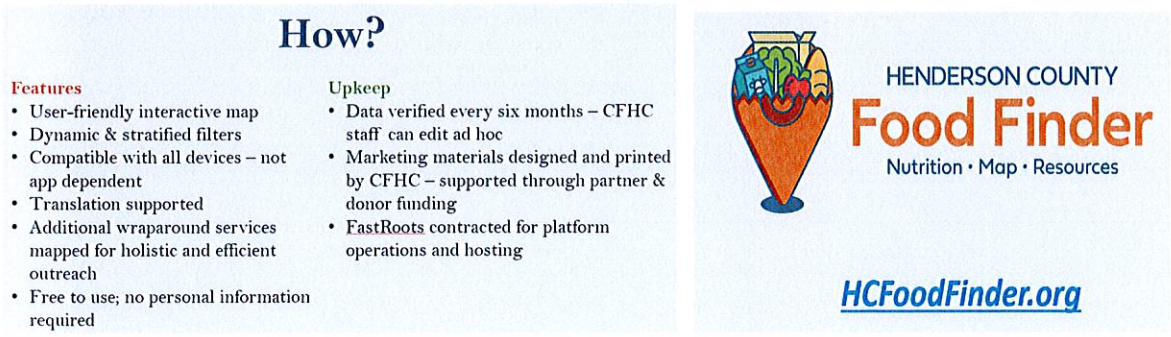
DISCUSSION

Henderson County Food Finder

Kris Merritt, Senior Program Officer from the Community Foundation of Henderson County, presented information regarding the Henderson County Food Finder to the Board.

