



AGENDA

Henderson City Council Regular Meeting

Monday, 13 August 2012, 6:00 p.m.

R. G. (Chick) Young, Jr. Council Chambers, Municipal Building

134 Rose Avenue

Henderson, North Carolina

Mayor and City Council Members

Mayor James D. O'Geary, Presiding

Councilmember James C. Kearney, Jr.
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoc
Councilmember D. Michael Rainey

Councilmember Brenda G. Peace—Jenkins
Councilmember Garry D. Daeke
Councilmember Vernon L. Brown
Councilmember George M. Daye

City Officials

A. Ray Griffin, Jr., City Manager
John H. Zollicoffer, Jr., City Attorney
Esther J. McCrackin, City Clerk

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION AND PLEDGE OF ALLEGIANCE

IV. OPENING REMARKS

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical Behavior¹ and Transparency in Governance². The Mayor now inquires as to whether any Council Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the City Council. If any Council Members knows of a conflict of interest, or appearance of conflict, please state so at this time.

¹ **Core Value 4: Ethical Behavior:** We value the public trust and will perform our duties and responsibilities with the highest levels of integrity, honesty, trustworthiness and professionalism.

² **Core Value 10: Transparency in Governance:** We value transparency in the governance and operations of the City.

V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

- a) 23 July 2012 Short Regular Meeting [See Notebook Tab 1]*
- b) 23 July 2012 Work Session*

VII. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

Citizens may only speak on Agenda items at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident, and identify the Agenda Item about which you wish to speak on the sign up sheet. Please review the Citizen Comment Guidelines that are provided on the last page of this Agenda.³

VIII. OLD BUSINESS

- a) Discussion Regarding Tax Releases and Refunds with Vance County Tax Collector Porcha Brooks. [No Back-up Materials]*

IX. NEW BUSINESS

- a) Consideration of Approval of 1) Resolution 12-63, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$294,000 for New Radio Read Water Meter Purchases; and 2) Ordinance 12-51, FY 13 Budget Amendment #6, Establishing the Budget for Above Mentioned Project. (CAF 12-92) [See Notebook Tab 2]*
 - Resolution 12-63
 - Ordinance 12-51
- b) Consideration of Approval of Ordinance 12-55, FY 12 Budget Amendment #57, an Ordinance Amending the FY 11-12 Budget as Part of the Year End Budget Reconciliation Process. (CAF 12-101) [See Notebook Tab 3]*
 - Ordinance 12-55
- c) Consideration of Approval of Ordinance 12-53, FY13 Budget Amendment #4, Amending the Bennett H. Perry House General Fund to Establish the Budget for the Purchase and Installation of a High Efficiency Heat Pump. (CAF 12-96) [See Notebook Tab 4]*
 - Ordinance 12-53
- d) Consideration of Approval of Ordinance 12-54, FY12-13 Budget Amendment #5, Providing Funding for Tennis Courts' Repair at Fox Pond Park. (CAF 12-100) [See Notebook Tab 5]*
 - Ordinance 12-54

- e) Consideration of Approval of 1) Resolution 12-62, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$1,726,000 for 2" Water Mains and Services Replacement; and 2) Ordinance 12-50, FY 13 Budget Amendment #7, Establishing the Budget for Above Mentioned Project. (CAF 12-91) [See Notebook Tab 6]
- Resolution 12-62
 - Ordinance 12-50
- f) Consideration of Approval of 1) Resolution 12-69, Authorizing an Informal Bid Award for Hillside Avenue Storm Sewer Replacement Project in the Amount of \$62,848; and 2) Ordinance 12-56, FY 13 Budget Amendment #8, Amending the Budget for Above Mentioned Project. (CAF 12-104) [See Notebook Tab 7]
- Ordinance 12-56
- g) Consideration of Approval of Resolution 12-67, Appointments to the Henderson/Oxford Airport Authority Committee, Henderson Zoning Board of Adjustment and Henderson Planning Board, as well as the Disbanding of the Clean Up Henderson Committee, and 2) Ordinance 12-57, Eliminating the Clean Up Henderson Committee as an Official City Organization. (CAF 12-99) [See Notebook Tab 8]
- Resolution 12-67
 - Ordinance 12-57
- h) Consideration of Approval of Resolution 12-70, Expressing the City Council's Concern about Moped Utilization on Streets and Highways and Requesting the North Carolina League of Municipalities to Consider Pursuing Same as a Legislative Initiative for the 3012 Session of the General Assembly. (CAF 12-105) [See Notebook Tab 9]
- Resolution 12-70
- i) Consideration of CM 12-11, Beckford Drive Road Repair Project/Hillside Avenue Storm Sewer. [See Notebook Tab 10]

X. CONSENT AGENDA

All matters listed under the Consent Agenda have either been previously discussed by City Council during a previous meeting and/or are considered in the ordinary course of business by the City Council and will be enacted-on by one motion and a roll call vote in the form listed. If discussion is desired by either the Council or the Audience, the item in question will be removed from the Consent Agenda and considered separately after the revised consent agenda has been approved.

- a) Consideration of Approval of Resolution 12-55, Private Fire Hydrant Testing Policy. (CAF 12-82) [See Notebook Tab 11]
- Resolution 12-55

- b) Consideration of Approval of Resolution 12-57, Authorizing the Donation of 7 Obsolete Portable Radios and 6 Obsolete Mobile Radios to the Vance-Granville Basic Law Enforcement Training Program. (CAF 12-86) [See Notebook Tab 12]
- Resolution 12-57
- c) Consideration of Approval of Resolution 12-58, Approving Acknowledgement and Consent to the Change out of Various Wireless Communication Equipment Related to an Existing Lease Agreement with SprintCom, Inc. (CAF 12-A-87) [See Notebook Tab 13]
- Resolution 12-58
- d) Consideration of Approval of Resolution 12-60, Accepting the Presentation and Review of the KLRWS Master Plan Update and the Sandy Creek Pump Station Hydraulic Analysis. (CAF 12-89) [See Notebook Tab 14]
- Resolution 12-60
- e) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of July 2012. (CAF 12-102) [See Notebook Tab 15]

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may speak on non-Agenda items only at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided on the last page of this Agenda.³

³ **Citizen Comment Guidelines**

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

- 1) Citizens are requested to limit their comments to five minutes; however, the Mayor, at his discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Council;
- 2) Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;
- 3) Citizens may not yield their time to another person;
- 4) Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;
- 5) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;
- 6) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and
- 7) Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

XII. REPORTS

- a)** Mayor/Mayor Pro-Tem
- b)** City Manager
- c)** City Attorney
- d)** City Clerk
 - i. Calendar Notes and Schedule Update *[See Notebook Tab 16]*
 - ii. Various Departmental Reports
 - Henderson Fire Department
 - Henderson-Vance County 911

XIII. CLOSED SESSION

- a)** Pursuant to G.S. §143-318.11 (a)(5) for a Personnel Matter.
- b)** Pursuant to G.S. §143-318.11 (a)(3) for an Attorney-Client Privilege Matter.

XIV. ADJOURNMENT

City Council Minutes--*DRAFT*
Regular Short Meeting
23 July 2012

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Brenda G. Peace-Jenkins, Garry D. Daeke, Vernon L. Brown and George M. Daye.

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Engineering Director Peter Sokalski, Police Chief Keith Sidwell, Fire Chief Danny Wilkerson, Battalion Chief Andy Culberth, Planning Director Erris Dunston, Kerr Lake Regional Water Director Christy Lipscomb, and Attorney Jerry Stainback, representing City Attorney John Zollicoffer.

CALL TO ORDER

The 23 July 2012 Short Regular Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

The City Clerk called the roll and advised Mayor O'Geary a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Peace-Jenkins led those in attendance in a prayer and the Pledge of Allegiance.

Mayor O'Geary welcomed everyone and said Attorney Zollicoffer was under the weather so Attorney Jerry Stainback is in attendance this evening. Mayor O'Geary also said he and Mayor Pro-Tem Rainey had a good visit recently with former Council Member Lonnie Davis. Mr. Davis was very appreciative of the proclamation and gifts and sent his regards. The Mayor encouraged everyone to stop by to visit with Mr. Davis.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. There was one item added to the New Business Agenda: *Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of June 2012*. Council Member Daeke moved to accept the adjusted Agenda. Motion seconded by Council Member Rainey and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Peace-Jenkins moved the approval of the following minutes as presented: 9 July 2012 Regular Meeting. Motion seconded by Council Member Daye and unanimously approved.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that no citizen wished to speak on agenda matters.

NEW BUSINESS

Approval of Tax Releases and Refunds from Vance County for the Month of June 2012. (CAF 12-97)

City Manager Griffin said these releases and refunds (see list on next page) are a routine matter and stated Vance County's Tax Collector, Ms. Portia Brooks, plans to attend the August 13th meeting to answer any questions regarding the tax process.

There was no discussion. Mayor O'Geary asked for the pleasure of Council.

Council Member Rainey moved the approval of CAF 12-97, *Approval of Tax Releases and Refunds from Vance County for the Month of June 2012*. Motion seconded by Council Member Inscoe and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: None

June 2012

NAME	REASON FOR RELEASES	TAX YEAR	AMOUNT OF RELEASE
Cofield, Felicia Ann	Pro-rate	2010	5.91
Hunt, Shameka Lavonn	Pro-rate	2010	10.78
Alston, Sean Antoine	Pro-rate	2011	3.35
Brown, Valeria Cassandra	Reg Vehicle Billed	2011	80.96
Brown, Valeria Cassandra	Pro-rate	2011	20.89
Bullock, George Ed	Pro-rate	2011	38.22
Cofield, Felicia Ann	Pro-rate	2011	3.13
Hargrove, John III	Pro-rate	2011	29.92
Hernandez, Ieshia M.	Pro-rate	2011	0.99
Jones, Davine Marie	Pro-rate	2011	17.82
Legg, Mary Clarke	Pro-rate	2011	15.42
Reid, Leo Dannel	Pro-rate	2011	10.00
Rodwell, Quincy Lee	Pro-rate	2011	42.94
Schronce, Krystal L. & James David	Pro-rate	2011	32.02
Shearin, Floyd Eugene	Reg Vehicle Billed	2011	13.39
Steed, Janice Parham	Pro-rate	2011	5.25
Watson, Taushia Capri	Pro-rate	2011	15.22
Bennett, Cliff & Marilyn	Correct Situs	2012	68.21
Blaylock, Gilbert A.	Pro-rate	2012	65.48
Bullock, Ray Anthony	Correct Situs	2012	93.07
Drakeford, Freddie J.	Correct Situs	2012	125.19
Fields, Arnold Winston	Pro-rate	2012	137.23
Flores, Jessie Y.	Pro-rate	2012	51.50
Harriett Baptist Church	Religious	2012	138.17
Hermosillo, Rafael G.	Pro-rate	2012	14.48
Hernandez, Sergio G.	Pro-rate	2012	43.22
Hudson, John Russell	Correct Situs	2012	13.16
Hughes Mickey Mantle	Reg Vehicle Billed	2012	18.66
Perry, Regina M.	Pro-rate	2012	23.29
Popoca, Celia	Pro-rate	2012	24.40
Ragland, Mary Perry	Pro-rate	2012	2.41
Ranes, William Ray	Correct Situs	2012	51.68
Reed, Joshua Allan	Pro-rate	2012	46.77
Shearin, Floyd Eugene	Reg Vehicle Billed	2012	20.71
Shukair, Rand Adnan	Correct Value	2012	13.56
Talley, Joshua Gray	Correct Situs	2012	28.31
Thorpe, Louis S. & Linda B.	Pro-rate	2012	59.71
Williams, Pattie Lee	Correct Situs	2012	46.33
Total			1,431.75

NAME	REASON FOR REFUND	TAX YEAR	AMOUNT OF REFUND
Adcock, Patricia Bowes	Pro-rate	2011	11.87
Bullock, Betty Jean	Pro-rate	2011	3.71
Cornerstone General Construction	Pro-rate	2011	32.76
Crusader Rent to Own LLC	Pro-rate	2011	20.11
Drake, Wilton Rodwell Jr.	Pro-rate	2011	9.98
Garnes, Kimberly Benita	Pro-rate	2011	5.34
Stevenson, Timothy Ray	Pro-rate	2011	13.53
Total			97.30

Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$1,129,000 for Replacement of a Kerr Lake Regional Water High Service Pump; and 2) Ordinance 12-48, FY13 Budget Amendment #2 Establishing the Budget for Above Mentioned Project. (CAF 12-88; Resolution 12-59)

City Manager Griffin said this is good news and asked Assistant City Manager Frank Frazier to brief Council. Mr. Frazier said application was made last year and although this is not a grant, the loan amount of \$1,129,000 is offered at 0% interest for 20 years. Mr. Frazier said this high speed pump will replace a variable drive pump which is another step toward being able to produce 20MGD. He said unlike other loans, the DWSRF includes the closing fee (\$22,580) in the loan amount. Mr. Frazier concluded by saying that he is hopeful the project costs will be less than the current estimate.

Council Member Inscoe asked why the debt is not being shared with the Regional Water partners (Oxford and Warren County) on a 60-20-20 basis. Council Member Kearney asked if there was any downside to having this loan on the City books. Council Member Rainey concurred with Mr. Inscoe by saying he felt the responsibility should be shared.

Mr. Griffin said this could be discussed with the partners but that the City has a lease purchase debt that will be paid off this year that is approximately equal to the amount being incurred. Since it is in the same fund and the regional water accounts are solid he felt there would be no problem.

With no further discussion, Mayor O'Geary asked for the pleasure of Council.

Council Member Kearney moved the approval of Resolution 12-59, *Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$1,129,000 for Replacement of a Kerr Lake Regional Water High Service Pump; and 2) Ordinance 12-48, FY13 Budget Amendment #2 Establishing the Budget for Above Mentioned Project*. Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 13; Ordinance Book 8, p 447)

Accepting the 2012 BJA Grant in the Amount of \$17,120; and Ordinance 12-49, FY13 Budget Amendment #3 Establishing the 2012 BJA Grant Project Budget. (CAF 12-A-45; Resolution 12-A-34; Ordinance 12-49)

City Manager Griffin asked Police Chief Keith Sidwell to update Council on this item. Chief Sidwell said this is a grant applied for yearly. The unique part of the grant is that it must be shared with the County. The City does the paperwork and the overtime is used for major crime investigations. Chief Sidwell said \$10,272 of the grant goes to the City and \$6,848 to the County.

Council Member Coffey asked how the officers are paid for the annual car show. Chief Sidwell said they are reimbursed.

There were no other questions so Mayor O'Geary asked for Council's pleasure.

Council Member Inscoe moved the approval of Resolution 12-A-34, *Accepting the 2012 BJA Grant in the Amount of \$17,120*, and Ordinance 12-49, *FY13 Budget Amendment #3 Establishing the 2012 BJA Grant Project Budget*. Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 317-A; Ordinance Book 8, p 449)

Water Sales Agreement with Vance County for Phases 2-A and 2-B. (CAF 12-94; Resolution 12-65)

City Manager Griffin asked Council Liaison Michael Inscoe to brief Council on this agreement. Council Member Inscoe summarized the agreement by saying if approved Vance County would pay the City a \$1.75M reservation fee over forty (40) years and would pay up-front a \$140,000 tap fee and a guaranteed water rate of \$2.90 until 31 March 2015.

Council Member Coffey asked about the pay back mentioned in the agreement. Council Member Inscoe explained that the County has asked for an extension from the USDA. If the extension is not granted, the City will return the \$140,000 tap fee.

Mayor O'Geary asked for the pleasure of Council as there was no further discussion.

Council Member Kearney moved the approval of Resolution 12-65, *Approval of a Water Sales Agreement with Vance County for Phases 2-A and 2-B*. Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Brown, Daye, Kearney, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 25)

Council Committee Appointments. (CAF 12-90; Resolution 12-61)

City Manager Griffin asked Mayor O'Geary to brief Council. Mayor O'Geary said he and Mayor Pro-Tem Rainey met and reviewed Council Member's requests. He said they tried to abide by the wishes of each Council Member and said hopefully everyone was satisfied. Mayor Pro-Tem Rainey said they tried to make the assignments even as best possible.

Council Member Coffey inquired about the Henderson-Vance Industrial Park only having one seat. She also asked if the Board of Adjustment Alternates should plan to attend every meeting. The response was that alternates need to attend all meetings to ensure a quorum. Council

Member Rainey mentioned the need for alternates on the Planning Board and this led the discussion regarding the need of members on several committees. Council Member Daeke asked about the Planning Board having two seats and this will be reviewed.

With no further discussion, Mayor O'Geary asked for the pleasure of Council.

Council Member Peace-Jenkins moved the approval of Resolution 12-61, *Council Committee Appointments*. Motion seconded by Inscoe, and APPROVED by the following vote: YES: Peace-Jenkins, Daeke, Brown, Daye, Kearney, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 17)

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk advised no citizen wished to address City Council on non-agenda item.

REPORTS

a) Mayor/Mayor Pro-Tem – Mayor Pro-Tem Rainey said if anyone missed the recent production of Willie Wonka by The Rec Players, they missed an excellent play. Mayor O'Geary concurred, saying for 40 years they have produced good entertainment for the children and adults of this community.

b) City Manager - Mr. Griffin mentioned the water break on Shirley and Nelson. He commended Assistant City Manager Frazier and Public Services Utilities Manager Andy Perkinson on their decisions and the good work in repairing the break.

Council Member Coffey asked about the situation on Pettigrew Street. Mr. Frazier said the line is expected to be repaired this week.

Council Member Peace-Jenkins mentioned the *Man Up Youth* program that is having a plate sale to raise money to purchase cleats for 17 youth this year.

Council Member Inscoe mentioned the Vance County EDC visiting VTech at North Carolina State University on August 8th. Council Members wishing to attend need to RSVP to Ms. Easler at the EDC as lunch and transportation will be provided.

c) City Attorney (No Report)

d) City Clerk McCrackin – Ms. McCrackin reminded Council of the COG Banquet September 27th in Warrenton; the Essentials of Government Class November 19th and mentioned the location for the Ribbon Cutting July 31 is at the school on Mt. Carmel Church Road, not Carey Chapel Road as stated on the invitation.

Before going into Closed Session, Mayor O'Geary asked if there was any other business. With no further discussion, Mayor O'Geary asked if Council was prepared to go into Closed Session and stated there would be no report following the session.

CLOSED SESSION

Council Member Rainey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(4) for an Economic Development Matter. Motion seconded by Council Member Daye and unanimously approved.

Council Member Inscoe moved for Council to convene in open session. Motion seconded by Council Member Rainey and unanimously approved.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Daye and unanimously approved. The meeting adjourned at 6:54 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk

City Council Minutes--*DRAFT*

Work Session

23 July7 2012

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Brenda Peace-Jenkins, Vernon L. Brown, and George M. Daye.

ABSENT

Council Member Garry Daeke.

STAFF PRESENT

City Manager Ray Griffin, City Clerk Esther McCrackin, Assistant City Manager Frank Frazier, Police Chief Keith Sidwell, Fire Chief Danny Wilkerson, Battalion Chief Andy Culberth, Planning Director Erris Dunston, and Kerr Lake Regional Water Director Christy Lipscomb.

CALL TO ORDER

The 23 July 2012 Work Session of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:55 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

The City Clerk called the roll and advised Mayor O'Geary a quorum was present.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. No requests were made to adjust the Agenda. Mayor O'Geary asked for the pleasure of Council and it was the consensus of Council to accept the Agenda as presented.

WORK SESSION ITEMS

Acknowledgement and Consent to the Change out of Various Wireless Communication Equipment Related to an Existing Lease Agreement with SprintCom, Inc. (Reference: CAF 12-87; Resolution 12-58)

City Manager Griffin said this request for improvements is a housekeeping item. He said the City receives \$25,000 from SprintCom, Inc. for allowing use of the water tower which is used judicially.

Council Member Rainey inquired about the fee paid to the City. Council Member Coffey felt the City should receive more than \$25,000. Council Member Inscoe asked about liability. City Manager Griffin said the price was agreed upon with the lease which was signed in the late 1990's and said the fee goes up incrementally. He also said the City Attorney reviews all leases but he would confirm the liability issue and look into the terms of the lease.

It was the consensus of Council to bring this matter forward to the next regular meeting.

Authorizing the donation of 7 Obsolete Portable Radios and 6 Obsolete Mobile Radios to the Vance-Granville Basic Law Enforcement Training Program. (Reference: CAF 12-86; Resolution 12-57)

City Manager Griffin asked Police Chief Sidwell to brief Council. Chief Sidwell said these radios are no longer used since converting to the VIPER system and would like to donate the radios to the Vance-Granville Basic Law Enforcement Training Program. Donating these obsolete radios allows students to actually learn to talk and use radios as part of the education process.

Council Member Rainey said this is a great idea and asked if the radios are obsolete, how it helps the students. Chief Sidwell said by donating these obsolete radios, students can actually learn how to use the radios by learning to receive, transmit, etc. Council Member Kearney asked if there would be interference with actual radios. Chief Sidwell said no. Council Member Inscoe asked if all police vehicles are not equipped with the new radios. Chief Sidwell said yes.

It was the consensus of Council to bring this matter forward to the next regular meeting.

Private Fire Hydrant Testing Policy. (Reference: CAF 12-82; Resolution 12-55)

City Manager Griffin asked Fire Chief Danny Wilkerson to brief Council. Chief Wilkerson first introduced Battalion Chief Andy Culberth. He then explained that there are approximately 30 sites with private hydrants. Although it is not the City's responsibility to maintain these hydrants, it is important that they be in working order and by State law private hydrants should

be tested once a year. Rather than fine a business for a non-working hydrant, Chief Wilkerson would like to work with businesses and has established this policy that has been reviewed and approved by the City Attorney. Said policy places the burden of testing on the private owner but allows the City to do the annual testing if the owner is agreeable.

Council Member Kearney asked about the expense to the City. Chief Wilkerson said the expense would be minimal as it would be done while a fireman was in the area. Council Member Inscoe asked if this would be for fire hydrants only. Chief Wilkerson responded yes. Council Member Rainey asked if there is any recourse if the City is called to a fire and the private hydrant is not working. Chief Wilkerson said if a hydrant is not operable, there is a \$50.00 fine. Council Member Coffey confirmed private hydrants are required to be tested yearly.

It was the consensus of Council to bring this matter forward to the next regular meeting.

Council Member Coffey then asked Chief Wilkerson to check the empty field on Pettigrew Street where she thought there were hydrants. Chief Wilkerson said he would look into this.

Presentation and Review of the KLRWS Master Plan Update and the Sandy Creek Pump Station Hydraulic Analysis. *(Reference: CAF 12-89; Resolution 12-60)*

City Manager Griffin asked Assistant City Manager Frank Frazier to brief Council. Mr. Frazier said he would cover the Sandy Creek portion and then Kerr Lake Regional Water Director Christy Lipscomb would cover the KLRWS Master Plan.

Mr. Frazier said the grant approved earlier ties in with this analysis which looks at future needs and deficiencies. This analysis, along with the ongoing upgrades should help the Infiltration/Inflow.

Ms. Lipscomb said the last plan update occurred in 1999 and this Master Plan looks at future needs along with any potential regulation changes. She mentioned possible changes in carbon feed/filters in the near future, along with operational changes and improvements needed at the Kerr Lake Regional Water plant.

Council Member Coffey commended the forethought and Council Member Brown concurred.

It was the consensus of Council to bring this forward to the next regular meeting.

1) Supporting the Vance County Comprehensive Transportation Maps with the Exception of Dabney Drive; 2) Endorsing the Concept of Two-Way Pair Traffic Design for Dabney Drive and Corbitt Drive; 3) Not Supporting the Details for Dabney Drive Relative to the Lack of Traffic Calming Devices, Lack of North/South Crossing, and Requesting Better Pedestrian Access Along/Across Dabney Drive Providing Adequate Connectivity for Citizens, Businesses and Schools. (Reference: CAF 12-73; Resolution 12-44)

City Manager Griffin said this is an update of the plan and asked Planning Director Erris Dunston along with Council of Governments (COG) representative Mike Ciriello, to brief Council.

Ms. Dunston said this is an update of the ongoing plan and now the plan is at the point of adopting the plan maps. She said there are concerns regarding the Dabney Drive portion and it is felt further study needs to be done.

Mr. Ciriello said he felt more public input was needed. He voiced special concern for Dabney Drive where there are no traffic signals planned saying although the NCDOT was looking at a 35 mile per hour zone, the straightness of Dabney Drive and the lack of signals would make it a speedway. He emphasized Dabney Drive as a gateway and felt the plan needed to make the best first impression possible. Mr. Ciriello said the NCDOT had put more work into this project than he had seen in a while and although the concept is good it still needed work.

Council Member Rainey asked about emergency vehicle access with the one way. This was a concern previously discussed and still needed to be addressed. Mr. Ciriello said when approving this resolution the wording needs to be clear so nothing will be misconstrued as the project moves forward.

Council Member Kearney asked for ideas for traffic calming such as roundabouts. Mr. Ciriello said those are certainly a consideration, along with on-street parking and sidewalks.

Council Member Rainey expressed concern about using property off Dorsey for part of the plan saying the property should have a better use.

Council Member Inscoe said a lot of work is still to be done and asked if there was any indication when funds would be available for this project. Mr. Ciriello personally did not feel the funds would be available any time soon and when the funds are available the project he felt the project would probably be completed in segments. Again, personally, he thought the section between Hwy 158 to the Henderson Plaza might be the first to be completed. Mr. Ciriello emphasized more than once the plan is a good plan and the two way pair can work well for the City--- it just needs extra time and effort to fine tune the plan overall.

It was the consensus of Council to move this forward to the next regular meeting.

Status of Sewer Projects. *(Reference: CM 12-09)*

City Manager Griffin asked Assistant City Manager Frank Frazier to brief Council on various sewer projects. Mr. Frazier said the design work for the Henderson Water Reclamation Facility (HWRP) is at the State for review and he anticipates the bidding process to begin in September. He said if anyone wished to review the plans and specs, he has them in his office.

Council Member Inscoe asked for a representative from McGill Engineering to come to a future meeting to explain the components of the bidding document(s), any additions or deletions, etc. to their original plan. Mr. Frazier said he would gladly arrange this.

Council Member Kearney asked if like projects with other municipalities have been tracked for costs. Mr. Frazier said not really but he did share that prices are escalating.

Mr. Frazier went on to say the contracts are signed for the Sandy Creek project; that informal bids are expected within the next 7-10 days for the Hillside Storm/Sewer project; and the Birch Circle project is basically complete.

Council Member Coffey asked how long the bid process is for large projects like the HWRP project. Mr. Frazier said by law 30 days.

Council thanked Mr. Frazier for the update.

CDBG Funding Availability. *(Reference: CM 12-10)*

City Manager Griffin asked Planning Director Erris Dunston to address Council on this item. Ms. Dunston said CDBG has been a good supporter of the City of Henderson and although the City has recently completed some projects, there have been no new CDBG projects. After attending the 2012 kickoff, Ms. Dunston said there are several grants that would benefit the City such as the Capacity Building Grant which would help build a knowledge base for writing/administering grants. She also mentioned available help for infrastructure. Ms. Dunston said the deadline for applying for these grants is the end of August so with Council's approval she would like to begin the process.

