



AGENDA

Henderson City Council Short Regular Meeting

Monday, 22 July 2013, 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. Inscoe

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

V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

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.

VI. APPROVAL OF MINUTES

- a)** 8 July 2013 Regular Meeting *[See Notebook Tab 1]*

VII. PUBLIC HEARING

- a)** Consideration of Approval of Ordinance 13-17, Amending Zoning Ordinance Section 619B.3 to Include Mental Health Counseling as a Service to be Allowed as a Home Occupation by Special Use Permit. (CAF 13-33-A) *[See Notebook Tab 2]*
 - Public Hearing
 - Ordinance

VIII. PUBLIC COMMENT 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

IX. NEW BUSINESS

- a)** Consideration of Approval of Ordinance 13-44, FY14 Budget Amendment #5, Appropriating Fund Balance to Cover the Repairs to the Shelter at the Police Training Center. (CAF 13-87) *[See Notebook Tab 3]*
 - Ordinance 13-44
- b)** Consideration of Approval of Ordinance 13-45, Moving the Continuation of Privilege Licenses (For Businesses Who are Moving Their Location) From the City Council to the Finance Director to Insure Their Good Financial Standing with the City of Henderson. (CAF 13-88) *[See Notebook Tab 4]*
 - Ordinance 13-45
- c)** Consideration of Approval of Resolution 13-59, Appointments to the Henderson Community Appearance Commission, Perry Memorial Library Board of Trustees, Henderson-Vance Human Relations Commission, Henderson Zoning Board of Adjustment and Henderson Planning Board. (CAF 13-81) *[See Notebook Tab 5]*
 - Resolution 13-59

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 13-61, Awarding of Departmental Handgun and Badge to Retiree Senior Police Officer Alvis L. Hawkins. (CAF 13-83) [See Notebook Tab 6]

- Resolution 13-61

- b)** Consideration of Approval of Ordinance 13-43, FY14 Budget Amendment #4, Re-budgeting Lease Purchase Items not Delivered Prior to June 30, 2013. (CAF 13-84) [See Notebook Tab 7]

- Ordinance 13-43

- c)** Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of June, 2013. (CAF 13-86) [See Notebook Tab 8]

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only 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.

XI. REPORTS

- a)** Mayor/Mayor Pro-Tem
- b)** City Manager
 - i. Impacts of State Tax Reform *[See Notebook Tab 9]*
- c)** City Attorney
- d)** City Clerk
 - i. Calendar Update *[See Notebook Tab 10]*
 - ii. E-911 Report
 - iii. Henderson Fire Department
 - iv. Henderson Police Department

XII. CLOSED SESSION

- a)** Pursuant to G.S. §143-318.11 (a)(4) regarding an Economic Development Prospect.
- b)** Pursuant to G.S. §143-318.11 (a)(3) regarding two Attorney/Client Privilege matters.

ADJOURNMENT

City Council Minutes - DRAFT

Regular Meeting

8 July 2013

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members Sara M. Coffey, Michael C. Inscoc, D. Michael Rainey, Garry D. Daeke, Vernon L. Brown, and George M. Daye.

ABSENT

Council Members James C. Kearney, Sr., and Brenda Peace-Jenkins.

STAFF PRESENT

City Manager Ray Griffin, City Attorney John H. Zollicoffer, Jr., City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Katherine C. Brafford, Planning & Community Development Director Erris Dunston, Recreation and Parks Director Alan Gill, Assistant Fire Chief Steve Cordell, and Fire Chief Danny Wilkerson.

CALL TO ORDER

The 8 July 2013 Regular Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:01 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 Rainey led those in attendance in a prayer and the Pledge of Allegiance.

Mayor O'Geary welcomed everyone to this meeting. Council Member Kearney is recovering at home from hospitalization and he asked the Mayor to express his appreciation for all the cards, calls and prayers he has received.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. City Attorney Zollicoffer, Jr., asked for a Closed Session for a client-attorney matter in accordance with G.S. §143-318-

11.a(3). He said he did not anticipate any announcement after the Session. Mayor O'Geary asked for the pleasure of Council. Council Member Inscoe moved to accept the adjusted Agenda. Motion seconded by Council Member Daye and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Coffey moved the approval of the 24 June Short Regular Meeting, 25 June Recessed Meeting and 27 June Recessed Meeting minutes as presented. Motion seconded by Council Member Rainey and unanimously approved.

PRESENTATIONS AND RECOGNITIONS

Mayor O'Geary commended Eagle Scouts Nick Andrews and Sam Long for their hard work in achieving this honor. He presented both with City pins. Council Member Rainey congratulated both young men and said Sam Long's brother and father are Eagle Scouts. Mr. Long thanked Recreation and Parks Director Alan Gill for giving Sam the opportunity to paint the fences at Fox's Pond Tennis Courts and Mr. Andrews said Nicholas had a similar opportunity at E.M. Rollins School where he remodeled the scoring box.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

NEW BUSINESS

Authorizing the Adoption of the Vance County's Language Access Plan (Resolution 13-52); Authorizing the Adoption of the Local Jobs Initiative Section 3 Plan (Resolution 13-56); and Authorizing the Adoption of the Citizen's Participation Plan (Resolution 13-57) (Reference: CAF 13-77; Resolutions 13-52, 13-56 and 13-57)

City Manager Griffin asked Planning and Community Development Director Erris Dunston to explain these plans. Ms. Dunston said the Participation Plan needed revisions since it was last updated in 2009; the County has revised its Language Access Plan and adoption of the Jobs Initiative would allow for local hiring. These revisions meet the requirements of the Capacity Building Grant that was awarded on 11 April 2012.

There was no discussion. Mayor O'Geary said all three resolutions could be taken in one motion and asked for the pleasure of Council.

Council Member Rainey moved the approval of Resolution 13-52, **Authorizing the Adoption of the Vance County's Language Access Plan**; Resolution 13-56, **Authorizing the Adoption of the Local Jobs Initiative Section 3 Plan**; and Resolution 13-57, **Authorizing the Adoption of the Citizen's Participation Plan**. Motion seconded by Council Member Coffey and

APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney and Peace-Jenkins. (See Resolution Book 3, p. 205, 213 and 215)

Amending the Agreement Authorizing Vance County to Extend 2,500 Linear Feet of Waterlines into Warren County. (Reference: CAF 13-58-A; Resolution 13-40-A)

City Manager Griffin asked City Attorney John H. Zollicoffer, Jr., to explain the need for this amendment. Attorney Zollicoffer, Jr., said after approval between Vance County, Warren County and the City in May, Warren County has requested a few revisions, none of which affect the City of Henderson. However, according to the agreement Vance County must receive the City's approval regarding any changes. He then reviewed the requested changes saying if at any time Vance County Water District is unable to provide water to Warren County residents located within the said designated area of the Vance County line, Warren County would have the option/right to provide water to those residents; Warren County will have the opportunity to purchase the water lines installed by Vance County if approved by both parties at a fair market value; and Warren County has the right to construct and operate water lines in the designated area if Vance County Water District does not begin construction within eighteen (18) months of the execution of the agreement.

Council Member Inscoe asked about the water pricing if Warren County purchased the water lines from Vance County. Attorney Zollicoffer, Jr. responded he would expect the pricing to be at Warren County's rates.

There were no other questions. Mayor O'Geary asked for the pleasure of Council.

Council Member Inscoe moved the approval of Resolution 13-40-A, *Amending the Agreement Authorizing Vance County to Extend 2,500 Linear Feet of Waterlines into Warren County*. Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney and Peace-Jenkins. (See Resolution Book 3, p.181-A)

Authorizing the Acceptance of FEMA Assistance to Firefighters Grant; and FY13-14 Budget Amendment #2, Establishing the Budget for the Above Mentioned Grant. (Reference: CAF 13-79; Resolution 13-54 and Ordinance 13-40)

City Manager Griffin asked Fire Chief Danny Wilkerson to address Council regarding this grant. Chief Wilkerson said notice has been received that the request for a FEMA Grant approved on 12 March 2012 by Council, has been approved in the amount of \$14,146 with a 5% match of \$744. He added the original request was for \$709,000. The grant will be used to purchase two (2) ventilation saws and eighteen (18) fire hose nozzles. Chief Wilkerson said some of the fire hose nozzles have been in use since he began on the force over 30 years ago.

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

Council Member Coffey moved the approval of Resolution 13-54, *Authorizing the Acceptance of FEMA Assistance to Firefighters Grant*; and Ordinance 13-40, *FY13-14 Budget Amendment #2, Establishing the Budget for the Above Mentioned Grant*. Motion seconded by Council Member Daeke and APPROVED by the following vote: YES: Inscoe, Rainey, Daeke, Brown, Daye and Coffey. NO: None. ABSTAIN: None. ABSENT: Kearney and Peace-Jenkins (*See Resolution Book 3, p. 209 and Ordinance Book 9, p 1*)

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.

Ratifying and Approving the Mayor's Signature on Amendment #5 for the North Carolina Rural Economic Development Center Contract 2010-266-40101-112 Relative to the Replacement of the UV Disinfection System at Henderson Water Reclamation Facility. (*Reference: CAF 13-78; Resolution 13-53*) This project is complete and the remaining funds were allowed to be used on the Sanitary Sewer Rehab Project. An extension to 30 September 2013 has been approved for submitting the final report and to expedite the process, Mayor O'Geary signed the amendment on 2 July 2013. (*See Resolution Book 3, p 207*)

Tax Releases and Refunds from Vance County for the Month of May 2013. (*Reference: CAF 13-64*). The Finance Director reviewed the tax releases and refunds and found them to be in order for the Month of May 2013. (*See below*)

May 2013 Tax Releases			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
H & H Yarns, Inc	Lost to Foreclosure	2004	257.87
H & H Yarns, Inc	Lost to Foreclosure	2005	269.95
Allen, Jerry W	Correct Ownership	2011	34.78
Tomas, Israel	Correct Ownership	2011	-34.78
American Real Estate	Lost to Foreclosure	2012	71.53
Bailey, Verlian R	Lost to Foreclosure	2012	386.92
Brame, James A. Jr.	Lost to Foreclosure	2012	42.61
Danismine Corporation	Lost to Foreclosure	2012	670.28
Total R&P Property Releases			\$ 1,699.16

Tax Releases & Refunds May 2013- Continued

Real & Personal Property			
Refunds			
NONE			\$ -
Total R & P Property Refunds			\$ -
Total R&P Prop. Rel. & Ref.			\$ 1,699.16
Vehicle Releases			
Alston, Lashaunda Denise	Pro-Rate	2012	\$ 3.68
Barcelona, Garro Diego Manuel	Pro-Rate	2012	\$ 82.76
Bey, Narnir Maluk	Correct Situs	2012	\$ 64.93
Bodram, Joanna S	Pro-Rate	2012	\$ 11.40
Bryant, Rockele Reshell Jean	Pro-Rate	2012	\$ 2.40
Bryant, Shannon Maria	Pro-Rate	2012	\$ 30.93
Chavis, Barbara Jean	Pro-Rate	2012	\$ 11.32
Cheek, Neice Cleveland	Pro-Rate	2012	5.09
Cozart, Rose Marie	Pro-Rate	2012	8.46
Dechant, Heather Marie	Pro-Rate	2012	118.87
Ellis, Joseph McDonald	Pro-Rate	2012	0.41
Gupton, Steven Jay	Transfer Out	2012	65.05
Hodge, Domanique Jalee	Pro-Rate	2012	2.97
Jones, Davine Marie	Pro-Rate	2012	24.61
Litvin, Stuart Lee	Correct Value	2012	19.44
Medlin, Christian Elaine	Correct Situs	2012	107.87
Robertson, Kennety Way	Pro-Rate	2012	4.61
Ryder Truck Rental, Lt.	Transfer Out	2012	176.55
Shukair, Rand Adnan	Correct Value	2012	9.94
Small, Josephine	Pro-Rate	2012	11.53
Thomas, Teresa Nowell	Pro-Rate	2012	5.09
Tucker, Christopher Scott	Transfer Out	2012	135.31
Turner, Jacquelyn Dawn	Pro-Rate	2012	44.37
Warren, Irene Brown	Pro-Rate	2012	31.10
Total Vehicle Releases			\$ 978.69

Tax Releases & Refunds May 2013- Continued

Vehicle Refunds			
Allen, Hattie Watkins	Pro-Rate	2012	74.34
Alston, Lashaunda Denise	Pro-Rate	2012	13.60
Jaeger, John Christopher	Pro-Rate	2012	15.48
Moticka, Betty	Correct Value	2012	7.11
Riddle, Tommy Dean	Pro-Rate	2012	21.28
Sauer, Mehan McHugh	Pro-Rate	2012	1.97
Short, John Vance	Pro-Rate	2012	6.39
Ward, Robert Michael	Correct Value	2012	6.83
Total Vehicle Refunds			\$ 147.00
Tot. Veh. Rel. & Ref.			\$ 1,125.69
Total All Releases & Refunds			\$ 2,824.85

Mayor O'Geary asked for a motion to approve the Consent Agenda as presented.

Council Member Inscoe moved the approval of the Consent Agenda as presented. Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Rainey, Daeke, Brown, Daye, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: Kearney and Peace-Jenkins.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address City Council.

Anthony Jones, 213 Perry Street Mr. Jones spoke about the late fee on water bills. He said he forgot to pay his bill and when he remembered he had to not only pay the bill but a \$12.00 late fee and a \$13.00 reconnect fee. He said for being seven (7) days late, the fees charged amounted to 39% interest. Mr. Jones said he did not want a refund and he did not advocate paying bills late but he did want Council to reconsider the fee structure. He suggested a graduated fee schedule and said those that are routinely late needed to be penalized. Mr. Jones felt the current fees are very aggressive and asked Council to think about this issue.

Council Member Coffey then raised a question about a situation a citizen brought to her recently regarding an individual moving back into the City who was required to pay a \$200.00 deposit in addition to other fees to set up water. City Manager Griffin was aware of the situation and explained the individual left in 2010 with a history of multiple cutoffs and leaving a bill in excess of \$100.00. The individual was unable to provide a letter of good credit from his/her most current provider and living outside City limits added to the expense.

A brief discussion followed and Council agreed to revisit this issue. City Manager Griffin will add this as an item on the July work session.

On a separate issue, Council Member Coffey said when Mr. Danny Wright addressed Council regarding the Kerr-Tar Council of Government's (COG) request for an additional assessment, Mr. Wright said he would provide a list of businesses the COG works with and wondered if the list had been received. City Manager Griffin said he would follow-up with Mr. Wright.

Council Member Inscoe asked if Waste Industries conversion to compressed natural gas pertained to service vehicles only and asked if the anticipated savings would change the existing contract. City Manager Griffin said he would review the contract and report back to Council.

REPORTS

- a) Mayor/Mayor Pro-Tem (No Report)**
- b) City Manager (No Report)**
- c) City Attorney (No Report)**
- d) City Clerk (No Report)**

With no further discussion, Mayor O'Geary asked if Council was prepared to go into Closed Session.

CLOSED SESSION

Council Member Rainey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for an Attorney-Client Privilege Matter. Motion seconded by Council Member Daye and unanimously approved.

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

With no further discussion, Mayor O'Geary asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Coffey moved for adjournment. Motion seconded by Council Member Daeke, and was unanimously approved. The meeting adjourned 6:50 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: 22 July 13 Short Reg. Meeting

16 July 2013

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

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

RE: CAF: 13-33-A

Consideration of Approval of Ordinance 13-17, Amending Zoning Ordinance Section 619B.3 to Include Mental Health Counseling as a Service to be Allowed as a Home Occupation by Special Use Permit

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **KSO 3:** Revise and Align Land Use and Sign Ordinance and Implement Conditional Use Zoning

Recommendation:

- Approval of Ordinance 13-17, Amending Zoning Ordinance Section 619B.3 to Include Mental Health Counseling as a Service to be Allowed as a Home Occupation by Special Use Permit.

Executive Summary:

On 4 March 2013, the Henderson Planning Board had a request to add Mental Health Counseling to the list of home occupations in the R15 zoning district by special use permit. After reviewing research provided by the staff from other towns regarding this matter, the Planning board unanimously supported this request.

City Attorney John Zollicoffer, Jr. was not present at the Planning Board meeting when this item was discussed and had some concerns when this was brought before City Council on 8 April 2013. He asked that it be noted that Section 619B.1 et seq sets forth the criteria for home occupations. The present Zoning Ordinance permits five designated home occupations, as identified above to be permitted with a Special Use Permit in 8 Zoning Districts (but not

including R-15 or other more restrictive Zoning Districts). Mental Health Counseling is not presently a permitted home occupation in any Zoning District. None of the existing home occupations (hairdressing, barber, dressmaking and/or clothing alterations, engineer, architect and surveyors) involve medically related or counseling related activities. Therefore, this Ordinance would be not only permitting a specified home occupation in a more restrictive Zoning District (and indeed would be the only home occupation permitted in that District), but would also be adding an additional home occupation (to wit: mental health counseling) which is not permitted in any of the 8 less restrictive Zoning Districts in which home occupations are presently permitted. Thus it would be a unique and unusual exception to the present pattern of zoning in home occupations

Due to the City Attorney's concerns, Council voted to remand this back to the Planning Board for further research and discussion.

On 20 June 2013, after careful review and discussion, with City Attorney Zollicoffer, Jr. in attendance, the Planning Board once again supported this request.

Enclosures:

1. Ordinance 13-17
2. Planning Board Minutes

ORDINANCE 13— 17

After receiving the recommendation of the Planning Board and after a duly advertised public hearing thereon, Councilperson _____ introduced the following Ordinance which was seconded by Councilperson _____ and read:

“AN ORDINANCE WITH AMENDMENTS TO SECTION 619B.3 OF THE ZONING ORDINANCE PERMITTING MENTAL HEALTH COUNSELING BY SPECIAL USE PERMIT AS A HOME OCCUPATION IN THE R6 (HIGH DENSITY RESIDENTIAL), R8 (MODERATE TO HIGH DENSITY RESIDENTIAL), R11 (MODERATE DENSITY RESIDENTIAL), R8M (MODERATE TO HIGH DENSITY RESIDENTIAL-HUD CODE HOME), R15M (MODERATE TO LOW DENSITY RESIDENTIAL-HUD CODE HOME), RA (RESIDENTIAL AND AGRICULTURAL), OI (OFFICE-INSTITUTIONAL), AND OIA (OFFICE-INSTITUTIONAL “A”) ZONING DISTRICTS”

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

Section 1. That Article 600B of Section 619B.3 of the Zoning Code be amended by changing the words “and Surveyor” in the first paragraph to read: “Surveyor, and Mental Health Counseling”.

Section 2. That Section 310A6.3 of the Zoning Code be amended by changing the words “& Surveyor” to read “Surveyor, & Mental Health Counseling”.

Section 3. The foregoing Ordinance shall be in full force and effect from and after the date of its passage.

The foregoing Ordinance 13-17, 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 _____, 2013: 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 4**, 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 13—17, An Ordinance with Amendments to Section 619B.3, adopted by the Henderson, City Council in Regular Session on ** ** 20** (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 *** 20**.

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



City of Henderson

Planning and Community Development Department

Post Office Box 1434 / 134 Rose Avenue / Henderson, NC 27536-1434

Phone: (252) 430-5723 FAX: (252) 492-7935

RECOMMENDATIONS FROM THE June 20, 2013 PLANNING BOARD SPECIAL MEETING

Recommendation to amend Section 619B.3 of the Zoning Ordinance to allow Mental Health Counseling as a home occupation in the R6 (High Density Residential), R8 (Moderate to High Density Residential), R11 (Moderate Density Residential), R8M (Moderate to High Density Residential-HUD Code Home), R15M (Moderate to Low Density Residential-HUD Code Home), RA (Residential and Agricultural), OI (Office-Institutional), OIA (Office-Institutional "A") zoning districts by a Special Use Permit.

Item was introduced by Zoning Administrator Sherry Moss. Moss reviewed items of the agenda packet and informed the board that City Attorney John Zollicoffer was present to address any concerns and questions they may have. Chairman Michael Rainey expressed concerns from document that was distributed to board members regarding mental health counseling. City Attorney Zollicoffer briefly addressed and discussed Section 619B.3 of the zoning ordinance. He added the board has the authority to put conditions on it. City Attorney Zollicoffer also stated if the board allows the use in one of the more restrictive districts (R15), then it needs to be allowed in all the other districts. Board Member Phil Walters addressed the board that mental health counseling should be allowed in the home occupations that are present in the areas in 619B.3 and still keep R15 restrictive because it is a highly restrictive section. Walters added he had concerns of allowing mental health counseling in the R15. Since R15 is a residential zoning area, it (R15) should be left like it is. Chairman Rainey asked since there is no mental health counseling as a home occupation, can it be added to home occupation. City Attorney John Zollicoffer replied it can be added to home occupation and zoning districts and added it's part of the recommendation.

Ms. Frances Finamore was present to speak on behalf of the recommendation regarding mental health counseling. She expressed concern of why there is a problem extending this type of service in this particular area in the City of Henderson. Finamore addressed the board that 2 ½ blocks from where she resides is a group home and things like that. She stated she wouldn't have people coming to live with her. She would have people come in by appointment, three (3) days a week, no interference with traffic, and providing a service that is necessary. Chairman Rainey addressed Finamore that the group homes she was referring to are not in home occupations. That is an established business or home. Finamore stated she doesn't see the difference of someone making an appointment with a hairdresser or an architect. Chairman Rainey replied, at the present time, R15 are restricted and no home occupations are allowed in the R15.

Board Member Marguerite Anduze questioned Finamore on how the patients are screened. Finamore replied she already has four clients that require services, but she can't do anything right now and added what she planned on doing was getting a list of clients through the

Veteran's Association because she plans on servicing veterans. Finamore stated the reason for other clients other than veterans, is because she had other clients in other places where she previously worked.

Motioned by Board Member Phil Walters to **APPROVE** the recommendation to amend Section 619B.3 of the Zoning Ordinance to allow mental health counseling as a home occupation in the R6, R8, R11, R8M, R15M, RA, OI, and OIA by special use permit; Second by Board Member Marguerite Anduze; 5-0 vote; **AYES**: Michael Rainey, Marguerite Anduze, Jimmie Ayscue, and Arthur Henderson, Phil Walters; **NOES**: None; **ABSENT**: Horace Bullock and Ricky Easter

City Council Action Form

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



Agenda Item: _____

Council Meeting: 22 July Short Reg. Meeting

16 July 2013

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

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

RE: CAF: 13-87

Consideration of Approval of Ordinance 13-44 FY 14 Budget Amendment #5, Appropriating Fund Balance to Cover the Repairs to the Shelter at the Police Training Center

Ladies and Gentlemen:

Recommendation:

- Approval of Ordinance 13-44- FY 14 Budget Amendment # 5, Appropriating Fund Balance to Cover the Repairs to the Shelter at the Police Training Center.

Executive Summary:

On March 30, 2013, a fire damaged the shelter and contents (grills, coolers, etc.) at the Police Training Center on Hwy 158 Business. A claim was filed with the NC League of Municipalities ("League") under the terms of the City's property and liability insurance policy. The claim was settled and a check from the League in the amount of \$29,678.24 was received and deposited into the City's account on June 26, 2013. These funds will revert to fund balance during the fiscal year-end closeout process. Therefore, fund balance is being appropriated in FY 2013-2014 to cover the re-building of the shelter and the replacement of the items that were destroyed during the fire.

Enclosure:

1. Ordinance 13-44

ORDINANCE 13-44

FY 2013—2014 BUDGET AMENDMENT # 5

AN AMENDMENT TO THE GENERAL FUND and the CIP GENERAL FUND FOR A PROJECT TO RE-BUILD THE SHELTER AT THE POLICE TRAINING CENTER

WHEREAS, the City Council of the City of Henderson on 27 June 2013 adopted the FY13-14 Annual Operating Budget; *and*

WHEREAS, the Council has created and uses a Capital Improvements Fund for active capital projects related to the General Fund, said fund referred to as 41: CIP General 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.