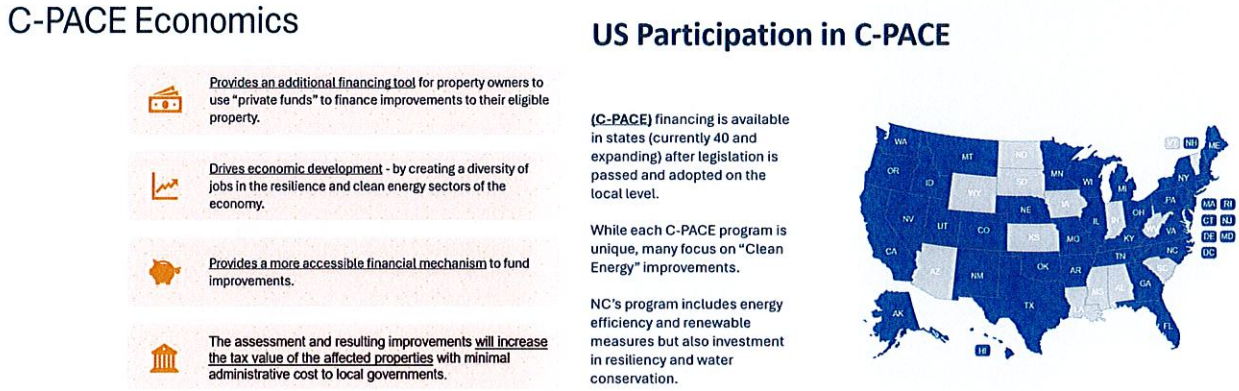


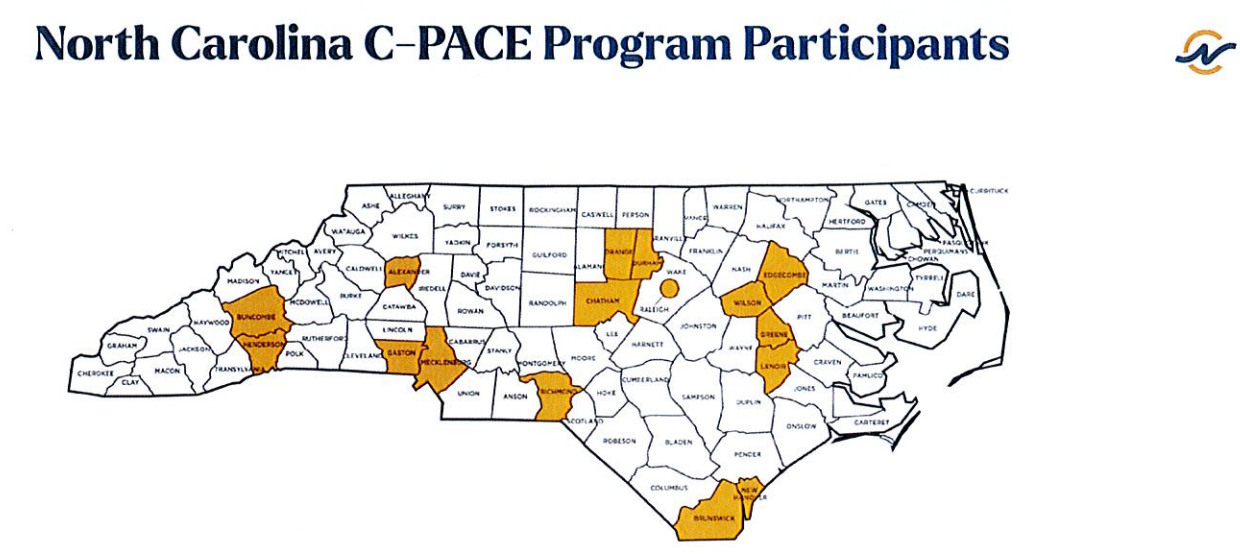
Several maps were shared depicting the different filters that can be applied to find resources using the program.



Economic Development Partnership of North Carolina C-PACE Program
Kristin Bunn with the Economic Development Partnership of North Carolina will present on the Commercial Property Assessed Capital Expenditure (C-PACE) Program.







C-PACE is an economic development tool. By making it more affordable for building owners to make major improvements to their buildings, local building stock is enhanced, which can drive job creation.

Qualifying commercial property

- Privately-owned:
  - Commercial
  - Industrial
  - Agricultural
  - Multi-family real property with five (5) or more dwelling units
  - This includes properties owned by nonprofit, charitable, or religious organizations.





Qualifying improvements

Permanently affixed improvements on qualifying commercial property as part of construction or renovation, including one or more of the following:

- **Energy efficiency measure** - equipment, component, or program change that reduces energy use and that meets or exceeds then-existing State and Federal building codes and efficiency standards or conservation codes.
- **Resiliency measure** - equipment, component, or program change including, but not limited to, storm retrofits, flood mitigation, stormwater management.
- **Renewable energy measure** - equipment, component, or program change that utilizes a renewable energy resource.
- **Water conservation measure** - equipment, component, or program change to decrease water consumption or demand, either indoor or outdoor. This also includes measures to address safe drinking water.

C-PACE can be more than gap financing



- Acquisition
- Construction (including new construction)
- Adaptive reuse
- Installation, or modification of qualifying improvements
- Refinancing of existing properties or new construction that have had qualifying improvements installed for no more than three (3) years prior to the date of Project Application

NC's 1st C-PACE Project



Summary

Trenton Mill Lofts is an 85-unit multifamily development located in downtown Gastonia, NC, approximately 20 miles west of Charlotte. The building was previously Trenton Cotton Mill, Gastonia's oldest standing textile mill, which was built in 1897 and had since stood abandoned. In 2022, the Sponsor, Lansing Melbourne Group, reimagined and converted it to an upscale multifamily property, which boasts design-forward apartments and loft-style homes, as well as a fitness studio, lounge, hammock park and fire pit area.

Opportunity

The sponsor utilized $6.5 million in C-PACE financing to recapitalize key energy efficiency improvements, as well as associated soft costs, which were made to the historic Trenton Mill as part of a 2022 adaptive reuse project. By utilizing C-PACE, the Sponsor was able to partially pay down their original construction loan and support the stabilization of the property. This enabled them to cover necessary reserves, enforce lease-up efforts, and fund operational enhancements, thereby positioning the property for long-term success, while providing the city of Gastonia with needed housing.

Local Government Benefits

C-PACE is an economic development tool structured to be cost-neutral for local governments and requiring little-to-no administrative resources. By making it more affordable for building owners to make major improvements to their buildings, local building stock is enhanced, which drives job creation. Energy and resiliency upgrades retain and attract new businesses by lowering utility costs, and in turn these upgrades generate higher property tax payments for local governments. In addition to supporting local governments in their efforts to achieve energy and emissions reduction goals, the benefits of the C-PACE program include:

- Higher property values – Revitalized buildings improve property values, creating more revenue for local communities.
- Economic growth – New development and construction projects stimulate the local economy.
- Stronger communities – Conserving resources and building resiliency in infrastructure deliver positive impacts for everyone in the community.