It was Council's consensus to move this item to the next regular meeting.

Mopeds.

City Manager Griffin said this is an on-going issue that was discussed by both Council and the Public Safety committee last year. He advised Council Member Coffey requested this matter be discussed this evening and then asked Ms. Coffey to express her concerns.

Council Member Coffey said she did not know if the City could do anything without the State's approval but she felt more stringent laws needed to be in place regarding mopeds. She reminded Council that there have been several accidents on Dabney Drive; one resulting in death. She

mentioned the House Bill that was drafted but not approved by the State and feels something needs to be done. She said individuals taken off the streets for DWI are free to go out the next day and drive a moped without fear because no license, insurance or training is required. When there is an accident, insured drivers pay the price as most mopeds are not insured. She asked what can Council do to tweak the City law and/or to get the State to approve a more strict law.

Council member Rainey agreed something should be done and Mayor O'Geary asked City Manager Griffin to look into what the City can do about the issue.

City Manager Griffin said more than likely the City would need the State's approval and suggested a resolution be drafted by Council requesting the General Assembly to reconsider the issue. He also suggested contacting the League of Municipalities to see if they would be willing to add this issue on their agenda. Mr. Griffin said he would consult with the City Attorney about what the County/City could do and bring back information to Council.

Mr. Griffin then asked Council to think about another issue previously discussed and to consider discussion at the next work session. He asked in light of the FY14 budget, that Council consider a possible meals tax.

There was no discussion.

Mayor O'Geary asked if there were any other items of business. There being none, he asked if Council was ready to adjourn.

ADJOURNMENT

Council Member Inscoe moved for adjournment. Motion seconded by Council Member Rainey and unanimously approved. The meeting adjourned at 7:57 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 Aug. 12 Reg. Meeting

3 August 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-92

Consideration of Approval of 1) Resolution 12-63, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$294,000 for New Radio Read Water Meter Purchases; and 2) Ordinance 12-51, FY 13 Budget Amendment # 6, Establishing the Budget for Above Mentioned Project.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 5 – Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.
- KSO 8 – Provide Sufficient Funding for Municipal Services.

Recommendation:

- Approval of: 1) Resolution 12-63, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$294,000 for New Radio Read Water Meter Purchases; and
- 2) Ordinance 12-51, FY 13 Budget Amendment #6, Establishing the Budget for Above Mentioned Project.

Executive Summary

On 26 September 2011, Council, via Resolution 11-88, approved the application for a loan/grant to the NCDENR for various projects with one being the purchase of new radio read water meters.

On 17 July 2012, The City of Henderson received notification that a DWSRF loan has been approved for the purchase of new radio read water meters in the amount of \$294,000. This is to supplement the meter replacement program currently in place with the purchase of approximately 1,000 new meters to be installed within the next year.

The loan rate is 20 years at 0% interest. There is a closing fee of \$5,880, which is part of the loan amount.

Due to capital planning in the development of the FY 12-13 Budget, the debt service of \$14,700 for this project can be absorbed in the FY 13-14 budget without a rate increase.

The grant offer, while dated 3 July 2012 was not received until 17 July 2012, therefore, too late to provide information to the Council on the 23 July City Council meeting. Thus it is important to review and consider approval of this item on 13 August to get the response back to the State in a timely manner. In discussion with DENR, a new package with a modified date to meet the 30 day window will be sent out. The older package is attached for your review. Everything in the new package will remain the same except for the signature date.

Enclosures:

1. Resolution 12-63
2. Ordinance 12-51
3. Loan Amortization Schedule
4. Resolution 11-88

RESOLUTION 12-63

ACCEPTANCE OF A LOAN FROM THE NC DRINKING WATER STATE REVOLVING FUND FOR PURCHASE OF NEW RADIO READ WATER METERS

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2012 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows:

KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; *and*

KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; *and*

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the NC Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, *and*

WHEREAS, the City received an offer of acceptance of a loan for a water system project (project number WIF-1693); *and*

WHEREAS, the City deems it in the best interest to complete this work in order to provide reliable, dependable and environmentally compliant infrastructure systems, *and*

WHEREAS, the amount of the loan is \$294,000 for twenty years with a 0.00% interest rate; *and*;

WHEREAS, the new meters will be used to replace existing, aging meters throughout the City.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL:

1. That the City of Henderson (Applicant) will arrange financing for all remaining costs of the project.
2. 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.
3. That the City Council (governing body) of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Henderson to make scheduled repayment of the loan, to withhold from the City of Henderson 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.
4. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

5. That Mayor James D. O'Geary, the Authorized Official, and successors so titled, is hereby authorized to execute the acceptance of the loan, being more fully articulated in **Attachment A** to this Resolution.
6. That the Authorized Official, and successors so titled, is 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, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

The foregoing Resolution 12-63 introduced by Council Member ** and seconded by Council Member ** on this the day of 2012, and having been submitted to a roll call vote, was *** by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney
(Reference: Minute Book 42, p. **.)

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 12-63*, adopted by the Henderson, City Council in Regular Session on **_____2012 (*See Minute Book 42, p. **.*). This Resolution is recorded in *Resolution Book # 3*, pp. **.

Witness my hand and corporate seal of the City, this ** day of *** 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina



North Carolina Department of Environment and Natural Resources

Division of Water Resources

Beverly Eaves Perdue
Governor

Thomas A. Reeder
Director

Dee Freeman
Secretary

July 13, 2012



The Honorable James O'Geary, Mayor
City of Henderson
PO Box 1434
Henderson, North Carolina, 27536

Re: Public Water Supply Loan Application
Part A Offer and Acceptance
Project Number: WIF-1693
PWSID: 0291010
Applicant: City of Henderson
Vance County

Dear Mayor O'Geary:

Enclosed is the *Offer and Acceptance of Loan and/or Grant for Water Supply System Project, Part A (Part A)*. This letter describes the steps needed to implement the Part A and subsequent steps needed to proceed to bid and award of contract.

Please note that the departmental administrative fee amount shown in the Part A is based on the funding amounts applied for in the application. An invoice based on any revisions to the funding amounts will be sent with the Part B approval letter.

Next Steps:

1. Review the enclosed Part A, sign and return to Public Water Supply Section (PWS) within the next 30 days.

Please review the terms, conditions and assurances contained in the Part A and the attached *Procedures* document. If you wish to accept the offer, **sign and date Section III - Acceptance**, by the date indicated on page 2 of the Part A. After signing and dating the Part A, **return one signed and dated original** to me at the following address:

Public Water Supply Section
Division of Water Resources
Department of Environment and Natural Resources
1634 Mail Service Center
Raleigh, NC 27699-1634

and keep the other signed and dated original for your own files.

Please submit the enclosed "Remit Information Form" if you want the Department of Environment and Natural Resources (DENR) to mail checks to other than the "Legal Name and Address" of the Applicant listed in the Part A, or if there is any information that you wish to appear on your check (e.g., to assist your staff in properly posting payments into your accounts).

If you are interested in receiving payments electronically, please visit the Office of State Controller's Vendor Electronic Payment Web site at <http://www.ncosc.net/vendorepayform/>.

Public Water Supply Section – Jessica C. Godreau, Chief
1634 Mail Service Center, Raleigh, North Carolina 27699-1634
Phone: 919-707-9100 \ FAX: 919-715-4374 \ Lab Form FAX: 919-715-6637 \ Internet: ncdrinkingwater.state.nc.us
An Equal Opportunity \ Affirmative Action Employer

One
North Carolina
Naturally

James O'Geary
City of Henderson
July 13, 2012
Page 2

2. Prepare your bid documents and submit to the PWS Section for review as soon as possible.
 - **Document compliance with all the requirements of NCGS 143-128.2** including the resolution establishing the verifiable percentage goal and implementing a minority business participation outreach plan. The PWS Section strongly encourages you to schedule a pre-solicitation meeting with the PWS Section as soon as possible to review DBE and other bidding requirements in detail to improve the likelihood of a successful bid.
 - **Include the State and Federal Special Conditions Packages in the bid specifications.** These packages can be found at: http://www.ncwater.org/pws/srf/Pages/DBE_Page.htm.
 - **Submit your bid package for review by the PWS Section prior to going to bid.** A bid package that does not contain all required assurances and conditions will make the bid documents ineligible and require rebidding. Delays from rebidding could compromise your ability to be under contract in time to retain the funding commitment.
3. After PWS Section approval of bid documents, bid the contract for a minimum of 30 days. Determine the apparent low bidder, and submit Disadvantaged Business Enterprises (DBE) documentation to PWS.
 - **Submit completed DBE forms** (found in the Special Conditions Packages) and all related DBE documentation to obtain approval for your DBE efforts. This documentation must demonstrate that you, the contractor, and any subcontractors made 'good faith efforts' in all bid solicitations.
 - **Obtain the PWS Section's written approval of the DBE documentation prior to awarding contracts.** Any contracts awarded without the PWS Section's written approval may be ineligible for reimbursement.
4. Award the contract(s) and begin construction. Report this step to the PWS Section.
5. Complete the Part B, and transmit it to the PWS Section for Local Government Commission (LGC) issuance of loan agreement.

After receiving your completed Part A in Step 1, PWS will forward to you the *Offer and Acceptance of Loan or Grant for Water Supply System Project, Part B - Supplemental Project Information* (Part B). You can also download the Part B from the "Forms" page of the PWS Web site, at the following URL: <http://www.ncwater.org/pws/srf/Pages/other-forms.htm>. PWS must review and approve the completed Part B, and forward the Part B to the LGC for issuance of a loan agreement prior to the state reimbursing you for any eligible costs incurred.

If you have any questions regarding this matter, please do not hesitate to contact me at (919) 707-9054.

Sincerely,



Amanjit Paintal
Project Engineer
Revolving Loan and Grant Program

ASP/RDP

Enclosures: Part A (two originals)
Remit Information Form
Procedures

cc: Joel Whitford, McGill Associates, P.A., Consulting Engineer
Project File (red correspondence folder)

Remit Information Form (Optional)

Purpose: For some recipients, the request to draw funds, the receipt of funds, and the disbursement of funds to contractors are all handled in the same office. For others, checks may be received and deposited by one office and disbursements to contractors handled by another office.

To ensure that funds are properly received and posted into your accounts, please provide the following information:

Information:

1. **Address:** If DENR should not mail checks to the "Legal Name and Address" of the Applicant listed in the Offer and Acceptance, Part A, Section 1 – OFFER, please list another address to which DENR should mail checks.

Your Address Here	----- Example -----
Attention:	<i>John Doe, Town Manager</i>
Address line 1	<i>Town of Yourtown</i>
Address line 2	<i>P. O. Box 1234</i>
City, State ZIP code	<i>Yourtown, NC 00000-0000</i>

2. **Remit Message:** Please provide any information that you wish to appear on your check to assist your staff in properly posting payments into your accounts. Otherwise, checks will lack any remit message. **Use a maximum 40 characters including spaces.**

Your Remit Message Here	----- Example -----
	<i>Water Plant Project #99</i>
	<i>Acct. # 0-00-0000</i>
Maximum 40 characters including spaces.	

Note: Checks will be made payable to the "Legal Name" of the Applicant listed in the Offer and Acceptance, Part A, Section 1 – OFFER.

Signature of Authorized Representative

Date

Procedures (Process for Loan and Grant Applicants)

An Applicant for a loan or grant for water supply or conservation projects under N.C.G.S. 159G, and the Safe Drinking Water Act Amendments of 1996 is to follow these PROCEDURES.

OFFER AND ACCEPTANCE FORM, PART A - OFFER

If the Applicant wishes to accept the Offer, then the designated representative (authorized by the resolution submitted with the application) will sign and date in the space provided on page 4 of the Offer (Part A) no later than the date shown on page 2.¹

If the applicant does not wish to accept the offer, then the designated representative will notify this agency in writing.

DBE DOCUMENTATION

The applicant will submit all required DBE documentation to Public Water Supply (PWS) Section for review. The applicant will obtain written PWS Section approval of the DBE efforts prior to award of contract(s). However, prior to PWS Section written approval, the Applicant's governing board can pass a resolution authorizing the award contingent on PWS Section approval.

OFFER AND ACCEPTANCE FORM, PART B SUPPLEMENTAL PROJECT INFORMATION

After accepting the Part A and having accomplished the following:

- arranging all financing for the project,
- obtaining approval for final plans and specifications,
- obtaining Authorization to Construct
- receiving bids
- submitting DBE documentation to the PWS Section and obtaining written approval, and
- the governing body has, by resolution, awarded construction contracts;

the applicant will complete Part B and the authorized representative will sign it. The applicant will submit to the PWS Section two (2) copies for loans, or one (1) copy for grants of the Part B and each of the following documents:

- A. The Part B form itself;
- B. Approval letters:
 - (1) DBE approval,
 - (2) Plans and Specifications Approval,
 - (3) Authorization to Construct, and
 - (4) Erosion and Sedimentation Control Plan Approval, or engineer's explanation of why none is needed;
- C. Bidding documentation including the following:
 - (1) Certified Tabulation of all bids received, and
 - (2) Engineer's letter recommending award of the contract;
- D. Certified copy of resolution by governing body awarding the contract(s);
- E. Full bound and executed set of construction contract documents including the following:
 - (1) bidder(s) signed proposal as accepted,
 - (2) Bid, Performance and Payment Bonds (as applicable),
 - (3) Proof of Liability Insurance,
 - (4) Signed Agreement, and
 - (5) Notice to Proceed;
- F. Executed Engineering Services Agreement (as applicable);
- G. Grant and/or Loan Administration Contract (as applicable);
- H. Any legal invoices;
- I. Real Property purchase documents (as applicable), including the following:
 - (1) Deeds and/or Purchase Agreements, and
 - (2) Real estate appraisal;
- J. Any executed change orders or statement that none have been executed; and
- K. Site location and layout map including any water mains under contract (in color).

¹ An invoice for the two percent (2%) DWSRF loan administrative fee will be included with the Part B approval letter.

Procedures (Process for Loan and Grant Applicants)

Cont'd

The PWS Section cannot accept the Part B until the amounts shown in the estimate are substantiated by the resolution and the signed contract documents, including any applicable change orders.

DEBT INSTRUMENT INITIATION (not required for high unit cost grant awards)

Following review and acceptance of the Part B, the PWS Section requests that the Local Government Commission (LGC) staff initiate the debt instrument processes. This step requires interaction between the LGC staff and the awardee. LGC notifies the PWS Section when this step is completed. Please note that reimbursements cannot be made for the project until the debt instrument (or promissory note) has been executed and returned to the LGC.

LOAN OR GRANT PAYMENTS

Requests for loan or grant payments must utilize the Reimbursement Form (maintained by the Infrastructure Finance Section of the Division of Water Quality) and one copy of the following supporting documents:

- A. For eligible construction costs:
 - (1) Latest contractor's estimate for the amount of work completed and the cost of materials delivered and stored on the site, showing the **Time Period** covered. **Time Period** means showing both a Start Date and an End Date;
 - (2) Certification by the applicant's consulting engineer that the estimate is correct;
 - (3) Executed change orders (if not previously furnished) for any change order work for which payment is requested; and
 - (4) Signed contractor's Sales Tax Form covering the **Time Period** of (1) above.
- B. For technical services; invoices describing the type of services and basis of payment so as to be identified with the provisions of the contract.
- C. For legal, fiscal, and administrative service:
 - (1) Invoices describing the type of services and basis of payment;
 - (2) Contracts for such services not previously furnished; and
 - (3) For DWSRF loans, the 2% administrative fee is based on the final loan amount and is due prior to the 2nd loan disbursement.
- D. For land acquisition and/or relocation, a deed or receipt showing that the grantee has deposited the fair market value of any property being acquired.

CONSTRUCTION COMPLETION

An inspection of the completed project must be made and certification submitted in accordance with 15A NCAC 18C .0303 in the Rules Governing Public Water Supplies. Representatives of this agency may also inspect the project at various stages and for completion.

AUDIT

In accordance with N.C.G.S. 159-34 as modified by page 35-E-1.13 of the Audit Manual..., a single audit reporting package shall be submitted to the Controller's Office of this Department.

PRINCIPAL AND INTEREST PAYMENTS

As specified in the Loan Agreement and Promissory Note.

If there should be any questions concerning these instructions, please contact your review engineer or the PWS Funding Unit Team Leader Vincent J. Tomaino at the following address:

Public Water Supply Section
Division of Water Resources
Department of Environment and Natural Resources
1634 Mail Service Center
Raleigh, North Carolina 27699-1634
Telephone: (919) 707-9058

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

**OFFER AND ACCEPTANCE OF LOAN OR GRANT
FOR WATER SUPPLY SYSTEM PROJECT**

PART A

SECTION 1 - OFFER

Legal Name, PWSID and Address of Applicant		Project Number:	WIF-1693
City of Henderson		CFDA Number:	66.468
PWS ID: 0291010		(for federal assistance only)	
PO Box 1434		Grant ID Number:	FS-984338__
Henderson, North Carolina 27536		[TBD]	
		(for federal assistance only)	
Total Estimated Project Cost			\$294,000
Estimated Project Cost Eligible for State Participation			\$294,000
Total Grant Amount Offered			\$0
Total Loan Amount Offered			\$294,000

Authorization	Amount	Fee rate	Fee	Term (years)	Interest Rate
DWSRF Revolving Loan	\$294,000	2.0%	\$5,880	20	0%
Total Sum	\$294,000		\$5,880		

Description of Project:

Replace approximately 1,000 existing service meters with automated meter reading (AMR) technology.

Consideration having been given by the Division of Water Resources of the Department of Environment and Natural Resources to (a) the application submitted by the Applicant pursuant to the North Carolina Clean Water Revolving Loan and Grant Act of 1987, as amended, and the rules and regulations adopted pursuant thereto; (b) the public benefits to be derived by the construction of this project; (c) the relation of the ultimate cost of constructing and maintaining the system to the public interest and to the public necessity for the system; and (d) the adequacy of the provisions made or proposed by the Applicant for assuring proper and efficient operation and maintenance of the system after completion of the construction thereof; and it having been determined by the Division of Water Resources of the Department of Environment and Natural Resources that (1) the Applicant is eligible; (2) the project meets the criteria for State loans or grants as prescribed in the Act and the Rules, adopted pursuant thereto inclusive of 40 CFR Parts 6, 9 and 35, when appropriate; and (3) the project is entitled to priority over other projects eligible for consideration during the same priority period, the Division of Water Resources of the Department of Environment and Natural Resources acting in behalf of the State of North Carolina, hereby offers:

To make a State loan/grant of the above named Applicant subject to the assurances included in this document as Section 2, in order to aid in financing the construction of the project pursuant to the Act. If the actual construction cost, as determined by the Division of Water Resources of the Department of Environment and Natural Resources upon completion of construction, is less than the estimated cost upon which the loan/grant offer is based, the amount of the State loan/grant shall be reduced to the actual cost.

In addition, this offer is made subject to completion and submission of Part B, Supplemental Project Information, DENR Form 1951B, of this Offer and Acceptance, and to the following conditions:

1. The Applicant will furnish information that satisfactorily demonstrates the availability of funds, other than State loan or grant funds, to pay the remaining costs of the project.
2. The Applicant will provide the Departmental Administrative Fee (as shown on the front page) to the Department prior to the second loan/grant disbursement.
3. The proposed loan/grant and fee amount(s) shown on the front page are estimates. The Part B may revise loan/grant and fee amounts.

This Offer must be accepted, if at all, on or before (date)

August 13, 2012

For the Department of Environment and Natural Resources

Date

Name and Title

Thomas A. Reeder, Division Director

ldw 7-13-12
PWSS Accounting Approval

SECTION 2 – ASSURANCES

The Applicant hereby gives assurance to the Division of Water Resources of the Department of Environment and Natural Resources:

- A. That no construction of the project shall be undertaken, and no contract(s) for construction, alteration, or installation shall be entered into prior to the issuance of authorization to construct by the Division of Water Resources of the Department of Environment and Natural Resources.
- B. That the Applicant will undertake good faith efforts, both directly and through a prime or general contractor, to involve minority owned businesses in the bidding process in accordance with G.S. 143-128.2.
- C. That for Drinking Water State Revolving Fund Loan projects, the DWSRF Special Conditions Package shall be included as a supplement to these Assurances, and shall be incorporated into the project construction specifications, and that the Applicant shall take other steps, as necessary, to ensure implementation.
- D. That the construction contract(s) will require the contractor to furnish performance and payment bonds, the amount of which shall each be in an amount not less than one hundred percent (100%) of the contract price, and to maintain during the life of the contract(s) adequate fire, and extended coverage, workmen's compensation, public liability and property damage insurance.
- E. That any proposed change or changes in the contract or contracts, which make any major alteration in the work required by the plans and specifications, will be submitted to the Division of Water Resources of the Department of Environment and Natural Resources.
- F. That complete signed copies of all change orders will be submitted to the Division of Water Resources of the Department of Environment and Natural Resources as issued.
- G. That the construction of the project, including the award of contracts in connection therewith, shall conform to the applicable requirements of State and local law and ordinances.
- H. That the construction contract(s) will provide that the representatives of the State will have access to the work whenever it is in preparation or progress and that the contractor will provide proper facilities for such access and inspection.
- I. That the Applicant will provide and maintain competent and adequate engineering supervision and inspection at the project to insure that the construction conforms to the approved plans and specifications.
- J. That adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three (3) years following completion of the project.
- K. That all funds loaned or granted pursuant to the Acts shall be expended solely for carrying out the approved project and an audit shall be performed in accordance with G.S. 159-34, as amended.
- L. That any books, documents, papers, and records of the Applicant pertinent to loans or grants received under the Acts shall be made available to State personnel or their duly authorized representatives for the purpose of audit and examination.
- M. That the declarations, assurances, representations and statements made by the Applicant in the application, and all documents, amendments, and communications filed with the Division of Water Resources of the Department of Environment and Natural Resources by the Applicant in support of its request for a loan/grant will be fulfilled.
- N. That the Applicant agrees to construct the project or cause it to be constructed to final completion in accordance with the application and plans and specifications approved by the Division of Water Resources of the Department of Environment and Natural Resources.
- O. That the Applicant will permit the Division of Water Resources of the Department of Environment and Natural Resources or its authorized agents to have access to the project and the records pertaining to its operation at any reasonable time following completion of construction for the purpose of inspecting the operation and maintenance of the project and determining adherence to the Division of Water Resources of the Department of Environment and Natural Resources operational requirements for water supply systems.
- P. That the Applicant shall demonstrate to the satisfaction of the Division of Water Resources of the Department of Environment and Natural Resources that it has or will have a fee simple or such other estate or interest in the site of the project, including

necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project.

- Q. That the Applicant will provide a completed Part B, Supplemental Project Information, Form 1951B, of this Acceptance Document, which is a prerequisite to the debt instrument preparation and to the payments process, following the award of construction contracts.
- R. That the Applicant will schedule and meet with the Local Government Commission's staff, if required, to finalize the debt instrument a minimum of 10 days prior to the request for disbursement of the first loan funds.
- S. That the Applicant shall make provisions, including procedures and manuals as appropriate, to assure proper and efficient operation and maintenance of the system after completion of the construction of the project.
- T. The Davis-Bacon Act requirements apply to the entirety of the construction activities.
- U. The sales taxes collected as part of this project's expenses are not reimbursable.
- V. The Applicant shall require all prime construction contractors, as part of their bid, to certify that subcontracts have not and will not be awarded to any firm or individual that has been debarred for noncompliance with Federal law, regulations or standards and whose name appears on the Excluded Parties List or successor System.
- W. The Applicant shall comply with Title 40, Code of Federal Regulations, Part 30, Section 13 (40 CFR 30.13) and Title 2, Code of Federal Regulations, Part 1532 (2 CFR 1532). This compliance shall include meeting the requirements of Subpart C of 2 CFR 180 as it applies to transactions identified in Subpart B (also of 2 CFR 180).
- X. The Applicant acknowledges that failure to disclose transactions with debarred firms or individuals in accordance with Title 2, Code of Federal Regulations, Part 180, Section 335 (2 CFR 180.335) may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.
- Y. The loan or grant is withdrawn if the Applicant fails to enter into a construction contract for the project within one year after the date of this offer and acceptance, unless the Applicant has documented to the satisfaction of the Division of Water Resources of the Department of Environment and Natural Resources that the Applicant has good cause for the failure. Evidence of good cause shall be made in writing and submitted to the Department within 30 days of expiration of the one year deadline. If the Department finds good cause, the Department will set a new date by which the Applicant must take action or forfeit the loan or grant, in accordance with G.S. §159G-41.
- Z. All requests for reimbursement shall be submitted within three (3) years of acceptance of this Offer and Acceptance of Loan or Grant for Water Supply System Project (Part A).

SECTION 3 – ACCEPTANCE

On Behalf of (Legal Name of Applicant)

City of Henderson

I, the undersigned, being duly authorized to take such action, do hereby accept this offer and make the assurances contained therein.

Signature of Representative	Date
-----------------------------	------

Name and Title of Representative (Type or Print)

James O'Geary, Mayor

O R D I N A N C E 12-51

AN AMENDMENT TO THE FY 2012 -- 2013 BUDGET BUDGET AMENDMENT #6, STATE REVOLVING FUND (DWSRF) RADIO READ WATER METERS

WHEREAS, the City Council of the City of Henderson (Council), on 14 June 2012, adopted its FY 12-13 Operating Budget; *and*

WHEREAS, the Council has created and uses a Capital Improvements Fund for active capital projects related to the Water Fund, said fund referred to as 43: CIP Water Fund; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements budgets from time-to-time, said amendment incorporated in this Ordinance and being more fully articulated in **Attachment A**.

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

FUND: 43: CIP - Water			<u>Ordinance 12-51</u>			
PROJECT: 851: New Radio Read Water Meter Purchases			FY 12-13 Budget Amendment #6			
Project Budget Created: 13 August 2012			Establishing Capital Project 43-851: New Radio Read Water Meter Purchases			
REVENUES			Approved enter date	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
	State Revolving Loan	46-851-458100	\$ -	\$ -	\$ 294,000	\$ 294,000
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 294,000	\$ 294,000
						\$ 294,000
EXPENDITURES			Approved enter date	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
	Legal/Admin	46-851-510200	\$ -	\$ -	\$ 5,000	\$ 5,000
	Engineering Design	46-851-510301	\$ -	\$ -	\$ 8,000	\$ 8,000
	Water Meter Replacement	46-851-535701	\$ -	\$ -	\$ 250,000	\$ 250,000
	SRF Admin/Closing Fee	46-851-504514	\$ -	\$ -	\$ 6,000	\$ 6,000
	Contingency	46-851-509900	\$ -	\$ -	\$ 25,000	\$ 25,000
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 294,000	\$ 294,000
						\$ 294,000
		Variance			\$ -	
Reference:			Notes:			
CAF: 12-92; Ordinance 12-51, BA#6			On 26 September 2011, Council, via Resolution 11-88, approved the application for a loan/grant to the NCDENR for various projects, with one being the purchase of new radio read water meters.			
			On 17 July 2012, the City received notification that a DWSRF loan in the amount of \$294,000 had been approved for the purchase of 250 new radio read water meters.			
			This amendment establishes the budget for this project.			

