



AGENDA

Henderson City Council Regular Meeting

Monday 9 September 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

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

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

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

V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

- a)* 26 August 2013 Short Regular Meeting *[See Notebook Tab 1]*
- b)* 26 August 2013 Work Session

VII. PRESENTATIONS AND RECOGNITIONS

- a)* American Cancer Society Research Project
- b)* Recognition of Retiree Terry Leye

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 1) Resolution 13-28, Authorizing Bid Award for 2” Water Mains and Services Replacement to H.G. Reynolds Company, Inc.; and 2) Ordinance 13-36, FY 14 Budget Amendment #11, Revising the Budget for Above Mentioned Project. (CAF 13-65) *[See Notebook Tab 2]*
 - Resolution 13-28
 - Ordinance 13-36
- b)* Consideration of Approval of Resolution 13-66, Supporting Kerr-Tar Regional Council of Governments 205j Environmental Planning Grant Application. (CAF 13-99) *[See Notebook Tab 3]*
 - Resolution 13-66
- c)* Consideration of Approval of 1) Resolution 13-64, Awarding a Contract with Kerr Tar Regional Council of Governments (COG) for the Development of a Comprehensive Recreation and Parks and Greenway Master Plan. (CAF 13-95) *[See Notebook Tab 4]*
 - Resolution 13-64

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 Remanding Ordinance 13-42, to the Planning Board Providing for Limited Enforcement in the Extra-Territorial Jurisdiction Area (ETJ), Pursuant to Section 40 of the City Charter. *(CAF 13-82-B) [See Notebook Tab 5]*

- Ordinance 13-42

- b)** Consideration of Approval of Ordinance 13-51, FY14 Budget Amendment #8, Adjusting the Budget to Reflect Available Funding for Youth Services Budget. *(CAF 13-93) [See Notebook Tab 6]*

- Ordinance 13-51

- c)** Consideration of Approval of Ordinance 13-58, FY14 Budget Amendment #10, Closing Out the 2012 BJA Bulletproof Vests Grant. *(CAF 13-103) [See Notebook Tab 7]*

- Ordinance 13-58

- d)** Consideration of Approval of Resolution 13-49-A, Accepting the 2013 BJA Grant in the Amount of \$15,586.00; and Ordinance 13-55, FY13 Budget Amendment #9, Establishing the 2013 BJA Grant Project Budget. *(CAF 13-69-A) [See Notebook Tab 8]*

- Resolution 13-49-A
- Ordinance 13-55

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 below.³

XII. REPORTS

- a) Mayor/Mayor Pro-Tem
- b) City Manager *[See Notebook Tab 9]*
 - i. Henderson Water Reclamation Facility - FY13 Operations Report
 - ii. Fire Department - Life Safety Achievement Award
 - iii. Kerr Lake Regional Water - Magazine Article
 - iv. Preliminary 2012 Municipal Population Estimates
- c) City Attorney
- d) City Clerk
 - i. Calendar Update *[See Notebook Tab 10]*
 - ii. Henderson-Vance County 911
 - iii. Henderson Police Department Monthly Report
 - iv. Henderson Fire Department Monthly Report

XIII. CLOSED SESSION

- a) Pursuant to G.S. §143-318.11 (a)(3) Regarding Attorney/Client Privilege

XIV. WORK SESSION

- a) New Police Chief Focus Group Discussion *[See Notebook Tab 11]*

XV. ADJOURNMENT

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.

City Council Minutes - DRAFT

Short Regular Meeting

26 August 2013

PRESENT

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

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Attorney John Zollicoffer, City Clerk Esther J. McCrackin, Finance Director Kathy Brafford, Planning & Community Development Director Erris Dunston, Code Compliance Director Corey Williams, Engineering Director Peter Sokalski, Police Captain Perry Twisdale, Youth Services Director Donna Stearns and Human Resources Director Cathy Brown.

CALL TO ORDER

The 26 August 2013 Short 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 Brenda Peace-Jenkins led those in attendance in a prayer and the Pledge of Allegiance.

Mayor O'Geary greeted everyone and added citizens are always welcome and it was good to see so many present this evening.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. Council Member Daeke moved to accept the Agenda as presented. Motion seconded by Council Member Peace-Jenkins and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Peace-Jenkins moved the approval of the 12 August 2013 minutes as presented. Motion seconded by Council Member Inscoe and unanimously approved.

PUBLIC HEARING

Rezoning Property on the Corner of Parham Street and Burwell Avenue in the City of Henderson from R-15 to R-6. (Reference: CAF 1391: Ordinance 13-49)

City Manager Griffin asked Planning & Community Development Director Erris Dunston to present this item on behalf of the Planning Board.

Ms. Dunston reminded Council of previous discussions regarding the 710 Parham Street property and Ms. Frances Finamore's desire to provide Mental Health Counseling as a home business. After reviewing the situation, the Planning Board recommends rezoning both 710 Parham Street (Ms. Finamore's residence) and 525 Burwell Avenue from R-15 to R-6. Both properties connect to like zoned R-6 properties and Ms. Dunston said this would satisfy *some* needs for a home business.

City Attorney John Zollicoffer, Jr., added neither property meets the lot width restrictions of R-15 zoning.

Council Member Kearney asked if rezoning these specific properties would meet all the requirements of R-6. Ms. Dunston responded yes.

With no further discussion, Mayor O'Geary opened the Public Hearing by asking if anyone was present who wished to speak in favor of this amendment.

Ken Role, 411 Burwell Avenue Mr. Role said he had no problems with Ms. Finamore opening a home business. He said there was lots of parking on Parham Street and felt it would be an asset to the community.

Phil Hanny, 309 Burwell Mr. Hanny did not see traffic as a problem and felt Ms. Finamore's plan of seeing no more than five (5) clients three days a week would not become an issue. Mr. Hanny hoped Council would approve the change.

Frances Finamore, 710 Parham Street Ms. Finamore did not feel traffic would be an issue as most clients would use KARTS for transportation and if they did drive, she has a driveway that they could use for parking.

No other citizen came forward to speak in favor of this rezoning so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to the amendment.

Norma Walker, 524 Burwell Ms. Walters was not in favor of this rezoning. She felt Ms. Finamore should open an actual office in another location because clients might be *off their medications* and cause problems in the area.

Rosa Griffin, 531 Burwell Ms. Griffin was also opposed to this home business. She felt traffic and parking would be an issue, along with opening the door for other businesses. Ms. Griffin said perhaps the service under consideration is needed but she did not want to see such a service in that area. Ms. Griffin expressed concern for the safety of children living in the area with increased traffic.

No other citizen came forward to speak in opposition and Mayor O'Geary closed the Public Hearing and asked for Council's pleasure.

City Attorney Zollicoffer, Jr., reminded Council when rezoning a property, consideration needs to be given to all potential uses.

Council Member Inscoe asked for a table of uses which Ms. Dunston provided. Mr. Inscoe reviewed the table out loud saying R-6 allows for home businesses such as hairdresser, barber shops, dressmaker, engineer, architect, and alterations. City Attorney Zollicoffer, Jr. added there are other home occupations.

Council Member Rainey verified Ms. Finamore plans to see patients three (3) days a week and five (5) clients each day. Ms. Finamore said that was correct and added the appointments would be for one hour each. She said most clients would be dropped off on Parham Street, not Burwell Avenue. Ms. Finamore added a very few clients may have vehicles but it would only be one vehicle per hour.

Mr. Rainey also asked for clarification that home occupations are not allowed in R-15 zoning. Ms. Dunston responded home occupations are not allowed in R-15; she said the rezoning is another way to allow the home occupation being sought by Ms. Finamore.

City Attorney Zollicoffer, Jr. reiterated the need to consider all potential uses and advertisement of businesses in the R-6 zone is not allowed.

Council Member Daeke asked if there was any requirement for off-street parking and also for verification that a special use permit will still be necessary. Attorney Zollicoffer said no to required off-street parking. Mr. Daeke addressed Ms. Finamore regarding her driveway by asking if she has a place for a vehicle to pull off the street and park on her property. Ms.

Finamore responded yes. Ms. Finamore said there is a place for clients to pull off the street into her driveway. Ms. Finamore said she understands a special use permit will be required.

Council Member Coffey verified Ms. Finamore would be working strictly with veterans. Ms. Finamore said predominately, yes. Ms. Coffey said it was her understanding that most veterans are either brought to their meetings on the Veterans Bus or an agency. The Mayor added that the veterans would be dropped off and picked at the end of the session. Ms. Finamore agreed.

Council Member Kearney asked if rezoning these two (2) lots conforms to the area. After a brief discussion, City Manager Griffin summarized by saying these two lots are anomalies to the broader area and rezoning from R-15 to R-6 will conform these lots to the zoning already existing in the immediate area.

Council Member Inscoe reminded everyone a special use permit comes from the Board of Adjustment which is a quasi-judicial board and the decision of that Board become final and does not come back to Council for approval.

The Mayor thanked everyone for coming and sharing their thoughts and asked for the pleasure of Council.

Motion was made by Council Member Coffey to approve Ordinance 13-49, *Rezoning Property on the Corner of Parham Street and Burwell Avenue in the City of Henderson from R-15 to R-6*. Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9, p 19)

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

Amendments to City Administrative Policy, Section 4.11 Overtime Pay and Compensatory Time. (Reference: CAF 13-92; Resolution 13-63)

City Manager Griffin asked Human Resources Director Cathy Brown to present these amendments.

Ms. Brown advised the Human Resources Committee met on August 20 and unanimously agreed to bring this amendment to Council. She then turned the presentation back to Mr. Griffin.

Mr. Griffin advised this is another example of incremental adjustments needed to City policy and these amendments either update the policy or tweak an existing policy. He said some policy sections no longer apply and there are redundant sections that need to be removed. He then gave

several examples including: defining exempt/non-exempt positions; avoiding overtime/compensatory time whenever possible; limiting accrual of compensatory time; and defining the pay period. He explained the City has three (3) workforce classifications that need to be individually recognized within the payroll system. He stated because of budget constraints, overtime is approved by the City Manager and limited except in the case of an emergency such as a hurricane, flood or major weather event. Mr. Griffin said by law, compensatory time must be paid out at the current salary rate, not the salary rate when the time was earned, and a policy has been set in place to pay out compensatory time when an employee is promoted.

Council Member Kearney asked for more information regarding compensatory time. Mr. Griffin said the goal is to use it in the same pay period which is not always possible. It is used before vacation/sick time and he said the payroll clerk is now providing a bi-weekly leave report to help monitor the desired 40 hours or less accumulation of compensatory time.

Council Member Brown asked why the change in the pay period. Mr. Griffin said the change occurred long before he came to the City and did not know the reasoning for the change to Thursday through Wednesday.

In response to Council Member Kearney's question, Mr. Griffin said timesheets are due on Wednesday and staff is paid on Friday of the following week.

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

Motion was made by Council Member Rainey to approve Resolution 13-63, *Amendments to City Administrative Policy, Section 4.11 Overtime Pay and Compensatory Time*. Motion seconded by Council Member Peace-Jenkins and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 227)

Tax Releases and Refunds from Vance County for the Month of July 2013. (Reference: CAF 13-94)

City Manager Griffin said this is a routine housekeeping matter and the Finance Director has found the releases and refunds (see below) to be in order:

July 2013 Tax Releases			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
Terry, Cherry M. Heirs	To Correct Billing Error	2012	(146.25)
Total R&P Property Releases			\$ (146.25)
Real & Personal Property Refunds			
			\$0.00
Total R & P Property Refunds			
Total R&P Prop. Rel. & Ref.			\$ (146.25)

Tax Releases & Refunds July 2013- Continued

Vehicle Releases			
Burnette, L'Erin Gianni	Pro-Rate	2012	14.97
Burwell, Darlene Hargrove	Pro-Rate	2012	4.88
Chandler, Barry Gerrard	Pro-Rate	2012	23.12
Clark, Stephanie Walker	Pro-Rate	2012	2.32
Clayton, Taylor Daniel	Transfer Out	2012	75.13
Countryman, Rodney Lee	Pro-Rate	2012	7.57
Davis, Joyce Baxter	Pro-Rate	2012	51.36
Edwards, Taylor Nicole	Pro-Rate	2012	20.58
Focus Day Service	Pro-Rate	2012	114.83
Lovings, Junius Reben	Pro-Rate	2012	12.36
Newsome, Laura Leona	Pro-Rate	2012	5.62
Noel, Valerie	Pro-Rate	2012	16.66
Oakley, Glenn Wesley	Correct Value	2012	5.09
Parker, Edna Elaine	Pro-Rate	2012	17.61
Pascacio, Pedro Cisneros	Pro-Rate	2012	9.83
Pendergrass, Matthew R	Reg. Veh. Billed in Error	2012	14.56
Pinero, Kimberly Ausborn	Pro-Rate	2012	6.01
Simms, Tracey Ann	Pro-Rate	2012	14.78
Smith, Monica Renea	Reg. Veh. Billed in Error	2012	55.10
Tharrington, Eric	Pro-Rate	2012	5.46
The Salvation Army	Charitable Organization	2012	142.44
Williams, Jesse Jr.	Pro-Rate	2012	10.31
Abbott, Wade Thomas	Correct Situs	2013	19.14
Baskerville, Jaqualia	Correct Situs	2013	42.70
Bullock, Albert Jr.	Pro-Rate	2013	16.52
Carroll, Kenneth Neal	Correct Value	2013	16.74
Davis, Lawrence Dereck	Correct Situs	2013	139.29
Garrison, Jason Andrew	Pro-Rate	2013	85.47
Harvey, Mary Janee Butler	Pro-Rate	2013	36.48
Hudson, John Russell	Correct Situs	2013	13.00
Moody, Calvin Wilton J.	Correct Value	2013	36.68
Overby, Kathryn Bowen	Correct Value	2013	29.25
Pearce, Salbert Alton	Correct Situs	2013	147.77
Pendergrass, Matthew R	Pro-Rate	2013	3.97
Pete Smith Lube & Tire	Correct Value	2013	76.20
Prentice, Gregory Roger	Correct Value	2013	5.16
Ranes, William Ray	Correct Situs	2013	46.18
Roberson, Andi Nichole	Correct Situs	2013	(32.35)
Total Vehicle Releases			\$ 1,312.79

Tax Releases & Refunds July 2013- Continued

Vehicle Refunds			
Brantley, Elizabeth Montgomery	Pro-Rate	2012	0.84
Davis, Reuben	Pro-Rate	2012	8.14
Parham, John Asa	Pro-Rate	2012	11.25
Poythress, Jeanette Faulkner	Pro-Rate	2012	1.36
Swecker, Katie Marshall	Pro-Rate	2012	17.44
Pulley, David William	Pro-Rate	2013	5.53
Total Vehicle Refunds			\$ 44.56
Tot. Veh. Rel. & Ref.			\$ 1,357.35
Total All Releases & Refunds			\$ 1,211.10

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

Council Member Rainey moved the approval of *Tax Releases and Refunds from Vance County for the Month of July 2013*. Motion seconded by Council Member Kearney and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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

Gary Morgan Mr. Morgan is not a City resident but his business address is 1018 Lehman Street, Henderson. Mr. Morgan wished to address Council on poverty and the need for inner city rehabilitation. He distributed and read a handout which read in part...*Rather than continue to only treat the symptoms of poverty,(e.g., property theft, drug trafficking, prostitution, HIV, teen pregnancy, etc.), we must also attack the root causes of poverty and ensure that all citizens basic human needs are met.* He asked Council to imagine living in those situations. He added he plans to bring ideas and thoughts to Council periodically.

Council Member Brown asked if Mr. Morgan had prepared the same information for working families. Mr. Morgan said he had not.

There were no further questions.

REPORTS

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

Mayor O'Geary asked if Council was prepared to adjourn and move into the Work Session.

Council Member Kearney asked to be excused from the Work Session and left at this time.

Council Member Daeke moved for adjournment. Motion seconded by Council Member Daye and unanimously approved. The meeting adjourned at 6:43 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk

City Council Minutes--*DRAFT*

Work Session

26 August 2013

PRESENT

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

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Clerk Esther McCrackin, Code Compliance Director Cory Williams, Planning and Community Development Director Erris Dunston, Police Captain Perry Twisdale, Youth Services Director Donna Stern, Engineering Director Peter Sokalski and Human Resources Director Cathy Brown.