Approved: October 6, 2026

How to Join

Counties and cities in North Carolina may participate in the statewide C-PACE Program to support commercial, industrial, agricultural, and multifamily property owners with access to financing for efficient and resilient building improvements.

The EDPNC serves as the statewide administrator and works with private capital providers to assist interested commercial property owners in applying for C-PACE financing. Joining the statewide program does not expose a local government to any financial or legal liability. Once the necessary documents are executed for C-PACE financing, there is no other administrative involvement by the local government.

Three Simple Steps

Joining the C-PACE Program is a voluntary 3-step process, with support from the EDPNC:

1. Adopt a Resolution of Intent
2. Hold a public hearing
3. Adopt a final Resolution to join the C-PACE Program

No Overhead

- The C-PACE program is structured to be cost-neutral for local governments and requires little-to-no administrative resources.
- Local governments are not responsible for collection; duties for billing and collection will be delegated to and handled privately by the capital provider(§160A-239.16 (b)).
- C-PACE liens are junior in priority to all taxes and other governmental liens.
- Outstanding or delinquent state, local, or federal taxes or liens at the time of a foreclosure proceeding will be satisfied first.
- Neither the State nor any participating local government, its officers, or employees shall be personally liable for any actions taken pursuant to the C-PACE Act. Per the Act, the State nor any local government may use public funds to finance or repay C-PACE assessments, and all financing is obtained by commercial property owners from private-sector capital providers.
- At closing and upon execution by the local government, EDPNC or the capital provider will record the Assessment Agreement, Notice of C-PACE Assessment, and the Assignment of C-PACE Lien in the office of the register of deeds in the county in which the property is located.
- Billing, collection, and enforcement of C-PACE assessments and C-PACE liens will be the sole responsibility of capital providers.

Next Steps

- Learn more at www.edpnc.com/c-pace
- Review the C-PACE Program Toolkit
- Review local government document templates to join the program:
  - 2 (A) - Resolution of Intent
  - 3 (B) - Resolution to Join
- Review the documents used in the loan review, closing, and recording process:
  - NC documentation at the time of review/approval:
    - 5 (D) – Qualifying Improvements
    - 6 (E) - Checklist and Property Owner Certification
    - 7 (F) - Lien Holder Consent (if applicable)
  - NC documentation at the time of closing/recording:
    - 8 (G) – Assessment Agreement (along with noted exhibits)
    - 9 (H) – Notice of Assessment
    - 10 (I) - Assignment of Lien

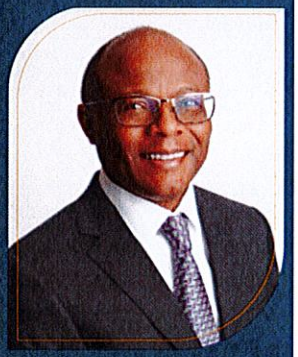
Your C-PACE Team

Our Role:

- Enablement & education
- Pipeline & project activity tracking
- Capital Provider liaison & referrals
- C-PACE Administrator & Approvals



Kristin Bunn
C-PACE Program Administrator
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Larry Price
Director of Finance
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Construction Projects Update
Ronnie Kilby provided the Board with an update on construction projects around Henderson County.

This monthly report reviews the scope and status of assigned construction management responsibilities and includes specific updates on County-funded construction activities.

BRCC Facilities Building
- RYSE Construction is reviewing CD Documents
- Clark-Nexsen Architects issued 100% CD documents September 2
- WGLA Engineering has completed the design of the required utilities extension. RFP has been published, and bids will be opened October 13

Henderson County Public Schools MRTS Projects

HCPS Various Paving Improvements Project
- Tarheel Paving is the contractor for the project
- All work is now complete
- The following schools were included in the project: Hendersonville, Fletcher, Clear Creek, Apple Valley, Hillandale Elementary, Glenn Marlow, and Flat Rock Middle

HCPS HVAC Controls Project
- Johnson Controls (JCI) has completed work at Rugby Middle School, North Henderson High, Apple Valley Middle, and Hendersonville Middle
- JCI is currently working on Sugarloaf Elementary and Flat Rock Middle
- HVAC Controls at the end-of-life will be replaced at the following campuses: Apple Valley, Flat Rock Middle, Hendersonville Middle, North Henderson High School, West Henderson High School, and Rugby Middle
- All work was scheduled to be completed by November 18, 2026