The foregoing Ordinance 12-51, upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 13 day of August 2012: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 12-92*

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 12—51 adopted by the Henderson, City Council in Regular Session on 13 August 2012 (*Minute Book 42 p.***). This Ordinance is recorded in *Ordinance Book 8*, p. ***.

Witness my hand and corporate seal of the City, this *** day of August 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

Attachment A
Ordinance 12—51
FY 12-13 Budget Ordinance Amendment #6
(Reference: CAF: 12-92; Resolution 12-63, Ordinance 12-51)

This budget amendment serves to establish a new capital project entitled “Purchase of New Radio Read Water Meters.” The City received notification that a DWSRF loan had been approved for the purchase of these water meters. The loan is in the amount of \$294,000 for a 20 year period at 0% interest. There is a closing fee of \$5,880 which is incorporated into the loan amount.

Reviewed by: _____ Date: _____
Katherine C. Brafford, Finance Director

Reviewed by: _____ Date: _____
A. Ray Griffin, Jr., City Manager

AMORTIZATION SCHEDULE

Simple Interest Loan

DWSRF Fund for Radio Read Water Meters

Project No.: COH 12-001c (WIF-1693)



Inputs

Loan Amount	\$ 294,000
Annual Interest Rate	0.00%
Term of Loan in Years	20
First Payment Date	8/1/2013
Frequency of Payment	Annually

Summary

Rate (per period)	0.000%
Payment (per period)	\$14,700.00
Total Payments	\$294,000.00
Total Interest	\$0.00
Interest Savings	#NUM!

This spreadsheet creates a payment schedule for a fixed-rate loan, with optional extra payments. The payment frequency can be annual, semi-annual, quarterly, bi-monthly, or monthly. Values are rounded to the nearest cent. The last payment is adjusted to bring the balance to zero.

Note: You must have the Analysis ToolPak (Tools > Add-ins...) installed to use the CUMIPMT formula.

No.	Due Date	Payment Due	Additional Payment	Interest	Principal	Balance
						\$294,000.00
1	8/1/2013	14,700.00	0.00	0.00	14,700.00	279,300.00
2	8/1/2014	14,700.00	0.00	0.00	14,700.00	264,600.00
3	8/1/2015	14,700.00	0.00	0.00	14,700.00	249,900.00
4	8/1/2016	14,700.00	0.00	0.00	14,700.00	235,200.00
5	8/1/2017	14,700.00	0.00	0.00	14,700.00	220,500.00
6	8/1/2018	14,700.00	0.00	0.00	14,700.00	205,800.00
7	8/1/2019	14,700.00	0.00	0.00	14,700.00	191,100.00
8	8/1/2020	14,700.00	0.00	0.00	14,700.00	176,400.00
9	8/1/2021	14,700.00	0.00	0.00	14,700.00	161,700.00
10	8/1/2022	14,700.00	0.00	0.00	14,700.00	147,000.00
11	8/1/2023	14,700.00	0.00	0.00	14,700.00	132,300.00
12	8/1/2024	14,700.00	0.00	0.00	14,700.00	117,600.00
13	8/1/2025	14,700.00	0.00	0.00	14,700.00	102,900.00
14	8/1/2026	14,700.00	0.00	0.00	14,700.00	88,200.00
15	8/1/2027	14,700.00	0.00	0.00	14,700.00	73,500.00
16	8/1/2028	14,700.00	0.00	0.00	14,700.00	58,800.00
17	8/1/2029	14,700.00	0.00	0.00	14,700.00	44,100.00
18	8/1/2030	14,700.00	0.00	0.00	14,700.00	29,400.00
19	8/1/2031	14,700.00	0.00	0.00	14,700.00	14,700.00
20	8/1/2032	14,700.00	0.00	0.00	14,700.00	0.00

RESOLUTION 11—88

APPROVAL OF GRANT/LOAN APPLICATION TO THE NC DRINKING WATER STATE REVOLVING FUND FOR VARIOUS WATER SYSTEM IMPROVEMENTS

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2011 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems**; and **KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities**; *and*

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the NC Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, *and*

WHEREAS, the City of Henderson intends to construct drinking water system projects generally including water lines, service lines, and related appurtenances to replace aged and undersized water lines to provide a more reliable source of drinking water and improved operating pressures, the replacement of aged water meters for improved efficiencies, and the installation of a finished water pump, controls, valves, and piping for redundancy and improved reliability and efficiency, *and*

WHEREAS, the City of Henderson intends to request State loan or grant assistance for the project, *and*

WHEREAS, the amount of the loan/grant funding applications are \$3.0 Million; *and*

WHEREAS, the finished water pump, controls, valves and piping for redundancy would be for funding at the Kerr Lake Regional Water Plant.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL:

1. That the City of Henderson (Applicant) will arrange financing for all remaining costs of the project, if approved for a State loan or grant award.
2. 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.
3. That the City Council (governing body) of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Henderson to make scheduled repayment of the loan, to withhold from the City of Henderson 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.

4. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
5. That Mayor James D. O'Geary, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan or grant to aid in the construction of the project described above.
6. That the Authorized Official, and successors so titled, is 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, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

The foregoing Resolution 11—88 introduced by Council Member Inscoe and seconded by Council Member Kearney on this the 26th day of September 2011, and having been submitted to a roll call vote, was APPROVED by the following votes: YES: Rainey, Peace-Jenkins, Daeke, Daye, Kearney, Coffey and Inscoe. NO: None. ABSENT: Davis.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney
(Reference: Minute Book 42, p. 266.)

STATE OF NORTH CAROLINA: CITY OF HENDERSON

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 11—88*, adopted by the Henderson, City Council in Regular Session on 26 September 2011 (See *Minute Book 42*, p. 266). This Resolution is recorded in *Resolution Book 2*, p. 177.

Witness my hand and corporate seal of the City, this 27th day of September 2011.

Esther J. McCrackin, City Clerk
City of Henderson, North Carolina

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 12 Reg Meeting

9 August 2012

TO: The Honorable Mayor James D O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12—101

Consideration of Approval of Ordinance 12-55, FY 12 Budget Amendment #57, an Ordinance Amending the FY 11-12 Budget as Part of the Year End Budget Reconciliation Process.

Ladies and Gentlemen:

Recommendation:

- Approval of Ordinance 12-55, FY 12 Budget Amendment #57, an Ordinance Amending the FY 11-12 Budget as Part of the Year End Budget Reconciliation Process.

Executive Summary

FY 12 Budget Amendment #57 serves to amend the Water Fund and the CIP Sewer Fund in order to correct the recording of the transactions for the refunding of the 2001 Revenue Bonds with the 2011 Revenue Bonds. There was a Parity Indebtedness Reserve account with the Bank of New York which was recorded in the CIP Sewer Fund; however the bonds payable are recorded in the Water Fund and the refunding transactions are recorded in the Water Fund.

Enclosures

1. Ordinance 12—55

O R D I N A N C E 12—55
AN ORDINANCE AMENDING THE FY 11-12 BUDGET AS PART OF THE
YEAR ENDING BUDGET RECONCILIATION PROCESS
FY 11-12 BUDGET AMENDMENT # 57

WHEREAS, the City Council of the City of Henderson (Council) adopted its FY11-12 Operating Budget on 20 June 2011; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating and project/grant budgets as part of the year ending budget reconciliation process; *and*

WHEREAS, on 25 June 2012, the City Council approved Ordinance 12-42, and Section 6 that Ordinance gave the City Manager and Finance Director the authority to effect any additional budget amendments necessary for year-ending closeout, such amendments to be reported to and ratified by the City Council at a subsequent meeting; *and*

WHEREAS, upon a final review of the financial statements in preparation for year-end close-out, it was determined that additional amendments to the budget were needed; *and*

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Ordinance be approved and said Ordinance shall be effective immediately upon approval of the City Council:

			Ordinance 12-55			
FUNDS: 30: Water Fund; 44: CIP-Sewer Fund			FY 11-12 Budget Amendment #57			
30: WATER FUND REVENUES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	1-Jul-11	Budget	Amendment	Revised
	Trans Fr: 44 CIP Sewer	30-300-461044	\$ -	\$ -	\$ 2,227,298	\$ 2,227,298
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 2,227,298	\$ 2,227,298
30: WATER FUND EXPENDITURES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	1-Jul-11	Budget	Amendment	Revised
	Bond Principal Payment	30-660-508100	\$ -	\$ -	\$ 2,227,298	\$ 2,227,298
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 2,227,298	\$ 2,227,298
		<i>Variance</i>			\$ -	
44: CIP SEWER FUND REVENUES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	1-Jul-11	Budget	Amendment	Revised
	Investment Income	44-444-444010	\$ -	\$ -	\$ 920,098	\$ 920,098
	Revenue Bond Payment	44-444-458131	\$ -	\$ -	\$ 1,307,200	\$ -
		Total	\$ -	\$ -	\$ 2,227,298	\$ 920,098
44: CIP SEWER FUND EXPENDITURES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	1-Jul-11	Budget	Amendment	Revised
	Transfer to Fund 30: Water	44-660-561030	\$ -	\$ -	\$ 2,227,298	\$ 2,227,298
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 2,227,298	\$ 2,227,298
		<i>Variance</i>			\$ -	
Reference:			Notes:			
CAF: 12-101, Ord 12-55			To correct recording of bond refunding. The balance of the 2001 Revenue Bonds (\$10,050,000) were refunded in August of 2011 with the 2011 Revenue Bonds (\$8,024,000). There was a Parity Indebtedness Reserve account with the Bank of New York with a balance of approximately \$2 million. These funds were applied towards the payoff of the 2001 bonds. The bonds payable accounts are recorded in the Water Fund; this amendment will transfer the funds from CIP Sewer (where they were recorded) back to the Water Fund and where the debt service payment can be accurately reflected.			

The foregoing Ordinance 12-55, upon motion of Council Member *** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was **** on this the 13th day of August 2012: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

Reference: Minute Book 42, p. **; CAF 12—101

STATE OF NORTH CAROLINA - CITY OF HENDERSON

I, Esther McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 12-55 adopted by the Henderson, City Council in Regular Session on ** ----- 2012. This Ordinance is recorded in *Ordinance Book 8*, p.***.

Witness my hand and corporate seal of the City, this ****.

Esther McCrackin
City Clerk
City of Henderson, North Carolina

Reviewed by: _____ Date: _____
Katherine C. Brafford, Finance Director

Reviewed by: _____ Date: _____
A. Ray Griffin, Jr., City Manager

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 Aug 12 Reg Meeting

6 August 2012

TO: The Honorable Mayor James D O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-96

Consideration of Approval of Ordinance 12-53, FY13 Budget Amendment #4, Amending the Bennett H. Perry House General Fund to Establish the Budget for the Purchase and Installation of a High Efficiency Heat Pump.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **KSO 7:** To Expand Leisure and Culture Services, Programs and Facilities to Meet the Needs of a Diverse Community.
- **KSO 8:** To provide sufficient funds for municipal operations and capital outlay necessary to meet the needs of citizens, customers and mandates of regulatory authorities.

Recommendation:

- Approval of Ordinance 12-53, FY13 Budget Amendment #4, Amending the Bennett H. Perry House General Fund to Establish the Budget for the Purchase and Installation of a High Efficiency Heat Pump.

Executive Summary

FY 13 Budget Amendment #4 serves to amend the department within the General Fund created for the purpose of accounting for expenditures associated with the Bennett H. Perry House. Funds are being donated to replace an existing oil furnace with a high efficiency heat pump. The cost of the heat pump is \$4,575, of which \$1,420 (labor) is being donated by Larry's Service Co. Funds for the remainder of the cost (\$3,155) are coming from donations being made specifically for this work.

Enclosures

1. Ordinance 12-53

O R D I N A N C E 12—53

AN AMENDMENT TO THE FY 2012 – 2013 BUDGET BUDGET AMENDMENT #4

WHEREAS, the City Council of the City of Henderson (Council), on 14 June 2012, adopted its FY 12-13 Operating Budget; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating budget from time-to-time, and the reason for FY 12-13 Budget Amendment #4 is more fully articulated in **Attachment A** to this Ordinance.

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

Fund: 10: General			Ordinance 12--53			
			FY 12-13 Budget Amendment #4			
REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-12	Budget	Amendment	Revised
	Donations- BP House	10-100-455041	\$ -	\$ -	\$ 3,300	\$ 3,300
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 3,300	\$ 3,300
						\$ 3,300
EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-12	Budget	Amendment	Revised
Bennett Perry House	Capital Outlay<\$5,000	10-501-507400	\$ -	\$ -	\$ 3,300	\$ 3,300
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 3,300	\$ 3,300
						\$ 3,300
		<i>variance</i>			\$ -	
Reference:		Notes:				
CAF 12-96; Ordinance 12-53; BA #4		This budget amendment serves to amend the budget which was established for the purpose of accounting for expenses associated with the Bennett H Perry House. This house was donated to the City by Mr. Perry and will eventually serve as a museum. These funds are for the purchase of a high efficiency heat pump. The total cost of the heat pump is \$4,575, of which \$1,420 (labor) is being donated by Larry's Service Co. These funds are coming from donations made to the City specifically for the purchase of the heat pump.				

The foregoing Ordinance 12-53, upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 13 day of August 2012: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 12-96*

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 12—53 adopted by the Henderson, City Council in Regular Session on 13 August 2012 (*Minute Book 42 p.***). This Ordinance is recorded in *Ordinance Book 8*, p. ***.

Witness my hand and corporate seal of the City, this *** day of August 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

Attachment A
Ordinance 12—53
FY 12-13 Budget Ordinance Amendment #4
(Reference: CAF: 12-96; Ordinance 12-53)

This amendment serves to amend the operating budget created for the purpose of accounting for expenses associated with the Bennett H. Perry House. These funds will be used to purchase a high efficiency heat pump. The total cost of the heat pump is \$4,575, of which \$1,420 of labor costs are being donated by Larry's Service Center, for a net cost to the City of \$3,155. Funds for this expense are coming from donations made to the City specifically to assist with renovation of the house.

Reviewed by: _____ Date: _____
Katherine C. Brafford, Finance Director

Reviewed by: _____ Date: _____
A. Ray Griffin, Jr., City Manager

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 Aug 12 Regular Meeting

7 August 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-100

Consideration of Approval of Ordinance 12-54, FY12-13 Budget Amendment #5, Providing Funding for Tennis Courts' Repair at Fox Pond Park.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- KSO 5: Provide Reliable, Dependable Infrastructure.

Recommendation:

- Approval of Ordinance 12-54, FY12-13 Budget Amendment #5, Providing Funding for Tennis Courts' Repair at Fox Pond Park.

Executive Summary:

The tennis courts at Fox Pond have not weathered well and have experienced continual surface cracking. Quotes have been received to effect repairs at the request of Recreation Commission members. The cost to repair courts 3, 4, 5 & 6 is \$16,715. Funding to pay for the contracted work would be \$8,355 from Recreation Donation Account, \$4,180 Vance County and \$4,180 from City of Henderson. The General Fund has no contingency and the only source of funding at this point in the new budget year would be increasing the General Fund undesignated fund balance allocation. The Vance County Board of Commissioners has agreed to provide funding of \$4,180.

Enclosure:

1. Ordinance 12-54
2. Quotes

O R D I N A N C E 12—54

AN AMENDMENT TO THE FY 2012 – 2013 BUDGET BUDGET AMENDMENT #5

WHEREAS, the City Council of the City of Henderson (Council), on 14 June 2012, adopted its FY 12-13 Operating Budget; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating budget from time-to-time, and the reason for FY 12-13 Budget Amendment #5 is more fully articulated in **Attachment A** to this Ordinance.

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

Fund: 10: General			Ordinance 12--53			
			FY 12-13 Budget Amendment #5			
REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-12	Budget	Amendment	Revised
	Recreation Donations	10-100-455040	\$ -	\$ -	\$ 8,355	\$ 8,355
	Reimb from Vance Cty Misc	10-100-477070	\$ -	\$ -	\$ 4,180	\$ 4,180
	Fund Balance Approp	10-990-490999	\$ 238,000	\$ 238,000	\$ 4,180	\$ 242,180
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 238,000	\$ 238,000	\$ 16,715	\$ 254,715
						\$ 254,715
EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-12	Budget	Amendment	Revised
Recreation	Contracted Services	10-620-504500	\$ 60,000	\$ 60,000	\$ 16,715	\$ 76,715
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 60,000	\$ 60,000	\$ 16,715	\$ 76,715
						\$ 76,715
		<i>variance</i>			\$ -	
Reference:			Notes:			
CAF 12-100; Ordinance 12-54; BA #5			This budget amendment serves to establish funding for tennis court repairs at Fox Pond Park. The tennis courts have not weathered well and have experienced continual surface cracking. Quotes have been received to effect repairs at the request of Recreation Commission members. This represents the costs to repair courts 3,4,5 & 6. \$8,355 will come from Recreation Donations; Vance County has agreed to provide funding of \$4,180; and Fund Balance in the General Fund is being appropriated for the remaining \$4,180.			

The foregoing Ordinance 12-54 upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 13 day of August 2012: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 12-100*

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 12—54 adopted by the Henderson, City Council in Regular Session on 13 August 2012 (*Minute Book 42 p.***). This Ordinance is recorded in *Ordinance Book 8*, p. ***.

Witness my hand and corporate seal of the City, this *** day of August 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

Attachment A
Ordinance 12—54
FY 12-13 Budget Ordinance Amendment #5
(Reference: CAF: 12-100; Ordinance 12-54)

This budget amendment serves to establish funding for tennis court repairs at Fox Pond Park. The tennis courts have not weathered well and have experienced continual surface cracking. Quotes have been received to effect repairs at the request of Recreation Commission members. This represents the costs to repair courts 3, 4, 5 & 6. \$8,355 will come from Recreation Donations; Vance County has agreed to provide funding of \$4,180; and Fund Balance in the General Fund is being appropriated for the remaining \$4,180.

Reviewed by: _____ Date: _____
Katherine C. Brafford, Finance Director

Reviewed by: _____ Date: _____
A. Ray Griffin, Jr., City Manager

COURT ONE

From Mr. Watkins
A Division of Recreational Ventures, Inc.

59 Craftsman Drive, Youngsville, NC 27596

Recreational Court Construction
Repair and Resurfacing
Running Tracks
Court Accessories

Tel. 919-570-9255

1-800-882-5186

Fax. 919-570-9355

www.courtone.net

July 27, 2012

Proposal



Mr. Alan Gill
Henderson Parks & Recreation
P.O. Box 1556
Henderson, NC 27536

Re: Tennis Courts #3 & #4

SCOPE OF WORK:

The repair and resurfacing of two (2) all-weather tennis courts with approximate overall dimensions of 108' x 120':

1. Clean and scrape courts of all dirt, debris, foreign matter and loose material. Molded areas shall be pressure washed by others.
2. Remove weeds and grass from around edges and cracks. Note: We cannot guarantee the elimination of vegetation that has invaded the asphalt. As the commercial application of herbicides now requires a special license, we can no longer provide this service.
3. Clean out and patch cracks as necessary with acrylic patching material. We cannot guarantee that cracks won't reappear in a short period of time.
4. Patch one (1) depression/birdbath, with acrylic patching material. All depressions shall be tack-coated prior to patching. We cannot guarantee the elimination of standing water, although it will be improved. Price includes one (1) application of patch material.
5. Apply one (1) coat of acrylic resurfacer (Laykold, or equivalent) according to manufacturer's directions.
6. Apply one (1) sand-filled coat and one (1) finish coat of Laykold Colorcoat (or equivalent) according to manufacturer's directions.
7. Layout, mask and hand paint playing lines (2") with Laykold Textured White Acrylic Line Paint to conform to USTA specifications.
8. Refurbish net posts with Green enamel paint, (Rustoleum or equal).
9. Rehang existing tennis nets.

NC Licenses:

NC 31762

SC 96247

VA 2705-037077A



10. Clean up area and dispose of all debris. Leave courts ready for play.

Color: Centers - Dark Green Borders - Red

We propose to furnish material and labor, complete in accordance with above specifications, for the sum of:

Eight Thousand Three Hundred Fifty Two Dollars

\$8,352.00

Option #1 - (Cts. 1 & 2)

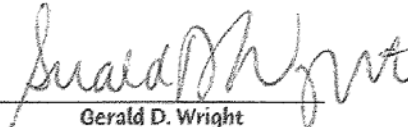
Patch larger cracks (3) and one (1) damaged area in middle alley with Red acrylic patching material. Note: We cannot guarantee a color match due to weathering and manufacturing variation.

Price: N/C if done in conjunction with resurfacing.

Pending Credit Verification, payment is to be made as follows:

NET 10 DAYS UPON COMPLETION

NOTE SEE ESCALATION CLAUSE in General Conditions. This proposal may be withdrawn by Court One if not accepted within 30 days. All agreements contingent upon strikes, accidents, or delays beyond our control.



Gerald D. Wright
Certified Tennis Court Builder
President, Court One
A Division of Recreational Ventures, Inc.

Acceptance of Proposal: The above prices, Specifications and General Conditions are satisfactory and are hereby accepted. You are authorized to do the work specified.

Date of Acceptance: _____

Signature: _____ Signature: _____

General Conditions for Repair and Resurfacing of Hard Courts

These General Conditions are part of the attached Scope of Work, and upon execution of the Proposal become included therewith.

1. *Court One*, as a long-standing member, follows the construction guidelines issued by the American Sports Builders Association to perform its work. Any deviation from these guidelines is at the risk of the owner.
2. Owner shall provide potable water and electricity.
3. Weather Limitations No part of the Laykold surfacing system may be conducted during rain or when rain is imminent. Air and surface temperature must be at least 50 degrees and not more than 140 degrees Fahrenheit.
4. As time is of the essence, timely and cost effective completion of this job depends on proper conditions at the commencement of work. Delays to the work that are beyond *Court One's* control (other than weather) may necessitate compensation for additional costs and/or an extension of time to complete the project.
5. Stop Work - *Court One* shall have the right to stop work on project if progress payments become delinquent.
6. *Court One* not responsible for indirect or consequential damages due to delays in completion of the work.
7. Guarantees: All materials guaranteed to be as specified. All work to be completed in a workman like manner, according to standard industry practices.
Materials - according to Manufacturer's guarantees and warranties.
Workmanship - *Court One* guarantees that any failures due to poor workmanship shall be remedied to the Owner's satisfaction for a period of one year from date of completion, except as otherwise noted, with regards to cracks and standing water.
8. Owner understands that *Court One* relies upon the Owner's promise to pay according to the terms of this Proposal/Contract. Therefore, a late charge of one and one half percent (1-1/2%) per month (18% per annum) will be added to all past due accounts. If it becomes necessary to employ a collection agency, or to initiate legal proceedings in order to enforce this agreement, *Court One* shall be entitled to recover their costs and attorneys' fees, and such fees shall be added to this Proposal/Contract.
9. Owner shall carry Fire, Tornado and any other pertinent insurance.
10. *Court One* carries appropriate Liability and Workman's Compensation insurance.
11. *Court One* is a Licensed General Contractor, has a Certified Tennis Court Builder on staff, and is bondable.
12. Any changes or deviations from this scope and specifications of this agreement involving extra costs will be executed only upon written authorization, and will become an additional charge above and beyond this Proposal/Contract price.

13. Escalation Clause: Due to the current volatility in the oil, asphalt, steel and concrete markets, our vendors are experiencing a pricing and, sometimes, availability crisis, which is affecting all aspects of the construction industry. Our asphalt prices are tied to the May 2012 NCDOT Monthly Terminal Asphalt Binder and FOB prices, therefore any adjustments would be based on changes to the index. Fuel prices directly affect freight costs, which have also become volatile. We will make every effort to honor prices for the 30 day period stated in our Proposal, but we cannot guarantee this. Even after a contract is signed, we must still reserve the right to pass on material or freight price increases that may occur, beyond our control, prior to the commencement of work. As a valued customer, we recognize the inconvenience that this work environment may cause, but feel that it is the only way to enable *Court One* to continue to provide you the service and quality that you expect.

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 12 Short Reg. Meeting

1 August 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-91

Consideration of Approval of 1) Resolution 12-62, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$1,726,000 for 2" Water Mains and Services Replacement; and 2) Ordinance 12-50, FY 13 Budget Amendment # 7, Establishing the Budget for Above Mentioned Project.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 5 – Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.
- KSO 8 – Provide Sufficient Funding for Municipal Services.

Recommendation:

- Approval of: 1) Resolution 12-62, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$1,726,000 for 2" Water Mains and Services Replacement; and
- 2) Ordinance 12-50, FY 13 Budget Amendment #7, Establishing the Budget for Above Mentioned Project.

Executive Summary

On 26 September 2011, Council, via Resolution 11-88, approved the application for a loan/grant to the NCDENR for various projects, with one being the replacement of various 2" water mains located in various locations throughout the City with larger mains, as well as replacing service lines and meters that were connected to existing 2" or smaller mains to existing larger mains.

On 17 July 2012, The City of Henderson received notification that a DWSRF loan has been approved for the replacement of approximately 13,000 linear feet of existing 2" or smaller water mains with larger mains and new services in the amount of \$1,726,000. The larger mains will

not only help with the overall water pressure to the individual homeowners, but will help in pressure equalization within the system, will help with water quality as the water mains, in most cases, will be looped, and will help with a reduction in overall maintenance costs.

The loan rate is 20 years at 0% interest. There is a closing fee of \$34,520, which is part of the loan amount.

The annual debt service of \$86,300 can be provided in the FY 13-14 budget without a rate increase.

The grant offer, while dated 13 July 2012 was not received until 17 July 2012, therefore, too late to provide information to the Council on the 23 July City Council meeting. Thus it is important to review and consider approval of this item on 13 August 12 to get the response back to the State in a timely manner. In discussion with DENR, a new package with a modified date to meet the 30 day window will be sent out. The older package is attached for your review. Everything in the new package will remain the same except for the signature date.

This project is a Capital Improvements project. The award debt service, at 0% interest, will be \$86,300 for a period of 20 years. The first debt service payment will be due 1 August 2013.

Enclosures:

1. Resolution 12-62
2. Ordinance 12-50
3. Loan Amortization Schedule
4. Resolution 11-88

RESOLUTION 12-62

ACCEPTANCE OF A LOAN FROM THE NC DRINKING WATER STATE REVOLVING FUND FOR 2" WATER MAINS AND SERVICES REPLACEMENT PROJECT

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2012 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; and KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and**

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the NC Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, *and*

WHEREAS, the City received an offer of acceptance of a loan for a water system project (project number WIF-1694); *and*

WHEREAS, the City deems it in the best interest to complete this work in order to provide reliable, dependable and environmentally compliant infrastructure systems, *and*

WHEREAS, the amount of the loan is \$1,726,000 for twenty years with a 0.00% interest rate; *and*;

WHEREAS, the new water mains will help with water pressure and water quality for the customers and with maintenance and repair reduction in various locations throughout the City.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL:

1. That the City of Henderson (Applicant) will arrange financing for all remaining costs of the project.
2. 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.
3. That the City Council (governing body) of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Henderson to make scheduled repayment of the loan, to withhold from the City of Henderson 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.

4. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
5. That Mayor James D. O'Geary, the Authorized Official, and successors so titled, is hereby authorized to execute the acceptance of the loan, being more fully articulated in ***Attachment A*** of this Resolution.
6. That the Authorized Official, and successors so titled, is 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, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

The foregoing Resolution 12-62 introduced by Council Member ** and seconded by Council Member ** on this the ** day of _____ 2012, and having been submitted to a roll call vote, was *** by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney
(Reference: *Minute Book 42, p. **.*)

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 12-59*, adopted by the Henderson, City Council in Regular Session on **_____ 2012 (*See Minute Book 42, p. **.*). This Resolution is recorded in *Resolution Book # 3*, pp. **.

Witness my hand and corporate seal of the City, this ** day of *** 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina



North Carolina Department of Environment and Natural Resources

Division of Water Resources

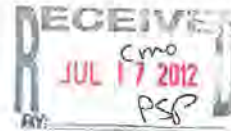
Beverly Eaves Perdue
Governor

Thomas A. Reeder
Director

Dee Freeman
Secretary

July 13, 2012

The Honorable James O'Geary, Mayor
City of Henderson
PO Box 1434
Henderson, North Carolina, 27536



Re: Public Water Supply Loan Application
Part A Offer and Acceptance
Project Number: WIF-1694
PWSID: 0291010
Applicant: City of Henderson
Vance County

Dear Mayor O'Geary:

Enclosed is the *Offer and Acceptance of Loan and/or Grant for Water Supply System Project, Part A* (Part A). This letter describes the steps needed to implement the Part A and subsequent steps needed to proceed to bid and award of contract.

Please note that the departmental administrative fee amount shown in the Part A is based on the funding amounts applied for in the application. An invoice based on any revisions to the funding amounts will be sent with the Part B approval letter.

Next Steps:

1. Review the enclosed Part A, sign and return to Public Water Supply Section (PWS) within the next 30 days.

Please review the terms, conditions and assurances contained in the Part A and the attached *Procedures* document. If you wish to accept the offer, **sign and date Section III - Acceptance**, by the date indicated on page 2 of the Part A. After signing and dating the Part A, **return one signed and dated original** to me at the following address:

Public Water Supply Section
Division of Water Resources
Department of Environment and Natural Resources
1634 Mail Service Center
Raleigh, NC 27699-1634

and keep the other signed and dated original for your own files.

Please submit the enclosed "Remit Information Form" if you want the Department of Environment and Natural Resources (DENR) to mail checks to other than the "Legal Name and Address" of the Applicant listed in the Part A, or if there is any information that you wish to appear on your check (e.g., to assist your staff in properly posting payments into your accounts).

If you are interested in receiving payments electronically, please visit the Office of State Controller's Vendor Electronic Payment Web site at <http://www.ncosc.net/vendorepayform/>.

Public Water Supply Section - Jessica C. Godreau, Chief
1634 Mail Service Center, Raleigh, North Carolina 27699-1634
Phone: 919-707-9100 \ FAX: 919-715-4374 \ Lab Form FAX: 919-715-6637 \ Internet: ncdrinkingwater.state.nc.us
An Equal Opportunity \ Affirmative Action Employer

One
North Carolina
Naturally

James O'Geary
City of Henderson
July 13, 2012
Page 2

2. Prepare your bid documents and submit to the PWS Section for review as soon as possible.
 - **Document compliance with all the requirements of NCGS 143-128.2** including the resolution establishing the verifiable percentage goal and implementing a minority business participation outreach plan. The PWS Section strongly encourages you to schedule a pre-solicitation meeting with the PWS Section as soon as possible to review DBE and other bidding requirements in detail to improve the likelihood of a successful bid.
 - **Include the State and Federal Special Conditions Packages in the bid specifications.** These packages can be found at: http://www.ncwater.org/pws/srf/Pages/DBE_Page.htm.
 - **Submit your bid package for review by the PWS Section prior to going to bid.** A bid package that does not contain all required assurances and conditions will make the bid documents ineligible and require rebidding. Delays from rebidding could compromise your ability to be under contract in time to retain the funding commitment.
3. After PWS Section approval of bid documents, bid the contract for a minimum of 30 days. Determine the apparent low bidder, and submit Disadvantaged Business Enterprises (DBE) documentation to PWS.
 - **Submit completed DBE forms** (found in the Special Conditions Packages) and all related DBE documentation to obtain approval for your DBE efforts. This documentation must demonstrate that you, the contractor, and any subcontractors made 'good faith efforts' in all bid solicitations.
 - **Obtain the PWS Section's written approval of the DBE documentation prior to awarding contracts.** Any contracts awarded without the PWS Section's written approval may be ineligible for reimbursement.
4. Award the contract(s) and begin construction. Report this step to the PWS Section.
5. Complete the Part B, and transmit it to the PWS Section for Local Government Commission (LGC) issuance of loan agreement.

After receiving your completed Part A in Step 1, PWS will forward to you the *Offer and Acceptance of Loan or Grant for Water Supply System Project, Part B - Supplemental Project Information* (Part B). You can also download the Part B from the "Forms" page of the PWS Web site, at the following URL: <http://www.ncwater.org/pws/srf/Pages/other-forms.htm>. PWS must review and approve the completed Part B, and forward the Part B to the LGC for issuance of a loan agreement prior to the state reimbursing you for any eligible costs incurred.

If you have any questions regarding this matter, please do not hesitate to contact me at (919) 707-9054.

Sincerely,



Amanjit Paintal
Project Engineer
Revolving Loan and Grant Program

ASP/RDP

Enclosures: Part A (two originals)
Remit Information Form
Procedures

cc: Joel Whitford, McGill Associates, P.A., Consulting Engineer
Project File (red correspondence folder)

Remit Information Form (Optional)

Purpose: For some recipients, the request to draw funds, the receipt of funds, and the disbursement of funds to contractors are all handled in the same office. For others, checks may be received and deposited by one office and disbursements to contractors handled by another office.

To ensure that funds are properly received and posted into your accounts, please provide the following information:

Information:

1. **Address:** If DENR should not mail checks to the "Legal Name and Address" of the Applicant listed in the Offer and Acceptance, Part A, Section 1 – OFFER, please list another address to which DENR should mail checks.

Your Address Here	----- Example -----
Attention:	<i>John Doe, Town Manager</i>
Address line 1	<i>Town of Yourtown</i>
Address line 2	<i>P. O. Box 1234</i>
City, State ZIP code	<i>Yourtown, NC 00000-0000</i>

2. **Remit Message:** Please provide any information that you wish to appear on your check to assist your staff in properly posting payments into your accounts. Otherwise, checks will lack any remit message. **Use a maximum 40 characters including spaces.**

Your Remit Message Here	----- Example -----
	<i>Water Plant Project #99</i>
	<i>Acct. # 0-00-0000</i>
Maximum 40 characters including spaces.	

Note: Checks will be made payable to the "Legal Name" of the Applicant listed in the Offer and Acceptance, Part A, Section 1 – OFFER.

Signature of Authorized Representative

Date

Procedures (Process for Loan and Grant Applicants)

An Applicant for a loan or grant for water supply or conservation projects under N.C.G.S. 159G, and the Safe Drinking Water Act Amendments of 1996 is to follow these PROCEDURES.

OFFER AND ACCEPTANCE FORM, PART A - OFFER

If the Applicant wishes to accept the Offer, then the designated representative (authorized by the resolution submitted with the application) will sign and date in the space provided on page 4 of the Offer (Part A) no later than the date shown on page 2.¹

If the applicant does not wish to accept the offer, then the designated representative will notify this agency in writing.

DBE DOCUMENTATION

The applicant will submit all required DBE documentation to Public Water Supply (PWS) Section for review. The applicant will obtain written PWS Section approval of the DBE efforts prior to award of contract(s). However, prior to PWS Section written approval, the Applicant's governing board can pass a resolution authorizing the award contingent on PWS Section approval.

OFFER AND ACCEPTANCE FORM, PART B SUPPLEMENTAL PROJECT INFORMATION

After accepting the Part A and having accomplished the following:

- arranging all financing for the project,
- obtaining approval for final plans and specifications,
- obtaining Authorization to Construct
- receiving bids
- submitting DBE documentation to the PWS Section and obtaining written approval, and
- the governing body has, by resolution, awarded construction contracts;

the applicant will complete Part B and the authorized representative will sign it. The applicant will submit to the PWS Section two (2) copies for loans, or one (1) copy for grants of the Part B and each of the following documents:

- A. The Part B form itself;
- B. Approval letters:
 - (1) DBE approval,
 - (2) Plans and Specifications Approval,
 - (3) Authorization to Construct, and
 - (4) Erosion and Sedimentation Control Plan Approval, or engineer's explanation of why none is needed;
- C. Bidding documentation including the following:
 - (1) Certified Tabulation of all bids received, and
 - (2) Engineer's letter recommending award of the contract;
- D. Certified copy of resolution by governing body awarding the contract(s);
- E. Full bound and executed set of construction contract documents including the following:
 - (1) bidder(s) signed proposal as accepted,
 - (2) Bid, Performance and Payment Bonds (as applicable),
 - (3) Proof of Liability Insurance,
 - (4) Signed Agreement, and
 - (5) Notice to Proceed;
- F. Executed Engineering Services Agreement (as applicable);
- G. Grant and/or Loan Administration Contract (as applicable);
- H. Any legal invoices;
- I. Real Property purchase documents (as applicable), including the following:
 - (1) Deeds and/or Purchase Agreements, and
 - (2) Real estate appraisal;
- J. Any executed change orders or statement that none have been executed; and
- K. Site location and layout map including any water mains under contract (in color).

¹ An invoice for the two percent (2%) DWSRF loan administrative fee will be included with the Part B approval letter.

Procedures (Process for Loan and Grant Applicants)

Cont'd

The PWS Section cannot accept the Part B until the amounts shown in the estimate are substantiated by the resolution and the signed contract documents, including any applicable change orders.

DEBT INSTRUMENT INITIATION (not required for high unit cost grant awards)

Following review and acceptance of the Part B, the PWS Section requests that the Local Government Commission (LGC) staff initiate the debt instrument processes. This step requires interaction between the LGC staff and the awardee. LGC notifies the PWS Section when this step is completed. Please note that reimbursements cannot be made for the project until the debt instrument (or promissory note) has been executed and returned to the LGC.

LOAN OR GRANT PAYMENTS

Requests for loan or grant payments must utilize the Reimbursement Form (maintained by the Infrastructure Finance Section of the Division of Water Quality) and one copy of the following supporting documents:

- A. For eligible construction costs:
 - (1) Latest contractor's estimate for the amount of work completed and the cost of materials delivered and stored on the site, showing the **Time Period** covered. **Time Period** means showing both a Start Date and an End Date;
 - (2) Certification by the applicant's consulting engineer that the estimate is correct;
 - (3) Executed change orders (if not previously furnished) for any change order work for which payment is requested; and
 - (4) Signed contractor's Sales Tax Form covering the **Time Period** of (1) above.
- B. For technical services; invoices describing the type of services and basis of payment so as to be identified with the provisions of the contract.
- C. For legal, fiscal, and administrative service:
 - (1) Invoices describing the type of services and basis of payment;
 - (2) Contracts for such services not previously furnished; and
 - (3) For DWSRF loans, the 2% administrative fee is based on the final loan amount and is due prior to the 2nd loan disbursement.
- D. For land acquisition and/or relocation, a deed or receipt showing that the grantee has deposited the fair market value of any property being acquired.

CONSTRUCTION COMPLETION

An inspection of the completed project must be made and certification submitted in accordance with 15A NCAC 18C .0303 in the Rules Governing Public Water Supplies. Representatives of this agency may also inspect the project at various stages and for completion.

AUDIT

In accordance with N.C.G.S. 159-34 as modified by page 35-E-1.13 of the Audit Manual..., a single audit reporting package shall be submitted to the Controller's Office of this Department.

PRINCIPAL AND INTEREST PAYMENTS

As specified in the Loan Agreement and Promissory Note.

If there should be any questions concerning these instructions, please contact your review engineer or the PWS Funding Unit Team Leader Vincent J. Tomaino at the following address:

Public Water Supply Section
Division of Water Resources
Department of Environment and Natural Resources
1634 Mail Service Center
Raleigh, North Carolina 27699-1634
Telephone: (919) 707-9058

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

**OFFER AND ACCEPTANCE OF LOAN OR GRANT
FOR WATER SUPPLY SYSTEM PROJECT**

PART A

SECTION 1 - OFFER	
Legal Name, PWSID and Address of Applicant City of Henderson PWS ID: 0291010 PO Box 1434 Henderson, North Carolina 27536	Project Number: WIF-1694 CFDA Number: 66.468 (for federal assistance only) Grant ID Number: FS-984338__ [TBD] (for federal assistance only)
Total Estimated Project Cost	\$1,726,000
Estimated Project Cost Eligible for State Participation	\$1,726,000
Total Grant Amount Offered	\$0
Total Loan Amount Offered	\$1,726,000

Authorization	Amount	Fee rate	Fee	Term (years)	Interest Rate
DWSRF Revolving Loan	\$1,726,000	2.0%	\$34,520	20	0%
Total Sum	\$1,726,000		\$34,520		

Description of Project:

Replace 13,000 feet of undersized, old, and deteriorated 2-inch waterlines with 6-inch waterlines to reduce leakage.

Consideration having been given by the Division of Water Resources of the Department of Environment and Natural Resources to (a) the application submitted by the Applicant pursuant to the North Carolina Clean Water Revolving Loan and Grant Act of 1987, as amended, and the rules and regulations adopted pursuant thereto; (b) the public benefits to be derived by the construction of this project; (c) the relation of the ultimate cost of constructing and maintaining the system to the public interest and to the public necessity for the system; and (d) the adequacy of the provisions made or proposed by the Applicant for assuring proper and efficient operation and maintenance of the system after completion of the construction thereof; and it having been determined by the Division of Water Resources of the Department of Environment and Natural Resources that (1) the Applicant is eligible; (2) the project meets the criteria for State loans or grants as prescribed in the Act and the Rules, adopted pursuant thereto inclusive of 40 CFR Parts 6, 9 and 35, when appropriate; and (3) the project is entitled to priority over other projects eligible for consideration during the same priority period, the Division of Water Resources of the Department of Environment and Natural Resources acting in behalf of the State of North Carolina, hereby offers:

To make a State loan/grant of the above named Applicant subject to the assurances included in this document as Section 2, in order to aid in financing the construction of the project pursuant to the Act. If the actual construction cost, as determined by the Division of Water Resources of the Department of Environment and Natural Resources upon completion of construction, is less than the estimated cost upon which the loan/grant offer is based, the amount of the State loan/grant shall be reduced to the actual cost.

In addition, this offer is made subject to completion and submission of Part B, Supplemental Project Information, DENR Form 1951B, of this Offer and Acceptance, and to the following conditions:

1. The Applicant will furnish information that satisfactorily demonstrates the availability of funds, other than State loan or grant funds, to pay the remaining costs of the project.
2. The Applicant will provide the Departmental Administrative Fee (as shown on the front page) to the Department prior to the second loan/grant disbursement.
3. The proposed loan/grant and fee amount(s) shown on the front page are estimates. The Part B may revise loan/grant and fee amounts.

This Offer must be accepted, if at all, on or before (date)

August 13, 2012

For the Department of Environment and Natural Resources

Date

Name and Title

Thomas A. Reeder, Division Director

PRD 7-13-12
PWSS Accounting Approval

SECTION 2 – ASSURANCES

The Applicant hereby gives assurance to the Division of Water Resources of the Department of Environment and Natural Resources:

- A. That no construction of the project shall be undertaken, and no contract(s) for construction, alteration, or installation shall be entered into prior to the issuance of authorization to construct by the Division of Water Resources of the Department of Environment and Natural Resources.
- B. That the Applicant will undertake good faith efforts, both directly and through a prime or general contractor, to involve minority owned businesses in the bidding process in accordance with G.S. 143-128.2.
- C. That for Drinking Water State Revolving Fund Loan projects, the DWSRF Special Conditions Package shall be included as a supplement to these Assurances, and shall be incorporated into the project construction specifications, and that the Applicant shall take other steps, as necessary, to ensure implementation.
- D. That the construction contract(s) will require the contractor to furnish performance and payment bonds, the amount of which shall each be in an amount not less than one hundred percent (100%) of the contract price, and to maintain during the life of the contract(s) adequate fire, and extended coverage, workmen's compensation, public liability and property damage insurance.
- E. That any proposed change or changes in the contract or contracts, which make any major alteration in the work required by the plans and specifications, will be submitted to the Division of Water Resources of the Department of Environment and Natural Resources.
- F. That complete signed copies of all change orders will be submitted to the Division of Water Resources of the Department of Environment and Natural Resources as issued.
- G. That the construction of the project, including the award of contracts in connection therewith, shall conform to the applicable requirements of State and local law and ordinances.
- H. That the construction contract(s) will provide that the representatives of the State will have access to the work whenever it is in preparation or progress and that the contractor will provide proper facilities for such access and inspection.
- I. That the Applicant will provide and maintain competent and adequate engineering supervision and inspection at the project to insure that the construction conforms to the approved plans and specifications.
- J. That adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three (3) years following completion of the project.
- K. That all funds loaned or granted pursuant to the Acts shall be expended solely for carrying out the approved project and an audit shall be performed in accordance with G.S. 159-34, as amended.
- L. That any books, documents, papers, and records of the Applicant pertinent to loans or grants received under the Acts shall be made available to State personnel or their duly authorized representatives for the purpose of audit and examination.
- M. That the declarations, assurances, representations and statements made by the Applicant in the application, and all documents, amendments, and communications filed with the Division of Water Resources of the Department of Environment and Natural Resources by the Applicant in support of its request for a loan/grant will be fulfilled.
- N. That the Applicant agrees to construct the project or cause it to be constructed to final completion in accordance with the application and plans and specifications approved by the Division of Water Resources of the Department of Environment and Natural Resources.
- O. That the Applicant will permit the Division of Water Resources of the Department of Environment and Natural Resources or its authorized agents to have access to the project and the records pertaining to its operation at any reasonable time following completion of construction for the purpose of inspecting the operation and maintenance of the project and determining adherence to the Division of Water Resources of the Department of Environment and Natural Resources operational requirements for water supply systems.
- P. That the Applicant shall demonstrate to the satisfaction of the Division of Water Resources of the Department of Environment and Natural Resources that it has or will have a fee simple or such other estate or interest in the site of the project, including

necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project.

- Q. That the Applicant will provide a completed Part B, Supplemental Project Information, Form 1951B, of this Acceptance Document, which is a prerequisite to the debt instrument preparation and to the payments process, following the award of construction contracts.
- R. That the Applicant will schedule and meet with the Local Government Commission's staff, if required, to finalize the debt instrument a minimum of 10 days prior to the request for disbursement of the first loan funds.
- S. That the Applicant shall make provisions, including procedures and manuals as appropriate, to assure proper and efficient operation and maintenance of the system after completion of the construction of the project.
- T. The Davis-Bacon Act requirements apply to the entirety of the construction activities.
- U. The sales taxes collected as part of this project's expenses are not reimbursable.
- V. The Applicant shall require all prime construction contractors, as part of their bid, to certify that subcontracts have not and will not be awarded to any firm or individual that has been debarred for noncompliance with Federal law, regulations or standards and whose name appears on the Excluded Parties List or successor System.
- W. The Applicant shall comply with Title 40, Code of Federal Regulations, Part 30, Section 13 (40 CFR 30.13) and Title 2, Code of Federal Regulations, Part 1532 (2 CFR 1532). This compliance shall include meeting the requirements of Subpart C of 2 CFR 180 as it applies to transactions identified in Subpart B (also of 2 CFR 180).
- X. The Applicant acknowledges that failure to disclose transactions with debarred firms or individuals in accordance with Title 2, Code of Federal Regulations, Part 180, Section 335 (2 CFR 180.335) may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.
- Y. The loan or grant is withdrawn if the Applicant fails to enter into a construction contract for the project within one year after the date of this offer and acceptance, unless the Applicant has documented to the satisfaction of the Division of Water Resources of the Department of Environment and Natural Resources that the Applicant has good cause for the failure. Evidence of good cause shall be made in writing and submitted to the Department within 30 days of expiration of the one year deadline. If the Department finds good cause, the Department will set a new date by which the Applicant must take action or forfeit the loan or grant, in accordance with G.S. §159G-41.
- Z. All requests for reimbursement shall be submitted within three (3) years of acceptance of this Offer and Acceptance of Loan or Grant for Water Supply System Project (Part A).

SECTION 3 – ACCEPTANCE

On Behalf of (Legal Name of Applicant)

City of Henderson

I, the undersigned, being duly authorized to take such action, do hereby accept this offer and make the assurances contained therein.

Signature of Representative

Date

Name and Title of Representative (Type or Print)

James O'Geary, Mayor

ORDINANCE 12—50

AN AMENDMENT TO THE FY 2012 -- 2013 BUDGET BUDGET AMENDMENT #7 AMENDING CAPITAL PROJECT FUND ENTITLED” 2” WATER LINE REPLACEMENT”

WHEREAS, the City Council of the City of Henderson (Council), on 14 June 2012, adopted its FY 12-13 Operating Budget; *and*

WHEREAS, the Council has created and uses a Capital Improvements Fund for active capital projects related to the Water Fund, said fund referred to as 43: CIP Water Fund; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements budgets from time-to-time, said amendment incorporated in this Ordinance and being more fully articulated in **Attachment A**.

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

			Ordinance 12-50			
FUNDS: 30: Water Fund and 43: CIP Water Fund			FY 12-13 Budget Amendment #7			
43: CIP WATER FUND REVENUES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	9-Jan-12	Budget	Amendment	Revised
850: 2" Line Replace	State Revolving Loan	43-850-458100	\$ -	\$ -	\$ 1,726,000.00	\$ 1,726,000.00
850: 2" Line Replace	Trans from: 30 Water Fund	43-850-369030	\$ 39,000.00	\$ 39,000.00	\$ -	\$ 39,000.00
			\$ -	\$ -	\$ -	\$ -
Total			\$ 39,000.00	\$ 39,000.00	\$ 1,726,000.00	\$ 1,765,000.00
						\$ 1,765,000.00
43: CIP WATER FUND EXPENDITURES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	9-Jan-12	Budget	Amendment	Revised
850: 2" Line Replace	Legal/Admin	43-850-510200	\$ -	\$ -	\$ 16,000.00	\$ 16,000.00
850: 2" Line Replace	Engineering Design	43-850-510301	\$ 32,000.00	\$ 32,000.00	\$ 64,000.00	\$ 96,000.00
850: 2" Line Replace	Construction	43-850-510400	\$ -	\$ -	\$ 1,366,000.00	\$ 1,366,000.00
850: 2" Line Replace	Construction/Admin	43-850-510800	\$ -	\$ -	\$ 78,000.00	\$ 78,000.00
850: 2" Line Replace	SRF Admin/Closing Fee	43-850-504514	\$ -	\$ -	\$ 34,600.00	\$ 34,600.00
850: 2" Line Replace	Contingency	43-850-999010	\$ 5,000.00	\$ 5,000.00	\$ 128,400.00	\$ 133,400.00
850: 2" Line Replace	Permit Fees	43-850-461001	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00
850: 2" Line Replace	Trans to: 30 Water Fund	43-850-	\$ -	\$ -	\$ 39,000.00	\$ 39,000.00
Total			\$ 39,000.00	\$ 39,000.00	\$ 1,726,000.00	\$ 1,765,000.00
						\$ 1,765,000.00
Variance					\$ -	
30: WATER FUND REVENUES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	9-Jan-12	Budget	Amendment	Revised
	Trans from 43: CIP Sewer		\$ -	\$ -	\$ 39,000.00	\$ 39,000.00
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
Total			\$ -	\$ -	\$ 39,000.00	\$ 39,000.00
						\$ 39,000.00
30: WATER FUND EXPENDITURES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	1-Jul-11	Budget	Amendment	Revised
	Trans to 43: CIP Water	30-660-566043	\$ -	\$ -	\$ 39,000.00	\$ 39,000.00
						\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
Total			\$ -	\$ -	\$ 39,000.00	\$ 39,000.00
						\$ 39,000.00
Variance					\$ -	
Reference:			Notes:			
CAF 11-118; Res 11-88; 26 Sept 11 Meeting			Council approved application for \$3M in funding for various water & sewer projects, with one being the replacement of various 2" water mains located in various locations throughout the City with larger mains as well as replacing service lines and meters that were connected to existing 2" or smaller mains.			
1 Dec 11; Letter from NCDENR			City advised NCDENR is considering application section for 2" water line replacement which, if funds are awarded, will result in a \$1.726M project.			
CAF: 12-91; Ordinance 12-50; BA#7			On 17 July 2012, the City received notification that a DWSRF loan in the amount of \$1.726M had been approved for the replacement of 2" water lines with 6" water lines. This serves to amend the original project budget; transferring the \$39,000 which was originally budgeted to cover preliminary engineering costs, back to the Water Fund, as those costs are included within the scope of the \$1.726M budget.			

The foregoing Ordinance 12-50, upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 13 day of August 2012: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 12-91*

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 12—50 adopted by the Henderson, City Council in Regular Session on 13 August 2012 (*Minute Book 42 p.***). This Ordinance is recorded in *Ordinance Book 8*, p. ***.

Witness my hand and corporate seal of the City, this *** day of August 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

Attachment A
Ordinance 12—50
FY 12-13 Budget Ordinance Amendment #7
(Reference: CAF: 12-91; Resolution 12-62 Ordinance 12-50)

This budget amendment serves to amend the capital project entitled “2 inch Water Line Replacement.” The project calls for the replacement of various 2” water mains located in various locations throughout the City with larger mains as well as replacing service lines and meters that are connected to those existing 2” or smaller mains. The City received notification that a DWSRF loan had been approved for the replacement these waterlines. The loan is in the amount of \$1,726,000 for a 20 year period at 0% interest. There is a closing fee of \$34,520 which is incorporated into the loan amount.

Reviewed by: _____ Date: _____
Katherine C. Brafford, Finance Director

Reviewed by: _____ Date: _____
A. Ray Griffin, Jr., City Manager

AMORTIZATION SCHEDULE

Simple Interest Loan

DWSRF Fund for 2" Water Main Replacement

Project No.: COH 12-001a (WIF-1694)



Inputs

Loan Amount	\$ 1,726,000
Annual Interest Rate	0.00%
Term of Loan in Years	20
First Payment Date	8/1/2013
Frequency of Payment	Annually

Summary

Rate (per period)	0.000%
Payment (per period)	\$86,300.00
Total Payments	\$1,726,000.00
Total Interest	\$0.00
Interest Savings	#NUM!

This spreadsheet creates a payment schedule for a fixed-rate loan, with optional extra payments. The payment frequency can be annual, semi-annual, quarterly, bi-monthly, or monthly. Values are rounded to the nearest cent. The last payment is adjusted to bring the balance to zero.