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 13-44			
			FY 13-14 Budget Amendment #5			
FUNDS: 10: General Fund and 41: CIP General Fund						
10: GENERAL FUND REVENUES			Approved 1-Jul-13	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
	Fund Balance Appropriated	10-990-990999	\$ 153,000	\$ 153,000	\$ 29,700	\$ 182,700
			\$ -	\$ -	\$ -	\$ -
	Total		\$ 153,000	\$ 153,000	\$ 29,700	\$ 182,700
						\$ 182,700
10: GENERAL FUND EXPENDITURES			Approved 1-Jul-13	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
	Trans to: 41 CIP General	10-660-561041	\$ -	\$ -	\$ 29,700	\$ 29,700
			\$ -	\$ -	\$ -	\$ -
	Total		\$ -	\$ -	\$ 29,700	\$ 29,700
						\$ 29,700
	Variance				\$ -	
41: CIP GENERAL FUND REVENUES			Approved 1-Jul-12	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
	Trans fr: 10 General Fund	41-630-461010	\$ -	\$ -	\$ 29,700	\$ 29,700
			\$ -	\$ -	\$ -	\$ -
	Total		\$ -	\$ -	\$ 29,700	\$ 29,700
						\$ 29,700
41: CIP GENERAL FUND EXPENDITURES			Approved 1-Jul-12	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
	Capital Outlay-Bldg Impr	41-630-507404	\$ -	\$ -	\$ 29,700	\$ 29,700
			\$ -	\$ -	\$ -	\$ -
	Total		\$ -	\$ -	\$ 29,700	\$ 29,700
						\$ 29,700
	Variance				\$ -	
Reference:			Notes:			
CAF# 13-87; Ordinance #13-44; BA# 5 22 July 2013 Council Meeting			To appropriate fund balance for amount of insurance proceeds received in June 2013 for the damage to the shelter at the Police Training Center and to transfer this amount to a CIP General project fund for the purpose of tracking the repairs. This amendment also serves to establish the project budget for the re-building of the shelter.			

The foregoing Ordinance 13-44, 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 22nd day of July 2013: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

*Reference: Minute Book 42, p.**; CAF 13-87*

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 13-44 adopted by the Henderson, City Council in Regular Session on _____ 2013. 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: 22 July 13 Short Reg. Meeting

17 July 2013

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

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

RE: CAF: 13-88

Consideration of Approval of Ordinance 13-45, Moving the Continuation of Privilege Licenses (For Businesses Who are Moving Their Location) From the City Council to the Finance Director to Insure Their Good Financial Standing with the City of Henderson

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

Core Values:

- *CV2: Citizen/Customer Friendly:* We value our citizens and customers and will work with them in a courteous professional manner. We value their participation and input and owe them an answer to their questions in a timely manner.
- *CV3: Fairness:* We value equity and will be fair in how we work with citizens and customers and how we implement City policies, regulations and ordinances.

Recommendation:

- Approval of Ordinance 13-45, Moving the Continuation of Privilege Licenses (For Businesses Who are Moving Their Location) From the City Council to the Finance Director to Insure Their Good Financial Standing with the City of Henderson

Executive Summary:

It has come to our attention that Council must approve any transfer of a business license from one location to another, or from one firm to another if same is acquired. The City Attorney and City Manager have reviewed a recent request from a business in good standing with the City to approve a transfer of its current business license from one location to another within the same

shopping center. In the interest of trying to be more business friendly, it is recommended this matter be approved administratively provided the business is in good standing with the City and has received in advance of the license transfer approval any and all other situs permits required, such as zoning, special use, etc.

Enclosures:

1. Ordinance 13-45
2. City Code Section 3-6

ORDINANCE 13—45

AN ORDINANCE MOVING THE CONTINUATION OF PRIVILEGE LICENSES (FOR BUSINESSES WHO ARE MOVING THEIR LOCATION) FROM THE CITY COUNCIL TO THE FINANCE DIRECTOR TO INSURE THEIR GOOD FINANCIAL STANDING WITH THE CITY OF HENDERSON

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

Section 1. That the last sentence of Section 3.6 of the City Code is re-written to read as follows:

“ If the business is moved or if the licensee sells to another, then a new license is necessary, unless a permit to continue business under the original license is obtained from the Finance Director who must also determine that the business is in good standing with its indebtedness to the City.” Additionally, any zoning and/or special use permits by the Board of Adjustment and/or Alcohol permits issued by the Chief of Police must be approved prior to the Finance Director approving the transfer.”

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

The foregoing Ordinance 13-45, 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 _____, 2013: 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 4**, 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 13—45, An Ordinance Moving the Continuation of Privilege Licenses (for businesses who are moving their location) from the City Council to the Finance Director to Insure their good financial standing with the City of Henderson, adopted by the Henderson, City Council in Regular Session on ** 20** (See Minute Book 4*, p. **).* This Ordinance is recorded in *Ordinance Book # 9* pp. **.

Witness my hand and corporate seal of the City, this ** day of *** 20**.

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

Sec. 3-3. - License required.

It shall be unlawful for any person to engage in or carry on a business in the city for which there is a required license without first having paid the license tax and obtained the license. For the purpose of this section the opening of a place of business, or offering to sell, followed by a single sale or the doing of any act or thing in furtherance of the business shall be construed to be engaging in or carrying on such business; and each day that such person shall engage in or carry on such business without a license shall be construed to be a separate offense. Payment of a fine imposed in criminal proceedings in accordance with this section does not relieve a person or entity of the liability for taxes imposed under this article.

In addition to the criminal remedies set forth in this article and in compliance with G.S. 160A-175(d), the city may seek an injunction against any person or entity who conducts a business in violation of this article.

(Code 1967, § 3-3; Ord. of 4-26-04, §§ 2, 3)

Sec. 3-4. - Annual license; proration of tax.

All taxes provided for and fixed in this article shall be for twelve months unless otherwise specified and shall so remain for each year to come until changed by the city council. All the licenses provided for shall date from the first day of June of each year and shall expire on the thirty-first day of May each year; provided, that where a person commences a business after January first, then the licensee shall be required to pay one-half the tax prescribed for the privilege of engaging in business until the next thirty-first day of May, except where otherwise specifically provided for.

(Code 1967, § 3-4)

State law reference— When taxes due and proration. G.S. 105-33.

Sec. 3-5. - Required for each separate business.

The payment of any particular tax imposed by this article shall not relieve the person paying the same from the payment of any other tax imposed by this article for any other business he may carry on, unless so provided by the section imposing such tax; it being the intent of this article that license taxes prescribed by various sections and subsections of this article applicable to any business shall be cumulative except where otherwise specifically provided.

(Code 1967, § 3-5)

Sec. 3-6. - Required for each separate place of business.

 A license issued for the privilege of conducting a business is only valid for the business conducted at the place and by the licensee named therein. Every person doing business in more than one factory, mill, warehouse, store, stall or stand or other place of business shall secure a separate license for each such place of business, unless such places of business are contiguous to each other, communicate directly with and open into each other and are operated as a unit. If the business is moved or if the licensee sells to another, then a new license is necessary, unless a special permit to continue business under the original license is obtained from the city council.

(Code 1967, § 3-6)

State law reference— Requirement of license for each separate place of business, G.S. 105-33.

Sec. 3-7. - Display.

City Council Action Form

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



Agenda Item:

Council Meeting: 22 July 13 Short Meeting

12 July 2013

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

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

RE: CAF: 13-81

Consideration of Approval of Resolution 13-59, Appointments to the Henderson Community Appearance Commission, Perry Memorial Library Board of Trustees, Henderson-Vance Human Relations Commission, Henderson Zoning Board of Adjustment and Henderson Planning Board

Ladies and Gentlemen:

Recommendation:

- Approval of Resolution 13-59, Appointments to the Henderson Community Appearance Commission, Perry Memorial Library Board of Trustees, Henderson-Vance Human Relations Commission, Henderson Zoning Board of Adjustment and Henderson Planning Board.

Executive Summary

The Boards and Commissions' Committee (B&CC) met on 11 July 2013 to review applications for various committees and recommends the following appointments:

Henderson Community Appearance Commission

1. Mr. James Brown– Re-appoint as a full member with a term expiring on 30 June 2016.
2. Ms. Grace O'Geary - Re-appoint as a full member with a term expiring on 30 June 2016.
3. Mr. Solon Smith – Re-appoint as a full member with a term expiring on 30 June 2016.

Perry Library Board of Trustees

1. Mr. Robert Hubbard - Re-appoint as a full member with a term expiring on 30 June 2014.
2. Ms. Diane Davis - Re-appoint as a full member with a term expiring on 30 June 2016.

Henderson-Vance Human Relations Commission

1. Ms. Carol Franklin - Re-appoint as a full member with a term expiring on 30 June 2016.

Henderson Zoning Board of Adjustment

1. Mr. Thomas Badger - Re-appoint as a full member with a term expiring on 30 June 2014.

Henderson Planning Board

1. Mr. Arthur Henderson – Re-appoint as a full member with a term expiring on 30 June 2014.
2. Mr. Mike Rainey – Re-appoint as a full member with a term expiring on 30 June 2015.
3. Mr. Horace Bullock – Re-appoint as a full member with a term expiring on 30 June 2016.
3. Mr. Jimmie Ayscue – Re-appoint as a full member with a term expiring on 30 June 2016.
4. Mr. Charles Douglas – Appoint as an *Alternate* with a term expiring on 30 June 2014.

Enclosures:

1. Resolution 13-59
2. Applications

RESOLUTION 13-59

A RESOLUTION MAKING APPOINTMENTS TO THE FOLLOWING COMMITTEES/COMMISSIONS: HENDERSON COMMUNITY APPEARANCE COMMISSION, PERRY MEMORIAL LIBRARY BOARD OF TRUSTEES, HENDERSON-VANCE HUMAN RELATIONS COMMISSION, HENDERSON ZONING BOARD OF ADJUSTMENT AND HENDERSON PLANNING BOARD

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: Henderson Community Appearance Commission, Perry Library Board of Trustees, Henderson-Vance Human Relations Commission, Henderson Zoning Board Of Adjustment and Henderson Planning Board; *and*

WHEREAS, applications have been received and reviewed by the Henderson City Council Boards and Commissions' Committee for available positions.

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

1. Mr. James Brown, a city resident living at 155 West Belle Street. to serve on the Henderson Community Appearance Commission as a full member with a term expiring 30 June 2016; *and*
2. Ms. Grace O'Geary, a city resident living at 910 Meadow Lane, to serve on the Henderson Community Appearance Commission as a full member with a term expiring 30 June 2016; *and*
3. Mr. Solon Smith, a city resident living at 158 West Belle Street., to serve on the Henderson Community Appearance Commission as a full member with a term expiring 30 June 2016; *and*
4. Mr. Robert Hubbard, a city resident living at 2180 West Woodland Road, to serve on the Perry Memorial Library Board of Trustees as a full member with a term expiring 30 June 2015; *and*
5. Ms. Diane Davis, a city resident living at One Lakeside Drive, to serve on the Perry Memorial Library Board of Trustees as a full member with a term expiring 30 June 2016; *and*

6. Ms. Carol Franklin, a city resident living at 1643 South Garnett Street Extension, to serve on the Henderson-Vance Human Relations Commission as a full member with a term expiring 30 June 2016; *and*
7. Mr. Thomas Badger, a city resident living at 535 Deepwood Drive, to serve on the Henderson Zoning Board of Adjustment as a full member with a term expiring 30 June 2014; *and*
8. Mr. Arthur Henderson, a city resident living at 921 East Andrews Avenue, to serve on the Henderson Planning Board as a full member with a term expiring on 30 June 2014; *and*
9. Mr. Mike Rainey, a city resident living at 2747 Fairview Drive, to serve on the Henderson Planning Board as a full member with a term expiring on 30 June 2015; *and*
10. Mr. Horace Bullock, a city resident living at 129 South Bullock Street, to serve on the Henderson Planning Board as a full member with a term expiring on 30 June 2016; *and*
11. Mr. Jimmie Ayscue, a city resident living at 1704 Lynne Avenue, to serve on the Henderson Planning Board as a full member with a term expiring on 30 June 2016; *and*

BE IT FURTHER RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY appoint the following individual:

1. Mr. Charles Douglas, a city resident living at 113 South Garnett Street, to serve on the Henderson Planning Board as an *Alternate* with a term expiring on 30 June 2014.

The foregoing Resolution 13-59, 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 APPROVED on this the 22nd day of July 2013: 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 13-81*

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name James L. Brown Date of Birth 12/3/27
Home Address 155 W. Belle St. Henderson, NC 27536
Home Phone 252-438-7189 City of Henderson Resident: ☒ Yes ☐ No
Current Employers Retired
Job Title _____ Years in current position _____
Business Phone _____ Fax _____
E-Mail Address _____
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. _____

Male ☒ Female ☐

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

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

Henderson Community Appearance Commission

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: Henderson Community Appearance Commission

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

beautify our City. To see the city of
Henderson become a brighter future for
our young children.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

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

Have knowledge and skills ~~to~~ With my years to aide in somany ways to better Vance County.

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 calendar~~ 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 James L. Brown Date: 6-25-2013
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

CITY OF HENDERSON
Application for Boards/Commissions/Committees

*rec'd
6/18/13*

Please complete each section

Full Name Grace P. O'Geary Date of Birth 6/24/30
Home Address 910 Meadow Ln, Henderson NC 27536
Home Phone 252-438-6211 City of Henderson Resident: Yes ☐ No ☒
Current Employers Retired
Job Title _____ Years in current position _____
Business Phone _____ Fax _____
E-Mail Address gpoary@gmail.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. 2
Male _____ Female ☒
White ☒ Black _____ Hispanic _____ Native American _____ Asian _____ Other _____

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

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? I would like to continue all the work the Committee has done and help with new projects in the future.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

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

I am a member of the Colonial Garden Club
and have been for 25 years.

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 calendar~~ 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 Grace P. O'Hary Date: June 17, 2013
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

rec'd
7/9/13

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name SOLON SMITH Date of Birth 5/19/65

Home Address 158 W. Belle St. Henderson, NC 27565

Home Phone 919-514-7381 City of Henderson Resident: ☒ Yes ☐ No

Current Employers LIVING WATER FILTER

Job Title OWNER Years in current position 21

Business Phone SOME LABS Fax N/A

E-Mail Address solonlabs@gmail.com

Duties oversee all operations of water treatment service

Other employment history Wastewater treatment operator/water treatment operator

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. 1

Male ☒ Female ☐

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

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

APPEARANCE COMMISSION

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: NONE

Why are you interested in serving on this Board/Commission/Committee? I have spent

numerous hours and resources towards initiating, promoting

and developing programs of general beautification and it's my job

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

to see that these things get done.

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

I am not scared of a little work
and I have already accomplished things people in government
said would never get done, for instance Rock Bridge Cemetery 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 calendar~~ 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 [Signature] Date: 7-9-2013
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Rec'd
5/28/13

Please complete each section

Full Name ROBERT LYNWOOD HUBBARD Date of Birth 10/13/1934

Home Address 2180th WOODLAND ROAD

Home Phone 492-3317 City of Henderson Resident: ☒ Yes ☐ No

Current Employers RETIRED

Job Title " Years in current position "

Business Phone " Fax "

E-Mail Address R.HUBBARD4@WC.RE.COM

Duties _____

Other employment history VICE CHAIR & PRESIDENT AMERICAL CORP.

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)

PERRY LIBRARY 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: NONE

Why are you interested in serving on this Board/Commission/Committee? TO BETTER HELP AND

SAVE THE CITIZENS, NOT ONLY OF VANCE COUNTY, BUT THE SURROUNDING

COMMUNITIES AS WELL

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

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

30 YEARS MANAGEMENT EXPERIENCE WITH AMERICAN
COND, BUT ALSO 30 YEARS ON THE ENDOWMENT BOARD OF TRUSTEES AT
VGCC.

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 Robert L. Hubbard Date: 5/28/13
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

Form Approved by City Council on 10-23-00
Last Update: 9/8/11
Cityclerk/applicationforboardsaug2010/11-8-10

Redd
4/1/13

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name Diane Burke Davis Date of Birth 05/26/1948

Home Address One Lakeside Drive, Henderson, N.C. 27536

Home Phone 252.438.8402 City of Henderson Resident: ☒ Yes ☐ No

Current Employers Retired

Job Title _____ Years in current position _____

Business Phone _____ Fax _____

E-Mail Address _____

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. _____

Male _____ Female ☒

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

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

Perry Library, Board of Trustees

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? As a former media specialist, I have an understanding of how important a library can be to all people.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

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

My degree from college was in elementary education and library science. I have worked with the Friends of the Library's annual book sale. I use the Perry Library regularly as I am an avid reader. Therefore, I
Affirmation of Eligibility: *am a real supporter of our wonderful facility.*

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 *Diane Burke Davis* Date: *03/29/2013*
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

Form Approved by City Council on 10-23-00
Last Update: 9/8/11
Cityclerk/applicationforboardsaug2010/11-8-10

rec'd
6/24/12

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name Carol K. Franklin Date of Birth 4/23/1938

Home Address 16431 Bennett St. Ext.

Home Phone 438-3655 City of Henderson Resident: ☒ Yes ☐ No

Current Employers retired

Job Title _____ Years in current position _____

Business Phone _____ Fax _____

E-Mail Address _____

Duties _____

Other employment history City of Hen. - kindergarten teacher - real estate Broker & developer

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)

Human Relations

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: Human Relations

Why are you interested in serving on this Board/Commission/Committee? To better serve the area in "getting along," and helping those with outstanding but solvable problems.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

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

my work in church activities, working with
diverse groups in business, and volunteering,
and enjoying people make me think I can add
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 calendar~~ 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 Carol K. Franklin Date: 6-18-13
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

Rec'd
7/11

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name THOMAS BADGER Date of Birth 4/4/39
Home Address 535 DEEPWOOD DR, HENDERSON 27536
Home Phone 252-438-2662 City of Henderson Resident: ☒ Yes ☐ No
Current Employers RETIRED FROM COMPUTER MANAGEMENT AND IBM
Job Title MARKETING MGR AND LAW FIRM CONSULTANT Years in current position _____
Business Phone _____ Fax _____
E-Mail Address _____
Duties AUTOMATED LARGE CORP. AND LAW FIRMS (LARGE)
CONTRACTED TO MANAGE ROSES STORES COMPUTER INSTALLATION FOR SEVERAL
YEARS
Other employment history U.S.A.F. FLIGHT CREW AND MANAGED LARGE COMPUTER
INSTALLATIONS
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)

ZONING 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: NONE

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 calendar~~ 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 Thomas Badger Date: 7/2/2013
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

CITY OF HENDERSON
Application for Boards/Commissions/Committees

*Planning
Board*

Please complete each section

Full Name ARTHUR A. HENDERSON Date of Birth 11/19/45

Home Address 921 E. ANDREWS AVE

Home Phone 438-6253 City of Henderson Resident: ☒ Yes ☐ No

Current Employers RETIRED

Job Title _____ Years in current position _____

Business Phone _____ Fax _____

E-Mail Address _____

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. _____

Male ☒ Female ☐

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

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

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: NONE

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.

BEING A RETIRED EDUCATOR GIVES ME THE
SKILLS AND INTEREST TO SERVE ON THE PLANNING
BOARD

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 calendar~~ 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 Arthur Hecker Date: 06-22-13
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

CITY OF HENDERSON
Application for Boards/Commissions/Committees

*Rec'd
7/12/13*

Please complete each section

Full Name MICHAEL RAWNEY Date of Birth 1/1

Home Address 2747 FAIRVIEW DR.

Home Phone _____ City of Henderson Resident: ☒ Yes ☐ No

Current Employers _____

Job Title CITY TIRE Years in current position _____

Business Phone 492-1195 Fax _____

E-Mail Address _____

Duties OWNER

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. 2

Male ☒ Female ☐

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

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

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? _____

**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 calendar~~ 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 Michael Rainey Date: 7/12/13
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Rec'd
6/19/13

Please complete each section

Full Name HORACE PETE BULLOCK Date of Birth 10/16/1938

Home Address 129 So. Bullock St

Home Phone (252) 492-8102 City of Henderson Resident: ☒ Yes ☐ No

Current Employers RETIRED

Job Title _____ Years in current position _____

Business Phone _____ Fax _____

E-Mail Address _____

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. 4

Male ☒ Female ☐

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

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

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: ZONING BOARD

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

WHAT IS LOCATED IN OUR COMMUNITY.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

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

MY LEADERSHIP EXPERIENCE I ACQUIRED DURING MY MILITARY CAREER AND MY SUBSEQUENTLY ACADEMIC ACHIEVEMENTS.

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: NOT GUILTY.

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 calendar~~ 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: [Signature] Date: 06/19/2013
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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010/11-8-10

6/20/13

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name JIMMIE RAY Ayscough Date of Birth 7/14/37

Home Address 1704 LYNNE AVENUE

Home Phone 252-438-4836 City of Henderson Resident: ☒ Yes ☐ No

Current Employers Retired ROSES STORES

Job Title Several Retired as Corp Payroll Manager Years in current position 32

Business Phone N/A ^{Retired for 17 years} Fax N/A

E-Mail Address N/A

Duties Retired - Accts Receivable MANAGER SALES Audit Mgr
INTERNAL AUDITOR - CORPORATION Payroll MANAGER

Other employment history US Army + RESERVE

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)

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: None - previously served on APPEARANCE COMMISSION

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

To continue to support our city & county in
which to make a better place to work and live
and play.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

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

Have served on this Board for several years
and fairly knowledgeable of its responsibilities and
its purpose.

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: _____

N/A

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: N/A

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 calendar~~ 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 James Ray Aycock Date: 6-20-13
Form is invalid if not signed and dated

Return Completed Form to:

Esther L. 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

Form Approved by City Council on 10-23-00
Last Update: 11-8-10
Cityclerk/applicationforboardsaug2010(11-8-10

Rec'd
3/27/13

CITY OF HENDERSON
Application for Boards/Commissions/Committees

Please complete each section

Full Name Charles Douglas Date of Birth 02/15/89

Home Address 113 South Barnett St # Apt #2

Home Phone 852-915-0349 City of Henderson Resident: ☒ Yes ☐ No

Current Employers student

Job Title business administration Years in current position 2

Business Phone n/a Fax n/a

E-Mail Address charles.douglas65@gmail.com

Duties attend classes 3 times per week for no more than (15) hours

Other employment history Charles Boyd; US Army

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. 3

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: none

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

similar capacities I believe I can bring a youthful perspective
to our city's planning board.

DO NOT SUBMIT RESUMES/ATTACHMENTS
(OVER)

Interests/Skills/Areas of Expertise/Professional Organizations/Activities VFW member, a
strong interest in land development and grant writing.

Affirmation of Eligibility:

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

Yes _____ No X 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 X

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 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 Charles E. Doyle Date: 03/26/2013
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

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City Council Action Form

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



Agenda Item: _____

Council Meeting: 22 July 13 Short Meeting

9 July 2013

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

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

RE: **CAF: 13-83**
Consideration of Approval of Resolution 13-61, Awarding of Departmental Handgun and Badge to Retiree Senior Police Officer Alvis L. Hawkins

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 6: Develop and Maintain a Qualified Municipal Workforce: To provide a supportive and competitive workforce climate that facilitates and maintains a strong workforce capability and capacity and adequate staffing levels.

Recommendation:

- Approval of Resolution 13-61, Awarding of Departmental Handgun and Badge to Retiree Senior Police Officer Alvis L. Hawkins.

Executive Summary

Senior Police Office Alvis L. Hawkins joined the police force in January 1989 and will be retiring from the City of Henderson effective 31 July 2013. Upon the recommendation of Interim Police Chief Marcus Barrow, I am requesting that the Henderson City Council recognize Officer Hawkins' departure, as has been the case with previous retirees, by awarding him his departmental badge and service side arm as per NCGS 20-187.2: "Badge and service side arms of deceased and retiring members of State, city and county law enforcement agencies" (See Enclosure No.2).