CALL TO ORDER

The 26 August 2013 Work Session of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:44 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

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

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. Council Member Coffey asked that a discussion be added regarding the recently approved Dress Code Policy. Consensus was to accept the adjusted agenda.

WORK SESSION ITEMS

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. (*Reference: CAF 13-82-A; Ordinance 13-42*)

City Manager Griffin said as requested by Council, he met with County Manager Ayscue to introduce and discuss the possibility of a joint enforcement program with the County. Although Mr. Ayscue expressed interest in the concept, funding is currently unavailable. It was agreed that this would be looked at as part of the FY15 budget process. In the meantime, the concern is a lack of City staff resources and funding to enforce code compliance within the ETJ. Mr. Griffin said consideration needs to be given to what the Code Compliance Department can accomplish with two (2) employees and a contracted service budget of only \$50,000. These funds are used for grass mowing and demolition. He suggested a recommendation back to the Planning Board for review and proposal to clarify the reality of what can effectively be done vs. the desire of the City to do it.

Council Member Rainey felt the ETJ should be joint between the City and County. Mr. Griffin said that was Council's recommendation from the last work session.

Council Member Daeke felt the City taxes should be used as resources for City compliance first but felt building rapport with the County in a joint effort was important.

City Manager Griffin said if Council was agreeable, remanding this item back to the Planning Board will be presented for action at the next meeting.

Mayor O'Geary then called for a consensus of Council. After polling the Council, it was the consensus to bring this item to the next regular meeting for action to remand this back to the Planning Board for further review and recommendation(s).

Adjusting the Budget to Reflect Available Funding for Youth Services Budget FY14 Budget Amendment #8. (*Reference: CAF 13-93; Ordinance 13-51*)

City Manager Griffin asked Finance Director Kathy Brafford to explain this adjustment. Ms. Brafford said the Youth Services budget for FY14 was approved for \$209,800. The County covers the program costs but due to a reorganization of the program offerings, staffing level has been reduced by one. The decrease in staffing allows the \$48,750 to be re-directed towards program costs. Youth Services Director added the requested funding was not received for this program so being able to put the \$48,750 toward program costs will allow the program to run adequately.

There was no discussion. By unanimous consensus this item will be brought forward to the next Council meeting.

Stormwater Regulations and Responsibilities. (*Reference: CM 13-16*)

The City Manager asked Engineering Director Peter Sokalski to review these regulations. Mr. Sokalski said the department has received an increase number of complaints and questions from citizens regarding stormwater runoff. He felt the questions were coming because of the amount of rain that has fallen in the last few months. Mr. Sokalski highlighted the Stormwater Ordinance, Section 16A-37, which details information on the areas and responsibilities of the City and said he is preparing a public information session which he will share with Council prior to meeting with the public. He said runoff cannot be blocked or changed on the downstream side and if the City does not have an easement or right-of-way, it has no authority and is not responsible. Mr. Sokalski said the City does try to work with property owners to assist/support in any way possible.

Council Member Inscoe summarized his understanding by saying there could potentially be a problem if one homeowner diverted water by building a wall to an adjoining homeowner. Mr. Sokalski said yes; however, if the wall was built to provide passage for the water, probably not a problem.

Council Member Rainey asked if a drain could be installed. Mr. Sokalski said if it was installed downstream so upstream is not affected. Mr. Rainey also asked about the drain near his business on Highway 39. Mr. Sokalski said the City works with the NCDOT but has no control of how the DOT sets drains.

Following that discussion, Council Member Inscoe asked about permits. Mr. Sokalski agreed that it is possible in certain City/State situations that two (2) permits would be required.

There was no further discussion.

REEF Project Update. *(Reference: CM 13-19)*

City Manager Griffin asked Planning and Code Compliance Director Erris Dunston to update this project.

Ms. Dunston said a letter received on 15 August from the Golden Leaf Foundation informed the Henderson-Vance Downtown Development Commission (HVDDC) that the REEF Project grant would not be extended. During its monthly Directors meeting, HVDDC agreed without funding from Golden Leaf, the REEF project would be impossible and the Board also agreed that the Zene Street property should be sold. She said RED, Inc., has asked for first refusal if the property is sold but to her understanding they will not meet until November. In the meantime, steps are being taken to procure a realtor and the HVDDC is looking at selling options.

There was no discussion.

One Stop Permitting Update. *(Reference: CM 13-14-A)*

City Manager Griffin asked Planning and Downtown Development Director Erris Dunston to update Council on the progress regarding One-Stop Permitting. Ms. Dunston said since the last

update on 24 June, a development guide has been published and is available to the public. A new permit application form has been created and the computer software is being customized for each department. She said this is a big undertaking and the team has taken huge steps forward but it is still a work in progress.

There was no discussion.

Updates on Various Council Inquiries. (Reference: CM 13-18)

City Manager Griffin briefly touched on each of the various updates and said he would be happy to answer any questions from Council.

LED Lighting – Mr. Griffin said there is an opportunity to convert to LED street lighting which will save the City dollars but LED lights produce less output than sodium vapor fixtures. The suggestion is to have a test area for citizen input. Council Member Inscoe pointed out LEDs last much longer and cost less. Mr. Griffin said the anticipated cost savings would be \$78,000 a year.

Weeded/Grass Cutting – Council Member Rainey asked about the expense of cutting grass and noted the same property was listed several times on the report. Mr. Williams said there are habitual offenders and if the City has responsibility for the lot, there would be more than one grass cutting charge. Council Member Inscoe added that many of the properties are abandoned and have not been placed in foreclosure because then the lien holder is responsible for outstanding taxes, etc. --- thus the property is left in limbo to which Council Member Daeke added the City is left to pick up the expense.

Recreation Master Plan – Mr. Griffin said this will be brought before Council in September for approval. There were no Questions.

Downtown Properties for Rent – Council Member Inscoe asked if the list is shared with the EDC Director. Ms. Dunston said as properties become available the Main Street shares the information but the hard copy list can certainly be shared.

Graffiti – Mr. Griffin asked Code Compliance Director Corey Williams and Police Captain Perry Twisdale to speak to Council regarding this issue. Capt. Twisdale said identification is an ongoing process that the police and code compliance work together on resolving. He said businesses that have used the anti-graffiti paint find it is working but some businesses seem to be covered time and again. Capt. Twisdale said the two departments, along with the Planning department are also working together with junked vehicles which is handled by the Police Department with civil notices. Capt. Twisdale said he is pleased with the cooperation between the departments.

Mr. Williams said over 20 violation letters were mailed in June --- some have already been cleaned. Both the Police and Code Compliance talk with and offer advice to owners.

Council Member Daeke remembered changing the language to cut down on the time owners have to clean up the graffiti and asked if it is working. Mr. Williams said the timeframe is 10 days and added his department works with businesses on the timeframe. He said he has spoken to Duke Progress regarding the transformers that need to be cleaned. Mr. Daeke asked if a report could be generated monthly of those that are not compliant with removing graffiti. Mr. Williams said yes.

March and Parade Permits – Mr. Griffin said he made contact with Ms. Hunt today. She was not a petitioner for this and this was the march down Chestnut Street. He spoke with Interim Police Chief Barrow who processed the paperwork for then Chief Sidwell, who was on vacation that week. He also spoke with the petitioner who seemed very satisfied with the route so Mr. Griffin said he was unsure about the communication issues and why it was brought to Council's attention four (4) months after the event. Mr. Griffin said there is a process in place and it begins with the Administrative Assistant in Administration.

Council Member Coffey said she participated in the event in question and it was her understanding the Police processed the permits as requested. Council Member Peace-Jenkins said she thought perhaps it was just a concern *from Pastor Hunt's heart*.

Dress Code

Council Member Coffey said she was bothered about the hats and head gear section of the recently revised Dress Code and asked if it could be re-addressed. She said she was stopped today by a female police officer who questioned removing hats in buildings. Ms. Coffey said she understood this section of the policy was not meant for those in uniform. She went on to say she only knows of two (2) females working in City Hall that wear hats. Ms. Coffey continued saying if she was working out in the hot sun and had a cap on her head she would not remove it when she entered her office or went to the store. She said Ms Dunston has been to Ms. Coffey's office many times wearing her little cap that she wears out in the field and Ms. Coffey has never considered that disrespectful. She added she does not consider it inappropriate if one of Corey William's female staff wears a cap in the field. Ms. Coffey emphatically stated that this is not the Pentagon; these are hardworking people that sweat in the hot sun and go in dirty houses. She would prefer to see females with a cap on covering up sticky, sweaty hair than to walk into a public building and see someone with their hair stuck to their head. Ms. Coffey summarized her comments by saying she would like to have the section regarding hats and head gear removed from the policy.

Mayor O'Geary suggested this be turned back to the Human Resources Committee for further discussion. He asked for Council's consensus which was as follows: YES: Coffey, Incoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney.

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

ADJOURNMENT

Council Member Inscoe moved for adjournment. Motion seconded by Council Member Daeke and unanimously approved. The meeting adjourned at 7:32 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk

DRAFT

City Council Action Form

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



Agenda Item: _____

Council Meeting: 9 September 13 Reg. Meeting

5 September 2013

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

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

RE: CAF: 13-65

Consideration of Approval of 1) Resolution 13-28, Authorizing Bid Award for 2" Water Mains and Services Replacement to H.G. Reynolds Company, Inc.; and 2) Ordinance 13-36, FY 14 Budget Amendment # 11, Revising the Budget for Above Mentioned Project.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

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

Recommendation:

- Approval of: 1) Resolution 13-28, Authorizing Bid Award for 2" Water Mains and Services Replacement to H.G. Reynolds Company, Inc.; *and*
- 2) Ordinance 13-38, FY 14 Budget Amendment #11 Revising the Budget for Above Mentioned Project.

Executive Summary

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

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

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

On 13 August 2012, the City Council approved the acceptance of the loan in the amount of \$1,726,000 by Resolution 12-62. This is a 20 year loan at 0% interest.

The project was formally advertised with two bids received. H.G. Reynolds Company, Inc. of Henderson, NC was the apparent low bidder at \$1,732,940. Enclosure 4 shows the overall bid tabs for this project.

The construction estimate for the project as prepared by McGill Associates was \$1,366,000. Due to the cost savings of performing the engineering design in house, performing construction administration by current City staff, and reducing the total contingency of the project to 5% in lieu of 10% (as allowed by State), a total of \$202,900 can be shifted to construction. This increases the construction budget to \$1,568,900. We reduced the work on the following streets: Parker Lane, Lincoln Street and Lehman Street (service changeovers to larger mains only) and Meadow Lane. Through that reduction and the increase in the project budget, the total construction contract comes to \$1,568,267. In addition, should the final 5% contingency be left toward the end of the project, it is believed that all the streets except for Meadow Lane could be accomplished and added back to the contract. See Table 1 for the project totals. The contingency funds will not be utilized without the approval of the City Council.

Table 1

Line Item	Original Budget (by McGill & Assoc.)	Revised Budget (After Bids)
Permit Fees	\$2,000	\$2,200
SRF Admin/Closing Fee	\$34,600	\$34,600
Legal/Admin	\$16,000	\$5,800
Engineering	\$96,000	\$36,000
Construction Admin.	\$78,000	\$0
Contingency	\$133,400 (10%)	\$78,500 (5%)
Construction	\$1,366,000	\$1,568,900
Totals	\$1,726,000	\$1,726,000

Enclosures:

1. Resolution 13-28
2. Ordinance 13-36
3. Resolution 11-88
4. Resolution 12-62
5. Overall Bid Tab

RESOLUTION 13-28

AUTHORIZING BID AWARD TO H.G. REYNOLDS COMPANY, INC. FOR 2" WATER MAINS AND SERVICES REPLACEMENT PROJECT

WHEREAS, the Henderson City Council (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 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; and KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and

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

WHEREAS, the City received an offer and accepted the loan for a water system project (project number WIF-1694) and in the amount of \$1,726,000 per Resolution 12-62; *and*

WHEREAS bids have been solicited for the performance of this work in accordance with the North Carolina General Statutes; *and*

WHEREAS, the project was formally advertised and only two bids were received for this project, with the low bidder being H.G. Reynolds Company, Inc. of Henderson, NC; *and*

WHEREAS the bids came in over the original estimate in the amount of \$1,732,940 and overall project scope was adjusted to ensure the project was within the approved monetary budget with the final total project cost of \$1,568,267.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the awarding of the 2-Inch Watermain and Service Replacement Project to H.G. Reynolds Company, Inc. in the amount of \$1,568,267 said Agreement being more fully articulated in **Attachment A** to this Resolution; *and*

BE IT FURTHER RESOLVED BY THE HENDERSON CITY COUNCIL That the Mayor is authorized to sign all agreements and documents necessary to effect said Agreement.

The foregoing Resolution 13-28 introduced by Council Member ** and seconded by Council Member ** on this the * day of *, and having been submitted to a roll call vote, was *** by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

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

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 13-28*, adopted by the Henderson City Council in Regular Session on * 2013 (See *Minute Book 42*, p. **). This Resolution is recorded in *Resolution Book # 3*, pp. **.

Witness my hand and corporate seal of the City, this ** day of *** 2013.

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

Contract
2" Watermain Replacement Project
Project No.: COH 12-001
DWSRF WIF-1694

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CONTRACT

THIS CONTRACT made and entered into this _____ day of _____, in the year 2013 by and between the City of Henderson, North Carolina, party of the first part, hereinafter called the Owner, and _____ of _____, party of the second part, hereinafter called the Contractor.

WITNESSETH

THAT, WHEREAS, a Contract for:

_____ 2" Watermain Replacement Project _____

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

Total Bid Accepted: \$ _____

AND WHEREAS, it was one of the conditions of said Award that a formal Contract should be executed by and between the Owner and the Contractor, evidencing the terms of said award, and that the Contractor shall commence the work to be performed under this agreement on a date to be specified in a written order of the Owner, and shall fully complete all work hereunder within 120 Consecutive Calendar Days, of the date specified in the Notice to Proceed.

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

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

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

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

City of Henderson

June 15, 2013

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

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

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

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

LIQUIDATED DAMAGES

The parties recognize that Owner will suffer financial loss if the work is not substantially completed within the Contract time. They also recognize the delays, expense, and difficulty to both parties involved in proving or contesting the amounts of those losses. Instead of requiring proof of those amounts, it is agreed that Contractor shall be liable for and shall pay Owner the following amounts under Owner's Damages, and Other Charges, all as liquidated damages, and not as a penalty.

	<u>City's Damages</u>	<u>Other Charges</u>	<u>Total Liquidated Damages</u>
Final Completion of all work	\$500/day		\$500/day

Liquidated damages will be assessed for the above listed amount(s) for each and every day the work remains incomplete after the completion date.

Completion for above listed item(s) shall be defined as completely installed including all

associated appurtenances, tested and ready for the intended service.

ANTI-DISCRIMINATION AND EQUAL OPPORTUNITY

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

HISTORICALLY UNDERUTILIZED BUSINESS

Please check the following:

Is your organization registered with HUB office? Yes _____ No _____

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

Yes _____ No _____

FURTHER AGREEMENTS

Contract
2" Watermain Replacement Project
Project No.: COH 12-001
DWSRF WIF-1694

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

OWNER:

ATTEST

THE CITY OF HENDERSON, NORTH CAROLINA

_____(SEAL) BY _____
Esther McCrackin, City Clerk James D. O'Geary, Mayor

CONTRACTOR:

ATTEST:

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

FINANCIAL CERTIFICATION

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

Katherine C. Brafford, CPA Date

City of Henderson

June 15, 2013

PERFORMANCE BOND

This Bond is executed on _____, 20____

The name of the PRINCIPAL is _____ (1)

a _____ (2)

The name of SURETY is _____

The CITY OF HENDERSON is the CONTRACTING BODY.

The amount of the Bond is _____

_____ Dollars (\$_____)

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

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

2" WATERMAIN REPLACEMENT PROJECT

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

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

ATTEST:

Principal Secretary
(SEAL)

Principal

By: _____(3)

Witness as to Principal

Address

Address

Surety

By: _____

Address

Phone Number

ATTEST:

NC Resident Agent
(SEAL)

Witness as to Surety

Address

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

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

PAYMENT BOND

This Bond is executed on _____, 20____

The name of the PRINCIPAL is _____ (1)

a _____ (2)

The name of SURETY is _____

The CITY OF HENDERSON is the CONTRACTING BODY.