Upcoming HCPS MRTS Projects
- Atkinson HVAC Replacement Phase II: Bids opened July 2; JCI was the awarded contractor
- Boiler Replacement Project for Sugarloaf Elementary & Dana Elementary: Bids were opened July 22; Boiler Masters Inc. was the awarded contractor
- Chiller Replacement Project for Clear Creek Elementary, Hendersonville Middle, and North Henderson High School: Bids were opened July 1; JCI was the awarded contractor

Henderson County Capital Projects

Spartanburg Highway Medical Office Building
- Construction began in January 2026
- Brick veneer is going in place; interior framing and mechanical work is ongoing
- Vannoy Construction is scheduled to have this project completed by May 12, 2027

Mills River Medical Office Building

- May 2026 – 100% CD documents received
- June 2026 – Bids were opened for the project
- September 8, 2026 – GMP was presented to the Board of Commissioners

Henderson County JCAR Project

Detention Center

- All pre-cast walls and cells have been set
- Security Contractor is installing doors and sliders in new inmate housing areas
- Slabs for the male housing expansion, the new sally port, and the administrative wing will be completed soon
- Project is scheduled to be completed in early 2028

Courthouse Project

- Underground infrastructure in progress
- Foundations are scheduled to begin September 14
- Project is scheduled to be complete in October 2028

South Grove St. Parking Lot

- WGLA Engineering is under contract to design expanded parking at the corner of 1st Ave E and South Grove Street
- Buildings on the parcel will be demolished
- The lot will yield 41 spaces when complete
- Project is scheduled for completion in Fall 2026

Youngblood Parking Lot

- Henderson County has leased the lot on the corner of North Pine St and 4th Ave East
- Project is scheduled for completion in Fall 2026

Henderson County Sports Complex at Berkeley Park

- Asphalt paving of parking lots is underway
- Concrete work is ongoing
- Work on the tennis courts is underway
- Athletic Light bases and all conduit are installed; light poles are scheduled for delivery September 21
- Project is scheduled for completion – October 2026

Restroom Facilities at the Sports Complex

- RYSE Construction began construction on the three restroom buildings on June 3
- Interior painting and finishing work are ongoing
- The project is scheduled for completion by October 2026

Berkeley Park Baseball Field

- Michael Graves Architects was the selected contractor
- Programming will be underway once a contract has been established
- RFQ is published for CMR for this project; the committee will review submissions on September 26

Henderson County Athletics and Activities Center

- Facility is the primary emergency shelter for the county
- Project will provide ADA upgrades to the restrooms, shower facilities, and primary accessible entrance
- Project completion date TBD pending contract establishment

Henderson County Public Schools Bus Garage

- LS3P has issued 100% DD Documents
- Edifice Construction is reviewing the DD Documents
- Project is currently scheduled for completion in Summer 2028

Solid Waste Funding Plan

Marcus Jones presented the Board with information to support the need for a long-range funding plan for the Solid Waste Enterprise Fund.

Need for Long-Range Funding Plan

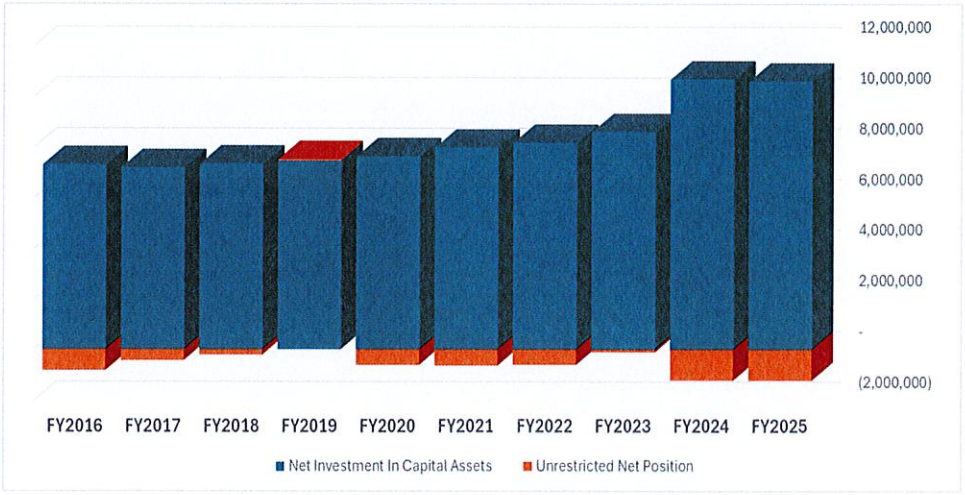
- The Solid Waste Enterprise fund has a history of insufficient fund net position (reserves). For FY2025, the fund had a deficit in unrestricted fund balance.
- Lack of sufficient net position does not allow for unexpected fluctuations in operating costs or for the purchase of unexpected capital needs.
- Increase in funding from the General Fund, as adopted in FY2027 budget ordinance, provides some relief, but a more robust fund balance and long-term capital funding plan are necessary for continuity of operations.