It has been the tradition of the City of Henderson to award the retiring officer his/her badge at no cost and to also award the service side arm at the said price of \$1.00.

The weapon is Glock Model 22.40 caliber serial number PZK110.

Enclosures

1. Resolution 13-61
2. Interim Chief Barrow's Request
3. NCGS 20-187.2

RESOLUTION

13-61

A RESOLUTION AUTHORIZING AWARD OF DEPARTMENT HANDGUN AND BADGE TO RETIREE SENIOR POLICE OFFICER ALVIS L. HAWKINS

WHEREAS, Senior Police Officer Alvis L. Hawkins of the Henderson Police Department will be retiring with full benefits effective 31 July 2013; *and*,

WHEREAS, in accordance with North Carolina General Statutes 20-187.2 “Badges and service side arms of deceased and retiring members of State, City and County law enforcement agencies” which states that retiring members of such agencies shall receive upon request and at no cost to him/her, the badge worn. The governing body of such law enforcement agency may also award to a retiring member the service side arm at a price determined by such governing body, upon securing a permit as required by GS 14-402; *and*,

WHEREAS, it has been the tradition of the City of Henderson to award the retiring officer his/her badge at no cost to him/her; *and*

WHEREAS, it has been the tradition of the City of Henderson to award the retiring officer his/her weapon at a nominal cost to him/her.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the award of Departmental Badge and Service Side Arm (Glock Model 22.40 caliber, serial number PZK110) to retiree Senior Police Officer Alvis L. Hawkins at cost of \$1.00 to him.

AND BE IT FURTHER RESOLVED that the Mayor and City Council thank Senior Police Officer Alvis Hawkins for his years of good service to the City and wish him well in his retirement.

The foregoing Resolution 13-61, introduced by Councilmember ***** and seconded by Councilmember ***** on this the **** day of **** 2013, and having been submitted to a roll call vote, was approved by the following votes: Ayes: Nays:

James D. O’Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney



Henderson Police Department

Captain Marcus W. Barrow
Interim Chief of Police

200 Breckenridge Street
Henderson, N.C. 27536
Phone: 252-438-4141
Fax: 252-438-7311



INTER-OFFICE MEMORANDUM

TO: Mr. Ray Griffin, City Manager
From: Marcus W. Barrow, Interim Chief of Police *apb*
Date: 7/05/2013
Subject: Award of Department Handgun and Badge to Retiree Alvis Hawkins
CC: Lieutenant M. L. Perry

Senior Police Officer Alvis Hawkins of our Department will be retiring with full benefits effective August 1st, 2013. I am requesting that the Henderson City Council recognize Officer Hawkins's retirement, as has been the case with previous retirees, by awarding him his departmental badge and service side arm as per NCGS 20-187.2 "Badges and service side arms of deceased and retiring members of State, city and county law enforcement agencies" (Copy attached).

It has been the tradition of the City of Henderson to award the retiring officer their duty weapon at no cost to them. If city administrative rules require a sale then I recommend that the City use the same guidelines of the State and other local agencies and set the price at \$1.00.

The weapon is a Glock Model 22 .40 caliber serial number PZK110.

I would request that the Council take action on this at the next available opportunity.
Thank you.

An Internationally Accredited Law Enforcement Agency

§ 20-187.2. Badges and service side arms of deceased or retiring members of State, city and county law-enforcement agencies; weapons of active members.

(a) Surviving spouses, or in the event such members die unsurvived by a spouse, surviving children of members of North Carolina State, city and county law-enforcement agencies killed in the line of duty or who are members of such agencies at the time of their deaths, and retiring members of such agencies shall receive upon request and at no cost to them, the badge worn or carried by such deceased or retiring member. The governing body of a law-enforcement agency may, in its discretion, also award to a retiring member or surviving relatives as provided herein, upon request, the service side arm of such deceased or retiring members, at a price determined by such governing body, upon securing a permit as required by G.S. 14-402 et seq. or 14-409.1 et seq., or without such permit provided the weapon shall have been rendered incapable of being fired. Governing body shall mean for county and local alcohol beverage control officers, the county or local board of alcoholic control; for all other law-enforcement officers with jurisdiction limited to a municipality or town, the city or town council; for all other law-enforcement officers with countywide jurisdiction, the board of county commissioners; for all State law-enforcement officers, the head of the department.

(b) Active members of North Carolina State law-enforcement agencies, upon change of type of weapons, may purchase the weapon worn or carried by such member at a price which shall be the average yield to the State from the sale of similar weapons during the preceding year. (1971, c. 669; 1973, c. 1424; 1975, c. 44; 1977, c. 548; 1979, c. 882; 1987, c. 122.)

City Council Action Form

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252.430.5701



Agenda Item: _____

Council Meeting: 22 July 13 Short Reg. Meeting

16 July 2013

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

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

RE: CAF: 13-84

**Consideration of Approval of Ordinance 13-43 FY 14 Budget Amendment # 4,
Re-budgeting Lease Purchase Items not Delivered Prior to June 30, 2013**

Ladies and Gentlemen:

Recommendation:

- Approval of Ordinance 13-43- FY 14 Budget Amendment # 4, re-budgeting the purchase of lease purchase items not delivered prior to June 30, 2013.

Executive Summary:

At its regular meeting on April 8, 2013, Council approved a lease purchase financing agreement with SunTrust Equipment Financing and Leasing Corporation. The agreement provided for the purchase of four pieces of equipment, a dump truck and tractor/bushhog for the sewer collection department and a backhoe and service truck for the water distribution department. The tractor/bushhog and backhoe were delivered prior to June 30, 2013; however the dump truck and service truck will not be delivered until after July 1, 2013. The unused proceeds of the financing agreement will revert to fund balance during the fiscal year-end closeout process. Therefore, those funds are being re-appropriated in the FY 2013-2014 fiscal year to cover the purchase of those two items once they are delivered.

Enclosure:

1. Ordinance 13-43

ORDINANCE 13-43

AN AMENDMENT TO THE FY 2013 -- 2014 BUDGET BUDGET AMENDMENT #4

WHEREAS, the City Council of the City of Henderson (Council), on 27 June 2013, adopted its FY 13-14 Operating Budget; *and*

WHEREAS, the City Council approved a lease purchase financial arrangement with SunTrust Equipment Finance & Leasing Corporation at its meeting on 8 April 2013 via Resolution 13-31; *and*

WHEREAS, not all of the equipment approved for purchase was delivered prior to 30 June 2013; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating budget to re-budget the purchase of that equipment which was not received and/or delivered prior to 30 June 2013; *and*

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 13-43			
				FY 13-14 Budget Amendment #4			
FUNDS: 30: Water Fund and 31: Sewer Fund							
30: WATER FUND REVENUES				Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	<i>1-Jul-12</i>	<i>Budget</i>	<i>Amendment</i>	<i>Revised</i>	
	Fund Balance Appropriated	30-990-490999	\$ -	\$ -	\$ 30,000	\$ 30,000	
			\$ -	\$ -	\$ -	\$ -	
	Total		\$ -	\$ -	\$ 30,000	\$ 30,000	
						\$ 30,000	
30: WATER FUND EXPENDITURES				Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	<i>1-Jul-12</i>	<i>Budget</i>	<i>Amendment</i>	<i>Revised</i>	
Water Distribution	Capital Outlay > \$5,000	30-318-507405	\$ -	\$ -	\$ 30,000	\$ 30,000	
			\$ -	\$ -	\$ -	\$ -	
	Total		\$ -	\$ -	\$ 30,000	\$ 30,000	
						\$ 30,000	
	Variance				\$ -		
31: SEWER FUND REVENUES				Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	<i>1-Jul-12</i>	<i>Budget</i>	<i>Amendment</i>	<i>Revised</i>	
	Fund Balance Appropriated	31-990-490999	\$ -	\$ -	\$ 95,000	\$ 95,000	
			\$ -	\$ -	\$ -	\$ -	
	Total		\$ -	\$ -	\$ 95,000	\$ 95,000	
						\$ 95,000	
31: SEWER FUND EXPENDITURES				Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	<i>1-Jul-12</i>	<i>Budget</i>	<i>Amendment</i>	<i>Revised</i>	
Sewer Collection	Capital Outlay > \$5,000	31-828-507405	\$ -	\$ -	\$ 95,000	\$ 95,000	
			\$ -	\$ -	\$ -	\$ -	
	Total		\$ -	\$ -	\$ 95,000	\$ 95,000	
						\$ 95,000	
	Variance				\$ -		
Reference:				Notes:			
CAF# 13-84; Ordinance #13-43: BA# 4				To budget for the purchase of equipment that was part of the lease purchase agreement with SunTrust that was approved by Council at its regular meeting on April 8, 2013 and included in Budget Amendment #41 which was approved by Council at its regular meeting on June 24, 2013. Four pieces of equipment were included in this financing: a backhoe and service truck for Water Distribution and a tractor/bushhog and dump truck for Sewer Collection. The backhoe and tractor/bushhog were delivered prior to June 30th; however the service truck and dump truck will not be delivered until after July 1st. This will re-budget those purchases and appropriate fund balance in the water and sewer funds, where the unspent revenues will be "closed into" during the fiscal year closeout process.			

The foregoing Ordinance 13-43, 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 22 day of July 2013: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 13-84*

**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 13-39 adopted by the Henderson, City Council in Regular Session on 22 July 2013 (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 July 2013.

Esther J. 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: 22 July 13 Short Reg. Meeting

16 July 2013

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

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

RE: CAF 13-86

Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of June 2013.

Ladies and Gentlemen:

Recommendation:

- Approval of tax releases and refunds from Vance County for the month of June 2013.

Executive Summary

The Vance County Tax office submitted the following tax releases and refunds to the Finance Department for the month of June 2013. These releases and refunds are found to be in order and are being recommended for approval.

June 2013 Tax Releases			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
E & L Associates, LLC	Taxes Lost to Foreclosure	2009	17.32
E & L Associates, LLC	Taxes Lost to Foreclosure	2010	17.32
E & L Associates, LLC	Taxes Lost to Foreclosure	2011	17.32
DLP Maria Parham Medical	Org. Billed County only/ This is the City portion	2012	-363,812.49
E & L Associates, LLC	Taxes Lost to Foreclosure	2012	17.32
Total R&P Property Releases			-363,743.21
Real & Personal Property Refunds			
			0.00
Total R & P Property Refunds			
Total R&P Prop. Rel. & Ref.			\$ (363,743.21)

Tax Releases & Refunds June 2013- Continued

Vehicle Releases			
Blacknall, Elizabeth Young	Pro-Rated	2012	15.79
Bryant, Alice Faye	Pro-Rated	2012	1.06
Campos, Tomas Rodriguez	Correct Situs	2012	28.25
Daye, Thurston Glenn	Pro-Rated	2012	11.50
Green, Chez Darnell	Pro-Rated	2012	65.66
Grice, Deborah Regina	Pro-Rated	2012	2.54
Harris, Paul William	Org. Billed County only/ This is the City portion	2012	-187.02
Kearney, Connie Elaine	Pro-Rated	2012	15.56
The Salvation Army	Non-Profit Exemption	2012	163.03
Trujillo, Oxcr Machado	Pro-Rated	2012	3.24
Venable, Angela Lovell	Pro-Rated	2012	36.82
Alliance Rehabilitative Care	Charitable Organization	2013	95.64
Brewer, Thomas Britt	Pro-Rated	2013	68.78
Bullock, Ray Anthony	Correct Situs	2013	85.52
Dale, Josephine	Reg. Veh Billed in Error	2013	12.75
Daughtrey, Richard Anthony	Correct Value	2013	42.30
Drakeford, Freddie Jam	Correct Situs	2013	110.27
Faulkner, Roy Hurst	Pro-Rated	2013	6.40
Franklin, Vance Warren Opp Inc	Government	2013	64.93
Harris, Sheldon Alphonso	Pro-Rated	2013	3.42
Hilliard, Tom Edward	Pro-Rated	2013	5.40
Lassiter, Gloria Jean	Transfer Out	2013	123.96
Lee, Carolyn Fay	Correct Situs	2013	100.44
Lewis, Edward Genatiou	Pro-Rated	2013	51.80
Moore, Kathryn Dena	Pro-Rated	2013	40.98
Pulley, David William	Pro-Rated	2013	6.19
Ragland, Kimarlo Anto	Org. Billed County only/ This is the City portion	2013	-18.78
Royster, Thomas Lee	Correct Value	2013	11.67
Scana/ PSNC Energy	State Assessed	2013	71.83
Shukair, Rand Adnan	Correct Situs	2013	61.53
Stevenson, John Richard	Correct Value	2013	43.00
Strickland, Taryn Michelle	Correct Value	2013	22.91
Sutton, Sandra Bullock	Pro-Rated	2013	4.13
Turner, William Durward	Pro-Rated	2013	15.13
Wassum, Douglans Eugene	Pro-Rated	2013	24.72
Williams, George Edward	Correct Situs	2013	128.40
Williams, Pattie Lee	Correct Situs	2013	41.94
Total Vehicle Releases			\$ 1,381.69

Tax Releases & Refunds June 2013- Continued

Vehicle Refunds			
Gill, Donna Ann	Pro-Rated	2012	7.75
Granger, Steven Theodore	Pro-Rated	2012	24.66
Johnson, John Henry, Jr.	Pro-Rated	2012	1.43
Mackenzie, Robert Paul	Pro-Rated	2012	7.88
Phillip, Dale Meador MD	Pro-Rated	2012	36.80
Stokes, Mirian Josefina	Pro-Rated	2012	1.52
Talley, Shaneka Shanelle	Pro-Rated	2012	2.95
Watkins, George Rose, Jr.	Pro-Rated	2012	12.25
Williams, Sharon Pledger	Pro-Rated	2012	47.43
Williams, Burchette Tameeka Las	Pro-Rated	2012	8.80
Total Vehicle Refunds			151.47
Tot. Veh. Rel. & Ref.			\$ 1,533.16
Total All Releases & Refunds			\$ (362,210.05)



Office of the City Manager

134 Rose Avenue, P. O. Box 1434, Henderson, NC 27536

Phone 252.430.5701 : Fax 252.492.7935 : E-mail rgriffin@ci.henderson.nc.us

www.ci.henderson.nc.us

19 July 2013

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

FR: Ray Griffin, City Manager

RE: Final Tax Reform Impacts

Ladies and Gentlemen:

The NCLM has provided member localities with a summary of the recently adopted State Tax Reform Bill's impacts on the state-wide and locality-by-locality levels. Thank goodness the final bill works well for Henderson as noted in *Attachment No. 1*. For FY14, the analysis reveals the City's revenues would be about \$12,772 larger than current year. Most importantly, the final bill's impact reverses the estimated losses of revenue in years FY15—FY19.

The final bill's outcome appears to have eliminated the loss of revenues. In FY 15, for example, it appears the City will gain \$32,201 vs. losing \$253,534. While the gains are not that great, what is great is the fact the City will not suffer draconian losses of revenues. This news now makes the FY15 Budget process far less ominous than would have been the case with the original Senate version.

The estimated global impact of the Tax Reform Bill on the state at-large may be found in *Attachment No. 2*.

We will be learning more about the Tax Reform Bill in the ensuing months. As we learn more about the Bill's impacts, I will share same with Council.

Enclosures

Griffin, Ray

From: Paul Meyer <pmeyer@NCLM.ORG>
Sent: Wednesday, July 17, 2013 2:02 PM
To: Griffin, Ray
Subject: The Impact of Tax Reform on Your City or Town

Ray,

The email below contains numbers specific to Henderson, so please read on. This message has been sent to the mayors, managers, and clerks of every municipality in the state, so please share with your elected officials and staff.

Over the course of this legislative session municipal officials from across the state have traveled to Raleigh numerous times, in many cases to ask legislators not to reform taxes in a way that would hurt cities and towns. More than 450 local officials attended the League's Town Hall Day on March 27, just days after initial versions of tax reform legislation were released, and expressed their concern over possible municipal revenue losses. An additional 150-plus municipal officials took part in District Days!, an ongoing effort from April-June designed to bring small groups of mayors, elected officials, and city staff to Raleigh to meet with legislative leadership and other lawmakers. Dozens more city and town officials traveled to Raleigh on short notice late in the session to discuss a tax reform proposal (shown in the table below as "Original Senate Version") that the League estimated would have cost cities and towns upwards of \$164 million annually.

On Monday Governor Pat McCrory and leaders of the House and Senate came together to announce agreement on a tax reform package (shown in the table below as "Final Agreement." **The Final Agreement line represents the additional revenue we estimate Henderson will receive under the approved tax reform legislation**). Whereas previous tax reform proposals were estimated to cost North Carolina's cities and towns millions of dollars annually, the latest proposal appears to protect municipalities from losses and generate some additional revenue for municipalities. The League's preliminary estimate of the effect of these changes on revenue for Henderson is shown on the table below, as is the revenue difference Henderson will see in this agreement as compared to the Senate proposal shown in the table. **Cities fare as well as they do in the final version of tax reform because of the efforts you have made in talking to legislators this session.**

Version of HB 998	FY 13-14	FY 14-15	FY 15-16	FY16-17	FY 17-18	FY 18-19
Original Senate Version	5,875	-253,534	-450,519	-423,669	-416,671	-846,526
Final Agreement	12,772	32,201	34,380	36,067	37,758	39,574
Improvement Between Versions	6,897	285,735	484,899	459,736	454,429	886,100

These figures are based on League analysis of what portion individual municipalities can expect to receive of the total numbers provided in the legislative fiscal note. The League will update these estimates if better information becomes available. The agreement would make several changes affecting municipal revenues. Specific provisions of the agreed-upon tax reform bill can be [found on the League website](#).

The bottom line is that your efforts made a difference. Throughout all of your visits, legislators were gracious with their time and took the concerns of municipal officials seriously. The result is the tax reform package expected to be given final approval by both chambers today, which is far more protective of municipal revenues than previous proposals. We appreciate legislators engaging with us and taking our requests to heart. We thank Speaker of the House Thom Tillis, Rep. David Lewis, Rep. Julia Howard, Senate President Pro Tempore Phil Berger, Governor Pat McCrory, and the many, many others who played a role in crafting this legislation.

Our Government Affairs Team (below) is here to serve you, so please do not hesitate to contact us with any questions you have. We look forward to a continued strong working relationship between cities and legislators on issues of importance to all cities and towns, thanks to city officials all across North Carolina.

Thank you,

Paul Meyer & the NCLM Governmental Affairs Team



(From left: Karl Knapp, Erin Wynia, Cara Bridges, Paul Meyer, Elaine Woo, Jennifer Webb, and Chris Nida)

House/Senate AGREEMENT											
Sales Tax						State \$ Millions			Local \$ Millions		
	FY1314	FY1415	FY1516	FY1617	FY1718		FY1314	FY1415	FY1516	FY1617	FY1718
Effective 01/01/2014											
Repeal gross receipts tax on live entertainment and movies, puts in sales tax base, adds amusements for which an admission is charged	6.3	16.5	17.2	17.9	18.6		2.7	7.0	7.2	7.5	7.8
Repeal exemption for nutritional supplements sold by chiropractors	0.1	0.1	0.1	0.1	0.1		-	-	-	-	-
Repeal exemption for certain sales of newspapers	2.5	7.8	8.0	8.3	8.6		1.1	3.3	3.4	3.5	3.6
Repeal Food Sold in Dining Rooms Operated by Educational Institutions	14.2	34.0	35.0	36.1	37.1						
Expand sales tax to include service contracts	12.2	29.2	31.2	33.2	35.2		5.1	12.3	13.1	14.0	14.8
Manufactured Homes at the State rate	3.0	7.2	7.2	7.2	7.2						
Modular Homes at the State rate	1.3	3.0	3.0	3.0	3.0		(0.3)	(0.5)	(0.5)	(0.5)	(0.5)
Effective 07/01/2014											
Make electricity subject to combined general sales tax rate		417.1	427.7	440.5	453.8						
Make piped natural gas subject to combined general sales tax rate		102.3	103.9	105.4	107.0						
Distribution to municipalities for franchise tax and piped natural gas		(207.1)	(209.4)	(211.6)	(213.8)			207.1	209.4	211.6	213.8
Repeal Sales and use tax holiday		14.7	15.1	16.1	17.1			6.2	6.4	6.8	7.2
Repeal Energy Star sales tax holiday		1.6	1.7	1.8	1.8			0.7	0.7	0.7	0.8
State and Local cap on Non-Profit refunds, \$45M		3.9	4.1	4.2	4.4			-	-	-	-
Repeal exemption for certain bakery items		16.5	16.8	17.2	17.5			1.7	1.7	1.8	1.8
Add a gross receipts requirement for farmers of \$10,000 for the purpose of receiving tax exemptions and refunds		16.5	16.8	17.2	17.5		5.9	6.9	7.1	7.2	7.4
Total Sales Tax Changes	39.4	446.9	461.6	479.3	497.6		14.6	244.7	248.5	252.6	256.7
Extend certain refunds, exemptions, and credits until 01/01/2016											
R&D Credit		(38.0)	(39.6)				-	(0.0)	(0.0)	(0.0)	-
Aviation fuel for motorsports team		(0.1)	(0.1)	(0.1)			-	(0.0)	(0.0)	(0.1)	-
Professional motorsports team		(0.2)	(0.3)	(0.2)			-	(0.1)	(0.1)	(0.1)	-
Passenger air carriers		(3.0)	(6.0)	(3.0)			-	(1.3)	(2.5)	(1.3)	-
Total Sunset Extensions		(41.25)	(46.00)	(3.25)	-			(1.37)	(2.69)	(1.37)	

House/Senate AGREEMENT										
	State \$ Millions				Local \$ Millions					
	FY1314	FY1415	FY1516	FY1617	FY1718	FY1314	FY1415	FY1516	FY1617	FY1718
Projected Revenue (Consensus revenue first two years, growth in the out years uses 20-year average inflation and population growth)										
Total Tax Reform Changes	(119.0)	(455.8)	(655.1)	(634.5)	(661.8)	14.6	36.2	36.4	39.6	42.9
Repeal Estate Tax	(52.0)	(57.0)	(60.0)	(63.0)	(66.0)					
Total Tax Reform	(171.0)	(512.8)	(715.1)	(697.5)	(727.8)	14.6	36.2	36.4	39.6	42.9
School Capital Building Fund	84.4	75.0	70.5	74.0	78.0					
Net Changes	(86.6)	(437.8)	(644.6)	(623.5)	(649.8)	14.6	36.2	36.4	39.6	42.9
Revised Revenue from Tax Reform plus elimination of School Capital Building Fund										
	20,379.0	20,950.0	21,662.9	22,643.2	23,617.3					
		2.8%	3.4%	4.5%	4.3%					

Meetings and Events Calendar

Last Updated: 7/19/2013 10:33 AM

Date	Time	Event	Location
July 26 th	10:00 AM	Henderson-Vance E911 Advisory Board Meeting	E911 Operations Center
Aug 5 th	3:30 PM	Henderson Planning Board	City Council Chambers
Aug 6 th	3:30 PM	Henderson Zoning Board of Adjustment	City Council Chambers
Aug 8 th	12:00 PM	Henderson-Vance Park & Recreations Commission	Aycock Recreation Center
Aug 12 th	9:30 AM	KLRW Advisory Board Meeting <i>Please Note: on prev. calendar this meeting was incorrectly shown to be held at 12:00 pm.</i>	City Hall Large Conference Room
Aug 12 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Aug 13 th	3:00 PM	Henderson Community Appearance Commission	City Council Chambers
Aug 26 th	6:00 p.m.	City Council Meeting Work Session to Follow	City Council Chambers
Sept 2	City Hall Closed	Labor Day Holiday	Happy Holiday
Sept 9	3:30 PM	Henderson Planning Board	City Council Chambers
Sept 9	5:00 PM	Library Board of Trustees	Perry Memorial Library
Sept 9	6:00 PM	City Council Regular Meeting	City Council Chambers
Sept 10	3:00 PM	Henderson Community Appearance Commission	City Hall Large Conference Room
Sept 10	3:30 PM	Henderson Zoning Board of Adjustment	City Council Chambers
Sept 12	12:00 PM	Henderson-Vance Park & Recreations Commission	Aycock Recreation Center
Sept 19	7:00 PM	Human Relations Commission	City Council Chambers
Sept 23	6:00 PM	City Council Meeting Work Session to Follow	City Council Chambers
Sept 27	10:00 AM	Henderson-Vance E911 Advisory Board Meeting	E911 Operations Center
Oct 1	3:30 PM	Henderson Zoning Board of Adjustment	City Council Chambers
Oct 7	3:30 PM	Henderson Planning Board	City Council Chambers
Oct 8	3:00 PM	Henderson Community Appearance Commission	City Council Chambers
Oct 10	12:00 PM	Henderson-Vance Park & Recreations Commission	Aycock Recreation Center
Oct 14	9:30 AM	KLRW Advisory Board Meeting	City Hall Large Conference Room
Oct 14	6:00 PM	City Council Regular Meeting	City Council Chambers