The amount of the Bond is _____

_____ Dollars (\$_____)

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

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

2" WATERMAIN REPLACEMENT PROJECT

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

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

City of Henderson

June 15, 2013

Contract
2" Watermain Replacement Project
Project No.: COH 12-001
DWSRF WIF-1694

Page C-8

ATTEST:

Principal Secretary
(SEAL)

Principal

By: _____(3)

Witness as to Principal

Address

Address

Surety

By: _____

Address

Phone Number

ATTEST:

NC Resident Agent
(SEAL)

Witness as to Surety

Address

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

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

City of Henderson

June 15, 2013

POWER OF ATTORNEY

(Attach)

CERTIFICATE OF INSURANCE

(Attach)

CERTIFICATE OF ATTORNEY

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

This _____ day of _____, 20_____.

John H. Zollicoffer, Jr., City Attorney

O R D I N A N C E 13-36

AN AMENDMENT TO THE FY 2013-2014 BUDGET BUDGET AMENDMENT #11 AMENDING THE 2" WATER LINE REPLACEMENT PROJECT FUND

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 Capital Improvements Fund for active capital projects related to the Water Fund, said fund referred to as 43: CIP Water Fund; *and*

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

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 13-36			
			FY 13-14 Budget Amendment #11			
FUND: 43: CIP Water Fund						
43: CIP WATER FUND REVENUES			Approved 9-Jan-12	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
850: 2" Line Replace	State Revolving Loan	43-850-458100	\$ -	\$ 1,726,000	\$ -	\$ 1,726,000
850: 2" Line Replace	Trans from: 30 Water Fund	43-850-369030	\$ 39,000	\$ 39,000	\$ -	\$ 39,000
			\$ -	\$ -	\$ -	\$ -
Total			\$ 39,000	\$ 1,765,000	\$ -	\$ 1,765,000
						\$ 1,765,000
43: CIP WATER FUND EXPENDITURES			Approved 9-Jan-12	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
850: 2" Line Replace	Legal/Admin	43-850-510200	\$ -	\$ 16,000	\$ (10,200)	\$ 5,800
850: 2" Line Replace	Engineering Design	43-850-510301	\$ 32,000	\$ 96,000	\$ (60,000)	\$ 36,000
850: 2" Line Replace	Construction	43-850-510400	\$ -	\$ 1,366,000	\$ 202,900	\$ 1,568,900
850: 2" Line Replace	Construction/Admin	43-850-510800	\$ -	\$ 78,000	\$ (78,000)	\$ -
850: 2" Line Replace	SRF Admin/Closing Fee	43-850-504514	\$ -	\$ 34,600	\$ -	\$ 34,600
850: 2" Line Replace	Contingency	43-850-999010	\$ 5,000	\$ 133,400	\$ (54,900)	\$ 78,500
850: 2" Line Replace	Permit Fees	43-850-461001	\$ 2,000	\$ 2,000	\$ 200	\$ 2,200
850: 2" Line Replace	Trans to: 30 Water Fund	43-850-561030	\$ -	\$ 39,000	\$ -	\$ 39,000
Total			\$ 39,000	\$ 1,765,000	\$ -	\$ 1,765,000
						\$ 1,765,000
Variance					\$ -	
Reference:			Notes:			
CAF 11-118; Res 11-88; 26 Sept 11 Meeting			Council approved application for \$3M in funding for various water & sewer projects, with one being the replacement of various 2" water mains located in various locations throughout the City with larger mains as well as replacing service lines and meters that were connected to existing 2" or smaller mains.			
1 Dec 11; Letter from NCDENR			City advised NCDENR is considering application section for 2" water line replacement which, if funds are awarded, will result in a \$1.726M project.			
CAF: 12-91; Ordinance 12-50; BA#7; 13 Aug 12 Meeting			On 17 July 2012, the City received notification that a DWSRF loan in the amount of \$1.726M had been approved for the replacement of 2" water lines with 6" water lines. This serves to amend the original project budget; transferring the \$39,000 which was originally budgeted to cover preliminary engineering costs, back to the Water Fund, as those costs are included within the scope of the \$1.726M budget.			
CAF: 13-65; Ordinance 13-36; BA#11; 9 Sept 13 Meeting			To re-align project budget based on actual expenditures and final construction costs, which involves using \$54,900 of contingency funds.			

The foregoing Ordinance 13-36, 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 9 day of September 2013: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 13-65*

**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 13-36 adopted by the Henderson, City Council in Regular Session on 9 September 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 September 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

RESOLUTION 11—88

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

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

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

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

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

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

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

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

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

1. That the City of Henderson (Applicant) will arrange financing for all remaining costs of the project, if approved for a State loan or grant award.
2. That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.
3. That the City Council (governing body) of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Henderson to make scheduled repayment of the loan, to withhold from the City of Henderson any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a

repayment of the loan.

4. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
5. That Mayor James D. O'Geary, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan or grant to aid in the construction of the project described above.
6. That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
7. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

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

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

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

STATE OF NORTH CAROLINA: CITY OF HENDERSON

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

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

Esther J. McCrackin, City Clerk

RESOLUTION 12-62

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

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

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

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

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

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

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

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

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

1. That the City of Henderson (Applicant) will arrange financing for all remaining costs of the project.
2. That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.
3. That the City Council (governing body) of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Henderson to make scheduled repayment of the loan, to withhold from the City of Henderson any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

4. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
5. That Mayor James D. O'Geary, the Authorized Official, and successors so titled, is hereby authorized to execute the acceptance of the loan, being more fully articulated in ***Attachment A*** of this Resolution.
6. That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
7. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

The foregoing Resolution 12-62 introduced by Council Member Peace-Jenkins and seconded by Council Member Coffey on this the 13th day of August 2012, and having been submitted to a roll call vote, was APPROVED by the following votes: YES: Peace-Jenkins, Daeke, Brown, Daye, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: Kearney and Rainey.

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. 548)

 City of Henderson PO Box 1434 / 134 Rose Street Henderson, NC 27536	Project:	2-Inch Watermain Replacement
	Location/Address:	Henderson, NC
	By:	Peter Sokalski
Department:		Engineering

BID DATE: August 22, 2013

CONTRACTOR	LICENSE NUMBER	BID BOND	BASE BID	REMARKS
HG Reynolds Company, Inc.	14149	5% \$	1,732,940.00	All Addendums Attached
Tony E. Hawley Construction Co., Inc.	8826	5% \$	1,848,931.00	All Addendums Attached

This is to certify that the bids tabulated herein were opened and read aloud at 2:00 pm on the 22nd day of August, 2013, at 900 South Beckford Drive, Henderson, NC, and that all of said bids were accompanied by certified checks or bidder's bond except as otherwise noted.

By: 
 Peter Sokalski, PE
 Director of Engineering

City Council Action Form

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



Agenda Item: _____

Council Meeting: 9 Sept 2013 Regular Meeting

27 August 2013

TO: The Honorable Mayor James D. O'Geary and Members of City Council
FR: A. Ray Griffin, Jr., City Manager
RE: **CAF: 13-99**
Consideration of Approval of Resolution 13-66, Supporting Kerr-Tar Regional Council of Governments 205j Environmental Planning Grant Application

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **CV 7: Teamwork and Collaborative Efforts:** *We value teamwork and collaborative efforts with our fellow workers, stakeholders and partners and believe that through such efforts we will be better able to achieve our goals and objectives.*
- **KSO 5: Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems:** *The purpose of this KSO is to recognize that a focus on maintaining as well as expanding the infrastructure is essential to a progressive and economically competitive city.*

Recommendation:

- Approval of Resolution 13-66, Supporting Kerr-Tar Regional Council of Governments 205j Environmental Planning Grant Application.

Executive Summary:

In October 2012 Kerr-Tar Regional Council of Governments (COG) received a 205j grant from the Federal Clean Water Act (CWA). This grant is used for selected water quality projects, to determine the nature, extent and cause of water pollution problems and to develop resolutions to these problems. The COG has successfully provided water quality outreach and educational resources through the web, seminars and public education materials.

Due to their success, the COG's Board of Directors approved the application for a 2013 205j Grant. If approved, this grant will allow the COG to continue projects such as customizing resources for elected officials, developers and citizens regarding water quality concerns; collaborative opportunities between the COG and local government staff for regional initiatives and a full-time water quality planning/outreach position.

Enclosure:

1. Resolution 13-66
2. KTRCOG's request

RESOLUTION 13-66

Kerr-Tar Regional Council of Governments 205j Grant For Environmental Planning Resolution

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2013 and during said Retreat identified twelve Core Values and Principles and eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses CV 7: **Teamwork and Collaborative Efforts**: We value teamwork and collaborative efforts with our fellow workers, stakeholders and partners and believe that through such efforts we will be better able to achieve our goals and objectives'; *and* **KSO 5: Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems**: The purpose of this KSO is to recognize that a focus on maintaining as well as expanding the infrastructure is essential to a progressive and economically competitive city; *and*

WHEREAS North Carolina's continued prosperity depends on protecting the state's water resources for current use and future generations; *and*

WHEREAS North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the state's water resources and local water providers; *and*

WHEREAS North Carolina's businesses, traditional and emerging industries all depend on reliable supplies of clean water, reasonable utility costs and an attractive natural environment; *and*

WHEREAS North Carolina's public water, sewer and storm water utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five years.

NOW THEREFORE BE IT RESOLVED by the Henderson City Council to approve the Kerr-Tar Regional Council of Governments resolution for continuing 205j grant funding to ensure that the Kerr-Tar region and its local governments, residents, and businesses remain aware of and prepared for current and future water quality rules and regulations.

The foregoing Resolution 13-66, upon motion of Council Member *** and seconded 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
Reference Minute Book 43; p; CAF 13-99



Diane Cox
Executive Director

Member
Governments

COUNTIES
Franklin
Granville
Person
Vance
Warren

MUNICIPALITIES
Bunn
Butner
Creedmoor
Franklinton
Henderson
Kittrell
Louisburg
Macon
Middleburg
Norlina
Oxford
Roxboro
Stem
Stovall
Warrenton
Youngsville

TO: All Region K Managers

FROM: Diane Cox, Executive Director

A handwritten signature in dark ink, appearing to read "Diane Cox".

DATE: August 26, 2013

RE: Resolution of Support for water quality outreach programming through 205j grant funding for Kerr-Tar Regional Council of Governments.

In October, 2012 Kerr-Tar Regional Council of Governments received a competitive 205j grant, provided under the federal Clean Water Act (CWA). Grants are available for award to COGs for selected water quality projects; used to determine the nature, extent and cause of water pollution problems; and, to develop plans to resolve these problems.

Kerr-Tar COG is providing water quality outreach and educational resources through a resource website, seminars, and public education materials. Because of project success, Kerr-Tar Board of Directors approved the organization to move forward with applying for 2013 205j grant funding through the North Carolina Division of Water Resources. Continuing the project will include:

- A full-time water quality planning/outreach position
- Customized resources for citizens, elected officials, and developers on water quality concerns and explanation guides
- Local government staff support and coordination for regional initiatives and collaborative opportunities with COGs

By endorsing and supporting this resolution, it will allow Kerr Tar COG to work in concert with local governments, and better support local staff with a cadre of regional environmental planning concerns. In addition, 205j grant funding will continue the project and staff position through September 2015.

We ask that your Board also approve the attached resolution and forward a copy to us once it is adopted.

Attachment

City Council Action Form

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



Agenda Item: _____

Council Meeting: 9 Sept. 13 Council Meeting

30 August, 2013

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

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

RE: CAF: 13-95:

Consideration of Approval of 1) Resolution 13-64, Awarding a Contract with Kerr Tar Regional Council of Governments (COG) for the Development of a Comprehensive Recreation and Parks and Greenway Master Plan

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- **KSO 7: To Expand Leisure and Cultural Services, Programs and Facilities:** *To expand leisure and culture services, programs and facilities to meet the needs of a diverse community.*
- **KSO 8: Provide Financial Resourcing:** *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 1) Resolution 13-64, Awarding a Contract with Kerr Tar Regional Council of Governments (COG) for the Development of a Comprehensive Parks and Recreation and Greenways Master Plan

Executive Summary

During development of the FY14 budget, the Recreation Department Staff and the Henderson-Vance Recreation and Parks Commission determined that a Comprehensive Master Plan was needed to guide the department in future growth, program development, and funding applications. In February 2013 the Recreation Commission appointed a committee to assist with garnering support for undertaking the Plan, and a presentation was developed. Funds for the development of the Plan were included in both the City of Henderson and Vance County approved budgets for FY14, to be shared on an equal basis. Staff has discussed the Plan with representatives from the COG and has confidence that the COG can complete the Parks and

Recreation and Greenways Comprehensive Master Plan. The Plan elements will include: citizen involvement, demographic trends analysis, develop action plans, program/facilities inventories, recreation facilities maintenance and renovation, and general design guidelines/principals.

Enclosures:

1. Resolution 13-65
2. Recreation/Parks Director Memo dated August 16, 2013

RESOLUTION 13-65

AWARDING A CONTRACT TO THE KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS TO DEVELOP A COMPREHENSIVE RECREATION AND PARKS AND GREENWAY MASTER PLAN

WHEREAS, The Henderson City Council conducted its Annual Planning Retreat in January 2013, and during said retreat identified eight Key Strategic Objectives (KSO) and Goals;
and

WHEREAS, this Resolution addresses two of these Key Strategic Objectives as follows: **KSO 7:** To Expand Leisure and Cultural Services, Programs, and Facilities; *and* **KSO 8:** Provide Financial Resourcing; *and*

WHEREAS, the Henderson-Vance Recreation and Parks Department was initially formed in 1971; *and*

WHEREAS, the City and County recreation support efforts were consolidated into a city operated department in 1991; *and*

WHEREAS, the Henderson-Vance Recreation and Parks Department has never had a comprehensive plan developed in the past; *and*

WHEREAS, the Henderson-Vance Recreation and Parks Commission is on record as supporting the development of a Comprehensive Parks and Recreation and Greenways Master Plan;
and

WHEREAS, funding for the development of the Comprehensive Parks and Recreation and Greenways Master Plan was approved by the Henderson City Council and the Vance County Board of Commissioners on a shared basis during the FY14 budget process; *and*

WHEREAS, the Kerr-Tar Council of Government has presented a proposal to undertake the development and creation of a Parks and Recreation and Greenways Comprehensive Master Plan.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY authorize the Mayor to sign a contract with Kerr-Tar Regional Council of Governments, being more fully articulated in **Attachment A** to this Resolution, for the development of a Parks and Recreation and Greenways Comprehensive Master Plan.

The foregoing Resolution 13-65, upon motion by 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



CONTRACT BY AND BETWEEN THE CITY OF HENDERSON, NC AND KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS

Henderson ~ Vance Comprehensive Systemwide Parks and Recreation Plan

THIS AGREEMENT entered into as of the ____ day of _____, 20__ by and between the City of Henderson, North Carolina (herein called the “City”) and the Kerr-Tar Regional Council of Governments (herein called the “COG”).

I. Background

The primary purpose of the project is to gather information necessary to update and revise goals, policies, and objectives by assessing the needs of the Henderson-Vance community. Information drawn from the Comprehensive Systemwide Parks and Recreation Plan (“the Plan” or “Plan”) will provide direction to the City’s Parks and Recreation Department (“the Department” or “Department”) staff, Parks and Recreation Board, and City Council for future development, re-development, and enhancement of the City’s Parks and Recreation system including: publically accessible, Department-maintained, open space, greenway trails, recreation facilities, recreation programs, and services. Successful completion of this project is required to secure funding through multiple grant sources.

II. Scope of Work

Services to be provided the City by the COG include the following:

1. Citizen Interests, Needs, and Customer Satisfaction - Determine the citizen interests, needs, and customer satisfaction with the parks system, open space, recreation facilities and recreation programs and services.
2. Demographic Trends - Review and interpret demographic trends and characteristic of Henderson-Vance from available statistical information.
3. Goals, Policies and Objectives - Update goals, policies and standards to support the Comprehensive Systemwide Parks and Recreation Plan.
4. Action Plan - Develop an action plan which will include issues, strategies, priorities, and an analysis for budget support and funding mechanisms for the parks system, open space, recreation facilities and recreation programs and services.