Note: You must have the Analysis ToolPak (Tools > Add-ins...) installed to use the CUMIPMT formula.

No.	Due Date	Payment Due	Additional Payment	Interest	Principal	Balance
						\$1,726,000.00
1	8/1/2013	86,300.00	0.00	0.00	86,300.00	1,639,700.00
2	8/1/2014	86,300.00	0.00	0.00	86,300.00	1,553,400.00
3	8/1/2015	86,300.00	0.00	0.00	86,300.00	1,467,100.00
4	8/1/2016	86,300.00	0.00	0.00	86,300.00	1,380,800.00
5	8/1/2017	86,300.00	0.00	0.00	86,300.00	1,294,500.00
6	8/1/2018	86,300.00	0.00	0.00	86,300.00	1,208,200.00
7	8/1/2019	86,300.00	0.00	0.00	86,300.00	1,121,900.00
8	8/1/2020	86,300.00	0.00	0.00	86,300.00	1,035,600.00
9	8/1/2021	86,300.00	0.00	0.00	86,300.00	949,300.00
10	8/1/2022	86,300.00	0.00	0.00	86,300.00	863,000.00
11	8/1/2023	86,300.00	0.00	0.00	86,300.00	776,700.00
12	8/1/2024	86,300.00	0.00	0.00	86,300.00	690,400.00
13	8/1/2025	86,300.00	0.00	0.00	86,300.00	604,100.00
14	8/1/2026	86,300.00	0.00	0.00	86,300.00	517,800.00
15	8/1/2027	86,300.00	0.00	0.00	86,300.00	431,500.00
16	8/1/2028	86,300.00	0.00	0.00	86,300.00	345,200.00
17	8/1/2029	86,300.00	0.00	0.00	86,300.00	258,900.00
18	8/1/2030	86,300.00	0.00	0.00	86,300.00	172,600.00
19	8/1/2031	86,300.00	0.00	0.00	86,300.00	86,300.00
20	8/1/2032	86,300.00	0.00	0.00	86,300.00	0.00

RESOLUTION 11—88

APPROVAL OF GRANT/LOAN APPLICATION TO THE NC DRINKING WATER STATE REVOLVING FUND FOR VARIOUS WATER SYSTEM IMPROVEMENTS

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2011 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems**; and **KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities**; *and*

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the NC Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, *and*

WHEREAS, the City of Henderson intends to construct drinking water system projects generally including water lines, service lines, and related appurtenances to replace aged and undersized water lines to provide a more reliable source of drinking water and improved operating pressures, the replacement of aged water meters for improved efficiencies, and the installation of a finished water pump, controls, valves, and piping for redundancy and improved reliability and efficiency, *and*

WHEREAS, the City of Henderson intends to request State loan or grant assistance for the project, *and*

WHEREAS, the amount of the loan/grant funding applications are \$3.0 Million; *and*

WHEREAS, the finished water pump, controls, valves and piping for redundancy would be for funding at the Kerr Lake Regional Water Plant.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL:

1. That the City of Henderson (Applicant) will arrange financing for all remaining costs of the project, if approved for a State loan or grant award.
2. 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.
3. That the City Council (governing body) of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Henderson to make scheduled repayment of the loan, to withhold from the City of Henderson 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.

4. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
5. That Mayor James D. O'Geary, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan or grant to aid in the construction of the project described above.
6. That the Authorized Official, and successors so titled, is 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, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

The foregoing Resolution 11—88 introduced by Council Member Inscoe and seconded by Council Member Kearney on this the 26th day of September 2011, and having been submitted to a roll call vote, was APPROVED by the following votes: YES: Rainey, Peace-Jenkins, Daeke, Daye, Kearney, Coffey and Inscoe. NO: None. ABSENT: Davis.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney
(Reference: Minute Book 42, p. 266.)

STATE OF NORTH CAROLINA: CITY OF HENDERSON

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 11—88*, adopted by the Henderson, City Council in Regular Session on 26 September 2011 (See *Minute Book 42*, p. 266). This Resolution is recorded in *Resolution Book 2*, p. 177.

Witness my hand and corporate seal of the City, this 27th day of September 2011.

Esther J. McCrackin, City Clerk
City of Henderson, North Carolina

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 12 Short Reg. Meeting

9 August 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-104

Consideration of Approval of 1) Resolution 12-69, Authorizing an Informal Bid Award for Hillside Avenue Storm Sewer Replacement Project in the Amount of \$62,848; and 2) Ordinance 12-56, FY 13 Budget Amendment #8, Amending the Budget for Above Mentioned Project.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 5 – Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.
- KSO 8 – Provide Sufficient Funding for Municipal Services.

Recommendation:

- Approval of: 1) Resolution 12-69, Authorizing an Informal Bid Award for Hillside Avenue Storm Sewer Replacement Project in the Amount of \$62,848 ; and
- 2) Ordinance 12-56, FY 13 Budget Amendment #8, Amending the Budget for Above Mentioned Project.

Executive Summary

The City Council approved budget amendment #33 on 26 March 2012 authorizing funds for various street repair projects, which include Hillside Avenue. This work involves the removal and installation of 36" Reinforced Concrete Pipe, reconstruction of existing drop inlet drainage box, construction of a sewer conflict box and replacement of a section of sewer to ductile iron pipe, and repair of existing street.

Based on the original City estimate provided, the original project budget was set at \$30,000. As design progressed, a sewer conflict was realized, which increased the cost of the project with the

inclusion of the conflict box as well as the sewer replacement. As shown in the attached budget amendment, the shortfall in the project balance is being funded from the High Street Connector Project.

The informal bids were received on August 7, 2012 and the base bid quotes are as follow:

H.G. Reynolds Company	\$62,848
Centurion Construction Company	\$61,280 (disqualified)
G&S Contractors, Inc.	\$112,500

Centurion Construction Company did not submit a complete bid, therefore, were removed from consideration. H.G. Reynolds Company was the next low bidder with proper bid documents, therefore, the City staff recommends awarding the contract to H.G. Reynolds Company at a total project cost of \$62,848.

In order to provide sufficient funding for this project to move forward, a small reversion of approximately \$5,000 from the completed Birch Street Project and transfer of remaining funds from the long dormant High Street Connector Project will be utilized.

Transfer of the funds from High Street provides for a non-budgeting impact way for addressing the Hillside Avenue repair issue. High Street was first identified as a project in 1993, subsequently defunded and then refunded in 1997. Should funding ever become available for new street construction, the project could be reconsidered vis-à-vis roadway needs at that future time.

Further design and potential bids are being received for Cameron Drive.

Enclosures:

1. Resolution 12-69
2. Ordinance 12-56

RESOLUTION 12-69

A RESOLUTION AUTHORIZING A BID AWARD FOR HILLSIDE AVENUE STORMSEWER REPLACEMENT PROJECT TO H.G. REYNOLDS COMPANY AT \$62,848

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2012 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 5:** To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; and **KSO 8:** To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; *and*

WHEREAS, the City staff has found significant problems with the existing storm sewer pipe along Hillside Avenue; *and*

WHEREAS, on 26 March 2012, the City Council was provided information on this problem during discussions associated with the budget amendment to perform the various projects; *and*

WHEREAS, informal bids have been solicited for the performance of this work in accordance with North Carolina General Statutes [G.s. 143-131] Informal Bidding Procedure; *and*

WHEREAS, three bids were received for the project, with H.G. Reynolds Company being the lowest, responsible bidder.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE awarding of the Hillside Avenue Storm Sewer Replacement Project to H.G. Reynolds Company in the total contract amount of \$62,848, said contract being more fully articulated in **Attachment A** to this Resolution; *and*

BE IT FURTHER RESOLVED that the Mayor or City Manager is authorized to sign all agreements and documents necessary to effect said agreement.

The foregoing Resolution 12-69 introduced by Council Member ** and seconded by Council Member ** on this the 13th day of August 2012, and having been submitted to a roll call vote, was *** by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney
(Reference: *Minute Book 42*, p. **.)

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 12-69*, adopted by the Henderson, City Council in Regular Session on 13 August 2012 (*See Minute Book 42*, p. **). This Resolution is recorded in *Resolution Book # 3*, pp. **.

Witness my hand and corporate seal of the City, this ** day of *** 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

CONTRACT

THIS CONTRACT made and entered into this _____ day of _____, in the year 2012 by and between the City of Henderson, North Carolina, party of the first part, hereinafter called the Owner, and _____ of _____, party of the second part, hereinafter called the Contractor.

WITNESSETH

THAT, WHEREAS, a Contract for:

Hillside Avenue Stormsewer Replacement Project

has recently been awarded to the Contractor by the Owner at and for a sum equal to the aggregate cost of the work to be done and labor, materials, equipment, apparatus and supplies furnished at the prices and rates respectively named therefore, in the Proposal attached hereto:

Total Bid Accepted: \$_____

AND WHEREAS, it was one of the conditions of said Award that a formal Contract should be executed by and between the Owner and the Contractor, evidencing the terms of said award, and that the Contractor shall commence the work to be performed under this agreement on a date to be specified in a written order of the Owner, and shall fully complete all work hereunder within 30 Consecutive Calendar Days, of the date specified in the Notice to Proceed.

NOW THEREFORE, THIS CONTRACT FURTHER WITNESSETH THAT, the Contractor doth hereby covenant and agree with the Owner that they will and faithfully perform and execute such work and furnish such labor, materials, equipment, apparatus and supplies, in accordance with each and every one of the conditions, covenants, stipulations, terms and provisions contained in the Specifications and in accordance with the Plans, at and for a sum equal to the aggregate cost of the work done and labor, materials, equipment, apparatus and supplies furnished at the prices and rates respectively named therefore in the Proposal attached hereto, and will well and faithfully comply with and perform each and every obligation imposed upon them by said Plans and Specifications and the terms of said Award.

The Contractor shall promptly make payments to all persons supplying materials in the prosecution of the work, and to all laborers and others employed thereon.

The Contractor shall be responsible for all damages to the property of the Owner that may be consequent upon the normal procedure of their work or that may be caused by or result from the negligence of the Contractor, his, its or their employees or agents, during the progress of, or connected with the prosecution of the work, whether within the limits of the work or elsewhere. The Contractor must restore all property so injured to a condition as good as it was when the Contractor entered upon the work.

The Contractor shall furthermore be responsible for, and be required to make good at his, its or their expense, any and all damages of whatever nature, to persons or property, arising during the period of this Contract, caused by carelessness, neglect, or want of due precaution on the part of the Contractor, shall also indemnify and save harmless the Owner, and the officers and agents thereof, from all claims, suits, and proceedings of every name and description which

may be brought against the Owner, or the officers and agents thereof, for or on account of any injuries or damages to persons or property received or sustained by any person or persons, firm or corporation, or by or in consequence of any materials or workmanship in its construction, or by or on account of any accident, or of any other act of omission of the said Contractor, his, its or their agents, employees, servants or workmen.

It is agreed and understood that the Notice to Bidders, Information to Bidders, Instruction to Bidders, General Conditions, Supplementary Conditions, Special Project Conditions, Technical Specifications together with the enumerated Addenda, if any, the Proposal, and the Plans and/or Drawings are a part and parcel to this Contract to the same extent as if incorporated herein in full.

It is further mutually agreed between the parties hereto that if, at any time after the execution of this Agreement and the performance and payment bonds (or other approved security) hereto attached for its faithful performance and payment, the Owner shall deem the surety or sureties upon such Bonds to be unsatisfactory, or if, for any reason, such Bonds cease to be adequate to cover the performance or payment of the work, the Contractor shall, at his, its or their expense, within five (5) days after the receipt of notice from the Owner to do so, furnish an additional Bond or Bonds or other approved security in such form and amount and with such surety or sureties as shall be satisfactory to the Owner. In such event no further payment to the Contractor shall be deemed to be due under this agreement until such new or additional security for the faithful performance and payment of the work shall be furnished in a manner and form satisfactory to the Owner.

And the Owner does hereby covenant and agree with the Contractor that it will pay to the Contractor, when due and payable under the terms of the Contract Documents and the Award, the sum mentioned above, and that it will well and faithfully comply with and perform each and every obligation imposed upon it by said Contract Documents and the terms of said Award.

Completion for above listed item(s) shall be defined as completely installed including all associated appurtenances, tested and ready for the intended service.

ANTI-DISCRIMINATION AND EQUAL OPPORTUNITY

All funds will be distributed in accordance with all anti-discrimination and equal opportunity statutes, regulations, and Executive Orders in accordance to local, state and federal regulations.

HISTORICALLY UNDERUTILIZED BUSINESS

Please check the following:

Is your organization registered with HUB office? Yes_____ No_____

Is your organization a minority contractor, small contractor, physically handicapped contractor, a woman contractor, a disabled business enterprise, or a non-profit work center for the blind and severely disabled?

Yes_____ No_____

FURTHER AGREEMENTS

In Testimony Whereof, of the City of Henderson has caused these presents to be signed in its name by its Mayor and its Corporate seal to be hereto affixed and attested by the City Clerk, all by order of the City Council of the City of Henderson and said party of the second part, acting under and by virtue of the Authority in them vested, have hereunto set their hand seal, the day and year first written above.

OWNER:

ATTEST

THE CITY OF HENDERSON, NORTH CAROLINA

_____(SEAL) BY
Esther McCrackin, City Clerk

James D. O'Geary, Mayor

CONTRACTOR:

ATTEST:

Witness

BY

Name / Title
(If contractor is a corporation, a partnership, or a
joint venture, attach evidence of authority to sign.)

FINANCIAL CERTIFICATION

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Katherine C. Brafford, CPA

Date

PERFORMANCE BOND

This Bond is executed on _____, 20____

The name of the PRINCIPAL is _____(1)

a _____(2)

The name of SURETY is _____

The CITY OF HENDERSON is the CONTRACTING BODY.

The amount of the Bond is _____ Dollars (\$_____)

KNOWN BY ALL MEN BY THESE PRESENTS, that we, the Principal and Surety above named, are held and firmly bound unto the above named CONTRACTING BODY, hereinafter called the Contracting Body, in the penal sum of the amount stated above in lawful money of the United States, for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the Principal entered into a certain contract with the Contracting Body, dated the ____ day of _____, 20__ a copy of which is hereto attached and made a part hereof for the construction of:

HILLSIDE AVENUE STORMSEWER REPLACEMENT PROJECT

NOW THEREFORE, if the Principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said Contract during the original terms of said Contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the Contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said Contract that may thereafter be made, notice of which modifications to the Surety being hereby waived, then, this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above bounded parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body

ATTEST:

Principal Secretary
(SEAL)

Principal

By: _____(3)

Witness as to Principal

Address

Address

Surety

By: _____

Address

Phone Number

ATTEST:

NC Resident Agent
(SEAL)

Witness as to Surety

Address

Note: Date of Bond must not be prior to date of Contract!

- (1) Correct name of Contractor
- (2) A Corporation, a Partnership or an Individual, as the case may be
- (3) If Contractor is a Partnership, all partners should execute Bond.

PAYMENT BOND

This Bond is executed on _____, 20_____

The name of the PRINCIPAL is _____(1)

a _____(2)

The name of SURETY is _____

The CITY OF HENDERSON is the CONTRACTING BODY.

The amount of the Bond is _____

Dollars (\$_____)

KNOWN BY ALL MEN BY THESE PRESENTS, that we, the Principal and Surety above named, are held and firmly bound unto the above named CONTRACTING BODY, hereinafter called the Contracting Body, in the penal sum of the amount stated above in lawful money of the United States, for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the Principal entered into a certain contract with the Contracting Body, dated the _____ day of _____, 20____ a copy of which is hereto attached and made a part hereof for the construction of:

HILLSIDE AVENUE STORMSEWER REPLACEMENT PROJECT

NOW THEREFORE, if the Principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said Contract, and any and all duly authorized modifications of said Contract that may hereafter be made, notice of which modifications to the Surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above bounded parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body

ATTEST:

Principal Secretary
(SEAL)

Principal

By: _____(3)

Witness as to Principal

Address

Address

Surety

By: _____

Address

Phone Number

ATTEST:

NC Resident Agent
(SEAL)

Witness as to Surety

Address

Note: Date of Bond must not be prior to date of Contract!

(1) Correct name of Contractor

(2) A Corporation, a Partnership or an Individual, as the case may be

(3) If Contractor is a Partnership, all partners should execute Bond.

POWER OF ATTORNEY

(Attach)

CERTIFICATE OF INSURANCE

(Attach)

CERTIFICATE OF ATTORNEY

I hereby certify that I am the duly appointed attorney for the Owner of the Project and that I have examined the foregoing instrument and Bond, and insurance documents and I have approved the same as being legal and in proper form.

This _____ day of _____, 20_____.

John H. Zollicoffer, Jr., City Attorney

ORDINANCE 12-56

AN AMENDMENT TO THE FY 2012 - 2013 BUDGET BUDGET AMENDMENT #8 AMENDING BUDGET FOR HILLSIDE AVENUE STORM SEWER REPLACEMENT PROJECT

WHEREAS, the City Council of the City of Henderson (Council), on 14 June 2012, adopted its FY 12-13 Operating Budget; *and*

WHEREAS, the Council has created and uses a Capital Improvements Fund for active capital projects related to the Powell Bill Fund, said fund referred to as 42: CIP Powell Bill Fund; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements budgets from time-to-time, said amendment incorporated in this Ordinance and being more fully articulated in **Attachment A**.

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

			Ordinance 12-56			
FUNDS: 42: CIP Powell Bill			FY 12-13 Budget Amendment #8			
CIP POWELL BILL FUND REVENUES: 42			Original Budget	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
574: High St Connector	Transfer from General Fund	42-422-461006	\$ 33,377.00	\$ 33,377.00	\$ -	\$ 33,377.00
		574: Total	\$ 33,377.00	\$ 33,377.00	\$ -	\$ 33,377.00
575: Birch, Hillside, Cam	Transfer from Powell Bill	42-575-461011	\$ 87,000.00	\$ 87,000.00	\$ -	\$ 87,000.00
		575: Total	\$ 87,000.00	\$ 87,000.00	\$ -	\$ 87,000.00
TOTAL FUND REVENUE SUMMARY						\$ -
	574: High St Connector		\$ 33,377.00	\$ 33,377.00	\$ -	\$ 33,377.00
	575: Birch, Hillside, Cam		\$ 87,000.00	\$ 87,000.00	\$ -	\$ 87,000.00
	Total Fund Revenues		\$ 120,377.00	\$ 120,377.00	\$ -	\$ 120,377.00
CIP POWELL BILL FUND EXPENDITURES: 42			Original Budget	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
574: High Street Connector Approved on 7 July 1993						
574: High Street Connect	Capital Outlay - Land	42-574-507100	\$ 26,892.00	\$ 26,892.00	\$ (26,892.00)	\$ -
574: High Street Connect	Planning/Design	42-574-510100	\$ 6,485.00	\$ 6,485.00	\$ (2,036.00)	\$ 4,449.00
			\$ 33,377.00	\$ 33,377.00	\$ (28,928.00)	\$ 4,449.00
575: Street Repairs (Birch, Hillside, Cameron) Approved on 27 Feb 12 via Ordinance 12-22						
575: Birch, Hillside, Cam	Legal/Administration	42-575-510200	\$ 500.00	\$ 500.00	\$ -	\$ 500.00
575: Birch, Hillside, Cam	Construction	42-575-510400	\$ 86,500.00	\$ 86,500.00	\$ 28,928.00	\$ 115,428.00
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		843: Total	\$ 87,000.00	\$ 87,000.00	\$ 28,928.00	\$ 115,928.00
TOTAL FUND EXPENDITURE SUMMARY						
	574: High Street Connector		\$ 33,377.00	\$ 33,377.00	\$ (28,928.00)	\$ 4,449.00
	575: Birch, Hillside, Cam		\$ 87,000.00	\$ 87,000.00	\$ 28,928.00	\$ 115,928.00
	Total Fund Expenditures		\$ 120,377.00	\$ 120,377.00	\$ -	\$ 120,377.00
RECAP Fund 43						\$ -
	Total Revenues		\$ 120,377.00	\$ 120,377.00	\$ -	\$ 120,377.00
	Total Expenditures		\$ 120,377.00	\$ 120,377.00	\$ -	\$ 120,377.00
	Fund Variance		\$ -	\$ -	\$ -	\$ -
Reference:		Notes:				
	24-Jun-96	On 24 June 1996, Council approved a budget amendment for various capital projects in the CIP Powell Bill Fund, one of which was the High Street Connector project. To date, only \$4,448 of the planning and design appropriation has been spent.				
	CAF 12-28; Ord 12-22; 2 Feb 12 Meeting	Council approved a budget amendment for various street repair projects involving storm drain and ditch failures. The streets included Birch Circle (\$45,000), Hillside Avenue (\$30,000) and Cameron Drive (\$12,000).				
	CAF 12-104; Ord 12-56; BA#8; 13 Aug 12 Meeting	Bids came in higher than anticipated on the Hillside Avenue Project. This amendment will re-allocate the unspent funds from the High Street Connector Project to the Hillside Avenue Project (\$28,928).				

The foregoing Ordinance 12-56, upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 13 day of August 2012: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 12-104*

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 12—56 adopted by the Henderson, City Council in Regular Session on 13 August 2012 (*Minute Book 42 p.***). This Ordinance is recorded in *Ordinance Book 8*, p. ***.

Witness my hand and corporate seal of the City, this *** day of August 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

Attachment A
Ordinance 12—56
FY 12-13 Budget Ordinance Amendment #8
(Reference: CAF: 12-104; Resolution 12-69
Ordinance 12-56)

This budget amendment serves to amend the capital projects entitled “High Street Connector” and “Street Repairs (Birch, Hillside, Cameron).” On June 24, 1996, Council approved a budget amendment for various capital projects in the CIP Powell Bill Fund, one of which was the High Street Connector project. This amendment included an appropriation of \$33,377 for this project; \$26,892 for the purchase of land and \$6,485 for planning and design. To date, only \$4,448 of the planning and design appropriation has been spent.

At its February 2, 2012 meeting, Council approved a budget amendment for various street repair projects involving storm drain and ditch failures. The streets within the scope of this amendment included Birch Circle (\$45,000), Hillside Avenue (\$30,000) and Cameron Drive (\$12,000).

Bids came in higher than anticipated on the Hillside Avenue Project. Since the High Street Connector project has languished for approximately 16 years now and, given the imminent needs on Hillside Avenue, it is being recommended that the unspent funds from this project be re-allocated to the Hillside Avenue project. This amendment will transfer \$28,928 of funds from the High Street Connector project to cover the additional costs on the Hillside Avenue project.

Reviewed by: _____ Date: _____
Katherine C. Brafford, Finance Director

Reviewed by: _____ Date: _____
A. Ray Griffin, Jr., City Manager

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 12 Reg. Meeting

8 August 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-99

Consideration of Approval of 1) Resolution 12-67, Appointments to the Henderson/Oxford Airport Authority Committee, Henderson Zoning Board of Adjustment and Henderson Planning Board, as well as the Disbanding of the Clean Up Henderson Committee, and 2) Ordinance 12-57, Eliminating the Clean Up Henderson Committee as an Official City Organization.

Ladies and Gentlemen:

Recommendation:

- Approval of 1) Resolution 12-67, Appointments to the Henderson/Oxford Airport Authority Committee, Henderson Zoning Board of Adjustment and Henderson Planning Board, as well as the Disbanding of the Clean Up Henderson Committee, and 2) Ordinance 12-57 An Ordinance Eliminating the Clean Up Henderson Committee as an Official City Organization.

Executive Summary

The Boards and Commissions' Committee (B&CC) met on 7 August 2012 to review applications on various committees and recommends the following appointments:

Henderson/Oxford Airport Authority Committee

1. Andrew David Thomas – Reappoint to serve a three-year term expiring on 30 June 2015.

Henderson Zoning Board of Adjustment

1. Arline Richardson – Reappoint to serve a three-year term expiring on 30 June 2015.

Henderson Planning Board

1. Marguerite Esta Anduze – Appoint to serve a three-year term expiring on 30 June 2015.

The Boards and Commissions Committee also recommends the disbanding of the Clean Up Henderson Committee as the main purpose of Clean Up Henderson overlaps with the Code Compliance Department responsibilities, and the committee has lacked attendance.

Enclosures:

1. Resolution 12-67
2. Ordinance 12-57
2. Individual Applications

RESOLUTION 12-54

A RESOLUTION MAKING APPOINTMENTS TO THE FOLLOWING COMMITTEES/COMMISSIONS: HENDERSON/OXFORD AIRPORT AUTHORITY COMMITTEE, HENDERSON ZONING BOARD OF ADJUSTMENT AND HENDERSON PLANNING BOARD, AS WELL AS THE DISBANDING OF THE CLEAN UP HENDERSON COMMITTEE

WHEREAS, the Henderson City Council (Council) has created several boards and commissions as a means to include citizen input to and participation within the governance process;
and

WHEREAS, the Council periodically appoints individuals to serve on said boards and commissions; *and*

WHEREAS, there are vacancies on the following Committees/Commissions: Airport, Board of Adjustment and Planning Board; *and*

WHEREAS, applications have been received and reviewed by the Council's Boards and Commissions' Committee for available positions; *and*

WHEREAS, the Clean Up Henderson has been unable to meet due to lack of attendance and its duties duplicate those of the City's Code Compliance Department.

NOW THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY appoint the following individuals:

1. Mr. Andrew Davis Thomas, a city resident living at 3005 Sidney Hill, to serve on the Airport Committee for a three-year term expiring on 20 June 2015; *and*
2. Ms. Arline Richardson, a city resident living at 1614 Peace Street, to serve on the Board of Adjustment for a three-year term expiring on 30 June 2015.
3. Ms. Marguerite Anduze, a city resident living at 134 Dorsey Place, to serve on the Planning Board for a three-year term expiring on 30 June 2015.

ALSO, BE IT FURTHER RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY disband the Clean Up Henderson Committee, effective from and after the date of its passage.

The foregoing Resolution 12-67, upon motion of Council Member *** and second by Council Member ***, and having been submitted to a roll call vote during a regularly scheduled and open meeting, received the following votes and was *** on this the 13th day of August 2012: YES:. NO: None. ABSTAIN: None. ABSENT: None.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

*Reference: Minute Book 42, p.***; CAF 12-99*

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name ANDREW DAVID THOMAS Date of Birth 03/05/1954
Home Address 3005 SIDNEY HILL HENDERSON NC 27536
Home Phone 252-492-6746 City of Henderson Resident: ☒ Yes ☐ No
Current Employers THOMAS' APPLIANCE SALES & SER. INC
Job Title PRES. Years in current position 30
Business Phone 252-492-3023 Fax 492-3024
E-Mail Address A.DAVID THOMAS@EMBARQ MAIL.COM
Duties _____

Other employment history _____

It is the City Council's goal to maintain a balance of membership on its Boards/Commissions/Committees based on race, gender and Council Ward residency.