HENDERSON-VANCE COUNTY 911

NUMBER OF CALLS REPORT BY COMPLAINT (ALL UNITS)

TIME PERIOD: 05/21/2012 09:00:00 Through 06/20/2013 23:59:59

TOTAL

6,255

DEPARTMENT	COMMENT	TOTAL	COUNTY	CITY	STATE	OTHER
DATA WITH NO DEPARTMENT		196				196
AFTON VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	2	2			
AMERICAN RED CROSS	Other Dispatch	0				0
BEARPOND VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	37	37			
COKEBURY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	21	21			
CSX RAILROAD	Other Dispatch	2				2
DREWRY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	13	13			
EMBARQ	Other Dispatch	1				1
EPSOM VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	23	23			
HENDERSON FIRE DEPARTMENT-STA 1	City Dispatch	306		306		
HENDERSON FIRE DEPARTMENT-STA 2	City Dispatch	151		151		
HENDERSON POLICE DEPARTMENT	City Dispatch	3,299		3,299		
HENDERSON STREET DEPT	City Dispatch	8		8		
HENDERSON WATER DEPARTMENT	City Dispatch	17		17		
HICKSBORO VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	22	22			
KITTRELL VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	12	12			
NORTH CAROLINA DEPT OF PARKS	State Dispatch	3			3	
NORTH CAROLINA DEPT OF TRANSPORTATION	State Dispatch	14			14	
NORTH CAROLINA DIVISION OF MOTOR VEHICLES	State Dispatch	0			0	
NORTH CAROLINA FORESTRY SERVICE	State Dispatch	8			8	
NORTH CAROLINA MAGISTRATE OFFICE	State Dispatch	0			0	
NORTH CAROLINA MEDICAL EXAMINER	State Dispatch	0			0	
NORTH CAROLINA PROBATION & PAROLE	State Dispatch	0			0	
NORTH CAROLINA STATE HIGHWAY PATROL	State Dispatch	39			39	
NORTH CAROLINA UNDERWATER RECOVERY	Other Dispatch	0			0	
NORTH CAROLINA WILDLIFE	State Dispatch	2			2	
PROGRESS ENERGY	Other Dispatch	26				26
PUBLIC SERVICE GAS	Other Dispatch	0				0
RIDGEWAY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	1	1			
TOWNSVILLE VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	14	14			
VANCE COUNTY AMBULANCE SERVICE (EMS)	City & County Dispatch-actual	555	248	301		6
VANCE COUNTY ANIMAL CONTROL	County Dispatch	84	84			
VANCE CO DEPT OF SOCIAL SERVICES	County Dispatch	2	2			
VANCE COUNTY EMERGENCY MANAGEMENT	City & County Dispatch	1	1			
VANCE COUNTY FIRE DEPARTMENT	County Dispatch/FIRE	123	123			
VANCE COUNTY RESCUE SQUAD	County Dispatch	25	25			
VANCE COUNTY SHERIFF DEPARTMENT	County Dispatch	2,113	2,113			
WAKE ELECTRIC COOPERATIVE	Other Dispatch	0				0
WATKINS VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	12	12			
TOTALS		7,132	2,753	4,082	66	231

Signature: Carey D. Thompson

Prepared by: Carey D. Thompson, 911 Database Coordinator

Signature: Brian K. Short

Reviewed by: Brian K. Short, Director

06/26/2013

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 05/21/2013

Last Date: 06/20/2013

<i>Complaint</i>		<i>Number</i>
911HU	911 HANG UP CALL	65
ABAND	ABANDONED OR JUNKED CARS	2
ABDOM-EMD	ABDOMINAL PAIN OR PROBLEMS	29
ABNV	ABANDONED VEHICLE	1
ACC-PD	ACCIDENT PROPERTY DAMAGE	91
ACC-PI	ACCIDENT PERSONAL INJURY	34
ALARM	ALARM RESIDENCE OR BUSINESS	341
ALARMFALSE	ALARM FALSE	138
ALARMMED	ALARM MEDICAL	10
ALLERG-EMD	ALLERGIC REACTION / ENVENOMATIC	5
ANIMAL-EMD	ANIMAL BITE / ATTACK	4
ANIM	ANIMAL COMPLAINT/VISCIOUS ANIMAL	81
ARMED SUSP	ARMED SUSPECT (MAN WITH A GUN)	10
ARRE	ARREST	2
ASAG	ASSIST OTHER AGENCY	13
ASMO	ASSIST MOTORIST	75
ASSAULT-EMD	ASSAULT OR SEXUAL ASSAULT - IN PI	2
ASSAULT-EMD	ASSAULT OR SEXUAL ASSAULT	63
BACKPAIN-EMD	BACK PAIN (NON-TRAUMATIC)	5
BE MV	BREAKING AND ENTERING TO A MOTOR	27
BON	BONDING	16
BONDSET	BOND SET	5
BREATH-EMD	BREATHING PROBLEMS	84
BURG-IP	BURGLARY/B&E IN PROGRESS	10
BURGLARY	BURGLARY	101
CARBON-EMD	CARBON MONOXIDE / INHALATION / H	1
CAR	CARELESS AND RECKLESS DRIVER	56
CARDIAC-EMD	CARDIAC/RESPIRATORY ARREST OR I	5
CHASE	CHASE	8
CHESTPAI-EMD	CHEST PAIN	52
CHILD-ABU	CHILD ABUSE OR NEGLECT	1
CHOKING-EMD	CHOKING	4
CIVDIS	CIVIL DISPUTE	91
COMTHR	COMMUNICATING THREATS	11
CONVULS-EMD	CONVULSIONS / SEIZURES	20
DIABETIC-EMD	DIABETIC PROBLEMS	18
DIRTRF	DIRECTING TRAFFIC/TRAFFIC CONTR	3
DISO	DISORDERLY PERSON	82
DOMEIP/W	DOMESTICE DISPUTE - IN PROGRESS	4
DOM-PROB	DOMESTIC PROBLEM	98
DRUGALC	DRUG OR ALCOHOL COMPLAINT	42
DRUNKDRIV	DRUNK DRIVER	5
DVO	DOMESTIC VIOLENCE ORDER	10
EMERG TRANS	EMERGENCY TRANSPORT	3
ESCO	ESCORT	256
EVICION	EVICION CARRIED OUT	44
FALLS-EMD	FALLS (SUBJECT FALLEN)	55
FIGHT	FIGHT	40
FIGHT-IP/W	FIGHT IN PROGRESS/W-WEAPONS	5
FIRE AL	FIRE ALARM	29
FIRE BRU	BRUSH/GRASS FIRE	11
FIRE ELEC	ELECTRICAL FIRE	12

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 05/21/2013

Last Date: 06/20/2013

<i>Complaint</i>		<i>Number</i>
FIRE SMOKE	SMOKE REPORT	2
FIRE STRUC	STRUCTURE FIRE	9
FIRE TRANS	TRANSFORMER FIRE	5
FIRE VEHI	VEHICLE FIRE	5
FRAUD	FRAUD/FORGERY	25
GASLEA	GAS LEAK	2
HARR	HARRASSMENT/THREATS	46
HEADACHE-EMD	HEADACHE	5
HEART-EMD	HEART PROBLEMS - AICD	9
HEMORR-EMD	HEMORRHAGE / LACERATION	14
HOMEINV	HOME INVASION	2
HRPD	HIT & RUN PD	15
HRPI	HIT & RUN PI	1
ILL-DUMP	ILLEGAL DUMPING	24
INDEXPO	INDECENT EXPOSURE	1
INSPECTION	FIRE INSPECTION	59
INTPERS	INTOXICATED PERSON	19
INVE	INVESTIGATE ----- AT	866
IPV	IMPROPERLY PARKED VEHICLE	12
JUV	JUVENILE PROBLEMS	57
LARCIP	LARCENY IN PROGRESS	1
LARC	LARCENY - ALREADY OCCURRED	147
LOIT	LOITERING COMPLAIN	15
LOST	LOST PROPERTY	6
LOUD	LOUD MUSIC	107
MEDICAL	MEDICAL	1
MEN	MENTAL SUBJECT	89
MISS	MISSING PERSON	15
OPEN	OPEN DOOR/WINDOW	11
OVERDOSE-EMD	OVERDOSE / POISONING (INGESTION)	13
PANIC	PANIC BUTTON	1
PDAMG	PROPERTY DAMAGE ALREADY OCCUR	77
PDMGIP	PROPERTY DAMAGE IN PROGRESS	1
PREGNANT-EMD	PREGNANCY/CHILDBIRTH/MISCARRIA	10
PROW	PROWLER	23
RAPE	RAPE	1
RECFPI	RECOVERED/FOUND PROPERTY	18
ROBARM	ROBBERY ARMED	5
ROBBERY	ROBBERY	2
RUN	RUNAWAY	1
SHOP	SHOPLIFTER	27
SHOTS	SHOTS FIRED	61
SICK-EMD	SICK PERSON	87
STABBING-EMD	STABBING / GUNSHOT / PENETRATING	7
STOLV	STOLEN VEHICLE	13
STROKE-EMD	STROKE (CVA)	10
SUBINCUS	SUBJECT IN CUSTODY	42
SUICIDE-EMD	SUICIDE / PSYCHIATRIC / ABNORMAL	2
SUMMONS	CIVIL / CRIMINAL SUMMONS	246
SUPSUB	SUSPICIOUS SUBJECT	93
SURR	SURRENDER	11
SUSPAC	SUSPICIOUS PACKAGE	1

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 05/21/2013

Last Date: 06/20/2013

<i>Complaint</i>		<i>Number</i>
SUSVEH	SUSPICIOUS VEHICLE	92
TEST	TEST CALL	78
Traffic Stop	VEHICLE STOP	868
TRANSPORT	TRANSPORT	2
TRAUMA-EMD	TRAUMATIC INJURY (SPECIFY IN NARI)	11
TREEDWN	TREE DOWN	30
TRES	TRESPASSING SUSPECT	103
UNAUTHVEH	UNAUTHORIZED USE VEHICLE	9
UNCONC-EMD	UNCONCIOUS / FAINTING OR NEAR	32
UNKNOWN-EMD	UNKNOWN PROBLEM (MAN DOWN)	4
WARRANT	WARRANT	497
WATER	WATER RELATED PROBLEM	18
WRIT	WRIT OF EXECUTION	9

Report Total: 6255

HENDERSON-VANCE CO 911

Number Of Calls Report by Department (All Units)

First Date: 05/21/2013

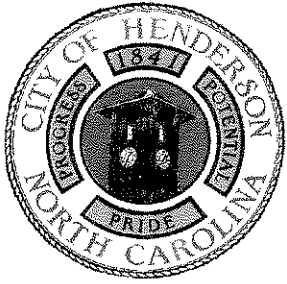
Jurisdiction: HEN-VAN

Last Date: 06/20/2013

	<i>Department</i>	<i>Number</i>
1	Data with no Department.	196
2	AFTO	2
3	BVFD	37
4	CSX	2
5	CVFD	21
6	DOT	14
7	DSS	2
8	DVFD	13
9	EM	1
10	EMBQ	1
11	EMS	555
12	EVFD	23
13	FOR	8
14	HFD1	306
15	HFD2	151
16	HPD	3299
17	HVFD	22
18	KVFD	12
19	PARK	3
20	PE	26
21	RIDG	1
22	SHP	39
23	STRE	8
24	TVFD	14
25	VCAC	84
26	VCFD	123
27	VCR	25
28	VCSO	2113
29	WATE	17
30	WILD	2
31	WVFD	12

***Total:* 6255**

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 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:

FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: JUNE , 2013

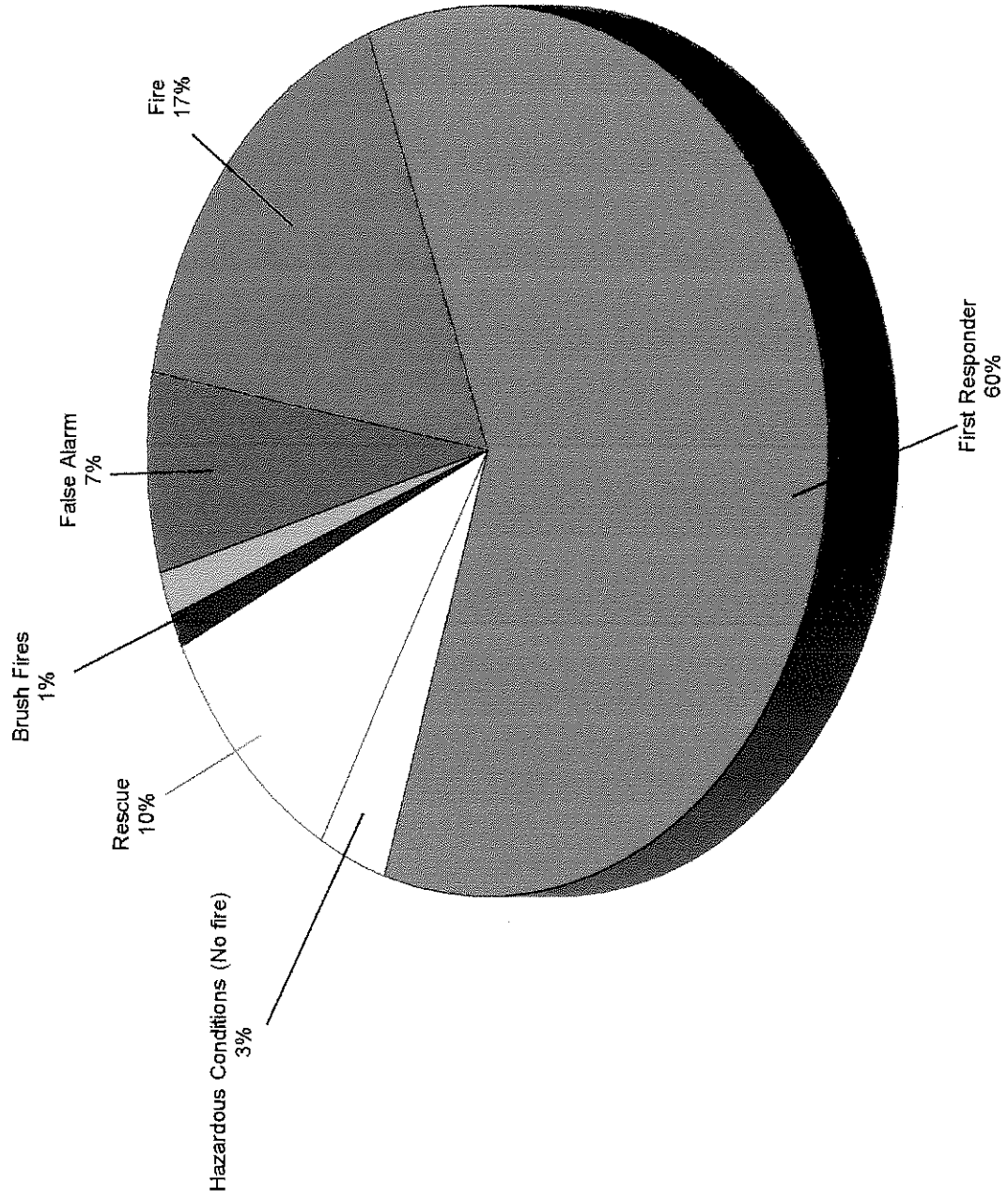
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	19	13	70
APARTMENTS (3 or More Families)	2	1	9
HOTELS AND MOTELS	0	1	1
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	0	1	1
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	1	3	6
SCHOOLS AND COLLEGES	1	0	2
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	2	4	12
STORES AND OFFICES	4	4	11
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	0	5	5
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	0	0	0
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	1	0	1
WORKING STRUCTURE FIRE	1	3	8
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	4	1	11
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	0
FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved	3	0	11
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	0	2	5
ALL OTHER FIRES	4	2	6
RESCUE	24	18	121
FIRST RESPONDER	150	172	963
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	18	14	75
MUTUAL AID OR ASSISTANCE RESPONSES	4	7	40
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	1	3	12
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	7	6	21
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	2	2	17
TOTALS	248	262	1408

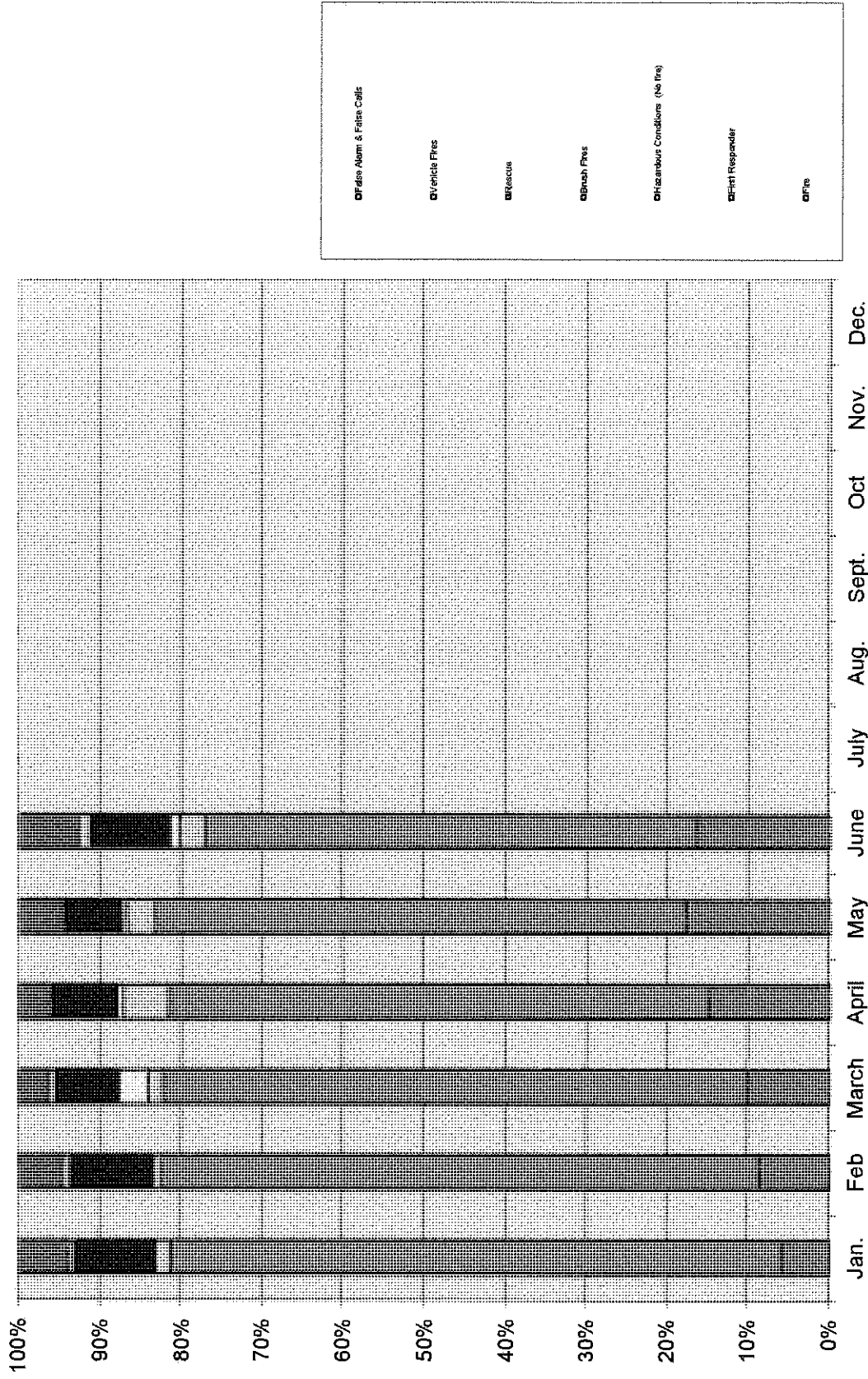
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property and/or Contents Loss	7	11	44
Total of Property and Contents Value Saved	\$ 100,960.00	\$ 1,665,211.00	\$ 2,290,877.00

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
FIRE CASUALTIES FIREFIGHTER-DEATH	0	0	0
FIRE CASUALTIES FIREFIGHTER - INJURIES	0	0	0
FIRE CASUALTIES CIVILIAN - DEATH	0	0	0
FIRE CASUALTIES CIVILIAN - INJURIES	0	0	2

Incident Summary For June 2013



YEAR TO DATE SUMMARY BY MONTH FOR 2013



INSPECTION ACTIVITIES REPORT FOR:
JUNE, 2013

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	9	17	47
BUSINESS	26	23	147
EDUCATIONAL	0	0	1
HAZARDOUS	0	0	0
INDUSTRIAL	0	0	6
INSTITUTIONAL	1	0	6
MERCANTILE	7	17	70
RESIDENTIAL	1	2	12
STORAGE	1	0	2
DAY CARE	0	3	13
HOME CARE	0	0	0
FOSTER CARE	0	0	2
VACANT	3	3	8
TOTALS	48	65	314

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
CODE VIOLATIONS	69	92	428
FOLLOW UP INSPECTIONS	19	19	110

FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2013

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	18	21	15	11	8	13							86
Home Inspections / Door Hanger Follow Ups	8	2	5	8	0	2							25
Smoke Alarms Installed	5	12	7	6	8	9							48
Batteries Installed in Smoke Alarms	7	12	12	9	8	6							54
Fire Extinguisher Classes	0	0	0	1	0	2							3
School / Daycare Presentations	3	4	6	4	3	5							25
Community / Civic Group Presentations	2	1	3	1	2	0							9
Station Tours	1	5	3	2	3	4							18
Total Participants in Fire & Life Safety Programs	600	800	1000	1300	2000	1000							6700
Community / Business Displays	0	1	2	1	1	0							5
Child Safety Seat Clinics	0	0	0	0	0	0							0
Child Safety Seats Inspected	12	8	6	8	5	11							50
Child Safety Seats Distributed	2	0	0	0	0	2							4
Shift Coverage Hours	40	48	16	24	24	8							162

MONTHLY CITATION REPORT FOR THE MONTH OF: JUNE 2013

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					0
Dabney West Mall					0
Golden Corral					0
Guardian Care					0
Henderson Mall					0
Henderson Square					0
Lowe's					1
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					0
Walgreens					0
TOTALS	0	0	0	0	1