5. Park and Recreation Facilities Inventory - Update the inventory of existing City-County parks, publically accessible open space, and recreation facilities in Henderson-Vance.
6. Recreation Programs and Services Inventory - Develop a comprehensive inventory of existing City-County recreation programs and services located in the City of Henderson and in Vance County.
7. General Design Guidelines/Principals - Based on citizen interests, needs, and customer satisfaction develop general standards of development for Department facilities.
8. Land Acquisition - Prioritize general land acquisition needs for the development of active and passive recreation facilities based on citizen interests, needs, and customer satisfaction.
9. Local Standards - Update recommendations for local standards for Department facilities, programs and services.
10. Recreation Facilities Maintenance and Renovation Program - Develop a set of prioritized recommendations for maintenance and renovation of existing Department facilities.
11. Benchmarking/Comparison of Parks and Recreation Resources – Benchmark / compare the parks and recreation resources of the Henderson-Vance with communities of similar population in regards to parks, park facilities, open space, recreation facilities, recreation programs, and services, revenues to expenditures, usage and staffing levels.

Public Involvement

Public involvement is the most important component of the project. The COG will develop and utilize innovative and cost effective methods to generate and maximize public participation in the development of Comprehensive Systemwide Parks and Recreation Plan. Additionally, the COG will work with the Parks and Recreation Board, public officials and agencies, interested individuals and parties representing a wide range of parks and recreation user groups.

The following meetings and reports are suggested as the minimum requirements to complete the Master Plan:

1. One (1) orientation meeting with City staff and the Parks and Recreation Board to review the work plan, timeline, and details of the planning process.
2. Two (2) Community meetings to provide broad-based community input.
3. A minimum of one (1) community wide citizen survey.
4. One (1) public hearing with the Parks and Recreation Board at the time of adoption of the Plan.
5. A minimum of one (1) report to the City Council to summarize the findings of the Plan.

Note: The City shall be responsible for the arrangement, notice, and preparation costs associated with the above meeting schedule. Kerr-Tar COG Staff shall review with the Parks and Recreation Director all prepared information for the public meetings at least three (3) days prior to the scheduled meetings.

III. Deliverables and Timeline

The services of the COG are to commence on October 1, 2013 and end no later than June 30, 2014.

The Kerr-Tar COG shall deliver to the City the following items:

1. Summary of existing conditions, inventories, and analysis.
2. A community wide citizen survey.
3. Draft Plan, which will include all the information contained in the scope of work.
4. One (1) color reproducible copy and one (1) digital copy for public distribution.
5. Final Comprehensive Systemwide Parks and Recreation Plan to include all elements listed in the scope of work.
6. Final Comprehensive Systemwide Parks and Recreation Plan Map, which includes all Department-maintained facilities, provided in color poster format (24" x 36").
7. All written materials, graphics, and data shall be delivered in paper and in digital format consistent with the City's software.

Comprehensive Systemwide Parks and Recreation Plan									
TASK / Month	1	2	3	4	5	6	7	8	9
Meetings									
Data Collection and Research									
Create Plan Document									
Plan Presentation									

IV. Fee for service

KTRCOG proposes to create a Comprehensive Systemwide Parks and Recreation Plan for the City of Henderson at a cost of \$22,000.

\$5,500	Due upon delivery of summary of existing conditions, inventories, and analysis
\$5,500	Due upon delivery of Community-wide Citizen Survey Results
\$5,500	Due upon delivery of Draft Comprehensive Systemwide Parks and Recreation Plan
\$5,500	Balance due upon delivery of Final Plan

V. Changes

The City may, from time to time, request changes in the scope of services of the COG to be performed hereunder. Such changes, including any increase or decrease in the amount of the COG's compensation, which are mutually agreed upon by and between the City and the COG, shall be incorporated in written amendments to this Contract.

IN WITNESS THEREOF, the City and the COG mutually agree to abide by the terms and conditions enumerated herein and hereby execute this Contract.

ATTEST:

Esther McCracken, Clerk
Henderson City Council

Ray Griffin, City Manager
City of Henderson

ATTEST:

Governments
Gina A. Parham, Sr. Admin. Support Specialist
Kerr-Tar Regional Council of Governments