Council Ward No. WEST HENDERSON #1

Male ☒ Female ☐

White ☒ Black ☐ Hispanic ☐ Native American ☐ Asian ☐ Other ☐

Board/Commission/Committee Applying for (list only one per form)

HENDERSON - OXFORD AIRPORT AUTHORITY

Generally, the Council desires to broaden participation on Boards/Commissions/Committees for as much citizen involvement as possible; therefore, the goal is to limit appointees to no more than two (2) Boards/Commissions/Committees. Please list any other Board/Commission/Committee on which you currently serve: _____

Why are you interested in serving on this Board/Commission/Committee? _____

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

Please share how your Interests/Skills/Areas of Expertise/Professional Organizations/Activities will contribute to this Board/Commission.

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes _____ No _____ If yes, please explain disposition: _____

Are there any conflicts of interest or other matters that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council? Yes _____ No _____

If yes, please explain: _____

I understand this application is public record, and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Board/Commission/Committee is important and accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one fiscal year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the City Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Signature Andrew D. Thomas

Date: 06/21/12

Form is invalid if not signed and dated

Return Completed Form to:

Esther J. McCrackin

City Clerk

134 Rose Avenue

P O Box 1434

Henderson, NC 27536

Phone: (252) 430-5705 Fax: (252) 492-7935 Email: emccrackin@ci.henderson.nc.us

Do not submit any resumes or attachments
Applicants are required to be a resident of the City of Henderson

rec'd
5/10/12

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name MARGUERITE ESTA ANDUZE Date of Birth 6-5-4
Home Address 134 Dorsey Pl. / mailing - P.O. Box 151 Henderson, NC 27536
Home Phone (252) 431-1778 City of Henderson Resident: ☒ Yes ☐ No
Current Employers Retired
Job Title _____ Years in current position _____
Business Phone _____ Fax _____
E-Mail Address anduze.marguerite@gmail.com
Duties _____

Other employment history Retired Elementary Sr. Teacher / MSW Social Worker
CNA I & II

It is the City Council's goal to maintain a balance of membership on its Boards/Commissions/Committees based on race, gender and Council Ward residency.

Council Ward No. ?

Male _____ Female ☒

White _____ Black ☒ Hispanic _____ Native American _____ Asian _____ Other _____

Board/Commission/Committee Applying for (list only one per form)

HENDERSON PLANNING BOARD

Generally, the Council desires to broaden participation on Boards/Commissions/Committees for as much citizen involvement as possible; therefore, the goal is to limit appointees to no more than two (2) Boards/Commissions/Committees. Please list any other Board/Commission/Committee on which you currently serve: _____

Why are you interested in serving on this Board/Commission/Committee? _____

Desire to make a difference in a positive way
to my environment

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

Please share how your Interests/Skills/Areas of Expertise/Professional Organizations/Activities will contribute to this Board/Commission.

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes _____ No ☒ If yes, please explain disposition: _____

Are there any conflicts of interest or other matters that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council? Yes _____ No ☒

If yes, please explain: _____

I understand this application is public record, and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Board/Commission/Committee is important and accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one fiscal year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the City Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Signature Marguerite Cata Anduze Date: 05/09/12
Form is invalid if not signed and dated

Return Completed Form to:

Esther J. McCrackin

City Clerk

134 Rose Avenue

P O Box 1434

Henderson, NC 27536

Phone: (252) 430-5705 Fax: (252) 492-7935 Email: emccrackin@ci.henderson.nc.us

Do not submit any resumes or attachments
Applicants are required to be a resident of the City of Henderson

Application for Boards/Commissions/Committees
HENDERSON CITY COUNCIL

rec'd
3/26/12

Please complete each section

Full Name Arline Richardson Date of Birth 8/26/39
Home Address 1614 Peace Street Henderson NC 27536
Home Phone 252-492-7623 City of Henderson Resident Yes ☒
Current Employers Tegarris Associates Realty
Job Title Broker Years in current position 7
Business Phone 438-6363 Fax 252-492-7623
E-Mail Address Sunny39@gmail.com
Duties Real Estate Broker Independent Contractor

Other employment history Sylvan Learning Center Bedford Drive Henderson NC 27536
Van de - Greenville CC Adult Basic Skills Instructor 1999-2004
It is the City Council's goal to maintain a balance of membership on its
Boards/Commissions/Committees based on race, gender and Council Ward residency.

Council Ward No. 2
Male ☐ Female ☒
White ☐ Black ☒ Hispanic ☐ Native American ☐ Asian ☐ Other ☐

Board/Commission/Committee Applying for (list only one per form)

Zoning Board of Adjustment

Generally, the Council desires to broaden participation on Boards/Commissions/Committees for as much citizen involvement as possible; therefore, a goal is to limit appointees to no more than 2 Boards/Commissions/Committees. Therefore, please list any other Board/Commission or Committee on which you currently serve. Zoning Board of Adjustment

Why are you interested in serving on this Board/Commission/Committee? I have served on the Board since 1997, first as an alternate then regular member and for the last 3 years as Chairman. I have always based my vote on the evidence presented by the petitioners and witnesses rather than on pre-conceived opinions. My post-graduate studies involved work in Planning & Economic Development. I believe that zoning has a crucial part to play in encouraging economic development in Henderson.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

Interests/Skills/Areas of Expertise/Professional Organizations/Activities I have Master Degrees in Public Administration & Adult Education. Both degrees involved courses in Planning & Economic Development. I have a published paper that relates specifically to Economic Development in Vance County. I continue to be involved in Planning & Economic Development. I am a member of the Year Late Board of Directors, The Henderson-Vance Chamber of Commerce and Past Board of the Henderson Business & Professional Women's Club.

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes _____ No _____ If yes, please explain disposition: _____

Are there any conflicts of interest or other matters that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the City Council? Yes _____ No _____

If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the City Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Signature Chae Pollock Date: 3/24/12
Form is invalid if not signed and dated

Return Completed Form to:

Esther J. McCrackin

City Clerk

P O Box 1434

Henderson, NC 27536

Phone: (252) 430-5705 Fax: (252) 492-7935 Email: emccrackin@ci.henderson.nc.us

**Do not submit any resumes or attachments
Applicants are required to be a resident of the City of Henderson**

Form Approved by City Council on 10-23-00

ORDINANCE 12-57

AN ORDINANCE ELIMINATING THE CLEAN UP HENDERSON COMMITTEE AS AN OFFICIAL CITY ORGANIZATION

The City Council of the City of Henderson, North Carolina doth ordain:

Section 1. That Chapter 26C of the City Code (relating to the Clean Up Committee) is hereby repealed.

Section 2. The foregoing Ordinance shall be in full force and effect from and after the date of its passage.

The foregoing Ordinance 12- , upon motion of Council member _____ and seconded by Council Member _____, and having been submitted to a roll call vote and received the following votes and was **APPROVED/DISAPPROVED** on this the ____ day of _____, 2012: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

*Reference: Minute Book 42, p. **.*

STATE OF NORTH CAROLINA

CITY OF HENDERSON

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing Ordinance is a true and exact copy of *Ordinance 12-57*, Ordinance Eliminating The Clean Up Henderson Committee As An Official City Organization, adopted by the Henderson, City Council in Regular Session on ** ** 2012 (*See Minute Book 4**, p. **). This Ordinance is recorded in *Ordinance Book # 8*, pp. **.

Witness my hand and corporate seal of the City, this ** day of *** 2012.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 2012

10 August 2012

TO: The Honorable Mayor James D O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12—105

Consideration of Approval of Resolution 12-70, Expressing the City Council's Concern about Moped Utilization on Streets and Highways and Requesting the North Carolina League of Municipalities to Consider Pursuing Same as a Legislative Initiative for the 2013 Session of the General Assembly

Ladies and Gentlemen:

Key Strategic Objectives Addressed:

KSO 2: To reduce crime and provide for a safe community

Recommendation:

- Approval of Resolution 12-70, Expressing the City Council's Concern about Moped Utilization on Streets and Highways and Requesting the North Carolina League of Municipalities (NCLM) to Consider Pursuing Same as a Legislative Initiative for the 2013 Session of the General Assembly

Executive Summary

City Council discussed this matter during its July Work Session and felt the matter of Legislative remedy for the utilization of mopeds on streets and highways should be pursued. The attached Resolution authorizes staff to pursue same as well as requesting the NCLM to consider approving this initiative as one of its 2013 Legislative priorities.

The Resolution does not provide specific language as that would best we worked out with the NCLM staff and the City's Legislative delegation.

Enclosures

1. Resolution 12—70

RESOLUTION 12—70

A RESOLUTION EXPRESSING THE CITY COUNCIL’S CONCERN ABOUT MOPED UTILIZATION ON STREETS AND HIGHWAYS AND REQUESTING THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES TO CONSIDER PURSUING SAME AS A LEGISLATIVE INITIATIVE FOR THE 2013 SESSION OF THE GENERAL ASSEMBLY

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2012, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses one of the Key Strategic Objectives as follows: KSO 2: To reduce crime and provide for a safe community; *and*

WHEREAS, it is noted an increasing number of mopeds using the streets and highways and a corresponding increase in incidents that are placing both the general public and operators of mopeds at risk; *and*

WHEREAS, State Law precludes localities from enacting legislation to regulate moped utilization; *and*

WHEREAS, State Law does not require moped users to carry liability insurance, attend a training class on how to properly operate mopeds, are not required to have DMV issued operator’s license, etc., *and*

WHEREAS, the Mayor and City Council are most concerned about the public health, safety and welfare of those operating mopeds and that of the general public when encountering mopeds on the public streets and highways.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY AUTHORIZE the City Manager, City Attorney and Police Chief to pursue legislative remedy to moped concerns, including asking the North Carolina General Assembly to consider approving moped legislation as a legislative policy initiative for the 2013 General Assembly Session.

The foregoing Resolution 12-70, introduced by Council Member ** and seconded by Council Member ** on this the 13th day of August 2012, and having been submitted to a roll call vote, was ** by the following votes: YES. NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

Reference: Minute Book 42, p.

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 Aug. 12 Regular Meeting

8 August 2012

TO: The Honorable Mayor James D.O'Geary and Members of City Council

FR: A Ray Griffin, Jr., City Manager

RE: CM: 12-11

Re: Beckford Drive Road Repair Project.

Ladies and Gentlemen:

Beckford Drive: The Beckford Drive Water Main Replacement and Road Repair Project was discussed at the last work session and the staff has continued to meet with NCDOT to discuss immediate and long term repairs. Currently funds are not available for the replacement of the water main, so the staff has proposed to dig out and replace with asphalt, the depressed areas of pavement in the area of Beckford Drive currently barricaded off. There is also a small area to be repaired just beyond the barricaded portion that has experienced depression in the pavement. The work will include saw cutting the asphalt to be removed, removal and proper disposal of the removed material and then properly replacing the asphalt in accordance with NCDOT requirements, which will include approximately 11" of intermediate base and 2" of surface course asphalt. An NCDOT representative will be on hand to insure that the subgrade material is stable. In the event that the subgrade is not stable, the City must dig deeper and possibly utilize a geogrid fabric to help stabilize the trench. No overlay would be done at this time.

It is believed that this work will cost approximately \$6,000 to \$7,000 utilizing City forces and the paving company it currently uses for other patching throughout the City. Funding will be provided from existing operating funds and work is scheduled to begin on 14 August 2012.

The staff will continue to pursue funding opportunities for the water main replacement as desired by staff and NCDOT.

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 Aug 12 Regular Meeting

24 July 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: **CAF: 12—82, Consideration of Approval of Resolution 12—55, Private Fire Hydrant Testing Policy.**

Ladies and Gentlemen:

Council Goals Addressed By This Item:

KSO 1: *Provide Excellent Customer Service Providing for the Efficient and Effective Delivery of Services by Implementing Performance Excellence within the Organization.*

Recommendation:

- Approval of Resolution 12—55, Private Fire Hydrant Testing Policy.

Executive Summary

The Henderson Fire Department is charged with enforcing the current edition of the North Carolina Fire Prevention Code. The below referenced sections of the North Carolina Fire Code states the regulations of private water protection system.

507.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the *fire code official*. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, *alterations* and servicing shall comply with *approved* standards.

507.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

1. Private fire hydrants (all types): Inspection annually and after each operation; flow test and maintenance annually.
2. Fire service main piping: Inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainers: Inspection and maintenance after each use.

The drafted forms are a way the Henderson Fire Department can offer a service to property owners at no charge for the inspection of the water systems. The City of Henderson already has a full time employee that currently tests city hydrants and is fully knowledgeable of the municipal water system. Providing this service will help the property owner's ability to comply with the Fire Code. If the property owner refuses our service, there is a form they will sign stating they will be responsible for having the system tested and remit the results to the Henderson Fire Department for record keeping. Also, periodically, insurance companies contact the Henderson Fire Department requesting this information to give quotes to owners seeking coverage. This will help mainstream the information and keep properties in code compliance.

Enclosures:

1. Resolution 12—55

RESOLUTION 12—55

A RESOLUTION AUTHORIZING THE ADOPTION OF A PRIVATE FIRE HYDRANT TESTING POLICY

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2012, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses one of the Key Strategic Objectives as follows: KSO 1: Provide Excellent Customer Service Providing for the Efficient and Effective Deliver of Services by Implementing Performance Excellence within the Organization; *and*

WHEREAS, private fire hydrants installed in apartment complexes, condominiums, townhomes, businesses, and otherwise on private property are required to be tested once a year pursuant to the North Carolina Fire Prevention Code Section 507; *and*

WHEREAS, the City, through its Fire Department personnel, has offered, at no cost to the property owner, to inspect and test private fire hydrants in accordance with the North Carolina Fire Prevention Code for the protection of life and buildings as a service to the citizens of Henderson; *and*

WHEREAS, the property owner is aware that it may contract with a third party and pay to have its fire hydrants tested in accordance with NFPA standards; *and*

WHEREAS, this Resolution addresses the policy for private fire hydrant testing.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY approve the policy for private fire hydrant testing, being more fully articulated in **Attachment A** to this Resolution.

The foregoing Resolution 12—55, introduced by Council Member _____ and seconded by Council Member _____ on this the **** day of ***** 2012, and having been submitted to a roll call vote, was ***** by the following votes: YES:. NO: ABSENT: ABSTAIN.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk
Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney
*Reference: Minute Book 42, p. ***.*

HENDERSON FIRE DEPARTMENT HYDRANT RELEASE

(Property Owner)

Whereas, private fire hydrants installed in apartment complexes, condominiums, town-homes, businesses, and otherwise on private property are required to be tested once a year pursuant to the North Carolina Fire Prevention Code Section 507;

Whereas, the City through its Fire Department personnel has offered, at no cost to the Property Owner, to inspect and test private fire hydrants in accordance with the North Carolina Fire Prevention Code for the protection of life and buildings as a service to the citizens of Henderson;

Whereas, the Property Owner is aware that there is a chance that while testing the fire hydrant a mechanical failure may occur that causes some damage requiring repair;

Whereas, the Property Owner is aware that it may contract with a third party and pay to have its fire hydrants tested in accordance with NFPA standards;

Now therefore in consideration of the services rendered by the Fire Department in testing its fire hydrants free of charge in accordance with NFPA standards, the Property Owner, its officers, employees, and agents, does hereby release, indemnify and save harmless the City from any and all actions, causes of action, claims and demands, damages, cost, loss of services, expenses, compensation and all consequential and/or incidental damages, known or unknown, now existing or which may hereafter arise, in any way connected with inspection and testing of its fire hydrants(s). It is understood and agreed that the Property Owner shall be responsible for all claims from the third parties arising from inspection and testing of its fire hydrant(s). The property owner shall pay for any parts of the hydrant that need to be replaced and for any supplies related to bringing the hydrant up to code standards.

Further it is understood and agreed that the City shall be responsible to its employees that may incur any harm, damages, loss, accident, injury, or death as a result of inspecting and testing fire hydrants(s) on the premises of the Property Owner.

The Property Owner states that it has carefully read the foregoing Release, know the contents thereof and sign the same as a voluntary and free act and that the terms hereof are contractual and not a mere recital.

EXECUTED IN DUPLICATE ORIGINALS, BY A DULY AUTHORIZED REPRESENTATIVE OF THE PROPERTY OWNER, THIS THE ____ DAY OF _____, 20____.

NAME OF OWNER/REP & TITLE SIGNATURE: _____

PRINT OWNER/REP NAME & TITLE: _____

WITNESS SIGNATURE: _____

PRINT WITNESS NAME & TITLE: _____

NAME OF PROPERTY: _____

PROPERTY ADDRESS: _____

PROPERTY PHONE NUMBER: _____

Please return completed form to: Henderson Fire Department 211 Dabney Dr. Henderson, NC 27536,
or fax to 252-738-0460
(PLEASE FILL OUT ONE RELEASE FOR EACH PROPERTY, COPIES PERMITTED)

OWNER'S MAINTENANCE AGREEMENT

_____, does not want the Henderson Fire Department to service private fire hydrants. We will service our own fire hydrants and furnish the Henderson Fire Department with the following information:

1. Date fire hydrant was serviced.
2. Water flow information.
 - a. Static pressure.
 - b. Residual pressure.
 - c. Fire hydrant flow pressure.
3. Defects found or hydrant O.K.
4. Date defects were corrected.

Fire hydrant servicing defined as follows:

1. Inspection for physical damage and obstruction to access to the fire hydrant.
2. Inspect outlet caps and outlet threads.
3. Oil and grease.
4. Replace gaskets as needed.
5. Flow test fire hydrant for water available and proper operation.
6. Inspect paint on hydrant and repaint as needed.

Your insurance company may request the above information from the Fire Department.

The Henderson Fire Department furnishes flow test and inspection information to the owner's insurance company upon request.

BY OWNER

Owner / Manager Name: _____

Address: _____

Date: _____



Henderson Fire Department

211 Dabney Drive
Henderson, North Carolina 27536
Phone: (252) 438-7315
Fax: (252) 438-1460

Daniel E. Wilkerson
Fire Chief

Property Address:

Date:

Re: Hydrant

The private hydrant located _____ was flowed and tested by the Henderson Fire Department with the following results:

Static:
Flow:
GPM:

If you have further questions, you may contact me at 252-438-7315.

Sincerely,

Tester:

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 12 Regular Meeting

6 August 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-86

Consideration of Approval of Resolution 12-57, Authorizing the Donation of 7 Obsolete Portable Radios and 6 Obsolete Mobile Radios to the Vance-Granville Basic Law Enforcement Training Program.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **KSO 2:** To Reduce Crime and Provide for a Safe Community.

Recommendation:

- Approval of Resolution 12-57, Authorizing the Donation of 7 Obsolete Portable Radios and 6 Obsolete Mobile Radios to the Vance-Granville Basic Law Enforcement Training Program.

Executive Summary

In 2009 the Henderson Police Department made a switch to the North Carolina VIPER Radio System. As a result of this transition, there are numerous obsolete portable and mobile radios in stock. Vance-Granville Basic Law Enforcement Training Program Coordinator Tony Pendergrass has expressed an interest in having several of these units for training purposes.

The Vance-Granville Community College provides the Henderson Police Department many in-services training classes as well as provides future police officers for this agency. These radios will prove to be beneficial to the Vance-Granville Basic Law Enforcement Training Program, giving the students a more realistic feel when it comes to training. In 2011 the City of Henderson donated 24 portable radios and 8 mobile units to the Community College for this purpose.

Some of the radios donated in 2011 have been affected by the recently passed Federal Communications Commission (FCC) guidelines requiring "narrow band-width" for all radios in

the frequency range of these radios effective 01/01/2013. Unfortunately, this change means that most of the radios donated to VGCC are not compatible with this new narrow bandwidth requirement and will not be able to be used after 01/01/2013.

With the final conversion of the Henderson Police Department radio system to the VIPER 800 MHz system there are some old radios that can be utilized by VGCC and reprogrammed after 01/01/2013 remaining in the Henderson Police Department's stock.

It is recommended that 7 portable and 6 mobile units be transferred to the Vance-Granville Basic Law Training Program so that they can continue to offer realistic training to Basic Law Enforcement Training cadets as well as students in the Criminal Justice Degree and Continuing Education programs.

Enclosures:

1. Resolution 12-57

RESOLUTION 12-57

A RESOLUTION AUTHORIZING THE DONATION OF 7 PORTABLE RADIOS AND 6 MOBILE RADIOS TO VANCE-GRANVILLE BASIC LAW ENFORCEMENT TRAINING PROGRAM

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2012, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses one of the Key Strategic Objectives as follows: **KSO 2:** To Reduce Crime and Provide for a Safe Community; *and*

WHEREAS, in 2009 the Henderson Police Department switched to the North Carolina VIPER Radio System; *and*

WHEREAS, as a result of this transition, there are numerous obsolete portable and mobile radios in stock; *and*

WHEREAS, the Vance-Granville Basic Law Enforcement Training Program has expressed an interest in having several units donated to its organization; *and*

WHEREAS, GS §160A-274 authorizes a governmental unit to give personal property to another governmental unit.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY authorize the donation of 24 portable and 8 mobile radios, items more fully described in **Attachment A**, to the Vance-Granville Basic Law Enforcement Training Program.

The foregoing Resolution 11—104, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of ***** 2010: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

*Reference: Minute Book 41, pp. **.*

Motorola Radios to be donated to Vance Granville Criminal Justice Program

Type	Model	Asset #	Serial #	Date Inventoried
Mobile	PM400	NA	019TEA4399	7/6/2012
Mobile	PM400	NA	019TEA4417	7/6/2012
Mobile	PM400	NA	019TEA4382	7/13/2012
Mobile	CDM1250	B1721	103TCU4835	7/13/2012
Mobile	CDM1250	B1718	103TCU4733	7/13/2012
Mobile	CDM1250	B1683	103TCEH981	7/13/2012
Portable	PR400	NA	018TECQ087	7/13/2012
Portable	PR400	NA	018TECQ076	7/13/2012
Portable	PR400	NA	018TECQ089	7/13/2012
Portable	PR400	NA	018TECQ080	7/13/2012
Portable	PR400	NA	018TECQ088	7/13/2012
Portable	PR400	NA	018TECQ071	7/13/2012
Portable	PR400	NA	018TECQ082	7/13/2012
Portable	PR400	NA	018TECQ052	7/13/2012

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 12 Regular Meeting

6 August 12

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-A-87

Consideration of Approval of Resolution 12-58, Approving Acknowledgment and Consent to the Change out of Various Wireless Communication Equipment Related to an Existing Lease Agreement with SprintCom, Inc.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- KSO 8: Provide Sufficient Funding for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities.

Recommendation:

- Approval of Resolution 12-58, Approving Acknowledgment and Consent to the Change out of Various Wireless Communication Equipment Related to an Existing Lease Agreement with SprintCom, Inc.

Executive Summary:

The City executed a lease agreement with Sprintcom, Inc. in August 1999 for the installation of wireless communication equipment on the existing water tower (standpipe) located at the intersection of Andrews Avenue and Water Street. The lease has been ongoing since this time and the City currently receives approximately \$25,000 per year for the use of this tower.

SMJ International, LLC, an authorized firm representing SprintNextel, has presented plans for improvements to the existing wireless communication equipment. The work will include the swap out of obsolete electronics cabinets, antenna and other equipment of the site, including cabling and other mounting apparatus. City staff has reviewed the proposed plans and does not foresee any problems for the City with these proposed changes. Therefore acknowledgement and consent is recommended to be signed.

The existing lease agreement for this site was executed in August of 1999 with an initial rent of \$1500 per month. The term of the agreement is five years with automatic renewals of four additional terms of 5 years each, unless SprintCom, Inc. provides the City with a notice of intent not to renew not less than 90 days prior to the expiration of the initial term or any renewal term.

The rent due is increased at each anniversary of the commencement date in an amount equal to the change in the “CPI”.

Enclosures:

1. Resolution 12-58
2. Compound Plan and Tower Profile

RESOLUTION 12-58

A RESOLUTION APPROVING ACKNOWLEDGEMENT AND CONSENT TO THE CHANGE OUT OF VARIOUS EQUIPMENT RELATED TO AN EXISTING LEASE AGREEMENT WITH SPRINTCOM, INC. FOR WIRELESS COMMUNICATIONS EQUIPMENT

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2012, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses one of the Key Strategic Objectives as follows: **KSO 8:** To Provide Sufficient Funding for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; *and*

WHEREAS the City of Henderson has an existing lease agreement with SprintCom, Inc. for wireless communication equipment located on the water tower (standpipe) at the intersection of Andrews Avenue and Water Street; *and*

WHEREAS the existing agreement requires that the tenant receive acknowledgement and consent to any modifications or changes to the existing wireless communications equipment; *and*

WHEREAS SMJ International, LLC, a representative for Sprint Nextel has presented plans to the City staff for modifications of the equipment; *and*

WHEREAS, the City staff has reviewed the proposed plans and does not foresee any problems with said changes.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the Acknowledgement and Consent and authorizes the Mayor to execute the Acknowledgement and Consent, as further articulated in **Attachment A** to this Resolution.

The foregoing Resolution 12-58 upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of **** 2010: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

*Reference: Minute Book 41, pp. **.*



SMJ International, LLC
49357 Pontiac Trail
Wixom, Michigan 48393
616-745-4777
Fax: 888-745-4719

June 27, 2012

City of Henderson (Landlord)
PO Box 1434
134 Rose Avenue
Henderson, NC 27536-1434

RE: PCS Site Agreement between City of Henderson and SprintCom, Inc., dated August 23, 1999, (Site Agreement), with respect to the real property located at 509 E. Andrews Avenue, Henderson, NC 27536 (Site), Cascade No. RA33XC116

Dear Sir or Madam:

This letter is to advise you that it will be necessary within the near future for Sprint Nextel to make certain physical modifications to equipment within Tenant's premises at the Site. These improvements are being undertaken in order to ensure the continued technical and economic feasibility of Tenant's facility, and are needed for Tenant to make optimal use of the Site for the purposes intended by the Site Agreement. As described below, these modifications should have no significant impact on Landlord's property or operations. However, in accordance with the Site Agreement, Tenant requests that Landlord acknowledge notice of, and consent to, the following modifications:

Swap out of obsolete electronics cabinets, antenna and other equipment at the site. This may include replacement of cabling and mounting apparatus and the temporary redundancy of equipment within the leased area necessary for testing of the new equipment for up to 12 months.

Landlord's acknowledgement of notice and consent will not increase the size or amount of space being used by Tenant under the Site Agreement unless specifically stated above.

Please indicate your acknowledgement and consent by signing below and returning one copy of this letter to me at the address set forth above.

Thank you in advance for your prompt attention to this matter.

Regards,

By:


SMJ International, LLC, an authorized representative of Sprint Nextel

ACKNOWLEDGED AND AGREED TO

This _____ day of _____, 2012

City of Henderson

By: _____

Name, Title: _____

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 13 August 12 Regular Meeting

6 August 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 12-89

Consideration of Approval of Resolution 12-60, Accepting the Presentation and Review of the KLRWS Master Plan Update and the Sandy Creek Pump Station Hydraulic Analysis.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.

Recommendation:

- Approval of Resolution 12-60, Accepting the Presentation and Review of the KLRWS Master Plan Update and the Sandy Creek Pump Station Hydraulic Analysis.