TRAINING DIVISION PRODUCTIVITY - JUNE 2013

Henderson Fire Department

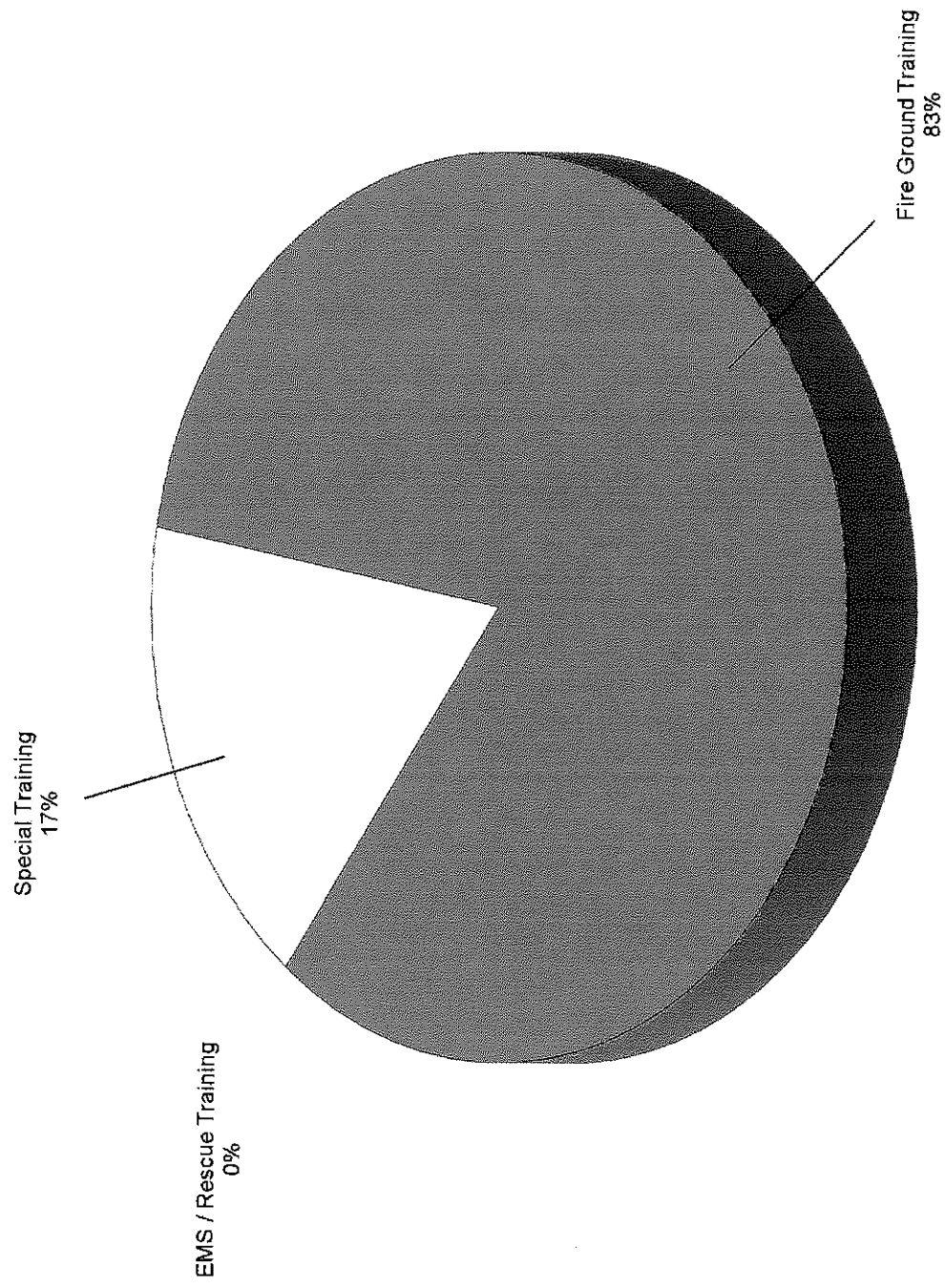
Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire Ground Training	172	1176
EMS / Rescue Training	0	0
Special Training	36	272

Totals	208	1448
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	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	190	1274.5

YEAR - TO - DATE TOTAL	1009.5	8358.5
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Training Hours by Category - June 2013



Fire Department Regulatory Compliance

The Fire Department has met all regulatory compliance items for the month of June 2013



HENDERSON POLICE DEPARTMENT MONTHLY REPORT JUNE 2013

Marcus Barrow, Interim Chief of Police

07/15/2013

Fortitudo et iustitia

Chief's Comments



Marcus Barrow, Interim Chief of Police

June 2013 was the first full month of activity of the Henderson Police Department since the departure of Chief Keith Sidwell to retirement. I am very pleased to report that at this time the state of the Police Department is sound and all of our staff have worked together to make the transition from Chief Sidwell's leadership to our current Interim Chief status very smooth.

We have continued to have monthly staff meetings of our Command Staff with some minor changes. We have trimmed down the number of people necessary to attend these meetings (preventing some comp time buildup) and are using Sharon Gregory's meeting minutes to help keep all supervisors and staff "in the loop" of items discussed and decided at these meetings. Our focus at Staff Meetings has moved from "what has been done" to "what needs to be done". Upcoming events, announcements and other issues that can be handled among the staff through email and division/unit level roll call and meetings are not scheduled for Staff Meeting review. Rather, we are focusing on problem solving for issues that need attention at the Staff level and data driven police responses to problem areas within the City as well as setting goals and objectives for each Section and/or Zone.

All of our Division Commanders and Administrative Assistants worked extremely hard in June to finish all the requirements and final adjustments for the Fiscal Year 2013-2014 Budget. As the City Manager commented, this budget is VERY tough and there are no "frills" whatsoever in the Police Department's budget from the original submission to the final approved budget. However, we were very pleased that several areas of need including continued upgrading of computers and hardware/software and equipment and contracted services needs for the department were funded at or near requested levels. We continue to be VERY cautious with our expenditures of Asset Forfeiture funding in the coming year as the outlay planned for FY 13-14 (due to the purchase of needed new vehicles) will put a severe dent in this account which will not soon be replaced due to the slowing of traffic interdiction involving high dollar amounts and local drug/weapons dealers using electronic payment methods instead of the old fashioned large quantities of cash.

While we are continuing to address the rise (seen over the last several months) in aggravated assaults the department did see an overall comparative decrease of just over 1% in violent crime from this same period in 2012. A department focus in June 2013 to serve as many warrants and Orders for Arrest as possible may have been part of the reason for the downturn in Part I crimes in the past month.

Operations Division



Lieutenant S.T. Vaughn, Acting Captain (Division Commander)

Patrol Activity Summary by Patrol Section June 2013

Section #	Incidents	Persons Arrested	Collisions Investigated	Citations Issued	*Warrants Served	Warrants Attempted
Section 1	31	68	28	155	36	100
Section 2	58	74	17	58	39	41
Section 3	50	51	19	47	21	15
Section 4	47	46	25	94	22	12
Totals	186	239	89	354	118	108**

**Warrants – This is a count of the number of occasions when a Warrant for Arrest, an Order for Arrest or a Criminal Summons were listed as the sole type of arrest for the person arrested and the date arrested was not the same as the date on the warrant. Each person is only counted once per arrest occasion, regardless of the number of warrants served.*

*** - Sixteen (16) warrants were attempted by officers in the Criminal Investigations Division.*

Active Warrants on file by Section as of June 30, 2013 (Including Criminal Investigations)

Zones	Warrants	OFA	Worthless Check	Criminal Summons	Warrant for Child Support	Fugitive
Zone 1	60	145	2	13	3	0
Zone 2	3	11	0	0	0	0
Zone 3	65	98	0	3	1	0
Zone 4	22	85	0	6	0	0
CID	32	7	0	0	0	0
Total	182	346	2	22	4	0

As this chart shows the warrants received by the Henderson Police Department for “Order for Arrest” (meaning the wanted person did not show in court or violated a court appearance order or has a true bill of indictment) is almost twice the number of original warrants on file by the department. The number of persons wanted for missing court cases remains very high despite the issuance of bonds in some cases.

OFFICER AWARDS

At the Henderson Police Department Staff Meeting on Thursday, June 13, 2013 two Henderson Police Department officers were recognized by being awarded the department's "Individual Commendation Award". As part of the agency's efforts to recognize employees for exceptional work and performance the Department has an Employee Awards Program which provides recognition for officers and employees nominated by supervisors or co-workers for these awards.

The Individual Commendation Award is issued to officers that have "performed efficient and valuable services to the Department...in the performance of duties over an extended period of time." At the meeting both officers were recognized and received a Certificate of Award and a uniform Award Pin.



Sergeant Jessica M. West received her award for performance of duties in 2012 that resulted in her being named the Police Officer of the Year by the Henderson/Vance Optimist Club at their "Public Safety Appreciation Day" meeting. West was also recognized for her work as a volunteer coach and board member of the Vance County Special Olympics Program, being a volunteer and board member of the Vance County SafeKids Coalition, serves as a member of the Police Department's Bicycle Patrol Unit, coordinated all Community Watch groups in housing areas or apartment complexes, established the Business Watch Program and served as the department's alternative Crime Scene Technician in 2012 working several high profile cases. Sergeant West is now the department's Evidence Custodian and primary Crime Scene Technician.



Lieutenant Brandon Bishop received his award for performance of duties in 2012 that resulted in his receiving the 2012 Lt. S.S. Pearson Officer of the Year Award from the Henderson/Vance CrimeStoppers organization. The award is presented at the group's Awards Banquet each year and recognizes Henderson Police officers for notable efforts in the area of Crime Prevention and Community Services.

Lt. Bishop was recognized for his work in preparing a Nuisance Abatement case against the property at 200 Parham Road (the former Kerr Lake Inn), his work in preparing the department's "Operation L.O.C.K." vehicle Breaking and Entering prevention brochures and his work as a Gang Identification Officer.

CRIMINAL INVESTIGATIONS DIVISION**Lieutenant Christopher D. Ball, Division Commander**

Cases Received	53
Cases Suspended	12
Cases Cleared (Solved)	15
Unfounded Reports Identified	1
Crime Scene Searches Attended	2
Crime Scene Searches Conducted	2
Canvasses Conducted	4
Witnesses Interviewed	96
Warrants Obtained	105
Warrants Attempted	15
Warrants Served	33
Juvenile Petitions Obtained	7
Juveniles Taken Into Custody	1
Social Services Referrals Made	1
On-view Arrests Made	2
Search Warrants Obtained	2
Search Warrants Executed	1
Informants Interviewed	18
Property Recovered	14

Case Highlights

On June 19, 2013 around 1:00 AM, members of the Henderson Police Department received a report of a person who was shot at 111 S. Pinkston Street Apartment 1, Henderson. The victim was shot in the left hip area. Victim was transported by Vance County EMS for treatment at an area hospital. Injury did not appear to be life-threatening. There appeared to be no sign of forced entry to the apartment. Incident was further investigated by members of the Henderson Police Department Criminal Investigations Division. Dawan Marrow, 17, of 1903 NC 39 South Henderson, NC was arrested and charged with first degree burglary, and assault with a deadly weapon with the intent to kill inflicting serious injury. He received a \$125,000 secured bond pending a court hearing on July 17, 2013.

On June 26, 2013, members of the Henderson Police Department received a report that a 14 year-old female was sexually assaulted by her uncle. The incident was reported to have occurred in a hotel room at the Sleep Inn, 18 Market Street, Henderson. The suspect allegedly provided the juvenile victim alcohol, and during that period conducted various sexual acts on the juvenile. Members of the Henderson Police Department Criminal Investigations Division were contacted to continue the investigation. Upon investigation, Clarence Adrian Royster, 34, of 4592 Buckhorn Road Bullock, NC, was arrested and charged with one count of statutory rape, one count of statutory sex offence, indecent liberties with a child, incest with a child, and contributing to a delinquency of a minor. Mr. Royster received a \$300,000 secured bond and remains in the Vance County Jail pending a court hearing on July 8, 2013.

Juvenile Crime/Activities

Students contacted/Released to Parents	4
Students contacted/Released to Juvenile Services	1
Juvenile Petitions	1
Assault	12
Neglect	7
Larceny	1
Undisciplined Juvenile	1
Runaway	2
Traffic Related	2
Contacts	4
Fight	1

Property and Evidence/Crime Scene Technician Unit

Number of items collected for the month;	325 items
Total amount of U.S. Currency collected;	\$0.00
Total amount of firearms collected;	22
Total amount of marijuana seized;	92.72 grams
Total amount of cocaine seized;	4.21 grams

Total amount of heroin seized;	60 dosage units/8.4gm
Total number of pills and prescription meds seized;	101 dosage units
Total amount and type of other illegal substances seized;	0
Total number of items returned to owner by court order;	0 items
Total number of evidence turned over to other agencies (see narrative);	0 items
Total number of items returned to owner by officer request;	13 items
Total amount of U.S. Currency turned over to school board;	\$0
Total number of items destroyed by court order;	1
Total number of video cd made/copied;	30
Total number of in car videos copied to cd;	4 CD/DVD
Total number of copies of evidence (paperwork) for investigation;	20 items
Total number of evidence packages sent to SBI lab;	17 items

Crime Scenes for month of June 2013:	2
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6-26-13	Larceny from Vehicle Rims/ Charles Boyd Pontiac
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06-30-13	Suspicious Death/331 Corbitt Road
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Total number vehicle processed;	4
Total of items processed at HPD;	1
Total number of items seized;	38
CALEA files turned in;	1

Presentations;

06-27-13	Female Veterans Symposium/VGCC
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SPECIAL OPERATIONS DIVISION



Lieutenant D. Allen Hedgepeth, Division Commander

During the month of June the investigators of the Special Operations Division worked with ATF Agents and the US Attorney's office and had six (6) individuals indicted at the federal level on weapons and narcotics charges. Two of these individuals were taken into custody during the month by Henderson Police Department and ATF Agents and other assisting agencies.

There was no activity involving the Henderson Police Department members of the North Carolina Secretary of State Anti-Counterfeiting Task Force as no cases of counterfeit materials were identified in this area recently. The Task Force continues to be available if needed and it is recommended that the Task Force status remain active at this time.

Vice/Narcotics Unit

Misdemeanor Arrests	8
Felony Arrests	6
Citations Issued	12
Warrants served	23
Search Warrants executed	2
Heroin Seized	12 dosage units
Prescription Medication Seized	86
Marijuana Seized	34.5 grams
Firearms Seized	4
Training Completed	16 hours

Power Shift

Traffic Stops	63
Assist Motorists	2
Written Warnings	63

SERVICES DIVISION**Captain Perry L. Twisdale, Division Commander**

Staff Inspections Conducted	0	Line Inspection Reports Received	0
Radio / Vehicle Equipment Repair Requests	1	Equipment Repairs Completed	3
Computer System repairs / upgrades	8	Employment Applications Received	1
Background Investigations Completed	0	New Employees Hired	0
Current Sworn Vacancies	1	Current F/T Civilian Vacancies	0
Current P/T Civilian Vacancies	0		

Comments:

During the month of June the Services Division updated six (6) General Orders and distributed these orders to all agency personnel for training and review.

At the time of this report there are no vacancies within the department with the exception of the position of the Chief of Police. There are no anticipated vacancies until the retirement of Senior Police Officer Alvis L. Hawkins scheduled for July 31, 2013. There are currently 12 applications on file and of those four are certified. We anticipate making a conditional offer to one of these applicants in July as Officer Hawkins' retirement approaches.

Members from NCLEAN conducted our CALEA Mock on-site on June 25 and 26, 2013. Ret. Major Ricky Buchanan of the Durham County Sheriff's Office (now with NC Central University Police), Mike Dellinger the Accreditation Manager for the NC State Highway Patrol, Tim Johnson Accreditation Manager for the NC State University Police Department and Charles Brown of the Durham County 911 Center reviewed all file and made suggestions for the December On-Site. Lieutenant M.L. Perry attended the NCLEAN conference in Pine Knoll Shores and received further accreditation training.

Services Division staff assisted with the final preparations and presentations of the Department's Budget in June. Despite the departure of Chief Sidwell to retirement in May all budget submissions were presented to the City Manager and to the City Council on time and in a complete format.

Five (5) vehicles that had been parked by the Police Department for sale as surplus were processed in June and all turned over with surplus paperwork to Edna Vaught at City Garage. Four (4) Ford Crown Victoria Police Sedans were stripped of equipment and emblems for sale. A Chevrolet Impala that was seized under Asset Forfeiture was stripped and the "secret compartment" device in the vehicle was removed so the vehicle can be sold. A Nissan Maxima

also seized under asset forfeiture and used by Mr. Washington as a non-emergency vehicle was also parked due to age and needed repairs. One vehicle was returned to service for use by the Vice/Narcotics Unit. One (1) of the Ford Crown Victoria vehicles is being turned over to the Code Compliance Office for further use by the City.

Crime Prevention/Community Services

Community Watch Group	Date	Attendance
Hick's Club Community Watch	06-03-13	21
Fern wood Community Watch	06-04-13	12
Coventry House Inn Community Watch	06-06-13	15
Pinkston Street Community Watch	06-06-13	21
White Oak & Lakeview Community Watch	06-10-13	20
Lincoln Heights Community Watch	06-11-13	03
Sage field Community Watch	06-13-13	10
West Henderson Community Watch	06-18-13	10
Alpha & Omega Community Watch	06-20-13	17
Carolyn Care's Community Watch	06-21-13	07
Alpha & Omega Community Watch	06-20-13	17
Woods 11 Community Watch	06-24-13	10
Pine Raines Community Watch	06-25-13	12
Heritage Homes Community Watch	06-26-13	16
Vance Commons Community Watch	06-28-13	22

Event	Date	Presented by
Fatherhood Day L.B. Yancey School	06-01-13	Lt. Robinson
Clubs Together As One Event	06-01-13	Lt. Robinson /Burrell/Proctor
Cotton Memorial Community event	06-01-13	Thorpe
Safe Kids Car Seat check	06-11-13	Lt. Robinson/ Thorpe
School Of Excellence tour	06-13-13	Lt. Robinson/ Thorpe
Relay For life	06-14 & 15-13	Lt. Robinson / Thorpe
Vance County Summer program Pre-k & 1 st Grade	06-17-13	Lt. Robinson/ Thorpe
Vance County Summer program 2 nd & 5 th Grade	06-18-13	Lt. Robinson/ Thorpe
Kittrell Job Corp Safety presentation	06-24-13	Lt. Robinson/ Thorpe
Clearview Church Community event	06-29-13	Lt. Robinson/ Thorpe

Meeting	Date	Attended
Safe Kids Board meeting	06-04-13	Lt. Robinson / Thorpe
Special Olympics	06-05-13	Lt. Robinson / Thorpe
League of Municipalities	06-05-13	Lt. Robinson
Safe Kids	06-10-13	Lt. Robinson/Thorpe
Crime Stoppers	06-12-13	Robinson/Thorpe

Community meeting Greater Little Zion	06-12-13	Lt. Robinson / Thorpe
HPD Staff Meeting	06-13-13	Lt. Robinson
Act's Board meeting	06-17-13	Lt. Robinson
Juvenile Crime Prevention Council	06-20-13	Lt. Robinson/Thorpe
Vance Gang Awareness Partnership	06-21-13	Lt. Robinson /Thorpe
Community meeting with Joanne Boyette	06-21-13	Lt. Robinson
Vance County Community Advisory Council	06-26-13	Lt. Robinson/Thorpe
Henderson-Vance Night out	06-28-13	Lt. Robinson / Thorpe

Volunteers In Police Services (VIPS)



We currently have three (3) active VIPS members. A meeting was held on June 18th by Services Division Staff in order to plan both a Citizens' Police Academy and to solicit new VIPS candidates from successful students of that program. VIPS members volunteered 242 hours for the month of June 2013. Volunteers assisted officers with the June Safe Kids Car Seat Check, Relay for Life, and Fatherhood Day Community Event at L.B. Yancey School.

Police Records and Crime Analysis

The following are overall call activity and the most active types of calls for service by all divisions in the month of June 2013. Please note that not all responses to calls result in a written investigation or an arrest.

Total Calls for Service	3183
Total Responding units for all calls	5084
911 Hang Up Calls	30
Alarm Calls	103
False Alarms	119
Assist Motorist	42
Assault Calls	40
B&E Motor Vehicle	39
Civil Disputes	59
Disorderly Person	47
Domestic Problem	40
Drug or Alcohol Complaint	31
Escorts	137
Fight Report	39
Harassment/Threat Reports	38
Intoxicated Person	13
General Investigation	566

Loitering	12
Loud Music	67
Mental Subject/Commitment	32
Property Damage	32
Missing Persons	7
Prowler	16
Shots Fired Reports	38
Suspicious Person	68
Suspicious Vehicle	56
Vehicle Stop	749
Trespassing	75
Warrant Service/Attempt	285

HENDERSON POLICE DEPARTMENT

Part I Crimes

Month-to-Month and Annual Comparison

	Jan		Feb		Mar		Apr		May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		TOTAL		Change
	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	
Murder			1	3	1					1															2	4	100.0%
Rape				1		1				2															0	4	nc
Robbery	7	5	5	9	6	9	10	10	6	4	11	6													45	43	-4.4%
Agg Assault	6	11	3	14	5	7	6	18	6	15	6	13													32	78	143.8%
VIOLENT TOTAL	13	16	9	27	12	17	16	28	12	22	17	19	0	0	0	0	0	0	0	0	0	0	0	0	79	129	63.3%
Burglary	50	53	18	18	35	20	32	23	38	24	45	21													218	159	-27.1%
Larceny (Theft)																											
Pocket Pick					2																				2	0	-100.0%
Purse Snatch					1		1																		2	0	-100.0%
Shoplifting	44	56	35	32	41	45	48	62	47	50	48	51													263	296	12.5%
From MV	15	11	7	6	14	9	13	10	9	15	24	19													82	70	-14.6%
MV Parts	8	6	10	4	11	7	10	11	5	7	6	7													50	42	-16.0%
From Building	1	3		4		8		6		5		7													1	33	3200.0%
From Coin Machine				1																					0	1	nc
All other	31	12	15	23	18	19	28	14	35	17	28	26													155	111	-28.4%
Larceny (Theft) Total	99	88	67	70	87	88	100	103	96	94	106	110	0	0	0	0	0	0	0	0	0	0	0	0	555	553	-0.4%
MV Theft	3	3	2		1	1	5	11	5	2	11	7													27	24	-11.1%
PROPERTY TOTAL	152	144	87	88	123	109	137	137	139	120	162	138	0	0	0	0	0	0	0	0	0	0	0	0	800	736	-8.0%
TOTAL INDEX OFFENSES	165	160	96	115	135	126	153	165	151	142	179	157	0	0	0	0	0	0	0	0	0	0	0	0	879	865	-1.6%

Note: The preparer does not recommend public release of this data until verified and published by the State Bureau of Investigation. The figures and percentages represented here will change in coming weeks and months due to quality control revisions and other changes in crime classification, case status and case dispositions.



AGENDA

**Henderson City Council Work Session
Monday, 22 July 2013 Immediately Following Regular Session
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, Sr.
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoe
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. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

IV. REGULAR WORK SESSION

- a)** Consideration of Approval of Ordinance 13-41, FY14 Budget Amendment #3, Closing Out the Public Library Fund. *(CAF 13-14) [See Notebook Tab 12]*
 - Ordinance 13-41
- b)** Consideration of Approval of Resolution 13-55, Amendments to City Administrative Policies 2.03 Definitions, 5.11 Part-Time Employment and 5.12 Temporary Employees, 6.06.00 Dress and Appearance Policy and 4.13 Separation Pay. *(CAF 13-80) [See Notebook Tab 13]*
 - Resolution 13-55

- c) Consideration of Approval of Ordinance 13-42, Providing for Limited Enforcement in the Extra-Territorial Jurisdiction Area (ETJ), Pursuant to Section 40 of the City Charter and Asking the Planning Board to Review and Provide a Recommendation on Same to the City Council. (CAF 13-82) [See Notebook Tab 14]
 - Ordinance 13-42
- d) Consideration of Approval of 1) Resolution 13-21-A, Accepting the North Carolina Governor's Highway Safety Program Grant in the Amount of \$18,300 for the Purchase of Traffic Enforcement Equipment; and 2) Ordinance 13-46, FY14 Budget Amendment #6, Establishing Budget for Said Grant. (CAF 13-27-A) [See Notebook Tab 15]
 - Resolution 13-27-A
 - Ordinance 13-46
- e) Water Deposit & Fees Discussion. (CM 13-15) [See Notebook Tab 16]
- f) General Projects Update [See Notebook Tab 17]

V. ADJOURNMENT

City Council Action Form

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



Agenda Item: _____

Council Meeting: 22 July 13 Work Session

10 July 2013

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

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

RE: **CAF: 13-14**
Consideration of Approval of Ordinance 13-41 FY14 Budget Amendment #3,
Closing Out the Public Library Fund

Ladies and Gentlemen:

Recommendation:

- Approval of Ordinance 13-41 FY14 Budget Amendment # 3, Closing Out the Public Library Fund.