Patricia S. Cox, Executive Director
Kerr-Tar Regional Council of

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

Finance Officer
City of Henderson

*Henderson - Vance County
Recreation & Parks Department
P.O. Box 1556
307 Carey Chapel Rd.
Henderson, NC 27536
~~~~~  
Alan Gill, Recreation & Parks Director*

To: Ray Griffin, City Manager

From: Alan Gill, Recreation/Parks Director

Date: August 16, 2013

Subject: Status Update on System Wide Comprehensive Plan

I have recently met with Dianne Cox and Mike Ciriello of the Kerr-Tar Council of Government to discuss their completing a Parks and Recreation/Greenways Master Plan for our Department. Staff at the Kerr-Tar COG are quite capable of completing these plans for us and in order to help facilitate this undertaking have prepared the attached project summary. Their scope of work covers the items that the Department wants included in the Master Plan, and I recommend moving forward with the necessary approvals.

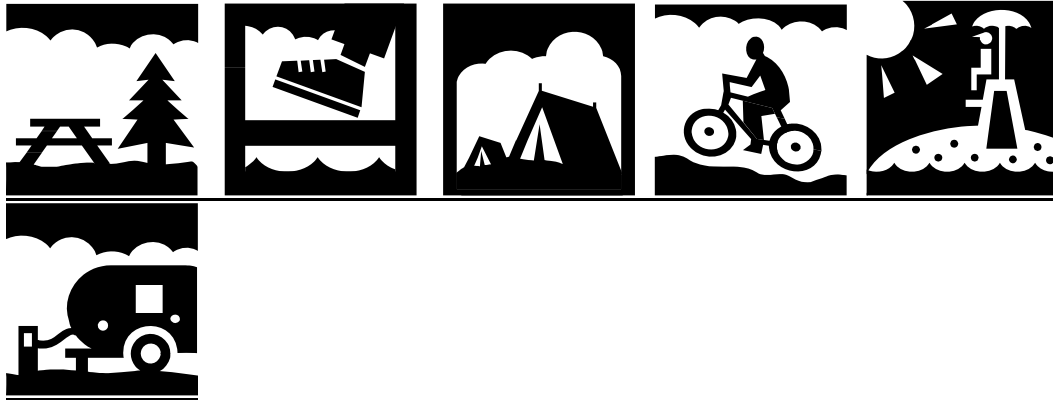
The time frame that is proposed, starting October 1, 2003 with a 9 month time frame for completion is acceptable and should have the plan completed by the end of the fiscal year.

Additionally staff and the Recreation/Parks Commission are committed and ready to work with the COG staff to complete this undertaking.

Let me know if you need any additional information on this project.

Attachment: Project Summary from Kerr-Tar COG

*Phone: (252) 431-6093   Fax: (252) 438-2786   Email: [agill@ci.hc](mailto:agill@ci.hc)*



## **HENDERSON - VANCE MASTER PARKS AND RECREATION PLAN PROJECT SUMMARY**

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Local governments and non-profit organizations, among others, derive funding from sources such as government agencies, private donations, endowments and foundation grants. A key component of ensuring successful grant requests and funding proposals is approved and adopted plans in place that meet the requirements of the funders. Funding strategies maintain an organization's focus on maintaining its fiscal responsibility by relying on multiple funding sources rather than relying solely on one source for funding needs. Organizations should create a development strategy to continually diversify their funding opportunities and strive to identify new funding sources on an ongoing basis.

### **KERR-TAR REGIONAL COUNCIL OF GOVERNMENTS CAPACITY**

The Kerr-Tar Regional Council of Governments has served the member governments in Region K since 1970. The COG provides a wide range of technical assistance and support services including, but not limited to, regional planning services, member government technical assistance and economic development. Efforts to improve research, planning and development through intergovernmental cooperation are a major goal of the Kerr-Tar Regional Council of Governments and have never been more important than it is today.

### **PROPOSED PROJECTS, ACTIVITIES, DELIVERABLES AND TIMELINES**

#### **Parks and Recreation and Greenways Plan Master**

The primary purpose of the project is to gather information necessary to update and revise goals, policies, and objectives by assessing the needs of the Henderson-Vance community. A greenways component will complement the Kerr-Tar Lakes District Regional Bike Plan that the COG Planning

Department is currently engaged in completing. Information drawn from the updated Master Plan will provide direction to the City-County staff, Parks and Recreation Board, and City Council and County Commission for future development, re-development, and enhancement of the City-County's parks system, open space, trails, recreation facilities, recreation programs, and services. Successful completion of this project is required to secure funding through multiple grant sources.

#### Scope of Work

The scope of services is not definitive and is intended only as a guide to illustrate minimum project requirements. Based on funding limitations, the items in the Scope of Work are listed in order of priority.

12. Citizen Interests, Needs, and Customer Satisfaction - Determine the citizen interests, needs, and customer satisfaction with the parks system, open space, recreation facilities and recreation programs and services.
13. Demographic Trends - Review and interpret demographic trends and characteristic of Henderson-Vance from available statistical information.
14. Goals, Policies and Objectives - Update goals, policies and standards to support the Parks and Recreation Master Plan.
15. Action Plan - Develop an action plan which will include issues, strategies, priorities, and an analysis for budget support and funding mechanisms for the parks system, open space, recreation facilities and recreation programs and services.
16. Park and Recreation Facilities Inventory - Update the inventory of existing City-County parks, open space, and recreation facilities and include other public and private parks, open space and recreation facilities in Henderson-Vance and the surrounding area.
17. Recreation Programs and Services Inventory - Develop a comprehensive inventory of existing City-County recreation programs and services and other public and private programs and services located in and around Henderson-Vance and compare them to current program offerings.
18. Prioritize Land Acquisition - Prioritize general land acquisition needs for the development of parks, open space and recreation facilities.
19. Recreation Facilities Maintenance and Renovation Program - Develop a set of prioritized recommendations for maintenance and renovation of existing parks and recreation facilities.
20. General Design Guidelines/Principals - Based on citizen interests, needs, and customer satisfaction, develop general standards of development for parks and recreation facilities.

21. Benchmarking/Comparison of Parks and Recreation Resources – Benchmark / compare the parks and recreation resources of the Henderson-Vance with similar communities in regards to parks, park facilities, open space, recreation facilities, recreation programs, and services, revenues to expenditures, usage and staffing levels.
22. Local Standards - Update recommendations for local standards for parks, open space, recreation facilities and recreation programs and services.

### Public Involvement

Public involvement is the most important component of the project. The consultant will develop and utilize innovative and cost effective methods to generate and maximize public participation in the development of an updated Parks and Recreation Master Plan. Additionally, the consultant will work with the Parks and Recreation Board, public officials and agencies, interested individuals and parties representing a wide range of parks and recreation user groups.

The following meetings and reports are suggested as the minimum requirements to complete the Master Plan:

6. One (1) orientation meeting with City-County staff and the Parks and Recreation Board to review the work plan, timeline, and details of the master plan process.
7. Two (2) Community meetings to provide broad-based community input.
8. A minimum of one (1) community wide citizen survey.
9. One (1) public hearing with the Parks and Recreation Board at the time of adoption of the Master Plan.
10. A minimum of one (1) report to the City Council and County Commission, to summarize the findings of the Master Plan.

*Note:* The City-County shall be responsible for the arrangement, notice, and preparation costs associated with the above meeting schedule. The Kerr-Tar COG shall review with the Parks and Recreation Director all prepared information for the public meetings at least three (3) days prior to the scheduled meetings.

### Deliverables

The Kerr-Tar COG shall deliver to the City-County the following items:

8. Summary of existing conditions, inventories, and analysis.
9. A community wide citizen survey.
10. Draft Master Plan, which will include all the information contained in the scope of work.

11. One (1) color reproducible copy and one (1) digital copy for public distribution.
12. Final Master Plan to include all elements listed in the scope of work.
13. Final Parks and Recreation Master Plan Map, which includes all parks, open space and recreation facilities, provided in color poster format (24" x 36"). The poster should include the goal, objectives, and policies of the Parks and Recreation Master Plan.
14. All written materials, graphics, and data shall be delivered in paper and in digital format consistent with the City-County software.

Timeline – 9 months (October 1, 2013 – June 30, 2014)

### **BUDGET**

Parks and Recreation and Greenways Master Plan - \$22,000\*

Payment Schedule: 50% upfront; 25% at the project mid-point (February 15, 2014) and 25% at project end (June 30, 2014)

#### **\*POTENTIAL PROJECT ADD-ONS CONTINGENT ON ADDITIONAL FUNDING**

There are potentially two opportunities to secure additional funding to enhance the scope of the project. Both sources would afford us the opportunity to expand planning for bike and pedestrian facilities that would complement a Parks and Recreation and Greenways Master Plan. One source of funding would be from the Vance-Granville Counties Department of Health and would not require a match. A second source of funding, requiring a 20% match, could come from the North Carolina Department of Transportation in the form of a Bike and Pedestrian Planning Grant. Funding dedicated by the City / County for the Parks and Recreation Master Plan could be utilized as match for an NCDOT grant.

## City Council Action Form

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



**Agenda Item:** \_\_\_\_\_

**Council Meeting:** 9 Sept 13 Regular Meeting

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3 September 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-B

**Consideration of Approval of Remanding Ordinance 13-42, to the Planning Board Providing for Limited Enforcement in the Extra-Territorial Jurisdiction Area (ETJ), Pursuant to Section 40 of the City Charter**

**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 Remanding Ordinance 13-42, to the Planning Board Providing for Limited Enforcement in the Extra-Territorial Jurisdiction Area (ETJ), Pursuant to Section 40 of the City Charter.

**Executive Summary:**

At its August Work Session, City Council continued its discussion on revising its Code Enforcement activities in the extra-territorial jurisdiction. After discussion, Council members unanimously agreed to consider this matter for action at the September Regular Business Meeting.

**Enclosure:**

1. CAF 13-82
2. CAF 13-82-A
3. Ordinance 13-42

## 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 was 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.

CAF 13-82: 22 July 2013 Council Meeting  
Page 1 of 11

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



**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

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May 7, 2013

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

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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.



**City of Henderson**  
**Code Compliance Department**  
Post Office Box 1434  
134 Rose Avenue  
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Phone (252) 430-5725 Fax (252) 492-7935

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**May 3, 2013**

TO: Ray Griffin, City Manager

FROM: Corey K. Williams, Director *CKW*

RE: ETJ Enforcement

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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.

CAF 13-82: 22 July 2013 Council Meeting  
Page 6 of 11

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

**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 24<sup>TH</sup>, 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 ✓

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*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 Zollcoffer

The Mayor noted this matter was considered (and defeated) on September 25<sup>th</sup>, 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 (5/3/06) 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. Rickay 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

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**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?"

1

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; 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.** 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

16 August 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-A

**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**

**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 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:**

At its July Work Session, City Council considered City Administration's request to consider Ordinance 13-42 providing for amendments to the City Code Chapter 7: *Abandoned/Junked Vehicles*; Chapter 21: *Minimum Housing Abandoned Structures, Summary Abatement*; and Chapter 23: *Nuisances and Weeded Lots*. During discussion, Council requested the City Manager to speak with County Manager Ayscue to determine if there is a possibility to create a joint program. The working concept for this was the City would provide the administrative support for code enforcement while the County would pay for the costs of non-staff code enforcement, i.e., costs of demolition, grass cutting, etc.

I met with Mr. Ayscue and discussed this concept with him. While he appreciates the concept, the County has not budgeted for this and he thought perhaps this could be something the two jurisdictions could further discuss as we begin to develop the FY15 Budget. Additionally, he expressed concern about this being done within the ETJ and not within the County as a whole.

No one denies the need for code enforcement within the ETJ. It is a matter of resources being able to be allocated for this purpose. It is a terrible shame so many property owners have literally walked away from their properties and thus the responsibility for taking care of them.

This matter is now brought back to Council for its further discussion and consideration. It is imperative the current Ordinances be clarified in terms of the City's responsibilities for code enforcement within the ETJ. The continuing impacts of the Recession and lagging economic recovery in our part of the state has resulted, over time, reductions in funding for code compliance in both staffing levels and funding for code compliance for demolition, grass moving, etc. The current budget has only \$50,000 allocated for code compliance enforcement.

Should Council wish to proceed, this matter would have to be submitted to the Planning Board for its review and subsequent recommendation to Council. Once received, Council would need to conduct a public hearing prior to voting on the Ordinance.

**Enclosure:**

4. CAF 13-82

5. Ordinance 13-42

## 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 Council Action Form

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



Agenda Item: \_\_\_\_\_

Council Meeting: 9 Sept. 13 Regular Meeting

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4 September, 2013

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

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

**RE:** CAF: 13—93

**Consideration of Approval of Ordinance 13-51, FY14 Budget Amendment #8  
Adjusting the Budget to Reflect Available Funding for Youth Services Budget**

**Ladies and Gentlemen:**

**Council Goals Addressed By This Item:**

- KSO 8: Adequate Financial Resources

**Recommendation:**

- Approval of Ordinance 13-51, FY14 Budget Amendment #8, Adjusting the Budget to Reflect Available Funding for Youth Services Budget

### Executive Summary

The Recreation/Parks Department's Youth Services Division is charged with working with at-risk youth to keep them from becoming involved with the Juvenile Court system and to reduce recidivism to court by those already in the system. The Division accepts youth into the programs offered by referrals from Juvenile Court Counselors and School Counselors.

The FY14 Budget was based on estimates for Youth Services at \$209,800. Once all State and County funds were determined, it was realized a reduction in staffing by one (1) position, currently vacant, would be necessary in order to provide for program delivery as well as program operations vis-à-vis staffing. The Budget Ordinance Amendment reflects a reduction in available resources from the estimated \$209,800 to \$158,300.

Once the Budget Ordinance Amendment is approved, a reorganization of the staffing and program offerings will be effected. These will now include: Teen Court, Conflict Management Services, Community Service/Restitution, and Project Youth Outreach with components for both Boys and Girls. As a result of this reorganization the division staffing level has been reduced

CAF 13-93: 9 September 2013 Council Meeting: 26 August 2013 Work Session

from 4 to 3. This reorganization will allow the division staff to effectively meet the needs as outlined in the Vance County Juvenile Crime Prevention Council's annual plan which addresses and sets the program and funding priorities for Vance County and be within budgetary guidelines.

**Enclosures:**

1. Budget Ordinance 13-51

# O R D I N A N C E 13-51

## AN AMENDMENT TO THE FY 2013 -- 2014 BUDGET BUDGET AMENDMENT #8

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

**WHEREAS**, it is necessary to amend the various revenue and expense accounts of the annual operating budget from time-to-time, said amendment incorporated in 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.

| Fund: 10: General                 |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Ordinance 13-51<br>FY 13-14 Budget Amendment #8 |                   |             |            |
|-----------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------|-------------|------------|
| REVENUES                          |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Approved<br>1-Jul-13                            | Current<br>Budget | Amendment   | Revised    |
| Department                        | Line Item              | Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                 |                   |             |            |
|                                   | County Contracts -     | 10-100-477040                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 209,800                                      | \$ 209,800        | \$ (48,750) | \$ 161,050 |
|                                   | Youth Services         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$ -                                            | \$ -              | \$ -        | \$ -       |
|                                   |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$ -                                            | \$ -              | \$ -        | \$ -       |
|                                   | <b>Total</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$ 209,800                                      | \$ 209,800        | \$ (48,750) | \$ 161,050 |
|                                   |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                 |                   |             | \$ 161,050 |
| EXPENDITURES                      |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Approved<br>1-Jul-13                            | Current<br>Budget | Amendment   | Revised    |
| Department                        | Line Item              | Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                 |                   |             |            |
| Youth Services                    | Salaries & Wages       | 10-622-500200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 148,500                                      | \$ 148,500        | \$ (29,200) | \$ 119,300 |
|                                   | Holiday Pay            | 10-622-500201                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ -                                            | \$ -              | \$ -        | \$ -       |
|                                   | Holiday Bonus          | 10-622-500220                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 800                                          | \$ 800            | \$ (200)    | \$ 600     |
|                                   | FICA/Medicare          | 10-622-500500                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 11,500                                       | \$ 11,500         | \$ (2,400)  | \$ 9,100   |
|                                   | Group Medical          | 10-622-500600                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 22,600                                       | \$ 22,600         | \$ (8,600)  | \$ 14,000  |
|                                   | Group Dental Ins       | 10-622-500606                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 1,700                                        | \$ 1,700          | \$ (700)    | \$ 1,000   |
|                                   | Group Life Insurance   | 10-622-500610                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 600                                          | \$ 600            | \$ (300)    | \$ 300     |
|                                   | Group LTD Insurance    | 10-622-500611                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 400                                          | \$ 400            | \$ (100)    | \$ 300     |
|                                   | Retirement             | 10-622-500700                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 10,300                                       | \$ 10,300         | \$ (1,800)  | \$ 8,500   |
|                                   | State UI PR Tax        | 10-622-500910                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 900                                          | \$ 900            | \$ (100)    | \$ 800     |
|                                   | Telephone              | 10-622-501100                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 1,700                                        | \$ 1,700          | \$ -        | \$ 1,700   |
|                                   | Data Services/Internet | 10-622-501150                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 1,800                                        | \$ 1,800          | \$ -        | \$ 1,800   |
|                                   | General Liability Ins  | 10-622-505401                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 600                                          | \$ 600            | \$ (150)    | \$ 450     |
|                                   | Public Officials Liab  | 10-622-505403                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 400                                          | \$ 400            | \$ (100)    | \$ 300     |
|                                   | Workers Comp Ins       | 10-622-505410                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 8,000                                        | \$ 8,000          | \$ (5,100)  | \$ 2,900   |
|                                   |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$ -                                            | \$ -              | \$ -        | \$ -       |
|                                   | <b>Total</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$ 209,800                                      | \$ 209,800        | \$ (48,750) | \$ 161,050 |
|                                   |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                 |                   |             | \$ 161,050 |
|                                   | <b>variance</b>        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                 |                   | \$ -        |            |
| Reference:                        |                        | Notes:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                 |                   |             |            |
| CAF 13-93; Ordinance 13-51; BA #8 |                        | This amendment serves to amend the budget for the Youth Services Program. This program is 100% reimburseable by the County. Due to a reorganization of the program offerings, staffing level has been reduced from 4 employees to 3. The City only pays for personnel related expenses. The County pays for the program costs directly. The reduction in staff will allow the remaining funds to be re-directed towards program costs; therefore the City's budget and corresponding County reimbursement will be reduced. |                                                 |                   |             |            |

The foregoing Ordinance 13-51 upon motion of Council Member \*\* and second by Council Member \*\*\*, and having been submitted to a roll call vote and received the following votes and was \*\*\* on this the 26 day of August 2013: YES: \*\*\*. NO: \*\*. ABSTAIN: \*\*. ABSENT: \*\*.

---

James D. O'Geary, Mayor

**ATTEST:**

---

Esther J. McCrackin, City Clerk

*Reference: Minute Book 43 p. \*\*\**

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**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 13-18 adopted by the Henderson, City Council in Regular Session on 26 August 2013 (Minute Book 43 p.\*\*). This Ordinance is recorded in Ordinance Book 8, p. \*\*\*.

Witness my hand and corporate seal of the City, this \*\*\* day of August 2013.

---

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

## City Council Action Form

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



Agenda Item: \_\_\_\_\_

Council Meeting: 9 Sept 13 Regular Meeting

---

4 September 2013

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

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

**RE:** CAF: 13-103

**Consideration of Approval of Ordinance 13-58 FY14 Budget Amendment # 10,  
Closing Out the 2012 BJA Bulletproof Vests Grant**

**Ladies and Gentlemen:**

**Recommendation:**

- Approval of Ordinance 13-58, FY14 Budget Amendment #10, Closing Out the 2012 BJA Bulletproof Vests Grant.

**Executive Summary:**

Capital Improvement Project and/or Grant Project funds for active capital projects and grant projects are open for the life of the grant or project. Once the project or grant has been completed, it is necessary to "close out" these funds. Ordinance 13-58 officially closes out Fund 55-203: BJA Bulletproof Vests Grant.

Resolution 12-A-14 was approved by Council on 5 November 2012 to accept the grant which was used to assist the Police Department with the purchase of new law enforcement ballistic vests. The initial grant budget was subsequently amended to reflect both a grant match and funds received from the NCLM to offset a portion of the City's grant match. Grant funds from the U.S. Department of Justice have now been received and the grant is ready to be closed out.

**Enclosure:**

1. Ordinance 13-58
2. Resolution 12-A-14

# O R D I N A N C E   13-58

## FY 2013-2014 BUDGET AMENDMENT # 10 CLOSING OUT 2012 BJA BULLETPROOF VESTS GRANT ACCOUNT 55-203

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

**WHEREAS**, pursuant to NC General Statutes, the Council has created and uses Capital Improvements Projects and Grant Projects funds for active capital projects and grant project funds; *and*

**WHEREAS**, the capital project and grant project funds are open for the life of the project and/or grant, they are nevertheless managed on a day-to-day basis and through the annual fiscal year cycle; *and*

**WHEREAS**, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements and grant project 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 13-58                                                                                                                                                                                                                                                            |                   |           |            |      |
|----------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------|------------|------|