Solid Waste Enterprise Fund – Fiscal History

- $5.9M in transfers from the General Fund to the Solid Waste Enterprise fund since FY2023
- History of operating losses
- Increases in tonnage
- Delayed capital purchases and repairs
- Increasing deficit in unrestricted net position

Fiscal Year	Transfers In	Operating Income/(Loss)	Annual Tonnage
2027	2,422,956	TBD	TBD
2026	420,786	TBD	137,592
2025	325,682	(553,601)	153,924
2024	1,305,263	(708,006)	122,440
2023	1,500,000	(859,250)	116,791
2022	-	(1,903)	116,013

Solid Waste Net Position - History



	FY2025	FY2024	FY2023	FY2022	FY2021	FY2020	FY2019	FY2018	FY2017	FY2016
Net Investment In Capital Assets	10,582,463	10,661,139	8,580,567	8,151,609	7,955,019	7,611,848	7,448,064	7,314,706	7,166,595	7,284,761
Unrestricted Net Position	(1,230,330)	(1,225,733)	(118,465)	(617,372)	(646,945)	(621,381)	47,852	(223,691)	(440,915)	(834,917)
	9,352,133	9,435,406	8,462,102	7,534,237	7,308,074	6,990,467	7,495,916	7,091,015	6,725,680	6,449,844

Flow Control – Identified Funding Option

A Flow Control ordinance would designate the Henderson County Transfer Station as the required location for waste removal, prohibiting removal of waste to other locations. Applies to residential and commercial tonnage.

Pros:

- Creates sustainable tipping fee revenue (no competition, like a utility)
- Improves financial condition – reduces transfers
- Existing precedent in courts for flow control to a public facility
- Capacity exists to process additional tonnage (est 30k tons)
- Easy to implement

Flow Control – Identified Funding Option Continued

- Cons:
  - County could be subjected to lawsuits
  - Budgetary impact for delayed implementation
  - Solid Waste code enforcement officer will be needed during transition
  - Not equitable between customers

Flow Control Impacts

- Requires an ordinance
- Increase in solid waste tonnage received
- Raise tipping fee for increased operating and capital costs
- Potentially eliminates transfer from General Fund
- Recommends adding Solid Waste Code Enforcement Officer

NOMINATIONS AND APPOINTMENTS

1. **EMS Peer Review Committee – 1 vac.**

Chairman Lapsley moved to nominate Jill Philpot for appointment to Seat #9. All voted in favor, and the motion carried.

2. **Environmental Advisory Committee – 2 vacs., and Appointment of Chair**

No nominations were made, and this item was carried to the next meeting.

Environmental Advisory Committee – Appointment of Chair

Commissioner Egolf moved to nominate Environmental Advisory Committee member Tommy Oakman as Chairman of the Committee. All voted in favor, and the motion carried.

3. **Henderson County Board of Equalization and Review– 1 vac.**

Chairman Lapsley moved to move existing BOER member Rick Livingston from Seat #8 to Seat #2. All voted in favor, and the motion carried.

Chairman Lapsley moved to nominate Cindy Greer for appointment to Seat #8. All voted in favor, and the motion carried.

4. **Hendersonville City Zoning Board of Adjustment – 1 vac.**

No nominations were made, and this item was carried to the next meeting.

5. Juvenile Crime Prevention Council – 2 vacs.

No nominations were made, and this item was carried to the next meeting.

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

No nominations were made, and this item was carried to the next meeting.

COMMISSIONER UPDATES:
The Board provided no updates.