Executive Summary:

The Public Library Fund was established years ago when a portion of the property tax was used to help finance the library. Contemporary inter-local agreements between the City and Vance County provide for a cost sharing plan which is currently 25% City and 75% County. Thus, utilization of this fund is no longer needed as it has become archaic. The Library's annual budget request is now reflected in the General Fund along with other County shared programs. This amendment serves to close out the Public Library Fund and transfer the remaining funds to the General Fund.

Enclosure:

1. Ordinance 13-41

O R D I N A N C E 13-41

AN AMENDMENT TO THE FY 2013 – 2014 BUDGET BUDGET AMENDMENT #3 CLOSING OUT FUND 40: PUBLIC LIBRARY FUND

WHEREAS, the City Council of the City of Henderson (Council), on 27 June 2013, adopted the FY 13-14 Operating Budget; *and*

WHEREAS, the Council had heretofore created and used a Public Library Fund for accounting for revenues and expenditures of the Public Library; *and*

WHEREAS, the utilization of the Public Library Fund is no longer needed and the Library's annual budget request is now being reflected in the General Fund and, therefore, it is necessary to amend the various revenue and expense accounts of the annual operating and Public Library Fund to effect closeout of the Public Library Fund, said amendment being incorporated into this Ordinance; *and*

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 and the NC Department of Commerce:

FUND 40: Public Library Fund and 10: General Fund			Ordinance 13-41 FY13-14 Budget Amendment # 3			
PUBLIC LIBRARY FUND REVENUES: 40			Approved 1-Jul-13	Current Budget	Amendment	Revised
Department	Line Item	Code				
	Fund Balance Appropriation	40-990-490999	\$ -	\$ -	\$ 461	\$ 461
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 461	\$ 461
						\$ 461
PUBLIC LIBRARY FUND EXPENDITURES: 40			Approved 1-Jul-13	Current Budget	Amendment	Revised
Department	Line Item	Code				
	Trans to: 10 General Fund	40-850-561010	\$ -	\$ -	\$ 461	\$ 461
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 461	\$ 461
						\$ 461
		Variance			\$ -	
GENERAL FUND REVENUES: 10			Approved 1-Jul-13	Current Budget	Amendment	Revised
Department	Line Item	Code				
	Trans fr: 40 Public Library Fund	10-980-461040	\$ -	\$ -	\$ 461	\$ 461
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 461	\$ 461
						\$ 461
GENERAL FUND EXPENDITURES: 10			Approved 1-Jul-13	Current Budget	Amendment	Revised
Department	Line Item	Code				
	Reserve	10-660-900999	\$ -	\$ -	\$ 461	\$ 461
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 461	\$ 461
						\$ 461
		Variance			\$ -	
Reference:			Notes:			
22 July 2013 Meeting; CAF 13-14; Ordinance 13-41; BA #3			To transfer remaining funds from the Public Library Fund to the General Fund. This fund is no longer being utilized. The Library's annual budget request is reflected in the General Fund along with the other Vance County Shared Programs.			

The foregoing Ordinance 13-41 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 22 day of July 2013: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 13-14*

**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 13-30 adopted by the Henderson, City Council in Regular Session on 22 July 2013 (*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 July 2013.

Esther J. 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: 22 July 13 Work Session

17 July 2013

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

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

RE: **CAF: 13-80**

Consideration of Approval of Resolution 13-55, Amendments to City Administrative Policies 2.03 Definitions, 5.11 Part-Time Employment and 5.12 Temporary Employees, 6.06.00 Dress and Appearance Policy and 4.13 Separation Pay.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 6: Develop and Maintain a Qualified Municipal Workforce – To provide a supportive and competitive workforce climate that facilitates and maintains a strong workforce capability and capacity and adequate staffing levels.

Recommendation:

Approval of Resolution 13-55, Amendments to City Administrative Policies 2.03 Definitions, 5.11 Part-Time Employment and 5.12 Temporary Employees, 6.06.00 Dress and Appearance Policy and 4.13 Separation Pay.

Executive Summary:

The City is committed to promoting an efficient and effective work environment for all employees. New Federal regulations regarding *Part-Time employment* (Policies 2.03, 5.11 and 5.12) require a pro-active response. The Affordable Care Act as approved will require that Part-Time employees which average working 30 hours a week be offered medical insurance. A policy to define Part-Time employment and to establish guidelines for supervisors is critical. No action could potentially become a liability to the City's budget.

The current Administrative Guide lacks language which defines or set standards of *Professional Dress*. The Safety and Service Department are provided uniforms which are required to be worn when on duty. The one statement reference in the Policy to dress and appearance is the expectation of "professional dress". The propose policy addresses what is and is not appropriate dress for City employees. It provides guidance on professional dress, appearance and hygiene.

The *Separation Pay* policy was amended to include examples of situations which would warrant the forfeiture of accumulated annual leave. A list of egregious violations that is inclusive of the examples but not limited.

Enclosures:

1. Resolution 13—55

RESOLUTION 13—55

A RESOLUTION APPROVING AMENDMENTS TO CITY ADMINISTRATIVE POLICIES 2.03 DEFINITIONS, 5.11 PART-TIME EMPLOYMENT AND 5.12 TEMPORARY EMPLOYEES, 6.06.00 DRESS AND APPEARANCE POLICY AND 4.13 SEPARATION PAY

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 6: Develop and Maintain a Qualified Municipal Workforce – *To provide a supportive and competitive workforce climate that facilitates and maintains a strong workforce capability and capacity and adequate staffing levels; and*

WHEREAS, the Henderson City Council provides personnel policies that provide for the proper administration of Human Resources; *and*

WHEREAS, it is appropriate to amend the policies from time to time; *and*

WHEREAS, Administrative Policies, 2.03 *Definitions*, 5.11 *Part-Time Employment* and 5.12 *Temporary Employees*, 6.06.00 *Dress and Appearance Policy* and 4.13 *Separation Pay* are amended to promote an effective and efficient productive work environment for all employees

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the amendments to Administrative Policies, 2.03 *Definitions*, 5.11 *Part-Time Employment* and 5.12 *Temporary Employees*, 6.06.00 *Dress and Appearance Policy* and 4.13 *Separation Pay* being more fully articulated in **Attachments A, B and C** to this Resolution.

BE IT FURTHER RESOLVED BY THE HENDERSON CITY COUNCIL that the afore referenced Administrative Policies shall be effective on the adoption date of this Resolution.

The foregoing Resolution 13-55, 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 **** 2013: 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

2.03 DEFINITIONS:

- (a) Full-time Employee. An employee who is regularly scheduled to work the number of hours per workweek designated by the City Council as full-time. In the absence of any contrary definition, full-time shall be at least thirty (30) hours of work per workweek.
- (b) Regular Employee. An employee who has successfully completed the prescribed employee in training periods shall be considered a regular employee. However, all City positions are subject to budget review and approval each year by the City Council, all employees' work and conduct must meet standards of performance and behavior, and all employees are employed "at will". Therefore, reference to "regular" employees or permanent positions should not be construed as a contract or right to perpetual funding or employment.
- (c) Employee in Training. A person appointed to a budgeted position who has not yet completed the employee in training period.
- (d) Part-time Employee. An employee, either regular or temporary, who is regularly ~~less than the number of hours per workweek designated by the City Council as full time~~ scheduled either for twenty-eight (28) hours a week or less, for a period not to exceed thirty-five (35) weeks in a calendar year or nineteen (19) hours a week annually.
- (e) Temporary Employee. A person appointed to serve in a position for a defined time period, usually less than six months.
- (f) Grievance A claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

5.11 PART-TIME EMPLOYMENT:

Part-time employees who are not appointed to regular full-time positions do not accrue vacation leave, sick leave, holidays or other benefits afforded to regular full-time employees.

Part-time employees must not be scheduled to work more than one thousand (1000) hours in a calendar year nor average more than twenty-eight (28) hours for a sustained period of time not to equal or exceed thirty-five (35) weeks or less. Part-time employees working year-round should average nineteen (19) or less hours per week to be in compliance. Department supervisors will be held accountable for non-compliance (if exceeding 35 hours per week).

5.12 TEMPORARY EMPLOYEES:

Temporary employees may be hired for various seasonal jobs for certain periods of time, but not to exceed six (6) months. Temporary employees may be hired with the approval of the City Manager. The rate of pay shall typically be competitive with pay for similar labor in the Henderson/Vance County labor market.

All benefits of a regular full-time employee such as insurance, vacation leave, sick leave, holidays, retirement benefits, etc., will begin to accrue to the employee after acceptance of regular full-time employment.

Temporary employees shall not be scheduled to work more than one thousand (1000) hours in a calendar year. The temporary, seasonal employee should be employed for certain periods not to exceed six (6) months in order to comply. Department supervisors are accountable for compliance.

6.06.00 DRESS AND APPEARANCE POLICY

PURPOSE

The purpose of this policy is to establish the City's guidelines for the appearance of City of Henderson employees when performing duties and conducting business for the City and to ensure all employees project and maintain a positive public image at all times. See Section 8.11 (Uniforms) of the Administrative Policy for dress requirements for the Public Safety sector and other classes of employees.

City of Henderson employees are expected to represent the City to its citizens and general public in an exemplary manner both in conduct and appearance at all times. City employees should always be well-groomed and dressed in a manner suitable for the public service environment and in attire that allows the employee to work comfortably in the workplace.

As all casual clothing is not suitable for the office, these guidelines will help employees determine what is acceptable to wear to work. Clothing that works well for leisure time generally will not be appropriate for a professional appearance at work.

Because of the changing nature of fashion, regulations pertaining to acceptable employee attire and grooming are flexible; however, there are certain expected norms of professional appearance, personal neatness, cleanliness, and good grooming which are applicable to all employees.

GENERAL MINIMUM GUIDELINES

A. All clothing should be neat, clean, pressed or wrinkle-free, in good condition, without holes or fraying, with finished seams, and in keeping with the nature of the duties performed.

B. Any clothing that has words, terms or pictures that may be offensive to others is unacceptable. Also inappropriate is clothing that promotes alcoholic beverages, tobacco, the use of controlled substances, depicts violence, and is of a sexual nature, of a disruptive nature, or of a political nature.

C. Clothing that reveals too much cleavage, your back, your chest, your stomach, or your underwear is not appropriate for a place of business. Clothing must not be provocative, revealing, low-cut, indecent, vulgar, obscene, or profane.

D. Clothing that is tight-fitting, see-through or otherwise revealing, including skirts and dresses that are too short and blouses that are too low or too short, is not appropriate at any time. Dress and skirt length should be at a length at which the wearer can sit in public without being revealing.

GENERAL MINIMUM GUIDELINES (continued)

E. Extravagant and extreme styles and attire are not in good taste in a public service environment.

F. Employees in departments requiring uniforms must adhere to the uniform code of dress appropriate for that department.

G. Reasonable accommodations shall be made for employees who, because of a sincerely held religious belief of a recognized religious organization, cultural heritage, or medical reason, request a waiver of a particular part of this policy for dress or appearance.

H. Violations of the policy can range from inappropriate clothing items to offensive perfumes and body odor.

NON-COMPLIANCE GUIDELINES

An employee's department head and/or supervisor will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the City. Any employee deemed to be inappropriately dressed or groomed will be asked to return home in order to correct the unacceptable infraction. Employees will not be compensated for the time they do not work as a result unless vacation leave or compensatory time is used. Repeated violations will be subject to further disciplinary action up to and including dismissal.

This Dress and Personal Appearance Policy shall remain flexible and shall be reviewed and updated on a regular basis. It has been formulated to be fair and uniform, not overly restrictive, and still allow employees to retain their personal style. This policy is also intended to take into consideration any health, medical or religious needs that employees may encounter with the guidelines herein established.



CITY OF HENDERSON

Post Office Box 1434
134 Rose Avenue
Henderson, North Carolina 27536-1434
Phone: (252) 430-5706 FAX: (252) 492-7935

DRESS AND PERSONAL APPEARANCE POLICY

By my signature I, _____, hereby acknowledge that I have been provided a copy of the City of Henderson's Dress and Personal Appearance Policy and Handout. I also acknowledge that I understand and will comply with the provisions of this policy and any amendments as they are properly issued.

Employees Signature

Date

Witness

Date

DRESS AND PERSONAL APPEARANCE **HANDOUT**

EXAMPLES OF APPROPRIATE & INAPPROPRIATE DRESS

A. Slacks, Pants, Suit Pants

APPROPRIATE

- a. Similar to Dockers and other makes of cotton or synthetic material pants
- b. Wool or flannel pants
- c. Dressy crop/Capri pants

INAPPROPRIATE

- a. Pants worn below the natural waist, i.e., hip huggers, low riders
- b. Denim blue jeans, unless approved for a specific event or job task, i.e. casual Fridays; must be without holes or fraying, with finished seams
- c. Sweatpants, athletic outfits, jogging suits, wind suits, exercise pants
- d. Shorts, unless approved for a specific event or job task, skorts, culottes, Bermuda shorts, short shorts, cutoffs, jean shorts
- e. Bib overalls
- f. Leggings
- g. Any spandex or other form-fitting pants such as people wear for biking

B. Skirts, Dresses, Jumpers, Skirted Suits

APPROPRIATE

- a. Casual dresses and skirts
- b. Skirts split at or below the knee
- c. Jumpers

INAPPROPRIATE

- a. Micro-mini skirts, mini skirts, sun dresses, beach dresses, or any other dresses higher than three (3) inches above the knee
- b. Dresses with spaghetti straps
- c. Backless dresses without a jacket or cover-up
- d. Dresses with inappropriate cutouts, excessive armpit cutouts, or see-through elements
- e. Dresses that do not cover the back, waist and midriff

EXAMPLES OF APPROPRIATE & INAPPROPRIATE DRESS

continued

C. Shoes, Footwear

APPROPRIATE

- a. Conservative athletic or walking shoes
- b. Loafers
- c. Clogs
- d. Boots
- e. Flats, open & closed toe
- f. Dress shoes & dress heels, open & closed toe
- g. Leather deck-type shoes
- h. Sandals

INAPPROPRIATE

- a. Flashy athletic shoes
- b. Flip-flops
- c. Bedroom slippers
- d. Bare feet

D. Hats, Head Coverings, Head Gear

APPROPRIATE

- a. Head gear designed for safety or protection when employee works outdoors or when performing duty indoors that requires such protection
- b. Head coverings that are required for religious purposes
- c. Head coverings worn to honor cultural traditions

INAPPROPRIATE

In accordance with common courtesy and tradition, all hats, including baseball caps, shall not be worn by employees working in City offices.

EXAMPLES OF APPROPRIATE & INAPPROPRIATE DRESS

continued

A. Jewelry

- a. Conservative earrings, necklaces, bracelets, watches, rings, and ankle bracelets are permitted.
- b. Jewelry must not interfere with an employee's ability to perform his/her job duties.
- c. All jewelry should be in good taste.
- d. Jewelry should not be worn in excessive amounts.
- e. Jewelry should not be overly gaudy or ostentatious.
- f. Visible body piercing should be limited and the wearing of facial jewelry, such as nose rings, tongue rings, and lip and eyebrow rings, are not allowed at work or at any City function.

B. Makeup, Perfume, Cologne

Because some people are allergic to the chemicals in perfumes and make-up, these substances should be worn with restraint.

C. Hair, Hairstyles

Extreme hairstyles and hair colors, such as hair dyed pink, purple, green, blue, etc., are inappropriate for the workplace. Hair should be neat in appearance and clean. Facial hair and general hair length should be an appropriate length to reflect a professional appearance and be safe in the workplace.

D. Tattoos

Tattoos bearing offensive language or logos that are or could be seen by others as profane, racist, sexist or discriminatory in nature are to be covered.

4.13 - SEPARATION PAY:

An employee who is separated shall be paid for annual leave accumulated to the date of separation not to exceed the maximum allowed provided he/she has completed six (6) or more months of continuous service and provided he/she has submitted and worked a two-week notice. Department heads shall submit a written resignation and work a minimum four-week notice. An employee who is involuntarily separated without fault or delinquency on his/her part shall be paid for annual leave accumulated to the date of separation not to exceed the allowable maximum for accumulation purposes. Compensation for accumulated annual leave **shall not** be paid to an employee dismissed for cause ~~or delinquency or who does not submit the required notice or does not surrender any and all City issued or provided equipment, and any office or City related materials and document.~~ as outlined in Section 10.03 DISCIPLINARY ACTIONS subsection grossly inefficient job performance and:

- (a) Falsification of mandated reporting to the State or Federal government
- (b) Failure of drug and/or alcohol screening
- (c) Violence in the workplace
- (d) Theft of City property
- (e) Conviction of a felony

Employees who does not submit the required notice to separate or obtain written permission from their supervisor to leave at an earlier agreed upon date will be subject to forfeiture of accumulated annual leave. Also, anyone that does not surrender any and all City issued or provided equipment, and any office or City related materials and document will have the final pay handled in accordance with N.C. G.S. §95-25.8.

- (a) Final pay will be made after all documented indebtedness to the City has been paid in full, (in accordance with N.C.G.S. §95-25.8) and all supplies formerly in the possession of said employee have been accounted for in proper condition.
- ~~(b) Separation pay will include the maximum amount of leave that is allowable for accumulation purposes as defined in Section 9.05 of this manual.~~

City Council Action Form

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



Agenda Item: _____

Council Meeting: 22 July 2013 Work Session

17 July 2013

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

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

RE: CAF: 13-82

Approval of the Concept of Ordinance 13-42, Providing for Limited Enforcement in the Extra-Territorial Jurisdiction Area (ETJ), Pursuant to Section 40 of the City Charter and Asking the Planning Board to Review and Provide a Recommendation on Same to the City Council

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **KSC 6: Improving City Services:** In order to ensure City's resources are being utilized in the most cost efficient and effective manner, it is critical that the City's work process and service delivery system be examined and improved in order to achieve its mission.

Recommendation:

- Approval of the Concept of Ordinance 13-42, Providing for Limited Enforcement in the Extra-Territorial Jurisdiction Area (ETJ), Pursuant to Section 40 of the City Charter and Asking the Planning Board to Review and Provide a Recommendation on Same to the City Council

Executive Summary:

On April 24, 2006, the City of Henderson adopted an ordinance providing enforcement of the following City Charter: **Chapter 7: Abandoned/Junked Vehicles**; **Chapter 21: Minimum Housing Abandoned Structures, Summary Abatement**; and **Chapter 23: Nuisances and Weeded Lots**. The ordinance allowed enforcement throughout the Extra-Territorial Jurisdiction (ETJ), which extends 1½ miles beyond the City limits creating a large area to aggressively enforce applicable codes of property maintenance. The original purpose of the 2006 ordinance was to allow enforcement of the 2005 David Street Community Development Block Grant.

Since that time, the Department's staffing has been reduced by one-third and operating funding is less. The ability to effectively enforce code compliance in the ETJ except where properties are divided by the city limit line, activities are funded via a grant, as well the case with the David Street CDBG project, or when there is an immediate need to resolve an issue that is having an adverse impact on the health, safety and welfare of citizens of Henderson or the interest of the City of Henderson, is limited. At this point, Code Compliance cannot even keep up with the need for enforcement within the city limits. Additionally, code compliance activities are funded with general funds. Given the very constrained budgets facing the City, the efficacy of spending general tax dollars for demolition in the county, when there are insufficient funds to resolve the backlog of similar properties within the city, is questionable.

Should Council wish to proceed with this item, a request must be made to the Planning Board for its review, conducting a public hearing and recommendation back to council. Upon receipt of such recommendation, Council may then conduct a public hearing and subsequently decide if it wishes to approve the ordinance amendment.

Enclosure:

1. Ordinance 13-42
2. Background Information

ORDINANCE 13-42

After receiving the recommendation of the Planning Board and after a duly advertised public hearing thereon, Councilperson _____ introduced the following Ordinance which was seconded by Councilperson _____ and read:

AN ORDINANCE PROVIDING FOR LIMITED ENFORCEMENT IN THE EXTRA-TERRITORIAL JURISDICTION, PURSUANT TO SECTION 40 OF THE CITY CHARTER, OF THE MINIMUM HOUSING CODE; ABANDONED STRUCTURES ORDINANCE; SUMMARY ABATEMENT OF NUISANCES ORDINANCE; WEEDED LOT ORDINANCE; AND JUNKED, ABANDONED AND NUISANCE MOTOR VEHICLES ORDINANCE

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

Section 1. That the following language be inserted in the following places of the City Code of the City of Henderson:

The language to be inserted is:

“Notwithstanding the above activity, the powers set forth herein shall not be enforced by the City in the ETJ unless funding is provided for specific enforcement within the ETJ via grants, funding from Vance County or from the City Council or other sources. On the other hand, said enforcement shall be allowed when the property is divided by the city limit line, and/or if the City Manager specifically finds either that a particular property in proximity to the city limits is having an adverse impact on the health, safety and welfare of a Henderson citizen or property or that the same is necessary in the best interest of the City of Henderson as it relates to the overall health, safety and welfare of the citizens of Henderson.”

The above language is to be inserted in the following places:

- (a) Following the first sentence of Section 7-114 of the City Code (relative to Junked, Abandoned and Nuisance Vehicles Ordinance).
- (b) Following the first sentence of Section 21-2 of the City Code (relative to Minimum Housing Code).
- (c) Following the first sentence of Section 21A-1 of the City Code (relative to Abandoned Structures).
- (d) Following the first sentence of Section 21B-1 of the City Code (relative to Summary Abatement of Nuisances).
- (e) Following the first sentence of Section 23-1 of the City Code (relative to the Weeded Lot Ordinance).

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

The foregoing Ordinance 13-42, 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 _____, 2013: 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 4**, 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 13—42, An Ordinance Providing For Limited Enforcement In The Extra-Territorial Jurisdiction, Pursuant To Section 40 Of The City Charter, Of The Minimum Housing Code; Abandoned Structures Ordinance; Summary Abatement Of Nuisances Ordinance; Weeded Lot Ordinance; And Junked, Abandoned And Nuisance Motor Vehicles Ordinance*, adopted by the Henderson, City Council in Regular Session on ** ** 20** (*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 *** 20**.

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



City of Henderson
Code Compliance Department
Post Office Box 1434
134 Rose Avenue
Henderson, N. C. 27536
Phone (252) 430-5725 Fax (252) 492-7935

May 7, 2013

TO: Ray Griffin, City Manager
FROM: Corey K. Williams, Director
RE: ETJ Enforcement 2

The Extra-Territorial Jurisdiction (ETJ) is plague with blighted neighborhoods. There have been attempts to remove the blight within these areas through grant incentives. Some neighborhoods have received grant funds and as a result, reduction in blight has improved the area such as the David Street (city administered grant) and Julia Avenue (county award grant) through Community Development Block Grant (CDBG). There have been attempts to reduce blight in other neighborhoods within the ETJ, such Yancey Street, Hawkins Street, St. Matthews Street and others. However, these areas continue to have blight for failure of grant funding.

The City of Henderson does not have the ability to enforce housing and property maintenance codes within the ETJ. The corporate limits of the city have several neighborhoods that are plagued with dilapidated properties. Since August of 2004, the city has focused on reducing blight areas. The City created a department to enforce housing and property maintenance codes along with budget funding to demolish structures, abate nuisance lots, and bring properties into compliance. Funding for the Code Compliance Department comes directly out of the general fund and does not include any county funds to operate.

Therefore, no city enforcement of housing and property maintenance codes perform within the ETJ. The only exception the City of Henderson will enforce housing and property maintenance codes when a Community Development Block Grant is awarded or other grant / redevelopment projects. The approval by City Council or City Manager is required prior to enforcement within the ETJ.