|                                                                                                                            |                           |                                    |    | FY 13-14 Budget Amendment #10                                                                                                                                                                                                                                              |                   |           |            |      |
| FUNDS:                                                                                                                     |                           | 55: Grants Fund & 10: General Fund |    |                                                                                                                                                                                                                                                                            |                   |           |            |      |
| PROJECT:                                                                                                                   |                           | 55-203 BJA Bullet Proof Vests 2012 |    |                                                                                                                                                                                                                                                                            |                   |           |            |      |
|                                                                                                                            |                           |                                    |    | Approved<br>1-Jul-13                                                                                                                                                                                                                                                       | Current<br>Budget | Amendment | Revised    |      |
| 55-203 BJA Bullet Proof Vests 2012 Revenues                                                                                |                           |                                    |    |                                                                                                                                                                                                                                                                            |                   |           |            |      |
|                                                                                                                            | BJA Grant                 | 55-203-458218                      | \$ | 4,199                                                                                                                                                                                                                                                                      | \$                | 4,199     | \$ (4,199) | \$ - |
|                                                                                                                            | Trans Fr: 10 General Fund | 55-203-461010                      | \$ | 4,199                                                                                                                                                                                                                                                                      | \$                | 4,199     | \$ (4,199) | \$ - |
|                                                                                                                            |                           | Total                              | \$ | 4,199                                                                                                                                                                                                                                                                      | \$                | 8,398     | \$ (8,398) | \$ - |
|                                                                                                                            |                           |                                    |    |                                                                                                                                                                                                                                                                            |                   |           | \$         | -    |
|                                                                                                                            |                           |                                    |    | Approved<br>1-Jul-13                                                                                                                                                                                                                                                       | Current<br>Budget | Amendment | Revised    |      |
| 55-203 BJA Bullet Proof Vests 2012 Expenditures                                                                            |                           |                                    |    |                                                                                                                                                                                                                                                                            |                   |           |            |      |
|                                                                                                                            | Bullet Proof Vests        | 55-203-503605                      |    | 8,398                                                                                                                                                                                                                                                                      | \$                | 8,398     | \$ (8,398) | \$ - |
|                                                                                                                            |                           |                                    |    |                                                                                                                                                                                                                                                                            |                   |           | \$         | -    |
|                                                                                                                            |                           | Total                              | \$ | 8,398                                                                                                                                                                                                                                                                      | \$                | 8,398     | \$ (8,398) | \$ - |
|                                                                                                                            |                           |                                    |    |                                                                                                                                                                                                                                                                            |                   |           | \$         | -    |
|                                                                                                                            |                           | Variance                           |    |                                                                                                                                                                                                                                                                            |                   | \$        | -          |      |
| Reference:                                                                                                                 |                           |                                    |    | Notes:                                                                                                                                                                                                                                                                     |                   |           |            |      |
| Grant was established via Ord 12-79 on 5 Nov 12; BA #18<br>(See also CAF 12-67; CAF 12-A-67, Resolution 12-14 and 12-A-14) |                           |                                    |    | Establish the project grant                                                                                                                                                                                                                                                |                   |           |            |      |
| Budget Ordinance: 13-16, budget amendment 27; Council Meeting held on 25 Mar 2013                                          |                           |                                    |    | Establish the grant match from Police Asset Forfeitures                                                                                                                                                                                                                    |                   |           |            |      |
| CAF 13-42; Ordinance 13-21; BA #32                                                                                         |                           |                                    |    | Revise the budget for the Bulletproof Vests Grant to incorporate a \$2,500 grant from the NCLM. This grant was to cover a portion of the City's grant match, thereby reducing the amount required for a grant match from Police Asset Forfeitures from \$4,199 to \$1,699. |                   |           |            |      |
| CAF 13-103; Ordinance 13-58; BA #10                                                                                        |                           |                                    |    | To close out the 2012 BJA Bulletproof Vests Grant                                                                                                                                                                                                                          |                   |           |            |      |

The foregoing Ordinance 13-58, 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. \*\*\*;*

\_\_\_\_\_  
**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 13-58 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*

## RESOLUTION 12-A-14

### A RESOLUTION ACCEPTING THE 2012 BJA BULLETPROOF VEST PROGRAM GRANT FOR THE CITY OF HENDERSON POLICE DEPARTMENT

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

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

**WHEREAS**, the Council authorized the submission of a grant application for 2012 BJA Bulletproof Vest Partnership funding that would reimburse the City of Henderson for 50% of the total purchase price and shipping of new law enforcement ballistic vests via *Resolution 12-14* at the Council's 11 June 2012 meeting, said grant application being in the amount of \$4,198.50; *and*

**WHEREAS**, the City has received notice of grant award in the amount of \$4,198.50, said grant funds to be requested for reimbursement to the City as noted in the preceding paragraph and it is now appropriate to accept the grant.

**NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT** it does hereby accept the 2012 BJA Bulletproof Vest Partnership Grant in the amount of \$4,198.50, and said funds to be requested in accordance with grant requirements for the purchase of law enforcement ballistic vests; *and*

**BE IT FURTHER RESOLVED THAT** the Mayor and City Manager are authorized to sign all documents necessary to accept and execute grant with the US Department of Justice.

The foregoing Resolution 12-A-14 was presented for consideration on 5 November 2012, and upon a motion by Council Member Rainey and seconded by Council Member Coffey was APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: None.

---

James D. O'Geary, Mayor

**ATTEST:**

---

Esther J. McCrackin, City Clerk

Approved as to Legal Form:

---

John H. Zollicoffer, Jr., City Attorney

## City Council Action Form

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



Agenda Item: \_\_\_\_\_

Council Meeting: 9 Sept 13 Regular Meeting

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28 August 2013

**TO:** The Honorable Mayor Pete O'Geary and Members of City Council

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

**RE:** CAF: 13-69-A

**Consideration of Approval of Resolution 13-49-A, Accepting the 2013 BJA Grant in the amount of \$15,586.00; and Ordinance 13-55, FY14 Budget Amendment #9, Establishing the 2013 BJA Grant Project Budget.**

**Ladies and Gentlemen:**

**Council Goals Addressed By This Item:**

- **KSO2: Reduce Crime:** To Reduce Crime and Provide for a Safe Community
- **KSO 8: Provide Financial Resourcing:** 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 13-49-A, Accepting the 2013 BJA Grant in the amount of \$15,586.00; and Ordinance 13-55, FY14 Budget Amendment #9, Establishing the 2013 BJA Grant Project Budget.

### Executive Summary

On 10 June 2013, City Council authorized the submission of an application to the US Department of Justice for the 2013 BJA JAG Grant in the amount of \$15,586 via Resolution 13-49. This grant is an annual submission that shares funding between the City and County. This year's allocations are in the amounts of \$9,351.60 and \$6,234.40; respectively. Notice has been received of grant award in the amount requested; therefore, it is appropriate for Council to accept the grant by approving Resolution 13-49-A and establishing the grant project budget by approving Ordinance 13-55 FY14, Budget Amendment #9.

The City of Henderson Police Department will use its portion of allocated funds to purchase two (2) new In-Car Mobile Camera Audio/Video Recorders replacing two (2) old camera units.

CAF 13-69-A: 9 September 2013 Council Meeting

Page 1 of 39

The Vance County Sheriff's Office will use its portion of allocated funds to purchase three (3) Mobile Data Terminals, accessories and communications cards for installation in Sheriff's Deputies' patrol vehicles.

**Enclosures:**

1. Resolution 13-49-A
2. Ordinance 13-55
3. CAF 13-69

## **R E S O L U T I O N   13-49-A**

### **A RESOLUTION ACCEPTING THE 2013 BJA JUSTICE ASSISTANCE GRANT FOR THE CITY OF HENDERSON POLICE DEPARTMENT AND THE COUNTY OF VANCE SHERIFF DEPARTMENT**

**WHEREAS**, the Henderson City Council (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**, on 10 June 2013 Council authorized the submission of a grant application for 2013 BJA funding that would be shared between the City of Henderson and the County of Vance via *Resolution 13-49*, said grant application being in the amount of \$15,586, with \$6,234.40 being designated for the Vance County Sheriff's Department and \$9,351.60 being designated for the City's Police Department; *and*

**WHEREAS**, the City has received notice of grant award in the amount of \$15,586, said grant funds to be distributed to the City's Police Department and the County's Sheriff Department as noted in the preceding paragraph and it is now appropriate to accept the grant.

**NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT** it does hereby accept the 2013 BJA Grant in the amount of \$15,586, and said funds to be disbursed in accordance with grant requirements to the Henderson Police Department in the amount of \$9,351.60 for the purchase of replacement in-car cameras and the Vance County Sheriff Department in the amount of \$6,234.40 for the purchase of law enforcement equipment; *and*

**BE IT FURTHER RESOLVED THAT** the Mayor and City Manager are authorized to sign all documents necessary to accept and execute grant with the US Department of Justice, said grant agreement being more fully articulated in **Attachment A** of this Resolution.

The foregoing Resolution 13-49-A, 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 as to Legal Form:

\_\_\_\_\_  
John H. Zollicoffer, Jr., City Attorney

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



Department of Justice  
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 21, 2013

Mr. Ray Griffin Jr.  
City of Henderson  
P.O. Box 1434  
134 Rose Avenue  
Henderson, NC 27536-4142

Dear Mr. Griffin:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 13 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local in the amount of \$15,586 for City of Henderson.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Tamaro T. White, Program Manager at (202) 353-3503; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denise O'Donnell".

Denise O'Donnell  
Director

Enclosures



**Department of Justice**  
Office of Justice Programs  
Office for Civil Rights

*Washington, D.C. 20531*

August 21, 2013

Mr. Ray Griffin Jr.  
City of Henderson  
P.O. Box 1434  
134 Rose Avenue  
Henderson, NC 27536-4142

Dear Mr. Griffin:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

**Ensuring Access to Federally Assisted Programs**

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

**Providing Services to Limited English Proficiency (LEP) Individuals**

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

**Ensuring Equal Treatment for Faith-Based Organizations**

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

#### **Enforcing Civil Rights Laws**

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

#### **Complying with the Safe Streets Act or Program Requirements**

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEO), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

##### **1) Meeting the EEO Requirement**

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEO reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEO and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEO, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEO specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEO, but it does not have to submit the EEO to OCR for review. Instead, your organization has to maintain the EEO on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEO requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

##### **2) Submitting Findings of Discrimination**

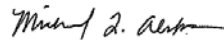
In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

#### **Ensuring the Compliance of Subrecipients**

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEO, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston  
Director

cc: Grant Manager  
Financial Analyst

|                                                                                                                                                                                            |  |                                                                                                                                                                                                                                                                                                        |                                                                                               |                       |                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------------------|------------------|
|  <b>Department of Justice</b><br><b>Office of Justice Programs</b><br><b>Bureau of Justice Assistance</b> |  | <b>Grant</b>                                                                                                                                                                                                                                                                                           |                                                                                               | PAGE 1 OF 7           |                  |
| <b>1. RECIPIENT NAME AND ADDRESS (Including Zip Code)</b><br>City of Henderson<br>P.O. Box 1434 134 Rose Avenue<br>Henderson, NC 27536-4142                                                |  | <b>4. AWARD NUMBER:</b> 2013-DJ-BX-0483<br><b>5. PROJECT PERIOD:</b> FROM 10/01/2012 TO 09/30/2014<br><b>BUDGET PERIOD:</b> FROM 10/01/2012 TO 09/30/2014<br><b>6. AWARD DATE</b> 08/21/2013 <b>7. ACTION</b><br><b>8. SUPPLEMENT NUMBER</b> 00 <b>Initial</b><br><b>9. PREVIOUS AWARD AMOUNT</b> \$ 0 |                                                                                               |                       |                  |
| <b>1A. GRANTEE IRS/VENDOR NO.</b><br>566001245                                                                                                                                             |  | <b>10. AMOUNT OF THIS AWARD</b> \$ 15,586<br><b>11. TOTAL AWARD</b> \$ 15,586                                                                                                                                                                                                                          |                                                                                               |                       |                  |
| <b>3. PROJECT TITLE</b><br>Henderson/Vance 2013 BJA JAG Grant                                                                                                                              |  |                                                                                                                                                                                                                                                                                                        |                                                                                               |                       |                  |
| <b>12. SPECIAL CONDITIONS</b><br>THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).                                   |  |                                                                                                                                                                                                                                                                                                        |                                                                                               |                       |                  |
| <b>13. STATUTORY AUTHORITY FOR GRANT</b><br>This project is supported under FY13(BJA - JAG) 42 USC 3750, et seq.                                                                           |  |                                                                                                                                                                                                                                                                                                        |                                                                                               |                       |                  |
| <b>15. METHOD OF PAYMENT</b><br>GPRS                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                        |                                                                                               |                       |                  |
| AGENCY APPROVAL                                                                                                                                                                            |  |                                                                                                                                                                                                                                                                                                        | GRANTEE ACCEPTANCE                                                                            |                       |                  |
| <b>16. TYPED NAME AND TITLE OF APPROVING OFFICIAL</b><br>Denise O'Donnell<br>Director                                                                                                      |  |                                                                                                                                                                                                                                                                                                        | <b>18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL</b><br>Ray Griffin<br>City Manager |                       |                  |
| <b>17. SIGNATURE OF APPROVING OFFICIAL</b><br>                                                          |  |                                                                                                                                                                                                                                                                                                        | <b>19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL</b>                                         |                       | <b>19A. DATE</b> |
| AGENCY USE ONLY                                                                                                                                                                            |  |                                                                                                                                                                                                                                                                                                        |                                                                                               |                       |                  |
| <b>20. ACCOUNTING CLASSIFICATION CODES</b><br>FISCALYFUND C BUD.A OFC. DIV.RE SUB. POMS AMOUNT<br>EAR ODE CT. G.<br>X B DJ 80 00 00 15586                                                  |  |                                                                                                                                                                                                                                                                                                        |                                                                                               | <b>21. MDJUGT0402</b> |                  |

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

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|  <p>Department of Justice<br/>Office of Justice Programs<br/><b>Bureau of Justice Assistance</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p align="center"><b>AWARD<br/>CONTINUATIONSHEET<br/>Grant</b></p> | <p align="right">PAGE 2 OF 7</p> |
| <p>PROJECT NUMBER 2013-DJ-BX-0483      AWARD DATE 08/21/2013</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |                                  |
| <p align="center"><i>SPECIAL CONDITIONS</i></p> <ol style="list-style-type: none"> <li>The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.</li> <li>The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.</li> <li>The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide.</li> <li>Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.</li> <li>The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -<br/><br/>mail:<br/><br/>Office of the Inspector General<br/>U.S. Department of Justice<br/>Investigations Division<br/>950 Pennsylvania Avenue, N.W.<br/>Room 4706<br/>Washington, DC 20530<br/><br/>e-mail: <a href="mailto:oig.hotline@usdoj.gov">oig.hotline@usdoj.gov</a><br/><br/>hotline: (contact information in English and Spanish): (800) 869-4499<br/><br/>or hotline fax: (202) 616-9881<br/><br/>Additional information is available from the DOJ OIG website at <a href="http://www.usdoj.gov/oig">www.usdoj.gov/oig</a>.</li> <li>Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.</li> <li>The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.</li> </ol> |                                                                    |                                  |

OJP FORM 4000/2 (REV. 4-88)



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD  
CONTINUATIONSHEET  
Grant**

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PROJECT NUMBER 2013-DJ-BX-0483