GENERAL ASSEMBLY REPORT
Mr. Mitchell advised the Board that members of the General Assembly were scheduled to return to session in mid-September. He stated that the General Assembly was expected to consider technical corrections bills, likely in November.

Mr. Mitchell also noted that a continuing resolution had been passed to fund the federal government through December 11, after which further action by the federal government would be determined.

COUNTY MANAGER'S REPORT
Mr. Mitchell reported that the Berkeley Park ribbon-cutting ceremony was scheduled for November 2. He also noted that September 27 marked the second anniversary of Hurricane Helene.

Mr. Mitchell thanked the Fire Marshal for organizing the September 11 Remembrance Ceremony.

Vice-Chair Edney made the motion to go into Closed Session pursuant to N.C. Gen. Stat. § 143-318.11(a)(3),(a)(4), and (a)(5). All voted in favor, and the motion carried.

ADJOURN

Denisa A. Lauffer, Clerk to the Board

William G. Lapsley, Chairman

Approved: October 6, 2026

Enactments

Wednesday, September 16, 2026

2026.098 Resolution Appointing Plat Review Officers

2026.099 Tax Release – W. Gilliam

2026.100 Grant Project Resolutions - North Carolina Department of Environmental Quality

Henderson County
Board of Commissioners

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

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

PROJECT RESOLUTION
NC DEPARTMENT OF ENVIRONMENTAL QUALITY
CLEAR CREEK SEWER SYSTEM CONSTRUCTION

WHEREAS, Henderson County has need for and intends to construct, plan for, or conduct a study in a project described as the Clear Creek Sewer System; and

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

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. That Henderson County, the applicant, will arrange financing for any remaining costs of the project, if approved for a state loan and/or grant award.

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

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

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

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

6. That the Authorized Representatives, and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

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

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

Adopted this, the 16th day of September 2026.

WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

DENISA LAUFFER, CLERK TO THE BOARD

Henderson County
Board of Commissioners

1 Historic Courthouse Square • Suite 1 • Hendersonville, NC 28792
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William G. Lapsley
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Sheila W. Franklin
J. Jay Egolf

PROJECT RESOLUTION
NC DEPARTMENT OF ENVIRONMENTAL QUALITY
ETOWAH SEWER SYSTEM CONSTRUCTION

WHEREAS, Henderson County has need for and intends to construct, plan for, or conduct a study in a project described as the Etowah Sewer System Wastewater Repair and Upgrades Project; and

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

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. That Henderson County, the applicant, will arrange financing for any remaining costs of the project, if approved for a state loan and/or grant award.

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

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

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

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

6. That the Authorized Representatives, and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

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

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

Adopted this, the 16th day of September 2026.

WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

DENISA LAUFFER, CLERK TO THE BOARD

RESOLUTION APPOINTING PLAT REVIEW OFFICERS

WHEREAS, pursuant to N.C. Gen. Stat. §47-30.2 the Henderson County Board of Commissioners has, from time to time since September 17, 1997, adopted resolutions appointing one or more named people experienced in mapping or land records management as Review Officers, with the same being recorded in the Office of the Register of Deeds for Henderson County; and

WHEREAS, the Henderson County Board of Commissioners desires to update, revise and restate the people named as Review Officers; and

WHEREAS, pursuant to NCGS 47-30.2, said revision must be made by resolutions of the Board of Commissioners with said resolution being recorded in the Office of the Register of Deeds for Henderson County.

NOW THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

1. That the following people are experienced in mapping and/or land records management, and pursuant to NCGS 47-30.2, have been and are hereby appointed as Review Officers in Henderson County:

Miriam Benavides	Toby Linville
Janna Bianculli	Carlos Martinez
Mathew Champion	Austin Parks
Brandon Coy	Autumn Radcliff
Caitlyn Duncan	Katherine Schelp
Kevin Hensley	Jennifer Scott
Paulina Jones	Nita Shelton
Miles Kish	Lee Stevens

2. That the above named people, as Review Officers, shall comply with all statutory requirements and shall follow all procedures, statutorily prescribed and as prescribed N.C. Gen. Stat. §47-30.2 and that Resolution adopted September 17, 1997.