Executive Summary:

On 24 May 2010, The City Council approved Resolution 10-54 authorizing the staff to apply for a planning grant from the NC Rural Center for an update of the Kerr Lake Regional Water Systems Master Plan and an analysis of the Sandy Creek pump station outfall. On 10 September 2010, the City received notification that the planning grant had been awarded and on 25 October 2010, the City Council accepted the grant via Resolution 10-101. There was a 50% match with the grant with 25% of the local funding from Regional Water and 25% from the Sewer fund.

The Council, via Resolution 10-101, also approved the engineering firm of O'Brien & Gere to perform the update to the KLRWS Master Plan in order to evaluate new technologies for future needs of the water plan, as well as a Hydraulic Analysis of the Sandy Creek Pump Station, force main and gravity outfall in which the force main empties into. The study of the outfall extended from Arch Street to the Wastewater Treatment Plant, with recommendations made for improvements of the mains primarily in the areas of Spring and Arch Street and the outfall that

extends primarily through Elmwood Cemetery to just beyond Beckford Drive. The portion of sewer main that was previously installed under the railroad tracks at Spring Street was consistent with the pipe size recommended in the study.

The preparation of these documents will help guide the City in preparing future CIP plans in conjunction with the Sandy Creek Pump Station improvements, as well as future planning for operational changes and improvements needed in the future at the Kerr Lake Regional Water Plant to insure that the plant will maintain compliance with present and future drinking water regulations. Presentation and review of the plans are consistent with requirements of the Rural Center to close out the grant process.

Enclosures:

1. Resolution 12-60
2. CAF 10-84 & Resolution 10-54
3. CAF 10-149 & Resolution 10-101

RESOLUTION 12-60

A RESOLUTION APPROVING THE ACCEPTANCE OF THE PRESENTATION AND REVIEW OF THE KLRWS MASTER PLAN AND THE SANDY CREEK PUMP STATION HYDRAULIC ANALYSIS

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2012, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses one of these Key Strategic Objectives as follows: KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.

WHEREAS, the City Council has previously approved an application of a planning grant for the Sandy Creek Pump Station Hydraulic Analysis; *and*

WHEREAS, the City Council accepted the grant and approved a contract with O'Brien & Gere Engineers to perform the work on 25 October 2010 via Resolution 10-101; *and*

WHEREAS the engineers have worked with the City staff in completing an update of the KLRWS Master Plan as well as the Sandy Creek Pump Station Hydraulic Analysis; *and*

WHEREAS, it is necessary to submit the updated Master Plan and Sandy Creek Pump Station Hydraulic Analysis to the City Council to help guide the City in future planning and CIP updates.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY accept the presentation and review of the KLRWS Master Plan and the Sandy Creek Outfall Hydraulic Analysis as prepared by O'Brien & Gere, Engineers, and does hereby authorize the staff to utilize these reports for future planning of infrastructure needs and CIP updates.

The foregoing Resolution 12-60, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of ***** 2010: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

*Reference: Minute Book 41, pp. **.*

19 May 2010

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 10—84

Consideration of Resolution 10—54 Authorizing the Mayor to Sign and Submit Documentation to the NC Rural Center for a Planning Grant for various improvements to the Regional Water, Water and Sanitary Sewer Systems

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 5: Provide Reliable, Dependable Infrastructure
- KSO 8: Provide Financial Resourcing

Recommendation:

- Approve Resolution 10—54 Authorizing the Mayor to Sign and Submit Documentation to the NC Rural Center for a Planning Grant for various improvements to the Regional Water, Water and Sanitary Sewer Systems

Executive Summary

A last minute opportunity has arisen for the City to submit an application to the NC Rural Center for a planning grant that could assist with planning for the following infrastructure projects for the construction or rehabilitation of 1) a publicly-owned wastewater treatment works or an alternate wastewater system; 2) for wastewater collection systems or for water supply and distribution systems; 3) project described as Updating the Kerr Lake Regional Water System Master Plan; and 4) a Hydraulic Capacity Study of the gravity sewer line downstream of the point where Sandy Creek Pump Station force main discharges into the Henderson sanitary sewer system (Arch Street to I-85).

These are all critical projects and the receipt of a planning grant will assist the City in its efforts to address infrastructure needs as well as providing needed resources for the planning work.

Enclosures

1. Resolution 10-54

RESOLUTION

10—54

A RESOLUTION AUTHORIZING THE CITY OF HENDERSON TO APPLY FOR A PLANNING GRANT FROM THE NORTH CAROLINA RURAL CENTER

WHEREAS, the Henderson City Council (Council) approved eight Key Strategic Objectives at its January 2010 Strategic Planning Retreat; and

WHEREAS, one Key Strategic Objective (KSO) and its related action plans are addressed by action requested in this Resolution, specifically: KSO 5: Provide Reliable, Dependable Infrastructure; and

WHEREAS, the Appropriation Planning grant funds has authorized the making of grants to aid eligible units of government in financing the cost of planning for construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects; and

WHEREAS, the City of Henderson (City) has need for and intends to plan for the construction or rehabilitation of 1) a publicly-owned wastewater treatment works or an alternate wastewater system; 2) for wastewater collection systems or for water supply and distribution systems; 3) project described as Updating the Kerr Lake Regional Water System Master Plan; and 4) a Hydraulic Capacity Study of the gravity sewer line downstream of the point where Sandy Creek Pump Station force main discharges into the Henderson sanitary sewer system (Arch Street to I-85); and

WHEREAS: The City intends to request grant assistance from the Planning Grants Program for the aforesaid project.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HENDERSON, NORTH CAROLINA:

THAT the City of Henderson will arrange financing for all remaining costs of the project, if approved for a Planning Grant; and

THAT the City of Henderson will provide for efficient operation and maintenance of the project on completion thereof;

THAT James D. O'Geary, Mayor and his successors so titled, is hereby authorized to execute and file an application on behalf of the City of Henderson with the NC Rural Economic Development Center (Rural Center) for a grant to assist in the preparation of the project noted above; and

THAT James D. O'Geary, Mayor and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center 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; and

THAT the City of Henderson has substantially complied with or will substantially comply with all Federal, State and local laws, rules, regulations and ordinances applicable to the project and to the grants pertaining thereto.

The foregoing Resolution, introduced by Councilmember ____ and seconded by Councilmember ____ on this the 24 day of May 2010 and having been Submitted to a roll call vote, was approved by the following votes: Ayes: Nays: None Absent: None

James D. O'Geary, Mayor

ATTEST:

Pamela E. Glover, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

19 October 2010

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 10—149

Consideration of:

- 1) Approval of Resolution 10—101, Authorizing the Acceptance of a Planning Grant (ref#: 2011-050-40101-102) and the execution of an Engineering Contract with O'Brien & Gere Engineers for the update of the Kerr Lake Regional Water System Master Plan and Study of the Gravity Outfall Main and Force Main From the Sandy Creek Pump Station, and**
- 2) Approval of Ordinance 10—65, Budget Amendment #19, an Amendment to the CIP Regional Water and Sewer Collection for the Regional Water Master Plan Update and Study of the Gravity Outfall Sewer, and**
- 3) Approval of Ordinance 10—66, Budget Amendment #20, an Amendment to the Utilities and Capital Reserve Budget**

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- KSO 5: Provide Reliable, Dependable Infrastructure
- KSO 8: Provide Financial Resourcing

Recommendation:

- Approval of Resolution 10—101, authorizing the acceptance of a Planning Grant (ref#: 2011050-40101-102) and the execution of an Engineering Contract with O'Brien & Gere Engineers for the update of the Kerr Lake Regional Water System Master Plan and study of the gravity outfall main and force main from the Sandy Creek Pump Station.
- Approval of Ordinance 10—65, Budget Amendment #19, an amendment to the CIP Regional Water and Sewer Collection for the Regional Water Master Plan update and study of the gravity outfall sewer.
- Approval of Ordinance 10—66, Budget Amendment #20, an Amendment to the Utilities and Capital Reserve Budget

Executive Summary

The City received notification of an award on 10 September 2010 for a Planning Grant to update the Kerr Lake Regional Water System Master Plan and study of the Gravity Outfall Main from the Sandy Creek Pump Station. This work will help with establishing timelines and estimates for

needed improvements as well as help with flow studies and conditions relative to sewer collection.

O'Brien and Gere Engineers is proposed to perform this work for the City. The Project Manager has extensive knowledge of the Kerr Lake Regional Water System and also extensive knowledge of the sewer collections system and pump stations. All work will be done in accordance with the terms and conditions contained in the Master Services Agreement between the City of Henderson and O'Brien and Gere Engineers. The cost for the engineering services will be \$50,000 as provided via the Rural Center grant and local match of \$25,000.

Ordinances 10-65 and 10-66 are necessary in order to set up the grant project, including the fee for engineering services as articulated in the contract via Resolution 10-101.

Enclosures:

1. Resolution 10—101
2. Ordinance 10—65
3. Ordinance 10—66

RESOLUTION 10—101

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PLANNING GRANT #2011-050-40101-102, FROM THE NORTH CAROLINA RURAL CENTER AND AN ENGINEERING SERVICES CONTRACT WITH O'BRIEN AND GERE ENGINEERS

WHEREAS, the Henderson City Council (Council) approved eight Key Strategic Objectives at its January 2010 Strategic Planning Retreat; *and*

WHEREAS, two Key Strategic Objectives (KSO) and its related action plans are addressed by action requested in this Resolution, specifically: KSO 5: Provide Reliable, Dependable Infrastructure, and KSO 8: Provide Adequate Financial Resources; *and*

WHEREAS, the Appropriation Planning grant funds has authorized the making of grants to aid eligible units of government in financing the cost of planning for construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects; *and*

WHEREAS, the City of Henderson (City) has need for and intends to plan for the construction or rehabilitation of 1) a publicly-owned wastewater treatment works or an alternate wastewater system; 2) for wastewater collection systems or for water supply and distribution systems; 3) project described as Updating the Kerr Lake Regional Water System Master Plan; and 4) a Hydraulic Capacity Study of the gravity sewer line downstream of the point where Sandy Creek Pump Station force main discharges into the Henderson sanitary sewer system (Arch Street to I-85); *and*

WHEREAS, the Council authorized submission of a Planning Grant via Resolution 10—54 to the North Carolina Rural Economic Development Center (Rural Center) at its 24 May 2010 meeting; *and*

WHEREAS, the City received notice of Grant award on 10 September 2010 from the Rural Center, *and*

WHEREAS, the City is required to provide a 50% match, or \$25,000 in order to accept and utilize the Grant, with said match being drawn from the appropriate capital reserve funds via Ordinances 10-64 and 10-65, *and*

WHEREAS, O'Brien & Gere Engineers are familiar with and are the best qualified to perform the scope of work necessary for the City to achieve its goals within the time constraints and requirements as set forth by the Rural Center.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HENDERSON, NORTH CAROLINA THAT: James D. O'Geary, Mayor and his successors so titled, is hereby authorized to execute and file an application on behalf of the City with the Rural Center for a grant to assist in the preparation of the project noted

above, said notice of grant assistance being more fully articulated in *Attachment 1* to this Resolution; *and*

BE IT FURTHER RESOLVED THAT James D. O’Geary, Mayor and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center 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; *and*

BE IT FURTHER RESOLVED THAT the City has substantially complied with or will substantially comply with all Federal, State and local laws, rules, regulations and ordinances applicable to the project and to the grants pertaining thereto; *and*

BE IT FURTHER RESOLVED THAT the contract with O’Brien & Gere Engineers in the amount of \$50,000 be approved, said contract being more fully articulated in *Attachment 2* to this Resolution.

The foregoing Resolution 10—101, upon motion of Council Member Rainey and second by Council Member Inscoe, and having been submitted to a roll call vote received the following votes and was **APPROVED** on this the 25th day of October 2010: YES: Peace-Jenkins, Daeke, Davis, Daye, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: Evans.

James D. O’Geary, Mayor

ATTEST:

A. Ray Griffin, Jr., Interim City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

Reference: Minute Book 41, pp. 694-695.

**Resolution 10-101
Attachment No. 1**



Valeria L. Lee
Chair

Billy Ray Hall
President

September 10, 2010

The Honorable James D. O'Geary
City of Henderson
PO Box 1434
134 Rose Avenue
Henderson, NC 27536

Re: FY10/11 Appropriation Funds, Planning Grant Contract Requirements; Contract
Ref #: 2011-050-40101-102

Dear Mayor O'Geary:

Congratulations on your grant award of \$25,000.00 for the project entitled, "Part 1 - Kerr Lake Regional Water System Master Plan Update. Part 2 - Sewer System Hydraulic Capacity Study Downstream of Sandy Creek P/S Discharge Point."

This grant award is contingent upon receiving written confirmation from you verifying that your jurisdiction has received a commitment for the other funds necessary to undertake this project. You must confirm this commitment and provide the information listed below by November 15, 2010.

Also required for contract preparation will be the documents as listed below. Please complete these requirements and forward the original executed documents to the Rural Center at your earliest convenience.

1. Please review the project schedule and submit a revised schedule with actual benchmark dates, if needed.
2. Please review the project budget and update the budget, if needed.
3. Please submit copies of award letters received since you applied to the Rural Center for funding.
4. Provide a MBE with a verifiable percentage goal.

Please keep in mind this project must be contracted within 6 months from the award date. We are pleased to participate in this important project. Feel free to contact me should you require further information concerning this project.

North Carolina

Rural Economic

Development Center, Inc.

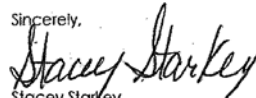
4021 Cary Drive

Raleigh, NC 27610

Phone: (919) 250-4314

FAX: (919) 250-4325

Sincerely,


Stacey Starkey
Physical Infrastructure

cc: Michael S. Acquesta

**Resolution 10-101
Attachment No. 2**



October 11, 2010

Mr. Frank Frazier, Assistant City Manager
City of Henderson
P.O. Box 1434
Henderson, North Carolina 27536

Subject: Engineering Services
 Master Plan Update – Kerr Lake Regional Water System
 Hydraulics Analysis- Sandy Creek Pump Station

Dear Mr. Frazier:

O'Brien & Gere Engineers, Inc. is pleased to provide herewith our Engineering Services Proposal for the Kerr Lake Regional Water System Master Plan Update and the Sandy Creek Pump Station Hydraulics Analysis, in accordance with the recently awarded NC Rural Center Planning Grant.

I will be the Project Manager and will directly perform the majority of the work on both Tasks. The project scope includes the following tasks:

TASK 1 - KERR LAKE REGIONAL WATER SYSTEM MASTER PLAN UPDATE

The proposed project consists of the updating of the Kerr Lake Regional Water System (KLRWS) Master Plan. The plan was last updated in 1999 at which time it proposed the expansion of the water treatment plant to 20 MGD. Since that time, there have been demographic, industrial, commercial changes throughout the area that have affected water use. Additional State and Federal water quality regulations have been implemented that affect the conveyance of water over long distances. All of these changes, and other new regulations, now make an update to the Master Plan a very important project, to be implemented as soon as possible. Warren County, a partner in the KLRWS, has expanded its water service area through significant water line construction efforts. The County is also contemplating the sale of water to the Town of Littleton in Halifax County, and the planning efforts associated with that are already underway. Vance County is studying a county-wide water system to serve outlying areas that were heavily affected by the drought conditions of the last few years. Although general population growth throughout the region has been flat over the past decade, the actual and planned extension of new water lines will put an added burden on the production of water at the Kerr Lake Water Plant. It may be necessary to implement the planned expansion of the plant to 20 MGD. This will be explored in the Master Plan Update. Because of the long distances between the initial water production facility (at Kerr Lake in Vance County) and the final

customers, it has become more and more difficult for the water systems to comply with the stringent disinfection by-product (TTHM and HAA5) rules. This was not a concern in 1999. Both water quality and quantity will be considered when investigating any upgrades and/or expansion needs of the Kerr Lake Regional Water System. Five (5) hard copies of the final report will be provided to the City along with one (1) digital copy.

TASK 2 – SEWER SYSTEM HYDRAULIC CAPACITY STUDY DOWNSTREAM OF SANDY CREEK P/S DISCHARGE POINT

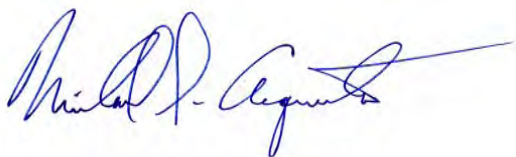
The proposed project consists of a hydraulic capacity study of the City of Henderson sanitary sewer system downstream of the Sandy Creek Pump Station force main discharge point. The City is considering the upgrade of that pump station capacity because of frequent upstream sewer overflows. However, the potential pump station capacity expansion may cause the downstream sewer system to overflow. An engineering study of the capacity of the force main and downstream sewer system to carry an additional 20% pumping capacity will be prepared with recommendations for force main and/or gravity sewer system modifications, if needed, and project cost estimates for those modifications. The study will include an examination of the existing force main and gravity sewer pipe sizes, flow network and gravity pipe slopes to determine current capacities. If those capacities are not sufficient to handle the increased flow, the accompanying engineering report will recommend force main and/or gravity sewer system improvements to accommodate the increased flow. The engineering report will also provide project cost estimates for any recommended alternatives. It is expected that the sewer capacity analysis will be carried all the way to the wastewater treatment plant. Five (5) hard copies of the final report will be provided to the City along with one (1) digital copy. Scaled sewer system maps with elevations and manhole depths will be provided by the City of Henderson.

O'Brien & Gere Engineers, Inc. proposes to provide these services at our regular hourly rates for a Lump Sum Fee of \$50,000.00 as contained in the NC Rural Center Planning Grant award. All work will be performed in accordance with the Terms and Conditions contained in the Master Services Agreement between the City of Henderson, North Carolina and O'Brien & Gere Engineers, Inc.

Countersignature and return of one (1) original copy of this Proposal to the undersigned will signify acceptance of this Proposal by the City of Henderson and serve as Authorization to Proceed.

Please do not hesitate to contact me if you have any questions.

Very truly yours,



Michael S. Acquesta, PE, PhD
Project Manager

Proposal Accepted by:

James D. O'Geary, Mayor

Date: _____

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252-430-5701



Agenda Item: _____

Council Meeting: 13 Aug 12 Short Reg. Meeting

August 8, 2012

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: **CAF 12-102**

Consideration Approval of Tax Releases and Refunds from Vance County for the Month of July 2012.

Ladies and Gentlemen:

Recommendation:

- Approval of Tax Releases and Refunds from Vance County for the Month of July 2012.

Executive Summary

The Vance County Tax office submitted the following tax releases and refunds to the Finance Department for the month July 2012. These releases and refunds are found to be in order and are being recommended for approval.

July 2012

NAME	REASON FOR RELEASES	TAX YEAR	AMOUNT OF RELEASE
Garvin, Donald George	Pro-rate	2010	21.49
Alston, Byron Christopher	Pro-rate	2011	2.90
Boodram, Joanna S.	Pro-rate	2011	0.41
Carter, Wendy Darnell	Pro-rate	2011	0.57
Champion, Larry Wayne	Pro-rate	2011	3.64
Divine Habitation Ministries	Religious	2011	124.37
Fogg, John Allen	Reg Vehicle Billed	2011	16.32
Fuller, James William	Correct Situs	2011	10.00
Harris, James Monroe Sr	Pro-rate	2011	23.35
Jones, Quenzelle Leric	Pro-rate	2011	2.39
Morgan, Merab Catherine	Pro-rate	2011	13.69
Peace, Tony Anthony, Jr.	Correct Situs	2011	58.73
Person, Tonya Foster	Correct Value	2011	13.70
Rainey, Latania N	Pro-rate	2011	33.69
Terry, Melvin	Pro-rate	2011	24.19
Terry, Melvin	Pro-rate	2011	32.26
Terry, Melvin	Pro-rate	2011	20.76
The Salvation Army	Non-Profit Exempt	2011	25.09
Wilkins, Kevin Michael	Military Exemption	2011	73.77
Williams, Jesse Jr.	Pro-rate	2011	5.78
Williams, Shurondia C	Pro-rate	2011	3.96
Abbott, Wade Thomas	Correct Situs	2012	16.14
Abbott, Wade Thomas	Correct Situs	2012	1.76
Abbott, Wade Thomas	Correct Situs	2012	22.29
Abbott, Wade Thomas	Correct Ownership	2012	1.76
Abbott's Excavation Co	Correct Situs	2012	96.00
Coley, Jennifer Denise	Pro-rate	2012	7.72
Collins, Bradley Howell	Pro-rate	2012	20.51
Galloway, Eliza Burwell	Pro-rate	2012	22.93
Holden, Toki Taylor	Pro-rate	2012	79.12
Johnson, Barbara Ann	Pro-rate	2012	4.78
Lee, Carolyn Fay	Correct Situs	2012	111.91
Marshall, Lindy McFall		2012	30.36
Orr, Daniel Walter	Correct Situs	2012	14.39
Pegram, Michael Keith	Pro-rate	2012	17.89
Bailey, Verlian R	Foreclosure	2000	304.64
Bailey, Verlian R	Foreclosure	2001	304.64
Bailey, Verlian R	Foreclosure	2002	331.84
Bailey, Verlian R	Foreclosure	2003	331.84
Baskett, Ella G. Heirs	Foreclosure	2003	1,018.00
Davis, Amanda Heirs	Foreclosure	2003	144.94
Davis, Queen Esther Heirs	Foreclosure	2003	286.25
Bailey, Verlian R	Foreclosure	2004	348.16
Davis, Amanda Heirs	Foreclosure	2004	2,531.36

July (cont'd)

NAME	REASON FOR RELEASES	TAX YEAR	AMOUNT OF RELEASE
Davis, Queen Esther Heirs	Foreclosure	2004	646.51
Bailey, Verlian R	Foreclosure	2005	364.48
Davis, Amanda Heirs	Foreclosure	2005	27.07
Davis, Queen Esther Heirs	Foreclosure	2005	225.53
American Real Estate	Foreclosure	2006	195.04
BW & Company Properties	Foreclosure	2006	127.77
Bailey, Verlian R	Foreclosure	2006	364.48
Davis, Amanda Heirs	Foreclosure	2006	27.07
Davis, Queen Esther Heirs	Foreclosure	2006	145.53
Allgood, Benjamin F	Foreclosure	2007	94.27
American Real Estate	Foreclosure	2007	72.36
BW & Company Properties	Foreclosure	2007	127.77
Bailey, Verlian R	Foreclosure	2007	364.48
Davis, Amanda Heirs	Foreclosure	2007	27.07
Davis, Queen Esther Heirs	Foreclosure	2007	145.53
Allgood, Benjamin F	Foreclosure	2008	86.11
American Real Estate	Foreclosure	2008	69.10
BW & Company Properties	Foreclosure	2008	63.96
Bailey, Verlian R	Foreclosure	2008	373.69
Davis, Amanda Heirs	Foreclosure	2008	28.25
Davis, Queen Esther Heirs	Foreclosure	2008	3,561.36
Allgood, Benjamin F	Foreclosure	2009	89.15
American Real Estate	Foreclosure	2009	71.55
BW & Company Properties	Foreclosure	2009	66.22
Bailey, Verlian R	Foreclosure	2009	386.92
Benson, Bernard	Personal Property Billed	2009	34.78
Davis, Amanda Heirs	Foreclosure	2009	29.25
Davis, Queen Esther Heirs	Foreclosure	2009	1,906.98
Allgood, Benjamin F	Foreclosure	2010	89.15
American Real Estate	Foreclosure	2010	71.55
BW & Company Properties	Foreclosure	2010	66.22
Bailey, Verlian R	Foreclosure	2010	386.92
Benson, Bernard	Foreclosure	2010	34.78
Davis, Amanda Heirs	Foreclosure	2010	29.25
Davis, Queen Esther Heirs	Foreclosure	2010	76.98
Allgood, Benjamin F	Foreclosure	2011	89.10
American Real Estate	Foreclosure	2011	71.53
BW & Company Properties	Foreclosure	2011	66.25
Bailey, Verlian R	Foreclosure	2011	386.92
Davis, Amanda Heirs	Foreclosure	2011	29.23
Davis, Queen Esther Heirs	Foreclosure	2011	29.47
Davis, Queen Esther Heirs	Foreclosure	2011	29.47
Davis, Queen Esther Heirs	Foreclosure	2011	18.04
Padgett, Lorimer Craig	Personal Property Billed	2011	23.29
Total Releases			17,780.72

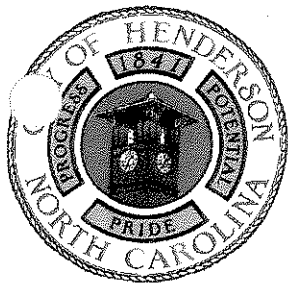
July (cont'd)

NAME	REASON FOR REFUND	TAX YEAR	AMOUNT OF REFUND
Marshall, Lindy McFall	Pro-rate	2010	20.96
Eaton, Bernice Taylor	Pro-rate	2011	7.58
Gales, Thomas Nathaniel	Pro-rate	2011	1.44
Levisy, Jerome Irvin	Pro-rate	2011	9.67
Mantas, Lucy Oakes	Pro-rate	2011	28.15
Tabon, Joy Nicole	Pro-rate	2011	10.20
Wright, James Harold Jr.	Pro-rate	2011	5.78
Fletcher, Blake Clarence	Correct Value	2012	13.31
Audio TV Center	Correct Situs	2011	24.52
Total Refunds			121.61

Meetings and Events Calendar

<i>Date</i>	<i>Time</i>	<i>Event</i>	<i>Location</i>
Aug 14 th	3:00 PM	Henderson Appearance Committee	City Council Chambers
Aug 16 th	7:00 PM	Human Relations Commission	City Council Chambers
Aug 23 rd	8:00 AM	City Council Team Building Day	Aycock Recreation Center
Aug 27 th	6:00 PM	City Council Meeting Work Session to Follow	City Council Chambers
Sept 3 rd		City Hall Closed Happy Labor Day	Happy Labor Day 
Sept 4 th	3:30 PM	Henderson Zoning Board of Adjustments	City Council Chambers
Sept 5 th	8:00 AM	Clean Up Henderson Committee	City Operations Center
Sept 10 th	3:30 PM	Henderson Planning Board	City Council Chambers
Sept 10 th	5:00 PM	Library Board of Trustees	H. Leslie Perry Memorial Library Board Room
Sept 10 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Sept 11 th	3:00 PM	Henderson Appearance Committee	City Council Chambers
Sept 13 th	12:00 PM	Henderson-Vance Parks & Recreation Commission	Aycock Recreation Center
Sept 20 th	7:00 PM	Human Relations Commission	City Council Chambers
Sept 24 th	6:00 PM	City Council Meeting Work Session to Follow	City Council Chambers
Sept 28 th	10:00 AM	Henderson-Vance E911 Advisory Board Meeting	E 911 Operation Center
Oct 1 st	3:30 PM	Henderson Planning Board	City Council Chambers
Oct 2 nd	3:30 PM	Henderson Zoning Board of Adjustments	City Council Chambers
Oct 3 rd	8:00 AM	Clean Up Henderson Committee	City Operations Center
Oct 8 th	9:30 AM	KLRWS Advisory Board Meeting	City Hall Large Conference Room
Oct 8 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Oct 9 th	3:00 PM	Henderson Appearance Committee	City Council Chambers
Oct 11 th	12:00 PM	Henderson-Vance Parks & Recreation Commission	Aycock Recreation Center
Oct 18 th	7:00 PM	Human Relations Commission	City Council Chambers
Oct 22 nd	Cancelled	City-Council Meeting CANCELLED	CANCELLED DUE TO NCLM CONFERENCE