AWARD DATE 08/21/2013

*SPECIAL CONDITIONS*

8. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
9. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
10. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at [www.ojp.gov/funding/confcost.htm](http://www.ojp.gov/funding/confcost.htm).
11. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
12. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
13. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
14. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
15. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

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| PROJECT NUMBER 2013-DJ-BX-0483                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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| <b>SPECIAL CONDITIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| <p>16. The recipient agrees that all income generated as a direct result of this award shall be deemed program income. All program income earned must be accounted for and used for the purposes of funds provided under this award, including such use being consistent with the conditions of the award, the effective edition of the OJP Financial Guide and, as applicable, either (1) 28 C.F.R. Part 66 or (2) 28 C.F.R. Part 70 and 2 C.F.R. Part 215 (OMB Circular A-110). Further, the use of program income must be reported on the quarterly Federal Financial Report, SF 425.</p> <p>17. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.</p> <p>18. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at:<br/> <a href="http://www.it.ojp.gov/gsp_grantcondition">http://www.it.ojp.gov/gsp_grantcondition</a>. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.</p> <p>19. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.</p> <p>The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:</p> <ul style="list-style-type: none"> <li>a. New construction;</li> <li>b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;</li> <li>c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;</li> <li>d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and</li> <li>e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.</li> </ul> <p>The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at<br/> <a href="http://www.ojp.usdoj.gov/BJA/resource/nepa.html">http://www.ojp.usdoj.gov/BJA/resource/nepa.html</a>, for programs relating to methamphetamine laboratory operations.</p> <p>Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.</p> |                                                                                     |                                                        |             |

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| <i>SPECIAL CONDITIONS</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| <p>20. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Federal Financial Report (SF-425).</p> <p>21. JAG funds may be used to purchase bulletproof vests for an agency, but may not be used as the 50% match for purposes of the Bulletproof Vest Partnership (BVP) program.</p> <p>22. The recipient agrees to submit a signed certification that that all law enforcement agencies receiving vests purchased with JAG funds have a written "mandatory wear" policy in effect. Fiscal agents and state agencies must keep signed certifications on file for any subrecipients planning to utilize JAG funds for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any FY 2013 funding can be used by the agency for vests. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty.</p> <p>23. Ballistic-resistant and stab-resistant body armor purchased with JAG funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and are listed on the NIJ Compliant Body Armor Model List (<a href="http://nij.gov">http://nij.gov</a>). In addition, ballistic-resistant and stab-resistant body armor purchased must be American-made. The latest NIJ standard information can be found here: <a href="http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm">http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm</a>.</p> <p>24. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.</p> <p>25. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <a href="http://www.it.ojp.gov/default.aspx?area=policyAndPractice&amp;page=1046">http://www.it.ojp.gov/default.aspx?area=policyAndPractice&amp;page=1046</a>.</p> <p>26. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See <a href="http://www.ojp.gov/about/ocr/equal_fbo.htm">http://www.ojp.gov/about/ocr/equal_fbo.htm</a>.</p> |                                                                                     |                                              |             |

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Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD  
CONTINUATIONSHEET  
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AWARD DATE 08/21/2013

*SPECIAL CONDITIONS*

27. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
28. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
29. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
30. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
31. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
32. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (<https://grants.ojp.usdoj.gov>). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website ([www.bjaperformancetools.org](http://www.bjaperformancetools.org)). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.
33. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
34. The grantee agrees that within 120 days of award acceptance, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. Additionally, all future task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)). This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When BJA funding supports a task force, a task force personnel roster should be compiled and maintained, along with course completion certificates, by the grant recipient. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership ([www.ctfli.org](http://www.ctfli.org)).

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |                                                                |             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------|-------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Department of Justice<br>Office of Justice Programs<br>Bureau of Justice Assistance | <b>AWARD<br/>         CONTINUATIONSHEET<br/>         Grant</b> | PAGE 7 OF 7 |
| PROJECT NUMBER 2013-DJ-BX-0483                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                     | AWARD DATE 08/21/2013                                          |             |
| <i>SPECIAL CONDITIONS</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                     |                                                                |             |
| <p>35. No JAG funds may be expended on unmanned aircraft, unmanned aircraft systems, or aerial vehicles (US, UAS, or UAV) unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order. Additionally, any JAG funding approved for this purpose would be subject to additional reporting, which would be stipulated by BJA post-award.</p> <p>36. BJA strongly encourages the recipient submit annual (or more frequent) JAG success stories at JAG.Showcase@ojp.usdoj.gov or via the online form at <a href="https://www.bja.gov/contactus.aspx">https://www.bja.gov/contactus.aspx</a>. JAG success stories should include the: name and location of program/project; point of contact with phone and e-mail; amount of JAG funding received and in which fiscal year; and a brief summary describing the program/project and its impact.</p> <p>37. Recipient understands that the initial period of availability of funds for this award is two years. Recipient further understands that any requests for additional time for performance of this award, up to two additional years, will be granted automatically, pursuant to 42 U.S.C. § 3751(f) and in accordance with current fiscal year solicitation. Requests for additional time beyond a four year grant period will be subject to the discretion of the Director of the Bureau of Justice Assistance.</p> |                                                                                     |                                                                |             |

OJP FORM 4000/2 (REV. 4-88)



**Department of Justice**  
**Office of Justice Programs**  
*Bureau of Justice Assistance*

---

*Washington, D.C. 20531*

**Memorandum To:** Official Grant File

**From:** Orbin Terry, NEPA Coordinator

**Subject:** Incorporates NEPA Compliance in Further Developmental Stages for City of Henderson

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                               |                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p>Department of Justice<br/>Office of Justice Programs<br/>Bureau of Justice Assistance</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>GRANT MANAGER'S MEMORANDUM, PT. I:<br/>PROJECT SUMMARY</b> |                                                                                                                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Grant</b>                                                  |                                                                                                                                                                  |
| PROJECT NUMBER<br>2013-DJ-BX-0483                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                               | PAGE 1 OF 1                                                                                                                                                      |
| This project is supported under FY13(BJA - JAG) 42 USC 3750, et seq.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                               |                                                                                                                                                                  |
| 1. STAFF CONTACT (Name & telephone number)<br><br>Tamaro T. White<br>(202) 353-3503                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                               | 2. PROJECT DIRECTOR (Name, address & telephone number)<br><br>Perry Twisdale<br>Captain<br>200 Breckenridge Street<br>Henderson, NC 27536-4242<br>(252) 432-6059 |
| 3a. TITLE OF THE PROGRAM<br>BJA FY 13 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                               | 3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)                                                                                                                      |
| 4. TITLE OF PROJECT<br><br>Henderson/Vance 2013 BJA JAG Grant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                               |                                                                                                                                                                  |
| 5. NAME & ADDRESS OF GRANTEE<br><br>City of Henderson<br>P.O. Box 1434 134 Rose Avenue<br>Henderson, NC 27536-4142                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                               | 6. NAME & ADDRESS OF SUBGRANTEE                                                                                                                                  |
| 7. PROGRAM PERIOD<br>FROM: 10/01/2012 TO: 09/30/2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                               | 8. BUDGET PERIOD<br>FROM: 10/01/2012 TO: 09/30/2014                                                                                                              |
| 9. AMOUNT OF AWARD<br>\$ 15,586                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                               | 10. DATE OF AWARD<br>08/21/2013                                                                                                                                  |
| 11. SECOND YEAR'S BUDGET                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                               | 12. SECOND YEAR'S BUDGET AMOUNT                                                                                                                                  |
| 13. THIRD YEAR'S BUDGET PERIOD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               | 14. THIRD YEAR'S BUDGET AMOUNT                                                                                                                                   |
| 15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)<br><br>The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).<br><br>The city of Henderson and Vance County will use the JAG award towards equipment enhancements and technologies for their law enforcement agencies. The Henderson Police Department will use funds to replace older model in-car video camera systems. These enhancements will improve the department's acquisition |                                                               |                                                                                                                                                                  |

OJP FORM 4000/2 (REV. 4-88)

and preservation of vehicle stops and will also aid in training, evidentiary purposes, and officer accountability. The Vance County Sheriff's Office will use their share of the funds to purchase Mobile Data Terminals, accessories and communications cards for installation in patrol vehicles.

NCA/NCF



BJA FY 13 Edward Byrne Memorial Justice Assistance  
Grant (JAG) Program: Local 2013-DJ-BX-0483


[Award](#)
[Financial Status Reports](#)
[Annual Progress Reports](#)
[Correspondence](#)

## Award Handbook

## ACH Financial Information

[Financial Point of](#)
[Contact](#)
[Designation](#)
[Award Instructions](#)
[Acceptance](#)
[Instructions](#)
[ACH Information](#)
[Help/Frequently](#)
[Asked Questions](#)
[GMS Award Home](#)
[Log Off](#)

In accordance with the Debt Collection Improvement Act of 1996, payments by the Office of Justice Programs, Office of the Chief Financial Officer, are electronically deposited to recipient accounts by the US Treasury through the Automated Clearing House (ACH). The Automated Clearing House (ACH) enrollment form below will be used to establish Direct Deposit with the preferred financial institution used by your organization.

Since you have accepted the terms and conditions specified in your award, you can now begin the ACH enrollment process. Please type in the required information in the ACH form, print it, and take it to the financial institution used by your organization. Please note that all grantees are required to follow this procedure, whether or not your ACH form is currently on file with OJP.

You will not be able to save this form, so please print it out once you have completed it. You will also not be able to retrieve the information you typed in about your bank, so please print out this form as soon as you have finished filling it out.

**Have the financial institution fill-out the last section and send via overnight courier the ORIGINAL of the ACH form to:**

Office of Justice Programs  
Office of the Chief Financial Officer  
Attn: Control Desk - ACH  
810 Seventh Street, NW - 5th Floor  
Washington, DC 20531

If the information on the pre-populated ACH form is incorrect, please contact your program manager Tamaro T. White, at (202) 353-3503. If you have questions concerning current banking information, please contact the OCFO Customer Service Center at 1-800-458-0786 (press 2) or at ask.ocfo@ojp.usdoj.gov. You should also contact the OCFO Customer Service center to verify changes to your ACH Information.

[Fill out ACH Form](#)
[Print Blank ACH Form](#)

**ACH VENDOR/MISCELLANEOUS PAYMENT  
ENROLLMENT FORM**

OMB No. 1510-0056

This form is for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this for completion.

**PRIVACY ACT STATEMENT**

The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR210. This information will be used by the Treasury Department to transmit payment data, by electric means to vendor's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment System.

**AGENCY INFORMATION**

|                                                                                                                          |                                           |                                    |
|--------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------|
| FEDERAL PROGRAM AGENCY<br>Office of Justice Programs                                                                     |                                           | OJP Grant Number/s:                |
| AGENCY IDENTIFIER<br>OJP                                                                                                 | AGENCY LOCATION CODE (ALC):<br>15-04-0001 |                                    |
| ADDRESS<br>810 Seventh Street, NW Attn: Office of the Chief Financial Officer, Control Desk<br><br>Washington D.C. 20531 |                                           |                                    |
| CONTACT PERSON NAME<br>Office of the Chief Financial Officer, Customer Service Center                                    |                                           | TELEPHONE NUMBER<br>(800) 458-0786 |
| ADDITIONAL INFORMATION                                                                                                   |                                           |                                    |

**PAYEE/COMPANY INFORMATION**

|                      |                    |
|----------------------|--------------------|
| NAME:                | OJP Vendor Number: |
| ADDRESS:             |                    |
| CONTACT PERSON NAME: |                    |
| TELEPHONE NUMBER:    |                    |

**FINANCIAL INSTITUTION INFORMATION**

|                                                                                                                      |                   |
|----------------------------------------------------------------------------------------------------------------------|-------------------|
| NAME:                                                                                                                |                   |
| ADDRESS:                                                                                                             |                   |
| ACH COORDINATOR NAME:                                                                                                | TELEPHONE NUMBER: |
| NINE-DIGIT ROUTING TRANSIT NUMBER:                                                                                   |                   |
| DEPOSITOR ACCOUNT TITLE:                                                                                             |                   |
| DEPOSITOR ACCOUNT NUMBER:                                                                                            | LOCKBOX NUMBER:   |
| TYPE OF ACCOUNT: <input type="checkbox"/> CHECKING <input type="checkbox"/> SAVINGS <input type="checkbox"/> LOCKBOX |                   |
| SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL:<br>(Could be the same as ACH Coordinator)                                | TELEPHONE NUMBER: |

NSN 7540-01-274-9925

308110:

SF3881 (Rev. 1200)  
Prescribed by Department of  
Treasury

**AGENCY COPY**

# O R D I N A N C E 13-55

## FY 14 BUDGET AMENDMENT #9, ESTABLISHING THE 2013 BJA GRANT PROJECT BUDGET.

**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:

| FUND: 55 Grants<br>PROJECT: 2013 BJA Grant |                          |                 | Ordinance 13-55<br>FY 13-14 Budget Amendment #9<br>Establishing Grant Project 55-207: 2013 BJA Grant                                                                                                                                                                                                                        |                   |           |           |
|--------------------------------------------|--------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------|-----------|
| REVENUES                                   |                          |                 | Approved<br>enter date                                                                                                                                                                                                                                                                                                      | Current<br>Budget | Amendment | Revised   |
| Department                                 | Line Item                | Code            |                                                                                                                                                                                                                                                                                                                             |                   |           |           |
|                                            | Bureau of Justice Grant  | 55-207-458218   | \$ -                                                                                                                                                                                                                                                                                                                        | \$ -              | \$ 15,586 | \$ 15,586 |
|                                            |                          |                 | \$ -                                                                                                                                                                                                                                                                                                                        | \$ -              | \$ -      | \$ -      |
|                                            |                          | <b>Total</b>    | \$ -                                                                                                                                                                                                                                                                                                                        | \$ -              | \$ 15,586 | \$ 15,586 |
|                                            |                          |                 |                                                                                                                                                                                                                                                                                                                             |                   |           | \$ 15,586 |
| EXPENDITURES                               |                          |                 | Approved<br>enter date                                                                                                                                                                                                                                                                                                      | Current<br>Budget | Amendment | Revised   |
| Department                                 | Line Item                | Code            |                                                                                                                                                                                                                                                                                                                             |                   |           |           |
|                                            | Capital Outlay < \$5,000 | 55-207-507400   | \$ -                                                                                                                                                                                                                                                                                                                        | \$ -              | \$ 9,352  | \$ 9,352  |
|                                            | VC Sheriff Dept Share    | 55-207-509031   | \$ -                                                                                                                                                                                                                                                                                                                        | \$ -              | \$ 6,234  | \$ 6,234  |
|                                            |                          |                 |                                                                                                                                                                                                                                                                                                                             |                   | \$ -      | \$ -      |
|                                            |                          | <b>Total</b>    | \$ -                                                                                                                                                                                                                                                                                                                        | \$ -              | \$ 15,586 | \$ 15,586 |
|                                            |                          |                 |                                                                                                                                                                                                                                                                                                                             |                   |           | \$ 15,586 |
|                                            |                          | <b>Variance</b> |                                                                                                                                                                                                                                                                                                                             |                   | \$ -      |           |
| <b>Reference:</b>                          |                          |                 | <b>Notes:</b>                                                                                                                                                                                                                                                                                                               |                   |           |           |
| CAF: 13-69-A; Ord 13-55; BA #9             |                          |                 | This ordinance serves to establish the grant project for the 2013 BJA Grant. These funds are to be shared with Vance County on a 60/40 split, City/County respectively. The City's portion will be used to purchase replacement in-car cameras and the County's portion will be used to purchase law enforcement equipment. |                   |           |           |

The foregoing Ordinance 13-55, upon motion of Council Member \*\* and second by Council Member \*\*\*, and having been submitted to a roll call vote and received the following votes and was \*\*\* on this the 9<sup>th</sup> day of September 2013: YES: \*\*\*. NO: \*\*. ABSTAIN: \*\*. ABSENT: \*\*.

\_\_\_\_\_  
James D. O'Geary, Mayor

**ATTEST:**

\_\_\_\_\_  
Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. \*\*\*; CAF 13-69-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 13-55 adopted by the Henderson, City Council in Regular Session on \_\_\_\_ 20\*\* (*Minute Book 42 p.\*\**). This Ordinance is recorded in *Ordinance Book \**, p. \*\*\*.

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

\_\_\_\_\_  
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: 10 June 2013

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June 10, 2013

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

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