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May 3, 2013

TO: Ray Griffin, City Manager

FROM: Corey K. Williams, Director *CKW*

RE: ETJ Enforcement

On April 24, 2006, an ordinance adopted by the City Council provided the Fire Department, Police Department, and Code Compliance Department certain enforcement authority in the Extra-Territorial Jurisdiction (ETJ) area. The Police Department has the authority to enforce Junked, Abandoned and Nuisance Motor Vehicles, the Fire Department has the authority to enforce Summary Abatement of Nuisance, and Code Compliance Department has the authority to enforce the Minimum Housing Code Chapter 21, Abandoned Structure Chapter 21A, and Weeded Lot Chapter 23, within the ETJ area. The purpose of enforcing certain property maintenance codes in the ETJ was to ensure necessary compliance in the ETJ area during the David Street Community Block Grant Project.

The grants consisted of an area of 17 properties (four located in the City) that treated street, water, sewer improvements, housing rehabilitation, demolitions, and created a children park. During the grant, process the only Code Compliance case was demolition of 914 David Street located in the city all other demolition abatement came as a direct part of grant activity.

Since that time, the Code Compliance Department has done limited enforcement within the ETJ that involve Collection and Billing Office through delinquent utility accounts (water cut off). The City of Henderson has not ordered any structures, closed, vacated, or demolished within the ETJ by order of City Council. No Code Compliance Department budgetary funds spent on demolition or abatement in the ETJ.

Building on Monday, April 24, 2006, beginning at 7:00 P.M.

Present and Presiding:

Mayor:

Council Members:

Donald C. Seifert, Jr.
Mary Emma Evans
D. Bernard Alston
Lynn H. Harper
Robert B. Gupton
Elissa P. Yount
Garry D. Daeke
Lonnie Davis, Jr.
Ranger Wilkerson
Jerry L. Moss
Dianne E. White
John H. Zollicoffer, Jr.

City Manager:

City Clerk:

City Attorney:

HENDERSON CITY COUNCIL AGENDA

1. CALL TO ORDER - Mayor Seifert
2. ROLL CALL - City Clerk
3. INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Evans
4. OPENING REMARKS - Mayor Seifert

a. WELCOME 2006 LEADERSHIP-VANCE CLASS!

The Mayor recognized the group in attendance (12) ... Rachel Hedrick from the Chamber thanked the Council for having participants attend a Council Meeting and she noted the nice time all had on City Day (4/18).

The Mayor thanked last year's City participants (Corey Williams, Yolanda Walker and Tandra Henderson) who coordinated this year's City events. The 2006 L-V City participants are: Pam Brame, Christy Lipscomb and Dawn Parrish. Seifert thanked Hedrick and Edwards with the Chamber for continuing sponsorship of this program. **SEE ATTACHMENT "A"**

5. ADJUSTMENTS TO AND/OR APPROVAL OF THE APRIL 24TH, 2006 MEETING AGENDA - Mayor, City Council, Manager and or City Clerk

Item 12a was moved to 9c
Add-On for Tax Refunds/Releases

With the above noted changes, tonight's agenda was approved on a motion by Ms. Evans, seconded by Mr. Davis. All voted in favor.

6. CONSENT AGENDA "A" (requiring a simple voice vote)

a. Minutes of Council Meeting held on 4/10/06 (See Attached) - City Clerk

Above was approved on a motion by Mr. Davis, duly seconded by Ms. Yount. All voted in favor.

7. CONSENT AGENDA "B" (requiring a roll call vote)

- a. Budget Amendment No. 34 – Water Fund – Water Distribution (See Attached) ✓
FAIR Committee Chairman Harper and/or City Manager Jerry Moss
- b. Budget Amendment No. 35 – General Fund - Code Compliance Department (See Attached) – FAIR Committee Chairman Harper and/or City Manager ✓
Jerry Moss
- c. An Ordinance Changing the Privilege License Fees Collected for Taxicabs to comply with NCGS §20-97(d) (See Attached) - City Attorney John Zollicoffer ✓

H:\AGENDAS\2006 apr 24 minutes.doc

Page - 1 - of 8

Gupton, duly seconded by Mr. Daeke. All voted in favor. This ordinance is recorded in the Book of Ordinances.

- d. Public Hearing (set at the Council's 4/10/06 Regular Meeting) on An Ordinance Providing for Enforcement in the Extra-Territorial Jurisdiction, pursuant to Section 40 of the City Charter, of the Minimum Housing Code; Abandoned Structures Ordinance; Summary Abatement of Nuisances Ordinance; Weeded Lot Ordinances; and Junked, Abandoned and Nuisance Motor Vehicles Ordinance (See Attached) - **Mayor Seifert, Land Planning Committee Chairman Gupton and/or City Attorney John Zollicoffer**

The Mayor noted this matter was considered (and defeated) on September 25th, 2000 due to shortage of manpower. **SEE ATTACHMENT "B"**. Seifert (as Council Member in 2000) voted in favor. Mayor Seifert opened this matter for Public Hearing. No one spoke. Therefore, the Hearing was closed.

On an introduction by Mr. Gupton, duly seconded by Mr. Davis it was moved to adopt An Ordinance Providing for Enforcement in the Extra-Territorial Jurisdiction, pursuant to Section 40 of the City Charter, of the Minimum Housing Code; Abandoned Structures Ordinance; Summary Abatement of Nuisances Ordinance; Weeded Lot Ordinances; and Junked, Abandoned and Nuisance Motor Vehicles Ordinance. All 8 members voted in favor and the ordinance is recorded in the Book of Ordinances.

Seifert said in light of adoption of the above ordinance, and the fact budget work is underway, "make whatever arrangements are necessary to enforce these in the ETJ" - he noted the Council just now assumed enforcement - not 'selective' enforcement. Ms. Dunston smiled and said "Give me some people". Mr. Daeke added that most of the current CDBG Project area (underway) is just outside city limits.

- e. Continued Public Hearing (from the Council's Regular Meeting on 3/27/06) on An Ordinance Providing for the Compliance or Removal of Certain Non-Conforming Auto Repair Facilities, Non-Accessory Outdoor Storage and Junk Yards (See Attached) - **Mayor Seifert, Land Planning Committee Chairman Gupton and/or Planning Director Erris Dunston**

Chairman Gupton said a meeting has been set for Wednesday, 5/3 - he, his committee and Planning Director Dunston plan to tour some of the sites and assist business owners with compliance of this proposed ordinance.

The Mayor opened the Public Hearing as required - no speakers; therefore, the Public Hearing was continued until the Council's next meeting (5/8/06) on a motion by Ms. Yount, duly seconded by Ms. Evans. All voted in favor.

9. GUEST PRESENTATIONS AND PUBLIC COMMENT PERIOD

Special Note: The Mayor and Council, at a Retreat held on 12/6/05, decided to make "Speak Up Henderson" part of the City Council Meetings beginning with the first Regular Meeting in January, 2006. Each guest, **signing up to speak at the meeting**, is asked to limit comments to **five (5) minutes**. Anyone wishing to speak during this comment period is asked to sign up with the City Clerk prior to the start of the Council Meeting. A sign up sheet will be provided by the Clerk. Although the Mayor and Council are interested in hearing all concerns and observations, speakers should not necessarily expect specific Council action or deliberation on subject matter brought up during the public comment section. Topics requiring further investigation will be referred to the appropriate City official, staff member, Council Committee or agency as appropriate and may, if in order, be scheduled for a future meeting agenda. Speakers are reminded that 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.

Thank you for your consideration of the Mayor, Council, City Staff and, in particular, other speakers and citizens.

- a. By Mr. Rickey Padgett with the North Carolina Police Benevolent Association (NCPBA) regarding Henderson Police Department Take Home Fleet

Mr. Padgett was welcomed by the Mayor ... Padgett, a police officer of 22 years from an agency who has had take home police vehicle policy in place for many years, addressed the Council. He gave a passionate presentation on the benefits of allowing officers to take home an individually assigned



**Land Planning Committee Meeting
Held 2/15/06 at 4:00 PM
City Hall Conference Room**

Present:

Council Member Bobby Gupton, Chair
Council Member L. Davis
Council Member G. Daeke
Council Member R. Wilkerson
Council Member R. Gupton
Council Member E. Yount
Council Member M. Evans
City Manager J. Moss
Code Compliance C. Williams
City Engineer F. Frazier
Executive Assistant Pam Brame (taking minutes while City Clerk on vacation)

Guests:

Mr. Lewis Edwards

Mr. Jason Feingold (HomeinHenderson.com)
Ms. Jennifer Williams (Daily Dispatch)

1. Yard Sales

Chairman Gupton distributed the enclosed letter and proposed Ordinance Regulating Yard Sales sent to him from City Attorney John Zollicoffer.

The proposed Ordinance will be voted on by the City Council.

Council Member Evans questioned provision #5 of the Ordinance:

"(5) No new merchandise or merchandise which was purchased (within 90 days of the date of the yard sale) for the purpose of resale or obtained on consignment (other than from family members of the household residing on the premises) shall be sold at the yard sale."

Council Member Evans understood the provision to mean that you can only sale something that you already own and you cannot go out and purchase anything to resale. Chairman Gupton confirmed her understanding by saying "You can't buy it and resale it. You're not supposed to buy stuff to sell at a yard sale."

Council Member Evans further questioned "Suppose I buy a dress and I don't like it?"

Bob Fuller of the County has been in charge and getting the bills. The group was sure the City has been paying half.

Drain the commodes so they don't burst. That right hand side of the building, the wood has rotted, the roof has pulled loose from the wall and dropped down and water is puddling and can't get off the roof, can't drain. The office in front, same thing, water had puddled and the wood ceiling was not safe and Council Member Daeke was afraid to stand underneath it because of possible collapse.

3. ETJ

Council Member Ms. Yount suggested that the City propose we enforce our Ordinances in the ETJ.

Chairman Gupton stated "City Attorney Zollicoffer said we had the authority for some of the Ordinances but not all, we could not do any zoning or planning enforcement."

Council Member Ms. Yount believed we could do them all, we just haven't chosen to. Right now, we only do zoning and planning.

Chairman Gupton remembered that we requested a target area more less, a sample area we would look.

Council Member Ms. Yount said the Council has not enacted the responsibility to patrol ETJ. "That's what we need the Council to vote on that we will enforce our Ordinances in the ETJ."

Council Member Davis said "It's in our Charter that we can do it but we don't have an Ordinance."

City Attorney Zollicoffer just needs to write the Ordinance.

City Manager asked "Are we talking about enforcing minimum housing. Clean up, start enforcing outside before you clean up your own house inside?"

Council Member Ms. Yount stated "It's not the point at all. The point is if we don't have it, then these egregious problems like on Apple Street and Norlina Road, is not addressed by anyone. If we need to, we can."

City Manager Moss can take care of it with Zollicoffer.

Code Compliance Director Williams asked "When will you decide the target areas?"

Council Member Daeke believed that if we get the ordinance and see where we have the problem. He thought we were going to look at an area or two entrances to the City. Pick 1 or 2 places that we thought were the worse and then begin the process there of entry ways to the City where we felt people get a bad impression when they come into town. Main corridors. "I don't know if that's discriminatory or not."

4. City Owned Properties

Frank Frazier sent letters out and has the letter from Gateway Development. Advertising available properties for 3 months and then contact a broker. It's been a month.

Council Member Ms. Yount "Have the brokers that looked at it originally been notified that its on the website and properties up for sale? Have we notified anybody that we put it up for sale?"

Frank said a couple of brokers knew about it.

Chairman Gupton said a lot of brokers know about it.

Council Member Daeke said the website was pretty effective especially with the number of hits.

April 24, 2006

After a duly advertised public hearing, Councilperson Gupton introduced the following Ordinance which was seconded by Councilperson Deake and read:

AN ORDINANCE PROVIDING FOR ENFORCEMENT IN THE
EXTRA-TERRITORIAL JURISDICTION, PURSUANT TO SECTION 40 OF THE CITY CHARTER,
OF THE MINIMUM HOUSING CODE; ABANDONED STRUCTURES ORDINANCE;
SUMMARY ABATEMENT OF NUISANCES ORDINANCE; WEEDLOT ORDINANCE; AND
JUNKED, ABANDONED AND NUISANCE MOTOR VEHICLES ORDINANCE

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

Section 1. The following sentence be added at the beginning of Section 7-114 of the City Code (relative to Junked, Abandoned and Nuisance Motor Vehicles Ordinance):

"The provisions of this Article shall be enforceable not only within the city limits of the City of Henderson, but also within the Extra-Territorial Jurisdiction Area, established and defined by law, surrounding the City."

Section 2. The following sentence be added at the beginning of Section 21-2 of the City Code (relative to Minimum Housing Code):

"The provisions of this Chapter shall be enforceable not only within the city limits of the City of Henderson, but also within the Extra-Territorial Jurisdiction Area, established and defined by law, surrounding the City."

Section 3. The following words "and within the Extra-Territorial Jurisdiction Area" shall be inserted immediately following the words "within the City" in the (former) first sentence of Section 21A-1 (relative to Abandoned Structures).

Section 4. The following sentence be added at the beginning of Section 21A-1 of the City Code (relative to Abandoned Structures):

"The provisions of this Chapter shall be enforceable not only within the city limits of the City of Henderson, but also within the Extra-Territorial Jurisdiction Area, established and defined by law, surrounding the City."

Section 5. The following words "and the Extra-Territorial Jurisdiction Area" shall be inserted immediately following the words "in or about the City" in the (former) first sentence of Section 21B-1 (relative to Summary Abatement of Nuisances).

Section 6. The following sentence be added at the beginning of Section 21B-1 of the City Code (relative to Summary Abatement of Nuisances):

"The provisions of this Chapter shall be enforceable not only within the city limits of the City of Henderson, but also within the Extra-Territorial Jurisdiction Area, established and defined by law, surrounding the City."

Section 7. The following words "and within the Extra-Territorial Jurisdiction Area" shall be inserted immediately following the words "within the City" in the (former) first sentence of Section 23-1 (relative to the Weeded Lot Ordinance).

Agenda Item 8d

City Council Action Form

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



Agenda Item: _____

Council Meeting: 22 July 13 Work Session

18 July 2013

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

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

RE: CAF: 13-27-A

Consideration of Approval of: 1) Resolution 13-21-A Accepting the North Carolina Governor's Highway Safety Program Grant in the Amount of \$18,300 for the Purchase of Traffic Enforcement Equipment; and 2) Ordinance 13-46, FY14, BA #6 Establishing Budget for Said Grant.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

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

- Resolution 13-21-A Accepting the North Carolina Governor's Highway Safety Program Grant in the Amount of \$18,300 for the Purchase of Traffic Enforcement Equipment
- Ordinance 13-46, FY14, BA #6 Establishing Budget for Said Grant.

Executive Summary

On 25 February 2013, Council approved an application to the North Carolina Governor's Highway Safety Program Grant in the amount of \$18,300 via Resolution 13-21.

This grant will provide funding for the Henderson Police Department to purchase the following items to be used in Traffic Safety and Traffic Enforcement:

- Traffic Equipment Trailer
- Portable Light Tower and Generator
- Portable Generator
- Traffic Cones
- Three (3) portable Checkpoint signs with stands
- OSHA/DOT Certified Traffic Vests
- Traffic Flashlights

On 17 July 2013, notice was received the grant was approved by the NC Governor's Highway Safety program for the full amount of \$18,300. In other words the anticipated local match of \$4,575 is no longer required as this is a 100% grant. The grant terms will be October 1, 2013 – September 30, 2014. Even though grant funding will not be released until 1 October 2013, all funds will be spent during the City's fiscal year, ending 30 June 2014. A Budget Ordinance establishing the grant project is enclosed herewith for Council's consideration and approval.

Enclosures:

1. Resolution 13-21-A
2. NC Governor's Highway Safety Program Local Governmental Resolution
3. Ordinance 13-46
4. Notice of Approval

R E S O L U T I O N 13-21-A

ACCEPTING THE NC GOVERNOR'S HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$18,300 FOR THE PURCHASE OF TRAFFIC ENFORCEMENT EQUIPMENT

WHEREAS, the Henderson City Council identified eight Key Strategic Objectives (KSO) at its 2013 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 2:** To Reduce Crime and Provide for a Safe Community, 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 Henderson Police Department has partnered with the NC Governor's Highway Safety Commission in the past and has successfully applied for and received grant funding for equipment; *and*

WHEREAS, on 25 February 2013, via Resolution 13-21, the Henderson City Council (herein called the "Governing Body") approved the filing of an application by the Henderson Police Department for the NC Governor's Highway Safety Program Grant; *and*

WHEREAS, notice was received that said application has been approved to proceed to the next step of the application process; *and*

WHEREAS, Council approval is required for acceptance of the grant and these conditions in open meeting, said conditions being more fully articulated in **Attachment A** to this Resolution.

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

- 1.** That the project referenced above is in the best interest of the Governing Body and the general public; *and*
- 2.** That City Manager A. Ray Griffin, Jr. is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$18,300 to be made payable to the City of Henderson to assist in defraying the cost of the project described in the contract application; *and*
- 3.** That the Governing Body has formally appropriated the cash contribution of \$ 0.00 as required by the project contract; *and*
- 4.** That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; *and*

5. That certified copies of this resolution be included as part of the contract referenced above; *and*
6. That this resolution shall take effect immediately upon its adoption.

The foregoing Resolution 13-21-A, introduced by Council Member _____ and seconded by Council Member _____ on this the ____ day of _____ 2013 and having been Submitted to a roll call vote, was approved by the following votes: YES: . NO: . ABSTAIN: . NO: .

James D. O'Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

*Reference Minute Book 42, pg. ****

AOC

_____ Initials

**North Carolina Governor's Highway Safety Program
Agreement of Conditions**

This Agreement is made by and between the North Carolina Department of Transportation, hereinafter referred to as the "Department", to include the Governor's Highway Safety Program, hereinafter referred to as "GHSP"; and the applicant agency, for itself, its assignees and successors in interest, hereinafter referred to as the "Agency". During the performance of this contract, and by signing this contract, the Agency agrees as follows:

A. Federal Provisions

1. **Equal Opportunity/Nondiscrimination.** The Agency will agree to comply with all Federal statutes and implementing regulations relating to nondiscrimination concerning race, color, sex, religion, national origin, handicaps, and age. These include but are not limited to:
 - (a) Title VI of the Civil Rights Act of 1964;
 - (b) Title IX of the Education Amendments of 1972, as amended;
 - (c) 49 CFR Part 21, Non-Discrimination in Federally-assisted programs of the United States Department of Transportation, hereinafter referred to as "USDOT", as amended;
 - (d) 49 CFR Part 27, Rehabilitation Act of 1973, as amended; and
 - (e) The Age Discrimination Act of 1975, as amended.
2. **Drug Free Workplace.** The Agency agrees to comply with the provisions cited in the Drug-Free Workplace Act of 1988 (49 CFR Part 29 Sub-part F).
3. **Federal Grant Requirements and Contracts.** The Agency shall comply with the following statutes and implementing regulations as applicable:
 - (a) 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Contracts to State and Local Governments;
 - (b) Office of Management and Budget, hereinafter referred to as "OMB", Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments;
 - (c) OMB Circular A-21, Cost Principles for Institutions of Higher Education;
 - (d) OMB Circular A-122 Cost Principles for Nonprofit Organizations;
 - (e) 5 U.S.C. §§ 1501-1508 and 5 CFR Part 151 "Political Activity of State and Local Offices, or Employees" (Hatch Act); and
 - (f) NHTSA Grant Funding Policies, as revised, February 2002.
4. **Lobbying.** The Agency agrees to comply with the restrictions of lobbying members of Congress, 18 USC, Section 1913; Section 326 of the FY 2000 DOT Applications Act, prohibiting the use of USDOT Federal funds for "grass roots" lobbying campaigns to encourage third parties, members of special interest groups, or the general public to urge members of a State legislature to support or oppose a pending legislative or appropriations matter.
5. **Audits.**
 - (a) **Audit Required.** Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of OMB Circular A-133, Subpart B, §____.200. Guidance on determining Federal awards expended is provided in OMB Circular A-133, Subpart B, §____.205.

Rev. 7/11

Page 1

- (b) **Single Audit.** Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted in accordance with OMB Circular A-133, Subpart B, §____.500, except when they elect to have a program-specific audit conducted in accordance with OMB Circular A-133, Subpart B, §____.200, paragraph (c).
 - (c) **Non-Governmental Entities.** Non-governmental entities (not-for-profit and for-profit entities) must adhere to North Carolina General Statute 143-6.1.
- 6. **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions.**
 - (a) The prospective lower tier participant (the Agency) certifies, by submission of this contract proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal Department or Federal Agency.
 - (b) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participants shall attach an explanation to this contract proposal.
- 7. **Conditions for State, Local and Indian Tribal Governments.** State, local and Indian tribal government Agencies shall adhere to the standards established by 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Contracts to State and Local Governments, and additions or amendments thereto. Agencies shall also adhere to the standards established by the Office of Management and Budget, and in particular, OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments and additions or amendments thereto, for principles for determining costs applicable to grants and contracts with state, local and Indian tribal governments.
- 8. **Conditions for Institutions of Higher Education.** If the Agency is an institution of higher education, it shall adhere to the standards established by 49 CFR Part 19, Uniform Administrative Requirements for Grants and Contracts with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations and OMB Circular A-21, Cost Principles for Institutions of Higher Education for determining costs applicable to grants and contracts with educational institutions.
- 9. **Conditions for Non-Profit Organizations.** If the Agency is a non-profit organization, it shall adhere to the standards established by 49 CFR Part 19, Uniform Administrative Requirements for Grants and Contracts with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations and OMB Circular A-122, Cost Principles for Non-profit Organizations for determining costs applicable to grants and contracts with non-profit organizations.
- 10. **Conditions for Hospitals.** If the Agency is a hospital, it shall adhere to the standards established by 49 CFR Part 19, Uniform Administrative Requirements for Grants and Contracts with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations and 45 CFR Subtitle A, Part 74, Appendix E, Principles for Determining Costs Applicable to Research and Development Under Grants and Contracts with Hospitals.

B. General Provisions

1. **Contract Changes.** This document contains the entire agreement of the parties. No other contract, either oral or implied, shall supercede this Agreement. Any proposed changes in this contract that would result in any change in the nature, scope, character, or amount of funding provided for in this contract, shall require a written addendum to this contract on a form provided by the Department.
2. **Subcontracts Under This Contract.** The Agency shall not assign any portion of the work to be performed under this contract, or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this contract without the prior written concurrence of the Department. Any subcontract under this contract must include all required and applicable clauses and provisions of this contract. The Agency must submit any proposed contracts for subcontracted services to the Governor's Highway Safety Program for final approval no less than 30 days prior to acceptance.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the Agency for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Agency of the Agency's obligations under this contract. Additionally, Agencies making purchases or entering into contracts as provided for by this contract must adhere to the policies and procedures of 49 CFR 18.36 (Common Rule). Additionally, Agencies making purchases or entering into contracts as provided for by this contract must adhere to the policies and procedures of 49 CFR 18.36 (Common Rule) and Executive Order 150 as it pertains to Historically Underutilized Businesses.
4. **Incorporation of Provisions in Subcontracts.** The Agency shall include the provisions of section A-1 through A-6 of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the regulations, or directives issued pursuant thereto. The Agency shall take such action with respect to any subcontract or procurement as the Department, the State of North Carolina, hereinafter referred to as the "State", the National Highway Traffic Safety Administration, hereinafter referred to as "NHTSA", or the Federal Highway Administration, hereinafter referred to as "FHWA", may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Agency becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Agency may request the Department or the State to enter into such litigation to protect the interests of the Department or the State. In addition, the Agency may request the NHTSA or FHWA to enter into such litigation to protect the interests of the United States.
5. **Outsourcing.** All work shall be performed in the United States of America. No work will be allowed to be outsourced outside the United States of America.