3. That the above list of Review Officers is a complete and inclusive list of Review Officers for Henderson County. This list replaces previous lists of review officers in the Resolutions made in September 1997, May 2007, June 2007, April 20, 2011, September 19, 2012, February 3, 2014, July 16, 2014, October 21, 2015, June 5, 2017, March 21, 2018, May 16, 2018, December 3, 2018, April 1, 2019, January 6, 2020, June 7, 2021, December 6, 2021, August 17, 2022, August 7, 2023, and October 2025. Former Review Officers not listed above are no longer permitted to be Review Officers in Henderson County.

4. That the Resolution adopted September 17, 1997 will continue in effect except as modified by this Resolution.

5. That this Resolution shall be recorded in the Office of the Register of Deeds for Henderson County as soon as practicable after its adoption.

THIS the 16th day of September 2026.

WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

[COUNTY SEAL]

ATTEST:

DENISA LAUFFER, CLERK TO THE BOARD

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STATE OF NORTH CAROLINA
COUNTY OF HENDERSON COUNTY

I, Lisa C Flanery, a Notary Public for said County and State, do hereby certify that Denisa Lauffer personally appeared before me this day and acknowledged that she is the Clerk for the Board of Commissioners.

Witness my hand and official seal, this the 16 of September, 2026.

(Official Seal)
LISA C FLANERY
NOTARY
PUBLIC
HENDERSON COUNTY
NORTH CAROLINA

Notary Public

My Commission Expires October 20, 2029

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Consent Agenda - Add on Item F

REQUEST FOR BOARD ACTION

HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE:	September 16, 2026
SUBJECT:	Vendor Change Order - Henderson County Sports Complex at Berkeley Park
PRESENTER:	Bryan Rhodes, Capital Projects Director Chris Todd, Assistant County Manager
ATTACHMENTS:	Yes 1. Musco Sports Lighting Change Proposal 2. Newco Electric Change Proposal

SUMMARY OF REQUEST:

The Board is requested to approve the attached Change Orders from Musco Sports Lighting and Newco Electric for the Henderson County Sports Complex at Berkeley Park Project. The Musco Change Order is reflective of a Helicopter and Labor for one (1) day to erect 28 Musco Sports Lighting Poles on the project sight, the total cost of this proposal is $138,000. The Newco Electric Change Proposal is reflective of the cost to run electrical wire to electric service at the three new buildings on site, the wire will be run through already existing conduit pathways established by Newco Electric, the total cost of this proposal is $67,111. The total value of both change proposals is $205,111.

BOARD ACTION REQUESTED:

The Board is requested to approve the change proposals from Muso Sports Lighting and Newco Electric for the Henderson County Sports Complex at Berkeley Park Project.

Suggested Motion:

I move the Henderson County Board of Commissioners approve the Change Proposals issued by Musco Sports Lighting and Newco Electric for the Henderson County Sports Complex at Berkeley Park Project in the amount of $205,111.

Change Order

September 10, 2026

Berkeley Park Soccer, Baseball, Softball, Tennis
69 Balfour Road
Hendersonville, North Carolina

Change Order Description:

Helicopter and labor for 1 day to erect (28) Musco Sports Lighting poles.....$138,000

Pricing Notes

- Henderson County Sourcewell Member #81114
- Sourcewell Master Project: 199030, Contract Number: 041123-MSL, Expiration: 06/16/2027 Category: Sports lighting with related supplies and services.
- All purchase orders should note the following: Sourcewell purchase – contract number: 041123-MSL

Thank you for considering Musco for your lighting needs. Please contact me with any questions or if you need additional details.

Dina Neeley
North Carolina Senior Lighting Consultant
Musco Sports Lighting, LLC
336.414.1030
dina.neeley@musco.com

NEWCO Electric, LLC
Since 1984

NC HUB Certified/WBE

PROJECT PROPOSAL

DATE: September 9, 2026
TO: Henderson County
ATTN: Brian Cotton
JOB NAME: Berkeley Mills Park
SCOPE OF WORK:

1. Park Office Building, Restroom/Picnic Building
   - Furnish and install one 100-amp, 480-volt, 2-Pole circuit breaker for each building.
   - Furnish and install sub-feeders to each building from Panel "H2B".
   - Furnish and install one 50-KVA transformer at each building.
2. Maintenance Building
   - Furnish and install one 100-amp, 480-volt, 2-Pole circuit breaker for the maintenance building.
   - Furnish and install sub-feeders to the maintenance building from Panel "H1B".
   - Furnish and install one 50-KVA transformer at the maintenance building
3. Furnish updated electrical drawings to reflect Items 2 & 3 above and submit them to the Henderson County Ppermitting Department.