Last Updated: 8/10/2012 3:32 PM



Henderson Fire Department

211 Dabney Drive
Henderson, North Carolina 27536
Phone: (252) 438-7315
Fax: (252) 438-1460

Daniel E. Wilkerson
Fire Chief

TO: RAY GRIFFIN, CITY MANAGER
FROM: DANIEL E. WILKERSON, FIRE CHIEF
DATE: August 2, 2012

FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: JULY, 2012

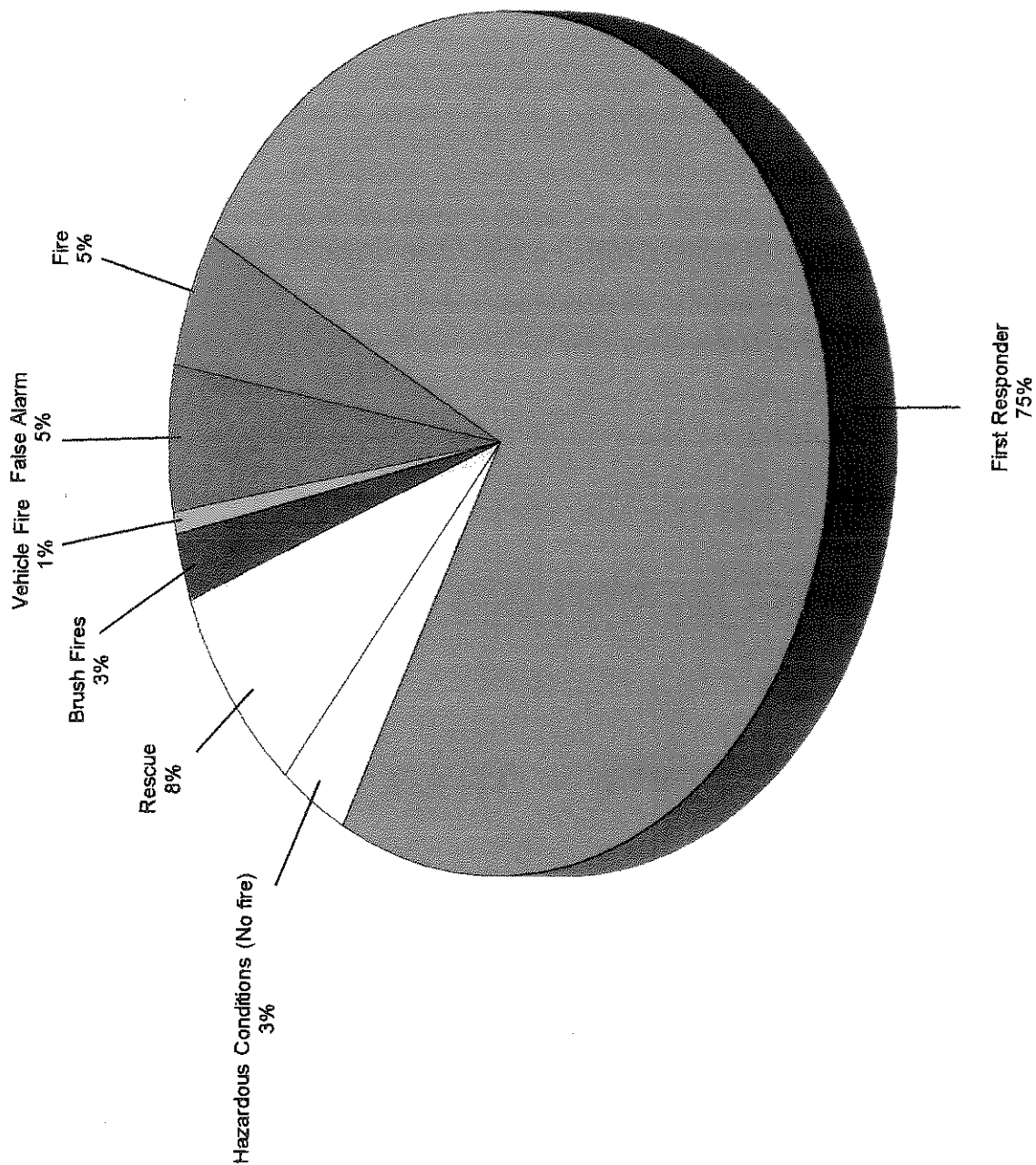
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	4	4	40
APARTMENTS (3 or More Families)	0	3	7
HOTELS AND MOTELS	0	0	0
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	0	0	1
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	1	1	4
SCHOOLS AND COLLEGES	0	0	0
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	0	1	2
STORES AND OFFICES	0	1	3
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	0	0	0
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	0	0	0
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	0	0	0
WORKING STRUCTURE FIRE	3	1	10
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	2	5	23
FIRES IN OTHER VEHICLES (Planes, Trains, Ships, Construction or Farm Vehicles)	0	0	0

FIRE OUTSIDE OF STRUCTURES WITH VALUE INVOLVED, BUT NOT VEHICLES (Outside Storage, Crops, Timber, etc.)	0	0	1
FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved	3	1	16
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	3	5	20
ALL OTHER FIRES	0	0	3
RESCUE	19	20	142
FIRST RESPONDER	178	181	1201
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	13	17	110
MUTUAL AID OR ASSISTANCE RESPONSES	3	2	8
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	2	4	21
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	6	10	24
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	1	3	11
TOTALS	238	259	1647

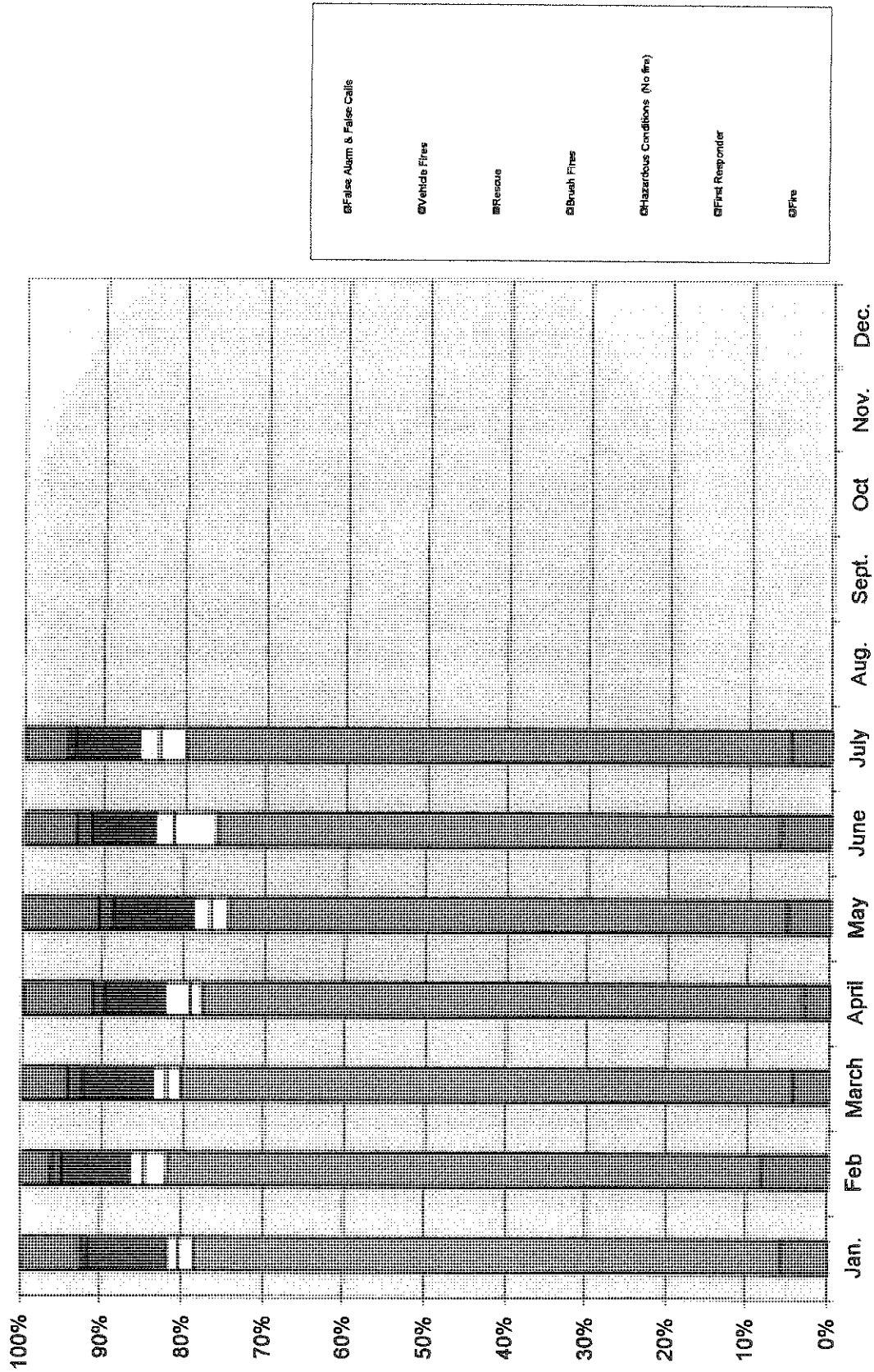
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property and/or Contents Loss	6	12	55
Total of Property and Contents Value Saved	\$ 169,722.00	\$ 8,215,765.00	\$ 9,484,871.00

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
FIRE CASUALTIES FIREFIGHTER-DEATH	0	0	0
FIRE CASUALTIES FIREFIGHTER - INJURIES	0	0	1
FIRE CASUALTIES CIVILIAN - DEATH	0	0	0
FIRE CASUALTIES CIVILIAN - INJURIES	0	0	1

Incident Summary For July 2012



YEAR TO DATE SUMMARY BY MONTH FOR 2012



INSPECTION ACTIVITIES REPORT FOR:
JULY, 2012

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	13	13	44
BUSINESS	41	29	169
EDUCATIONAL	0	0	4
HAZARDOUS	0	0	0
INDUSTRIAL	1	0	3
INSTITUTIONAL	0	1	2
MERCANTILE	21	14	81
RESIDENTIAL	5	5	26
STORAGE	1	1	2
DAY CARE	2	1	11
HOME CARE	0	0	0
FOSTER CARE	0	1	11
VACANT	7	11	27
TOTALS	91	76	380

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
CODE VIOLATIONS	151	57	578
FOLLOW UP INSPECTIONS	23	25	110

FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2012

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	10	15	9	5	11	7	12						69
Smoke Alarms Installed	4	7	1	5	8	4	6						35
Batteries Installed in Smoke Alarms	6	4	8	11	5	4	10						48
Fire Extinguisher Classes	0	0	0	0	0	1	0						1
School / Daycare Presentations	3	1	2	1	2	3	4						16
Community / Civic Group Presentations	3	1	0	1	3	1	2						11
Station Tours	2	0	5	1	2	3	4						17
Total Participants in Fire & Life Safety Programs	200	50	150	400	500	350	450						2100
Community / Business Displays	0	0	0	4	1	2	1						8
Child Safety Seat Clinics	0	0	1	0	0	1	0						2
Child Safety Seats Inspected	8	11	7	20	10	6	9						71
Child Safety Seats Distributed	2	4	0	5	0	1	4						16

MONTHLY CITATION REPORT FOR THE MONTH OF: July 2012

LOCATION	CURRENT MONTH FIRE LANE	CURRENT MONTH HANDICAPPED	LAST MONTH FIRE LANE	LAST MONTH HANDICAPPED	YEAR TO DATE
Cardinal Plaza					0
Compare Foods					0
Crossroads Shopping Center					0
Dabney Shopping Center					1
Dabney West Mall					1
Golden Corral					0
Guardian Care					0
Henderson Mall					0
Henderson Square					0
Lowe's					0
Maria Parham Hospital					0
Market Place					0
Northside Plaza					0
Oak St					0
Rose's Norlina Rd					0
Staples					0
Vance County Courthouse					0
Vance Medical Arts Bldg					0
Vance Square					0
Village Square					0
Wal Mart		8		6	61
Walgreens					0
TOTALS	0	8	0	6	63

TRAINING DIVISION PRODUCTIVITY - JULY 2012

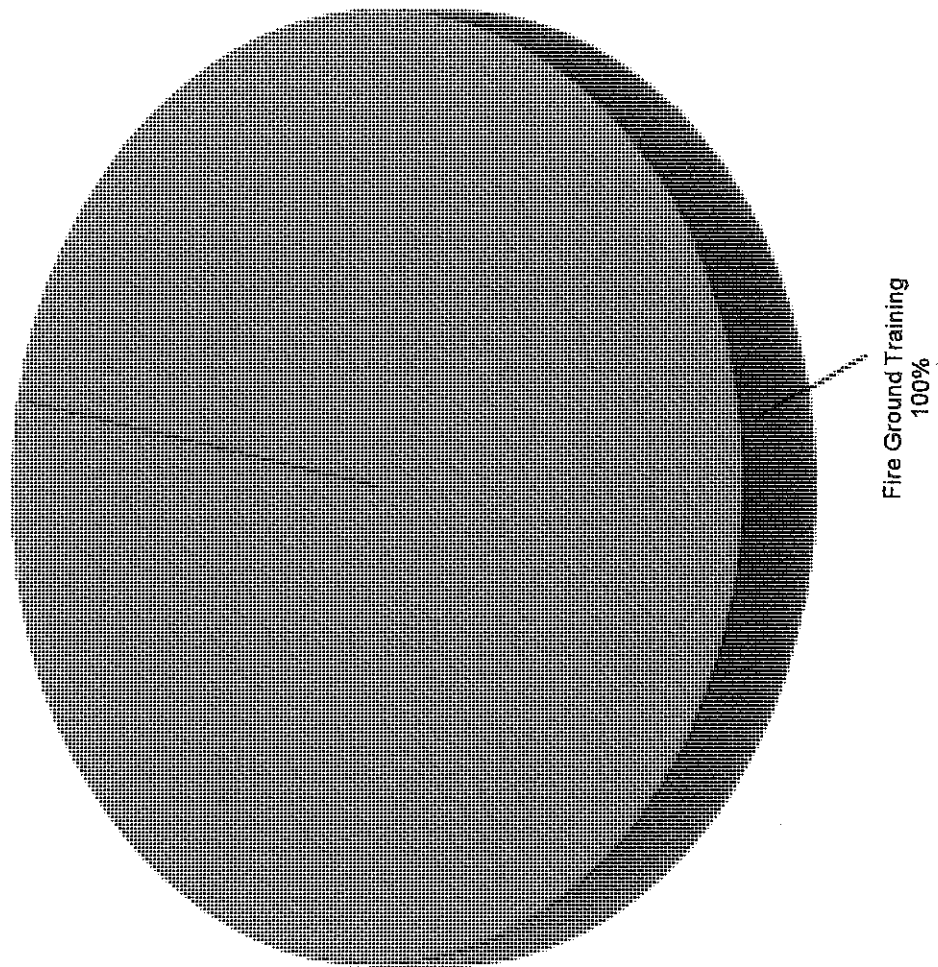
Henderson Fire Department

Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire Ground Training	153.5	1143.5
EMS / Rescue Training	0	0
Special Training	0	0

Totals	153.5	1143.5
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	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	169.5	1055.5
YEAR - TO - DATE TOTAL	1119.3	8406.3

Training Hours by Category - July 2012



Fire Department Regulatory Compliance

The Fire Department has met all regulatory compliance items for the month of July, 2012

HENDERSON-VANCE COUNTY 911

NUMBER OF CALLS REPORT BY COMPLAINT (ALL UNITS)

TIME PERIOD: 6/21/2012 09:00:00 Through 7/20/2012 23:59:59

TOTAL

6,165

DEPARTMENT	COMMENT	TOTAL	COUNTY	CITY	STATE	OTHER
DATA WITH NO DEPARTMENT		299				299
AFTON VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	5	5			
AMERICAN RED CROSS	Other Dispatch	1				1
BEARPOND VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	40	40			
COKEBURY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	34	34			
CSX RAILROAD	Other Dispatch	1				1
DREWRY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	14	14			
EMBARQ	Other Dispatch	1				1
EPSOM VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	14	14			
HENDERSON FIRE DEPARTMENT-STA 1	City Dispatch	342		342		
HENDERSON FIRE DEPARTMENT-STA 2	City Dispatch	157		157		
HENDERSON POLICE DEPARTMENT	City Dispatch	2,675		2,675		
HENDERSON STREET DEPT	City Dispatch	11		11		
HENDERSON WATER DEPARTMENT	City Dispatch	17		17		
HICKSBORO VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	20	20			
KITTRELL VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	20	20			
NORTH CAROLINA DEPT OF PARKS	State Dispatch	8			8	
NORTH CAROLINA DEPT OF TRANSPORTATION	State Dispatch	28			28	
NORTH CAROLINA DIVISION OF MOTOR VEHICLES	State Dispatch	0			0	
NORTH CAROLINA FORESTRY SERVICE	State Dispatch	11			11	
NORTH CAROLINA MAGISTRATE OFFICE	State Dispatch	0			0	
NORTH CAROLINA MEDICAL EXAMINER	State Dispatch	1			1	
NORTH CAROLINA PROBATION & PAROLE	State Dispatch	0			0	
NORTH CAROLINA STATE HIGHWAY PATROL	State Dispatch	62			62	
NORTH CAROLINA UNDERWATER RECOVERY	Other Dispatch	0			0	
NORTH CAROLINA WILDLIFE	State Dispatch	0			0	
PROGRESS ENERGY	Other Dispatch	22				22
PUBLIC SERVICE GAS	Other Dispatch	5				5
RIDGEWAY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	1	1			
TOWNSVILLE VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	23	23			
VANCE COUNTY AMBULANCE SERVICE (EMS)	City & County Dispatch-actual	547	235	307		5
VANCE COUNTY ANIMAL CONTROL	County Dispatch	108	108			
VANCE CO DEPT OF SOCIAL SERVICES	County Dispatch	4	4			
VANCE COUNTY EMERGENCY MANAGEMENT	City & County Dispatch	1	1			
VANCE COUNTY FIRE DEPARTMENT	County Dispatch/FIRE	97	97			
VANCE COUNTY RESCUE SQUAD	County Dispatch	44	44			
VANCE COUNTY SHERIFF DEPARTMENT	County Dispatch	2,466	2,466			
WAKE ELECTRIC COOPERATIVE	Other Dispatch	0				0
WATKINS VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	11	11			
TOTALS		7,090	3,137	3,509	110	334

Signature:

Prepared by: Carey D. Thompson

Signature:

Reviewed by Brian K. Short, Director

08/01/2012

HENDERSON-VANCE CO 911

Number Of Calls Report by Department (All Units)

First Date: 06/21/2012

Jurisdiction: HEN-VAN

Last Date: 07/20/2012

	<i>Department</i>	<i>Number</i>
1	Data with no Department.	299
2	AFTO	5
3	ARC	1
4	BVFD	40
5	CSX	1
6	CVFD	34
7	DOT	28
8	DSS	4
9	DVFD	14
10	EM	1
11	EMBQ	1
12	EMS	547
13	EVFD	14
14	FOR	11
15	GAS	5
16	HFD1	342
17	HFD2	157
18	HPD	2675
19	HVFD	20
20	KVFD	20
21	ME	1
22	PARK	8
23	PE	22
24	RIDG	1
25	SHP	62
26	STRE	11
27	TVFD	23
28	VCAC	108
29	VCFD	97
30	VCR	44
31	VCSO	2466
32	WATE	17
33	WVFD	11

***Total:* 6165**

A call with multiple Departments assigned will be counted in the group total for each of these Departments, therefore such calls will be counted more than once. For this reason, the total number of calls may not equal the sum of the group totals

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 06/21/2012

Last Date: 07/20/2012

Complaint		Number
911HU	911 HANG UP CALL	101
ABAND	ABANDONED OR JUNKED CARS	2
ABDOM-EMD	ABDOMINAL PAIN OR PROBLEMS	22
ABNV	ABANDONED VEHICLE	2
ACC-PD	ACCIDENT PROPERTY DAMAGE	94
ACC-PI	ACCIDENT PERSONAL INJURY	34
ALARM	ALARM RESIDENCE OR BUSINESS	376
ALARMFALSE	ALARM FALSE	165
ALARMMED	ALARM MEDICAL	5
ALLERG-EMD	ALLERGIC REACTION / ENVENOMATIO	6
ANIMAL-EMD	ANIMAL BITE / ATTACK	3
ANIM	ANIMAL COMPLAINT/VISCIOUS ANIMAL	96
ARMED SUSP	ARMED SUSPECT (MAN WITH A GUN)	16
ARRE	ARREST	1
ASAG	ASSIST OTHER AGENCY	21
ASMO	ASSIST MOTORIST	67
ASSAULIP-EMD	ASSAULT OR SEXUAL ASSAULT - IN PI	3
ASSAULT-EMD	ASSAULT OR SEXUAL ASSAULT	65
BACKPAIN-EMD	BACK PAIN (NON-TRAUMATIC)	10
BE MV	BREAKING AND ENTERING TO A MOTC	48
BON	BONDING	58
BONDSET	BOND SET	4
BREATH-EMD	BREATHING PROBLEMS	66
BURG-IP	BURGULARY/B&E IN PROGRESS	8
BURGLARY	BURGLARY	88
CAR	CARELESS AND RECKLESS DRIVER	70
CARDIAC-EMD	CARDIAC/RESPIRATORY ARREST OR I	9
CHASE	CHASE	3
CHESTPAI-EMD	CHEST PAIN	24
CHILD-ABU	CHILD ABUSE OR NEGLECT	1
CHIVEH	CHILD LOCKED IN VEHICLE	1
CIVDIS	CIVIL DISPUTE	109
COMTHR	COMMUNICATING THREATS	12
CONTROLBURN	CONTROLLED BURN	8
CONVULS-EMD	CONVULSIONS / SEIZURES	24
DIABETIC-EMD	DIABETIC PROBLEMS	24
DIRTRF	DIRECTING TRAFFIC/TRAFFIC CONTRI	3
DISO	DISORDERLY PERSON	91
DOMESTIP/W	DOMESTICE DISPUTE - IN PROGRESS,	5
DOM-PROB	DOMESTIC PROBLEM	109
DRUGALC	DRUG OR ALCOHOL COMPLAINT	25
DRUNKDRIV	DRUNK DRIVER	8
DVO	DOMESTIC VIOLENCE ORDER	17
EMERG TRANS	EMERGENCY TRANSPORT	2
ESCO	ESCORT	188
EVICION	EVICION CARRIED OUT	29
FALLS-EMD	FALLS (SUBJECT FALLEN)	53
FIGHT	FIGHT	31
FIGHT-IP/W	FIGHT IN PROGRESS/W-WEAPONS	3
FIRE AL	FIRE ALARM	30
FIRE BRU	BRUSH/GRASS FIRE	21
FIRE ELEC	ELECTRICAL FIRE	14

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 06/21/2012

Last Date: 07/20/2012

Complaint		Number
FIRE GRE	GREASE FIRE	1
FIRE SMOKE	SMOKE REPORT	3
FIRE STRUC	STRUCTURE FIRE	10
FIRE TRANS	TRANSFORMER FIRE	7
FIRE VEHI	VEHICLE FIRE	7
FRAUD	FRAUD/FORGERY	34
FUELSpill	FUEL SPILL	1
GASLEA	GAS LEAK	1
HARR	HARRASSMENT/THREATS	51
HEADACHE-EMD	HEADACHE	5
HEART-EMD	HEART PROBLEMS - AICD	5
HEAT/CLD-EMD	HEAT / COLD EXPOSURE	6
HEMORR-EMD	HEMORRHAGE / LACERATION	17
HRPD	HIT & RUN PD	17
ILL-DUMP	ILLEGAL DUMPING	33
INDEXPO	INDECENT EXPOSURE	6
INSPECTION	FIRE INSPECTION	90
INTPERS	INTOXICATED PERSON	21
INVE	INVESTIGATE ---- AT	708
IPV	IMPROPERLY PARKED VEHICLE	6
JUV	JUVENILE PROBLEMS	35
LARCIP	LARCENY IN PROGRESS	1
LARC	LARCENY - ALREADY OCCURRED	159
LIVEST	LIVESTOCK IN ROADWAY	1
LOIT	LOITERING COMPLAIN	25
LOST	LOST PROPERTY	7
LOUD	LOUD MUSIC	76
MEDICAL	MEDICAL	10
MEN	MENTAL SUBJECT	71
MISS	MISSING PERSON	11
OPEN	OPEN DOOR/WINDOW	7
OVERDOSE-EMD	OVERDOSE / POISONING (INGESTION)	5
PDAMG	PROPERTY DAMAGE ALREADY OCCUR	98
PDMGIP	PROPERTY DAMAGE IN PROGRESS	1
PREGNANT-EMD	PREGNANCY/CHILDBIRTH/MISCARRIA	6
PROW	PROWLER	36
RAPE	RAPE	2
RECFFI	RECOVERED/FOUND PROPERTY	29
ROBARM	ROBBERY ARMED	1
ROBBERY	ROBBERY	1
ROBSA	ROBBERY STRONG ARM	1
RUN	RUNAWAY	4
SEVWEA	SEVERE WEATHER	2
SHOP	SHOPLIFTER	21
SHOTS	SHOTS FIRED	89
SICK-EMD	SICK PERSON	93
STABBING-EMD	STABBING / GUNSHOT / PENETRATING	9
STOLV	STOLEN VEHICLE	10
STROKE-EMD	STROKE (CVA)	17
SUBINCUS	SUBJECT IN CUSTODY	21
SUICIDE-EMD	SUICIDE / PSYCHIATRIC / ABNORMAL I	4
SUMMONS	CIVIL / CRIMINAL SUMMONS	548

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 06/21/2012

Last Date: 07/20/2012

<i>Complaint</i>		<i>Number</i>
SUPSUB	SUSPICIOUS SUBJECT	93
SURR	SURRENDER	26
SUSPAC	SUSPICIOUS PACKAGE	1
SUSVEH	SUSPICIOUS VEHICLE	94
TEST	TEST CALL	74
Traffic Stop	VEHICLE STOP	449
TRANSPORT	TRANSPORT	1
TRAUMA-EMD	TRAUMATIC INJURY (SPECIFY IN NARI	7
TREEDWN	TREE DOWN	37
TRES	TRESPASSING SUSPECT	109
UNAUTHVEH	UNAUTHORIZED USE VEHICLE	7
UNCONC-EMD	UNCONCIOUS / FAINTING OR NEAR	41
UNKNOWN-EMD	UNKNOWN PROBLEM (MAN DOWN)	11
WARRANT	WARRANT	485
WATER	WATER RELATED PROBLEM	18
WRIT	WRIT OF EXECUTION	4
XRAY	COURTHOUSE X RAY DUTY	3

Report Total: 6165