6. Property and Equipment.

- (a) **Maintenance and Inventory.** The Agency shall maintain and inventory all property and equipment purchased under this contract.
- (b) **Utilization.** The property and equipment purchased under this contract must be utilized by the Agency for the sole purpose of furthering the traffic safety efforts of the Agency for the entire useful life of the property or equipment.
- (c) **Title Interest.** The Department and NHTSA retain title interest in all property and equipment purchased under this contract. In the event that the Agency fails or refuses to comply with the provisions of this Agreement or terminates this contract, the Department, at its discretion, may take either of the following actions:
 - (i) Require the Agency to purchase the property or equipment at fair market value or other mutually agreed to amount; or
 - (ii) Require the Agency to transfer the property or equipment and title of said property or equipment, if any, to the Department or to another Agency, as directed by the Department.
- (d) **Non-expendable Property.** Non-expendable property is defined as property or equipment having a value of \$5000 or more with a life expectancy of more than one year. Non-expendable property purchased under this contract cannot be sold, traded, or disposed of in any manner without the expressed written permission of the Department.

7. Promotional or Other Materials. Any promotional or other materials developed using funds from this contract must be reviewed and approved by the GHSP prior to their production. The cost of promotional materials is limited to a maximum of \$5.00 per item. Items in excess of \$5.00 may not be purchased without the expressed written approval of the GHSP.**8. Review of Reports and Publications.** Any reports, papers, publications, or other items developed using funds from this contract must be reviewed and approved by the GHSP prior to their release.**9. Reimbursement.**

- (a) **General.** Progress payments, based upon actual allowable costs for not less than one (1) month or more than three (3) months may be made upon receipt of an itemized invoice from the Agency on forms provided by the Department. The itemized invoice shall be supported by documentation of costs as prescribed by the Department.
- (b) **Approval.** The Governor's Highway Safety Program and the Department's Fiscal Section shall approve the itemized invoice prior to payment.
- (c) **Unapproved Costs.** Any rejected or unaccepted costs shall be borne by the Agency. The Agency agrees that in the event the Department determines that, due to Federal or State regulations that grant funds must be refunded, the Agency will reimburse the Department a sum of money equal to the amount of Federal and State participation in the rejected costs.
- (d) **Final Reimbursement Claims.** Final reimbursement claims must be received by the GHSP within 30 days following the close of the approved contract period. Project funds not claimed by this date are subject to reversion.
- (e) **Expending Funds Under This Contract.** Under no circumstances will reimbursement be made for costs incurred prior to the contract effective date or after the contract ending date.

10. **Project Costs.** It is understood and agreed that the work conducted pursuant to this contract shall be done on an actual cost basis by the Agency. The amount of reimbursement from the Department shall not exceed the estimated funds budgeted in the approved contract. The Agency shall initiate and prosecute to completion all actions necessary to enable the Agency to provide its share of the project costs at or prior to the conclusion of the project.
11. **Program Income.** The Agency shall account for program income related to projects financed in whole or in part with federal funds in accordance with 49 CFR Part 18. Program income earned during the contract period shall be retained by the Agency and added to the funds committed to the project by the GHSP and be used to further eligible program objectives. Program income must be accounted for separately and the records made available for audit purposes.
12. **Project Directors.** The Project Director, as specified on the signature page of this Agreement, must be an employee of the Agency or the Agency's governing body. Any exception to this provision must have the expressed written approval of GHSP.
13. **Reports Required.**
 - (a) **Quarterly Progress Reports.** Unless otherwise directed, the Agency must submit Quarterly Progress Reports to the GHSP, on forms provided by the Department, which reflect the status of project implementation and attainment of stated goals. Each progress report shall describe the project status by quarter and shall be submitted to GHSP no later than fifteen (15) days after the end of each quarter. If the Agency fails to submit a Quarterly Progress Report or submits an incomplete Quarterly Progress Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Quarterly Progress Report that substantiates adequate progress is received, cost reimbursement requests will be processed.
 - (b) **Final Accomplishments Report.** A Final Accomplishments Report must be submitted to the GHSP within thirty (30) days of completion of the project, on forms provided by the Department, unless otherwise directed. If the Agency fails to submit a Final Accomplishments Report or submits an incomplete Final Accomplishments Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Final Accomplishments Report that substantiates adequate progress is received, cost reimbursement requests will be processed.
 - (c) **Audit Reports.** Audit reports required in Section A-5 above shall be provided to the Department within thirty (30) days of completion of the audit.
14. **Out-of-State Travel.**
 - (a) **General.** All out-of-state travel funded under this contract must have prior written approval by the Governor's Highway Safety Program.
 - (b) **Requests.** Requests for approval must be submitted to the GHSP, on forms provided by the Department, no less than thirty (30) days prior to the intended departure date of travel.
 - (c) **Agency Travel Policy Required.** For Agencies other than state agencies, out-of-state travel requests must include a copy of the Agency's travel policy, to include allowances for lodging, meals, and other travel-related expenses. For state agencies, maximum allowable subsistence is limited to the prevailing per diem rates as established by the North Carolina General Assembly.
 - (d) **Agenda Required.** Out-of-state travel requests must include a copy of the agenda for the travel requested.

- 15. Conditions for Law Enforcement.** In addition to the other conditions provided for in this Agreement, grants to law enforcement agencies are subject to the following:
- (a) Tasks Required.** The following tasks must be included in Section D of this contract:
- (i) A minimum of one (1) safety belt checkpoint per month;
 - (ii) A minimum of one (1) impaired driving checkpoint per month;
 - (iii) A minimum of 50% of seat belt enforcement activities will be conducted at night between the hours of 10:00 p.m. and 4:00 a.m.
 - (iv) Participation in all "Click It or Ticket" campaigns;
 - (v) Participation in all "Booze It & Lose It" campaigns;
 - (vi) Participation in any event or campaign as required by the GHSP.
- An effort must be made to utilize one of the Forensic Tests for Alcohol Branch's Mobile Breath Alcohol Testing (BATMobiles) units during at least one of the impaired driving checkpoints.
- (b) Certifications Required.**
- (i) **In-car Camera or Video System.** For any in-car camera or video system purchased under this contract, it is required that the operator of that equipment has successfully completed Standardized Field Sobriety Testing training (SFST). A copy of this certificate must be filed with GHSP prior to reimbursement of in-car camera or video systems.
 - (ii) **Radar.** For any radar equipment purchased under this contract, it is required that the operator of that equipment has successfully completed Radar Certification Training. A copy of this certificate must be filed with GHSP prior to reimbursement of radar equipment.
 - (iii) **Alcohol Screening Devices.** For any preliminary alcohol screening devices purchased under this contract, it is required that the operator of that equipment has successfully completed the Alcohol Screening Test Device training offered by the Forensic Test for Alcohol Branch.
- (c) Report Required - Monthly Enforcement Data Report.** In addition to the reports mentioned above, law enforcement agencies must submit a Monthly Enforcement Data Report on the form provided by the Department. If the Agency fails to submit a Monthly Enforcement Data Report or submits an incomplete Monthly Enforcement Data Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Monthly Enforcement Data Report that substantiates adequate progress is received, cost reimbursement requests will be processed. The agency head must sign the form. However, the agency head may assign a designee to sign the form by providing written signature authority to the GHSP.
- 16. Conditions for Local Governmental Agencies.**
- (a) Resolution Required.** If the Agency is a local governmental entity, a resolution from the governing body of the Agency is required on a form provided by the Department.
- (b) Resolution Content.** The resolution must contain a commitment from the governing body to provide the local funds as indicated in this contract. Additionally, the resolution is required even if the funding is one hundred percent from federal sources, as it serves as recognition by the governing body of federal funding for purposes of Section A-5 above.
- 17. Prohibited Interests.** No member, officer, or employee of the Agency during his or her tenure, and for at least one (1) year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof or therefrom.

18. Continued Federal and State Funding.

(a) **Federal Funding.** The Agency agrees and understands that continuation of this project with Federal funds is contingent upon Federal funds being appropriated by the United States Congress specifically for that purpose. The Agency further agrees and understands that in the event funds originally appropriated by Congress for these grants are subsequently reduced by further acts of Congress, funding to the Agency may be proportionately reduced.

(b) **State Funding.** The Agency agrees and understands that continuation of this project with funds from the State of North Carolina is contingent upon State funds being appropriated by the General Assembly specifically for that purpose. The Agency also agrees that any state funds received under this contract are subject to the same terms and conditions stated in this Agreement.

19. Performance. All grants provided by the Governor's Highway Safety Program are performance-based and, as such, require that continual progress be made toward the reduction of the number and severity of traffic crashes. Any agency, whose performance is deemed unsatisfactory by the GHSP, shall be subject to the sanctions as provided for in this contract. Additionally, unsatisfactory performance shall be cause for the Department to reduce or deny future funding.

20. Resolution of Disputes. Any dispute concerning a question of fact in connection with the work not disposed of by contract by and between the Agency and the Department, or otherwise arising between the parties to this contract, shall be referred to the Secretary of the North Carolina Department of Transportation and the authorized official of the Agency for a negotiated settlement. In any dispute concerning a question of fact in connection with the project where such negotiated settlement cannot be resolved in a timely fashion, the final decision regarding such dispute shall be made by the Secretary of the North Carolina Department of Transportation, with the concurrence of the Federal funding agency, and shall be final and conclusive for all parties.

21. Department Held Harmless.

(a) **For State Agencies.** Subject to the limitations of the North Carolina Tort Claims Act, the Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

(b) **For Agencies Other Than State Agencies.** The Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

22. Records Access and Retention.

The Agency shall provide all information and reports required by the regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department, the State, NHTSA, or FHWA, as appropriate, to be pertinent to ascertain compliance with such regulations, orders and instructions. Furthermore, the Agency shall maintain such materials during the contract period, and for three (3) years from the date of final payment from the Department, for such inspection and audit. Where any information required of the Agency is in the exclusive possession of another who fails or refuses to furnish this information, the Agency shall so certify to the Department, State, NHTSA, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information.

23. Sanctions for Non-Compliance. The applicant Agency agrees that if it fails or refuses to comply with any provisions and assurances in this contract, the Department may take any or all of the following actions:

- (a) Cancel, terminate, or suspend this contract in whole or in part;
- (b) Withhold reimbursement to the Agency until satisfactory compliance has been attained by the Agency;
- (c) Refrain from extending any further funding to the Agency under this contract with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency;
- (d) Refer the case to the United States Department of Justice for appropriate legal proceedings.

24. Cancellation, Termination, or Suspension of Contract.

- (a) **By the Department.** For noncompliance with any of the said rules, regulations, orders or conditions, this contract may be canceled, terminated, or suspended in whole or in part by the Department, by giving the Agency thirty (30) days advanced written notice. The Department, before issuing notice of cancellation, termination, or suspension of this contract, may allow the Agency a reasonable opportunity to correct for noncompliance.
- (b) **By the Agency.** The Agency may terminate this contract by providing thirty (30) days advanced written notice to the Department.

25. Completion Date.

Unless otherwise authorized in writing by the Department, the Agency shall commence, carry on, and complete the project as described in the approved Highway Safety Project Contract by September 30 of the Federal fiscal year for which it was approved.

26. Signature.

By signing below, the Agency agrees to adhere to the terms and conditions of this Agreement.

AGENCY PROJECT DIRECTOR		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER

AGENCY AUTHORIZING OFFICIAL		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER

AGENCY OFFICIAL AUTHORIZED TO RECEIVE FUNDS		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER

O R D I N A N C E 13-46

AN AMENDMENT TO THE FY 2013--2014 BUDGET ESTABLISHING THE BUDGET FOR NC GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT, BUDGET AMENDMENT #6

WHEREAS, the City Council of the City of Henderson (Council), on 27 June 2013, adopted its FY 13-14 Operating Budget; *and*

WHEREAS, the Council has created and uses a Grants Projects Fund for active grant projects. said fund referred to as 55: Grants Projects Fund; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating and grants projects fund from time-to-time, said amendment being incorporated into 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:

			Ordinance 13-46			
			FY13-14 Budget Amendment # 6			
FUNDS: 55: Grants Project Fund			Establishing Grant Project 55-205: GHSP Traffic Checkpoint Equipment			
GRANT PROJECTS FUND REVENUES: 55			Approved 1-Jul-13	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
205: GHSP Traffic Checkpoint Equipment Grant	NC Gov Hwy Safety Grant	55-205-458205	\$ -	\$ -	\$ 18,300	18,300
			\$ -	\$ -	\$ -	-
		Total	\$ -	\$ -	\$ 18,300	18,300
						\$ 18,300
GRANT PROJECTS FUND EXPENDITURES: 55			Approved 1-Jul-13	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
205: GHSP Traffic Checkpoint Equipment Grant	Capital: Equipment < \$5,000	55-205-507400	\$ -	\$ -	\$ 6,300	6,300
	Capital: Equipment > \$5,000	55-205-507405	\$ -	\$ -	\$ 12,000	12,000
			\$ -	\$ -	\$ -	-
		Total	\$ -	\$ -	\$ 18,300	18,300
						\$ 18,300
		Variance			\$ -	
Reference:			Notes:			
22 July 2013 Meeting; CAF 13-27-A; Ordinance #13-46, BA #6			This amendment establishes the project budget for a NC Governor's Highway Safety Grant awarded to the Henderson Police Department. The total grant funding will be \$18,300. The initial grant request would have provided for 75%, or \$13,725 of grant funds, with a 25% grant match of \$4,575 to be provided through Federal Asset Forfeitures. However, 100% grant funding was approved, therefore no match is required. The grant will be used to purchase various pieces of equipment, including an equipment trailer, a light tower and generator, traffic cones, a set of three checkpoint signs with stands, traffic vests, and flashlights with accessories.			

The foregoing Ordinance 13-46, 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 ____ day of ____ 2013: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 13-27-A*

**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 13-46 adopted by the Henderson, City Council in Regular Session on ____ 2013 (*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 ____ 2013.

Esther J. 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



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

Date: June 20, 2013

Perry Twisdale
HENDERSON POLICE DEPT
200 BRECKENRIDGE STREET
HENDERSON, NC 27536

Application number: 1000001761
Ref: 2014 Application Approval

Dear Perry Twisdale,

The Governor's Highway Safety Program (GHSP) grant management team has completed its final review of applications for fiscal year 2014, which begins October 1, 2013. Your application was approved to proceed to the next stage of the funding process.

Although your application has been approved, this does not assure funding. Final approval of funds will not be made until late September when your Agreement is finalized. The next step of the funding process is the submission of the Agreement of Conditions, Resolution (if required) and the Pinning of your electronic application via the Grants Management System.

Please feel free to contact your Highway Safety Specialist should you have any questions or concerns in regards to this request. The GHSP appreciates your dedication and contribution to highway safety. Thank you for being part of the North Carolina Highway Safety Plan for 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Nail".

Don Nail
Assistant Director

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
GOVERNOR'S HIGHWAY SAFETY PROGRAM
1508 MAIL SERVICE CENTER
RALEIGH NC 27699-1508

TELEPHONE: 919-733-3083
FAX: 919-733-0604
WWW.NCDOT.ORG/PROGRAMS/GHSP/

LOCATION:
215 EAST LANE STREET
RALEIGH NC

City Council Memo

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



Agenda Item: _____

Council Meeting: 22 July 13 Work Session

17 July 2013

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

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

RE: CM 13-15: Review of Utility Late Fee, Reconnection Service Fee and Security Deposits Policies

Ladies and Gentlemen:

Background

During the 8 July Council meeting, Mr. Anthony Jones appeared before Council during the non-agenda citizen comment period to discuss his concerns about the City's late payment fee of \$12 and delinquent payment service fee of \$13 which he was charged in June. Subsequent to Mr. Jones' discussion, Councilmember Coffey spoke about a customer who recently had difficulty in establishing an account due to the security deposit requirement.

Mayor O'Geary asked for a report on the matter and Councilmembers requested the matter of the City's policies regarding late fees, service fees and security deposits be placed on the July work session. (*See Attachment No. 1*)

Policies Development

Detailed information was provided to each utility customer via in-bill information inserts, one-on-one at the customer service window, telephone inquiries and City's website.

- Late Fee: A \$12.00 Late Fee has been a long established policy in the City for customers who are late paying their utility bills. The City's practice has been to waive one late fee within a 12 month period if the customer requests it. Late Fees, other than the initial one, are not charged to customers who are granted a payment agreement and abide by it. If the customer breaks the payment agreement, the waived late fees are reapplied to the account.

- Service Fee: A Service Fee has been a long established policy in the City for customers who have not paid their bills by 5 p.m. on the business day prior to the cut-off date. Prior to November 2011, the Service Fee was \$40.00. As a result of the November 2011 implementation of security deposits, the Service Fee was reduced from \$40.00 to \$25.00. In February 2012, Council further reduced the Service Fee from \$25.00 to \$13.00. The Service Fee is currently \$13. Service Fees are not waived.
- Security Deposit: As previously stated, no security deposits were required prior to November 2011. In February 2012, Council reduced the security deposit fee structure for residential customers. In February 2013, Council revisited the security deposit fee structure and learned the loss exposure was significant in light of the current deposit fee schedule and length of time between billing and collections. Consequently, the security deposit fees were increased to \$150 and \$200 for residential inside and outside; respectively. Residential customers who have been placed on the delinquent payment list twice in an 18-month period and all commercial, business, industrial and non-profit customers would have to establish a 2.5 average monthly bill security deposit. Security deposits are returned to the customer after 12 months good pay history. Good pay history means not being placed on the cut-off list. Additionally, a customer who otherwise has been a good paying customer and not previously been on the cut-off list may receive a one-time waiver of having to establish a security deposit.
- Grace Period: Prior to February 2012, the City had no well-defined Grace Period. In February 2012, Council established a 10 business-day Grace Period. Because of the significant lag time caused by the 10-business day period, particularly when holidays occurred, Council modified the Grace Period in March 2013 to 7 calendar days, and longer if the delinquent date fell on a holiday or weekend. We have recently learned a grace period of not less than 10 calendar days be provided. We have implemented this policy. It is recommended an ordinance amendment be approved making this change.

Recommendations:

- The practice of waiving the late fee once if the customer has otherwise had a good pay history in the previous 12 months be made automatic rather than the customer having to ask for it. This revision parallels the policy for the one-time security deposit waiver.
- Ratify the conversion from 7 to 10 calendar days for the grace period.

Enclosure:

1. Utility Inquiries

Utility Inquiries

During the 8 July meeting, discussion surrounding two customers' utility accounts was had. Mayor O'Geary requested the city manager to review the matter and provide a report to Council.

Mr. Anthony Jones appeared before Council and requested the City's policies regarding how the late and disconnection service fee are applied be amended. A review of Mr. Jones' account reveals the following:

- Mr. Jones is considered to be a good paying customer. He has been late in payment twice. (*late = not paying by 5 p.m. on the due date*) His first late fees was on 4 March 2011. Per his request, a courtesy adjustment was given to him, thus removing the late fee. His second late fee was applied on 4 June 2013. The fee was not adjusted since Mr. Jones had previously received a courtesy adjustment in March 2011.
- Mr. Jones has not been delinquent in paying his utility bill prior to June 2013. (*delinquent = not paying the amount past due by 5 p.m. on the business day prior to the cut-off day*) While the standard \$13 service fee was applied, he was granted a one-time waiver of having to establish a security deposit pursuant to policy.
- Overall, the bill about which Mr. Jones is concerned was for the 10 May billing cycle. The bill's past due date was 3 June and the cut-off date was 11 June. In order to not be placed on the cut-off list, the past due amount would have had to have been paid by 5 p.m. on 10 June. These dates are clearly presented on the utility bill. According to Customer Service Supervisor Bennett, Mr. Jones was quite agitated at the front window on 11 June, so much to the extent the police were called to reestablish calm and order. Mr. Jones did visit with Ms. Bennett a week later and apologized for his behavior.
- For the billing cycle in question, 2,282 bills were prepared and mailed. 170 customers were on the cut-off list.

Councilmember Coffey raised a question about City policy as it relates to a customer seeking to establish a utility account. She was required to establish a \$200 security deposit. Finance Director Brafford and I met with the customer in question on the day she sought to establish the account. Her concerns were reviewed with the Customer Service Representatives. A review of her former account reveals the following:

- The customer initially established an account with the City in October 2008. The account was closed by the City in October 2010. During this period of time, the customer had been late 21 times and placed on the delinquent cut-off list four (4) times. The customer left an account balance of \$174.05 in October 2010. This outstanding balance was not collected until February 2013. The balance was collected as a result of Customer Service Supervisor Bennett applying for collection of the outstanding balance via the State's Debt Set-Off Program. Additionally, she did not provide a letter of good pay history from her most recent water utility provider.

MAJOR PROJECT UPDATE REPORT

Last Updated: 7/18/2013-ev

CIP #	NAME	FUNDED		DESIGN		RIGHT OF WAY ACQUIS.	PERMITS	BIDDING		CONSTRUCTION		COMMENTS
		Yes/No	Dollar Amount	*Engineering Contract Approval	Design			Type	Contract App.	Start Date	Duration	
	REGIONAL:											
46-938	Warren County POS Meter Relocation	YES	\$ 100,100	YES	IP	YES	YES	INF	YES	8/1/13		Contract Approval
46-939	High Service Pump Replacement	YES	\$ 1,129,000	YES	IP	NA	YES	FOR				Bid- August
46-937	Interbasin Transfer of Water	YES	\$ 833,100	YES	IP	NA	NO	N/A				Ongoing
46-935	20 MGD Expansion	NO	\$ 1,217,564	NO		NA	YES					Bid-2015
	WATER:											
43-850	2" Water Line Replacement Project	YES	\$ 1,726,000	IH	IP	NA	IP	FOR				7/25/13 Bid Date
43-851	Water Meter Purchase	YES	\$ 294,000	IH	IP	NA	NA	INF	YES	8/1/2013	12 Months	3/4" meters received
	Julia Ave Phase II CDBG	YES	(County)	IH	IP	NA	IP	FOR	YES			Complete
43-852	Beckford Water Main Construction	YES	\$ 47,500	YES	IP	NA	IP	FOR				Engineering Design Only
	GENERAL/POWELL BILL:											
94-924	Beckford Drive Widening	YES	\$ 1,031,250	YES	IP	IP	COMPLETE					2 R/WS Remaining
42-575	Hillside Avenue	YES	\$ 62,848	IH	COMPLETE	COMPLETE	NA		YES	COMPLETE		Complete
42-575	Birch Circle Storm Repair	YES	\$ 46,266	NA/IH	NA	NA	NA	INF.	YES	COMPLETE		Complete
42-575	Cameron Drive Storm Repair	YES	\$ 11,263	NA	NA	NA	NA	NA (IH)				Mid August weather permitting
N/A	Chavasse Avenue Widening	YES	\$ 700,000	STATE	STATE	CITY/IP	STATE	STATE	STATE			State Completing Revised R/W Information On Plans
	SEWER:											
44-851	Sanitary Sewer Rehabilitation Project	YES	\$ 1,131,628	YES	COMPLETE	NA	YES	FOR	YES	11/15/2012	180 Days	98 % complete
44-847	HWR Facility Renovation Project	YES	\$ 17,017,300	YES	COMPLETE	IP	YES	FOR	IP	3/13/2013	18-24 Months	On Schedule
44-857	Sandy Creek Pump Station Project	YES	\$ 1,836,000	IP	IP	N/A	IP	FOR				Design
44-842	Newton Road Pump Station Project	YES	\$ 47,900	YES	COMPLETE	IP	YES	FOR				Construction Not Funded
44-854	Elmwood Cemetery Outfall	YES	\$ 19,300.00	PER Completed		IP						Under Review

IP=IN PROCESS

IH=IN HOUSE

FOR=FORMAL BIDDING

INF=INFORMAL BIDDING

*=DESIGNATES ENGINEERING CONTRACT OR CONSTRUCTION CONTRACT APPROVAL BY CITY COUNCIL

**=WORK WAS PERFORMED BY BORING CONTRACTOR AND CITY FORCES TO PROVIDE ADEQUATE WATER PRESSURE AND DELIVERY