Newco Electric, LLC (herein after called Newco) is pleased to submit this proposal, which includes all labor, equipment, materials, insurance, and taxes (when applicable), unless otherwise specified, per the Scope of Work, Terms and Conditions herein. This proposal is valid for 60 days from the above date.

Total Cost - $67,111.00

TERMS & CONDITIONS

1. This proposal is based on one mobilization to complete the installation. Any additional trips to complete the project beyond the control of Newco, due to other trades, vendors, persons, etc., not employed or contracted by Newco for this project, excluding natural acts of God, may result in additional costs and/or delivery charges.
2. The scope of work set forth in this proposal is based on forty (40) hours per week, consisting of four (4), ten (10) hour days. Should Newco be instructed to work more than said forty (40) hours per week, the additional hours worked will be billed at time and a half and shall be through a change order in addition to any existing contract or agreement.
3. Change Order - Without invalidating this proposal, additions, deletions, or revisions may be made to the "Scope of Work" through a Change Order describing the new "Scope of Work" and its associated costs. All Change Orders must be executed and signed by all parties concerned prior to the work beginning. The Change Order will be bound by all the existing Terms, Conditions and Specifications herein.
4. An electrical permit must be obtained from the local governing authority. Certain phases of the project must be inspected prior to moving on to the next step. We will call for these inspections in a timely manner; however, we have no control of the time taken to complete the inspection by the inspector. All work shall comply with the local governing authority and the National Electrical Code.
5. Engineered Electrical Drawings: ☒ Are Included, ☐ Are Not Included.

6. No bond of any type is included.
7. This proposal does not include any of the following; services or fees from the power company or any other utility company, prevailing wages, liquidated damages, concrete testing, 3rd party inspections, lift plan, crane plan, private locates, sodding, hydroseeding, tree trimming.
8. Large and heavy equipment is required to complete this project. This proposal is based on total access for all equipment necessary. While all due care will be taken, any items of concern, but not limited to landscape, grass, sidewalks, fencing, etc. should either be removed or protected by others in a timely manner, so we can complete the project. While we have no problem with submitting a price for the care of said items, we cannot be held responsible if they are damaged under this proposal.
9. Allow three plus weeks for delivery of materials.
10. Estimated mobilization and start of the project will be 9/21/2026 if this proposal has been executed and a notice to proceed given.
11. A certificate of insurance will be provided upon awarding the contract.
12. Payment is due in full upon receipt of invoice for work in place and stored materials with no retainage withheld. In the event of default payment of this agreement, all costs of collection will be the responsibility of the party accepting and/or signing this agreement.
13. Newco shall have no responsibility or liability for labor, materials or equipment provided by others or any results due to proposal recipient's failure to comply with the Scope of Work, Terms and Conditions herein.
14. Once materials and equipment are installed in place on the property, they become a part of that property and Newco no longer assumes or accepts responsibility. It is the owner's responsibility at that time to secure and insure said materials and equipment.
15. Warranty - Newco, except for the work and/or materials supplied by others, shall replace and re-execute any defects due to faulty materials or workmanship which shall appear within a period of one (1) year from the date of completion without expense or cost to the Contractor/Owner, provided the Contractor/Owner gives Newco written notice of such defects during said period. However, as to items incorporated into the construction, which are warranted by the manufacturer, Newco shall only be liable to assign the manufacturer's warranty to the Contractor/Owner. Newco shall not be held liable for, but not limited to, defects which result from natural acts of God, natural catastrophe, power surges, power failure, improper power supply, fault and/or negligence of others, improper use, improper care, and tampering by unauthorized and/or unqualified persons.
16. Newco reserves the right to increase a proposal and/or an existing contract price at any point to recover lost revenue due to tariffs.

Thank you for the opportunity to bid on this project. Should you have any questions, please feel free to call me at (704) 604-8626. If accepted, please sign, date, and return to gregg@newcoelectricllc.com or fax 866-343-3095. A fully executed copy will be sent to you for your records.

Sincerely,
Gregg Newell
Gregg Newell
Manager of Operations

_____ Title: _____ Date: _____
Newco Electric, LLC

_____ Title: _____ Date: _____
Henderson County, NC