**RE:** CAF: 13-69

**Consideration of Approval of Resolution 13—49, Grant Application For Funding Through the U.S. Department Of Justice BJA Justice Assistance Grant Program For 2013**

**Ladies and Gentlemen:**

### **Recommendation:**

- Approval of Resolution 13-49, Grant Application for Funding Through the U.S. Department of Justice BJA Justice Assistance Grant Program for 2013.

### **Executive Summary**

Interim Chief of Police Marcus Barrow requests review and approval of an application to the U.S. Department of Justice's BJA Justice Assistance Grant Program for 2013 to fund the purchase of at least two (2) new In-Car Mobile Camera Audio/Video Recorders to replace two (2) old camera units being replaced in the upcoming fiscal year under the department's Capital Improvement Plan (CIP) schedule.

The grant, which does not require a cash grant match, must be divided with the Vance County Sheriff's Office as a "disparate jurisdiction" per Department of Justice guidelines. The full amount allocated by the Department of Justice is \$15,586.00. This proposal divides this allocation with the Sheriff's Office in the same manner as past U.S. Department of Justice BJA JAG Grants with 60% being allocated to the City of Henderson and 40% allocated to Vance County. Under this dispersion the City of Henderson would receive \$9,351.60 and Vance County \$6,234.40. The U.S. Department of Justice requires that agencies receiving funds to be divided with a disparate jurisdiction complete a Memorandum of Understanding. A copy of this Memorandum of Understanding between the City of Henderson and Vance County is included and will be forwarded to the Vance County Board of Commissioners for its action, if approved.

The grant application must be reviewed by the City Council at least thirty (30) days prior to the grant application being submitted to the U.S. Department of Justice and a time for public

CAF 13-69-A: 9 September 2013 Council Meeting

comment must be provided. The grant application is due for electronic submission to the U.S. Department of Justice on or before 9 June 2013. The anticipated notification date, if the grant is accepted, is 1 July 2013. The grant term would be the same as the Federal Budget Year for 2013-2014: 1 October 2013 to 30 September 2014.

**Enclosures:**

1. Resolution 13-49
2. Internal Process to Decide Whether Grant Application is Appropriate

## **RESOLUTION 13-49**

### **A RESOLUTON AUTHORIZING THE APPLICATION FOR GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE BJA JUSTICE ASSISTANCE GRANT PROGRAM FOR 2013**

**WHEREAS**, the Henderson Police Department is the law enforcement agency with the responsibility for law enforcement within the City of Henderson *and*

**WHEREAS**, the Henderson Police Department seeks to use sworn officers to address crime and disorder problems within the City more effectively and safely; *and*

**WHEREAS**, the Henderson Police Department has successfully applied for and received grant funding for Law Enforcement purposes from the US Department of Justice BJA Justice Assistance Grant Program (BJA JAG) in the past, *and*

**WHEREAS**, the US Department of Justice BJA Justice Assistance Grants Program has announced that funding applications be submitted to their program for consideration for funding in the 2013-2014 Federal Fiscal Year, *and*

**WHEREAS**, the City of Henderson and Vance County have entered into and executed Memorandums of Understanding with regards to funding from the US Department of Justice BJA Justice Assistance Grants in the past, *and*

**WHEREAS**, the City of Henderson and Vance County have agreed to disperse the funds from US Department of Justice BJA Justice Assistance Grant Programs in the past with 60% of the funding being dispersed to the City of Henderson and 40% to Vance County as a disparate jurisdiction, *and*

**WHEREAS**, the City of Henderson has been allocated by the US Department of Justice BJA Justice Assistance Grants Program as eligible to apply for \$15,586.00 in funding.

**NOW THEREFORE BE IT RESOLVED** by the Henderson City Council that it does hereby authorize the Chief of Police of the Henderson Police Department to submit this application for grant funding in the amount of \$15,586.00 and authorizes the City Manager to approve said Application and the Memorandum of Understanding with Vance County on behalf of the City.

The foregoing Resolution 13-49, 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 10<sup>th</sup> day of June, 2013: YES: NO. ABSTAIN: . ABSENT:

---

James D. O'Geary, Mayor

***ATTEST:***

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Esther J. McCrackin, City Clerk

Approved as to Legal Form:

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John H. Zollicoffer, Jr., City Attorney

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

## CITY OF HENDERSON

### INTERNAL PROCESS TO DECIDE WHETHER GRANT APPLICATION IS APPROPRIATE

Department: Police      Staff Contact:      Captain P.L. Twisdale

Funding Source: Bureau of Justice Assistance J.A.G. Grants Program FY 2013

Grant/Project Name: BJA JAG 2013

Date Application Due:      8:00 pm EST June 9, 2013

This is a   NEW   or   X RECURRING Grant.

#### Brief Project Summary:

This grant is a recurring annual grant. Information on the grant program was given to the City during the Budget Process as this is a recurring grant. This report includes the details of the proposed budget. Due to the Vance County Sheriff's Office being designated as a "Disparate Jurisdiction" (meaning that they were not automatically designated to receive funding while we were) we are required to file a joint application with them. The allocation splits the proceeds from this grant as 60% to the City and 40% to the County.

The total allocation for this year is \$15,586. The City's portion will be \$9,351.60 and the County \$6,234.40.

The Henderson Police Department is requesting to use its portion of allocated funds to purchase at least two (2) new In-Car Video Cameras to replace old obsolete units in vehicles being parked as stripped in the upcoming fiscal year. The BJA JAG 2013 will be fully utilized prior to the end of FY 2013 - 2014.

The grant application requires that the City of Henderson and the County of Vance adopt a Memorandum of Understanding (MOU) regarding the award and distribution of the grant (Draft copy attached).

The grant applications requires that the Grant Application be reviewed by the City Council and the County Commissioners and be available for review and comment by the public at least 30 days prior to the submission of the application. **Due to the application deadline being 07/09/2013, we are requesting that the grant applications included with this request be added to the agenda for Council review**

**and public comment at the 06/06/2013 Council Budget Work Session or at the 06/10/2013 Council Meeting.**

Maximum amount available from Funding Source: \$15,586 (both City and County).

Anticipated Award Notification Date: 08/01/2013

Anticipated Grant Term:   Start Date:   09/01/2013  
                                          Finish Date: 06/01/2014

Amount to be requested:   \$15,586 (both City and County)

Does the amount of the match requirement or other grant requirements necessitate City Council approval prior to the award? X Yes   No

Eligible types of match:    This grant does not require a match.

If the match is cash, where will the match come from? (Provide Account Number)

This grant will not require a match.

Is this project a cash award or reimbursement (or drawdown)?

This project is a "drawdown" award. This project would be an advance drawdown of funds and would require a Grant Project Account as in past BJA JAG accounts.

If this is a reimbursement grant, will funds be available? NA

Is this project included in:

|                           |    |
|---------------------------|----|
| Departmental Budget       | No |
| Capital Improvements Plan | No |

No. This grant was not announced until after the department had submitted its budget request for the FY 2013-2014 fiscal year.

Grant funds will be used for the following:

Purchase of at least two (2) new In-Car Video Cameras for Marked Police Patrol vehicles.

How will the program be funded after the grant expires?

The units will not require further funding after purchase and installation.

If the department receives only a portion of the amount requested, how will the project be funded?

The grant application is requesting the full amount for this project.

Some additional questions to consider:

Are any other departments within the City of Henderson eligible for this funding?

No.

Are any other departments within the City of Henderson willing to collaborate on this project?

This is a law enforcement project only.

Will this project duplicate or compete with another service or program provided by the City of Henderson or other local agency?

No. This is a law enforcement only grant.

**The State of North Carolina  
County of Vance**

**KNOW BY ALL THESE PRESENT**

**INTER-LOCAL AGREEMENT BETWEEN THE CITY OF HENDERSON, NORTH  
CAROLINA AND THE COUNTY OF VANCE, NORTH CAROLINA  
REGARDING GMS APPLICATION NUMBER 2013-H4137-NC-DJ BJA FY 13  
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM: LOCAL  
SOLICITATION FORMULA PROGRAM AWARD**

**THIS AGREEMENT** is made and entered into this the \_\_\_\_ day \_\_\_\_\_, 2013 by and between the County of Vance, acting by and through its governing body, the Board of Commissioners, hereinafter referred to as COUNTY, and the City of Henderson, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Vance County, State of North Carolina, witnesseth:

**WHEREAS**, this agreement is made under the authority of the City of Henderson and Vance County to enter into cooperative agreements; and

**WHEREAS**, each governing body, in performing the governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

**WHEREAS**, each governing body finds that the performance of this Agreement is in the best interest of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

**WHEREAS**, the CITY agrees to provide the COUNTY \$6,234.40 from JAG award total of \$15,586 for the Vance County Sheriff's Office, and

**WHEREAS**, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

***NOW THEREFORE, the CITY AND COUNTY AGREE AS FOLLOWS:***

**SECTION 1:** CITY agrees to pay COUNTY a total of \$6,234.40 of JAG funds.

**SECTION 2:** COUNTY agrees to use \$6,234.40 for the Vance County Sheriff's Office until September 30, 2015 or until such funds are expended.

**SECTION 3:** Nothing in the performance of this Agreement shall impose any Liability for claims against COUNTY other than claims for which the Tort Laws of the State of North Carolina may impose liability.

**SECTION 4:** Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which the Tort Laws of the State of North Carolina may impose liability.

**SECTION 5:** Each party to the agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any city liability that may arise from the furnishing of the services by the other party.

**SECTION 6:** The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

**SECTION 7:** By entering into this Agreement, the parties do not intent to create any obligations express or implied other than those set out herein, further, this Agreement shall not create any rights in any party not a signatory hereto.

**CITY OF HENDERSON, North Carolina    COUNTY OF VANCE, North Carolina**

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James D. O'Geary, Mayor

---

Thomas S. Hester, Jr., Chairman

---

A. Ray Griffin, Jr., City Manager

---

Jerry L. Ayscue, County Manager

ATTEST:

ATTEST:

---

Esther J. McCrackin, City Clerk

---

Kelly H. Grissom, County Clerk

Approved as to Legal Form:

Approved as to Legal Form:

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John H. Zollicoffer, City Attorney

---

County Attorney

**Description of the proposed program activities for the four (4) year period and analysis of need:**

The Henderson Police Department and the Vance County Sheriff's Office are applying jointly for the allocated funding of \$15,586 under the BJA Justice Assistance Grant Program for 2013. By joint agreement of the local governing bodies of the two agencies (The City of Henderson City Council and the Vance County Board of Commissioners, respectively,) the Henderson Police Department will receive \$9,351.60 in funding and \$6,234.40 in funding will be forwarded to the Vance County Sheriff's office. This agreement has been formalized in a Memorandum of Understanding (MOU), a copy of which is included with this application as a PDF file via the Grants Management System.

The Henderson Police Department is requesting to use its portion of allocated funds to fund the purchase of at least two (2) new In-Car Mobile Camera Audio/Video Recording system. These cameras are used by the department to record the activities and vehicle stops of Henderson Police Officers in marked Police Patrol vehicles. The recording of officer's activities is important to provide evidence in criminal cases, defend against improper or false claims filed against officers, and provide video and audio for training purposes, allowing documentation of officers' activities under the Community Revitalization Initiative program.

The Community Revitalization Initiative (CRI) consists of a comprehensive plan of dealing with the high crime rates indicated in the application through specific training, analysis, and investigation strategies for law enforcement. It is also a comprehensive collaboration between law enforcement, the affected communities (through citizen's groups) and rental property managers, private businesses, utility providers, local media and other governmental

agencies to help promote both prevention and intervention efforts. The City of Henderson's per capita Part 1 crime rates are among the highest in NC and higher than many comparatively sized departments in the US.

The Vance County Sheriff's Office is requesting to use its portion of allocated funds to purchase needed equipment for sworn deputies for which budgeted funds are not available.

Funds will be used to purchase TBA

## Budget Worksheet

**A. Personnel** **\$0**

| Name | Computation | Cost |
|------|-------------|------|
|      |             |      |

**B. Fringe Benefits** **\$0**

| Name | Computation (Rate) | Cost |
|------|--------------------|------|
|      |                    |      |

**C. Travel** **\$0**

| Purpose | Location | Item | Computation | Cost |
|---------|----------|------|-------------|------|
|         |          |      |             |      |

**D. Equipment** **\$15,586**

| Item                | Computation   | Cost       |
|---------------------|---------------|------------|
| In-Car Video System | 2 X \$4675.80 | \$9,351.60 |
| VCSO Equip. TBA     |               | \$6,234.40 |

**E. Supplies** **\$0**

| Supply Item | Computation | Cost |
|-------------|-------------|------|
|             |             |      |

**F. Construction** **\$0**

| Description | Computation | Cost |
|-------------|-------------|------|
|             |             |      |

**G. Consultants/Contracts    \$0**

|                        |         |             |      |
|------------------------|---------|-------------|------|
| <i>Consultant Fees</i> |         |             |      |
| Name                   | Service | Computation | Cost |
|                        |         |             |      |
| <i>Contracts</i>       |         |             |      |
| Item                   | Cost    |             |      |
|                        |         |             |      |

**H. Other                                \$0**

|             |             |      |
|-------------|-------------|------|
| Description | Computation | Cost |
|             |             |      |

**Total Direct Costs                \$15,586**

**I. Indirect Costs**

|                                                   |
|---------------------------------------------------|
| No indirect costs are projected for this project. |
|---------------------------------------------------|

## Budget Summary Page

|                                                               |                     |
|---------------------------------------------------------------|---------------------|
| A. Personnel/Salary Costs                                     | <u>\$0</u>          |
| B. Fringe Benefits                                            | <u>\$0</u>          |
| C. Travel                                                     | <u>\$0</u>          |
| D. Equipment                                                  | <u>\$15,586</u>     |
| E. Supplies                                                   | <u>\$0</u>          |
| F. Construction                                               | Unallowable         |
| G. Consultants/Contracts                                      | <u>\$0</u>          |
| H. Other                                                      | <u>\$</u>           |
| I. Indirect Costs                                             | <u>\$0</u>          |
| <br>TOTAL PROJECT COSTS                                       | <br><u>\$15,586</u> |
| <br>Federal Request                                           | <br><u>\$15,586</u> |
| <br>Applicant Funds, if any,<br>to be applied to this project | <br><u>\$0</u>      |

## **Budget Narrative:**

### **A. Personnel**

No Personnel costs are requested with this budget.

### **B. Fringe Benefits**

No Fringe Benefits are requested with this budget

### **C. Travel**

No travel costs are requested with this budget.

### **D. Equipment**

The Henderson Police Department will purchase at least two (2) new In-Car Video Camera/Recorder systems in order to replace two (2) old, outdated systems currently installed in marked patrol vehicles which are scheduled to be decommissioned.

The Vance County Sheriff's Office will purchase (TBA)

### **E. Supplies**

No supplies are requested with this budget

### **F. Construction**

Construction expenses are not allowed under this grant.

### **G. Consultants/Contracts**

There are no supply costs with this grant.

### **H. Other**

There are no other costs with this grant.

### **I. Indirect Costs**

\$0

All budget costs have been based on necessary purchases and reasonable costs for this project. If approved, all budget purchases will be made under the policies and procedures of the City of

Henderson Finance or County of Vance Finance Department, State of North Carolina Department of Administration procurement rules and the guidelines of the Bureau of Justice Assistance and the Office of Justice Programs. All program expenditures will be reported on a quarterly basis both in the program's performance measurement reports and any other required financial report (SF-269).

- 1) The JAG application announcement and information was made available for review to the City of Henderson City Manager, Mr. Ray Griffin for distribution to the Henderson City Council 06/04/2013. The full application was made available to Mr. Griffin for distribution and review by the City Council on 6/05/2013. This notification occurred over 30 days before submission of this application to the BJA via the Grants Management System. The information was forwarded to Mr. Jerry Ayscue, Vance County Manager, for review by the Vance County Board of Commissioners following the City of Henderson Council Meeting on 06/10/2013.
- 2) The information was made public by the applying agency, the City of Henderson, in the agenda of the City of Henderson City Council prior to the Council's regular meeting on 06/10/2012. At that meeting, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and neighborhood or community organizations.
- 3) A Memorandum of Understanding (MOU) has been executed and signed by each jurisdiction's Authorize Representative, outlining each jurisdiction's allocation and indicating which jurisdiction is serving as the applicant/fiscal agent for the joint funds. This MOU is transmitted with this application as a PDF file.

**Applicant's Name:** City of Henderson, North Carolina

**Title of the Project:** Henderson Vance BJA JAG Program 2013

**Goals of the Project:**

**Henderson Police Department Project Goal(s):** Purchase updated equipment to be issued to sworn police officers to upgrade older equipment.

**Vance County Sheriff's Office Project Goal(s):** Purchase updated equipment to be issued to sworn deputies to upgrade older equipment.

**Strategies to be used:**

The Henderson Police Department Community Revitalization Initiative (CRI) consists of a comprehensive plan of dealing with the high crime rates indicated in the application through specific training, analysis, and investigation strategies for law enforcement. The new In-Car Video Cameras will be used to replace old, outdated in-car cameras to better record and preserve video and audio of officer's vehicle stops and actions for both training and evidentiary purposes.

The Vance County Sheriff's Office plan includes the purchase of TBA

**Top Five Program Identifiers:**

- 1) Community Policing (Law Enforcement)
- 2) Crime Prevention (Crime Prevention and Education)
- 3) Gangs (Law Enforcement)
- 4) Recording Police Actions (Program Planning, Evaluation and Technology)
- 5) Equipment – General (Program Planning, Evaluation and Technology)



*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](mailto:rgriffin@ci.henderson.nc.us)*

[www.ci.henderson.nc.us](http://www.ci.henderson.nc.us)

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3 September 2013

TO: Assistant City Manager Frazier  
HWRF Director Spain  
ORC Utility Operations

FR: Ray Griffin, City Manager 

RE: FY13 Operations Report

Gentlemen:

I was most pleased when I read the FY13 Report for HWRF's operations. Without a doubt, all plant and operations personnel are working hard to maintain compliance. I am very proud of the Report's results and of the dedicated, effective work being provided by all employees. Thank you!

I am hopeful once the Sandy Creek pump station project and the installation of the new collection line known as Elmwood Inceptor are completed, the City will experience far less overflows at Sandy Creek.

Again, thank you all for a job well done!

# PERFORMANCE ANNUAL REPORT

JULY 1, 2012 TO JUNE 30, 2013

RECEIVED  
Cmo  
SEP 03 2013

## I. General Information

Facility/System Name: City of Henderson Water Reclamation Facility,  
Pump Stations and Collection System

BY: PSO

Responsible Entity: City of Henderson

Person in Charge/Contact: Thomas Spain, Director HWRF  
Joey Long, ORC Utility Operations

Applicable Permit(s): NPDES # NC0020559 Water Reclamation Facility  
WQCS00055 Collection System

### Description of Collection System and Treatment Process:

The treatment plant is designed for a flow of 4.14 million gallons per day of wastewater and receives an average of 1.632 million gallons per day. The plant treated 672,330,000 gallons from July 1, 2012 to June 30, 2013.

The treatment process consists of rag and grit removal, primary clarification, two stage trickling filters, intermediate clarification, pure oxygen activated sludge, final clarification, filtration, post aeration and ultraviolet disinfection. **The new Trojan 5000 Plus UV System is finishing its first two years of operation. The results have been excellent with nearly a total kill of all fecal coliform.**

The City is in the process of completing an \$18 million upgrade to the Henderson Water Reclamation Facility to modernize it with a new headworks, oxidation ditch, sludge thickener, SCADA control and video security.

**The collection system consists of approximately one hundred eighty-two and 57/100 (182.57) miles of gravity sewer and force main lines, thirteen (13) pumping stations that convey the wastewater to the treatment plant and four(4) stations for odor control.**

## II. Performance Summary

The City of Henderson's Industrial Pretreatment Program, HWRF Stormwater Program and Laboratory were in compliance with all permit limits during this performance period.

The treatment plant bio-solids are applied at agronomic rates to farmland by a private contractor, Granville Farms, Inc. The City of Henderson's Water Reclamation Facility produced 2,653,000 gallons of bio-solids which were applied to farmland and met all permit conditions.

The City of Henderson's Water Reclamation Facility was inspected by a representative of the Raleigh Regional Office, Division of Water Quality on December 14, 2012. **The inspector didn't note any problems during the inspection.** His report noted no mistakes in DMR reports and the staff should be commended because **The City of Henderson's Water Reclamation Facility was in compliance with all NPDES permit parameters.**

The City of Henderson Water Reclamation Facility Stormwater System was inspected by the State Division of Water Quality during this performance period. All Stormwater Permit conditions were met.

The Industrial Pretreatment Program was not inspected by the Division of Water Quality **but is in compliance with all the pretreatment regulations.**

The Laboratory was not inspected by the State DWQ, **but is being operated in compliance with all State DWQ regulations.** They obtained acceptable results on all parameters.

The Pretreatment Annual Report was reviewed by the State DWQ and was determined to be adequate.

The City of Henderson's Collection System was inspected by the State DWQ on March 3, 2013. Recordkeeping was found to be excellent. The City's Spill Response Action Plan was adequate. Between generators, electrical hookups, portable generators and portable piping, connections to pump stations are all covered.

**The City made 19 inspections of facility grease traps this year. A total of 2 violations and fines of \$75 were issued.** The City documented when grease educational flyers "Don't Feed the Grease Goblin" were distributed to the public this year. The City sent out 8,700 flyers in water and sewer bills in April 2013 and hand delivered 50 flyers to residents of Patton Circle on January 18, 2013. Flyers are also replenished at City Hall's receptionist area as needed.

For the period of July 1, 2012 thru June 30, 2013 the City of Henderson Collection System staff cut 16,079 feet (3.05 miles) of the right-of-ways and performed 100 % of their semiannual inspection of priority lines and manholes within the system. **They actually inspected many of them on a weekly basis.** The staff cleaned 218,756 feet (41.43 miles) of sewer line with the Jet Vac and rodded 6,995 feet (1.32 miles). This is 23.4% of the entire system and exceeds the State DWQ requirement by 13.4% of cleaning 10% of the system per year. Inflow/Infiltration repairs made: 28 cleanouts were repaired, 6 cleanouts were installed and 1 manhole was repaired, 8 rings and 8 manhole lids were replaced. **It is estimated that Inflow/Infiltration was reduced by 500 gallons/minute.**

The City is completing a Sanitary Sewer Rehab project in which over 7,000 linear feet of sewer mains and manholes were rehabbed and some replaced.

The City of Henderson Water Reclamation Facility had **one bypass event between July 1, 2012 and June 30, 2013.**

The City of Henderson's Collection System (pump stations and gravity and/or force main lines) overflowed a total of 166,085 gallons of untreated wastewater between July 1, 2012 and June 30, 2013. There were 4 overflows of the pump stations and 8 overflows of the gravity lines. All of the overflows were the result of one of the following: heavy inflow and infiltration from rainfall exceeding the system capacity or blockages of the lines with grease and rags. **The death of 50 fish was observed.**

### **III. Performance**

#### **July 2012**

**DMR Violations – NONE**

**Environmental Violations---**A sanitary sewer overflow of 50,250 gallons occurred at Sandy Creek Pump Station on July 9, 2012 from 10:00 a.m. to 10:00 p.m. The sewage entered a tributary to Nutbush Creek which is part of the Roanoke River Basin. **No known environmental damage occurred because of the overflow.**

#### **August, 2012**

**DMR Violations –NONE**

**Environmental Violations -A** Sanitary Sewer overflow of 100,000 gallons of untreated sewage overflowed manhole 024 at Redbud Pump Station from 9:00 a.m. to 1:00 p.m. on August 14, 2012. The overflow entered Redbud which is a tributary of the Tar Pamlico River Basin. **Fifty fish were killed by overflow. No known environmental impact from the overflow.**

An overflow of 2,000 gallons occurred at Sandy Creek manhole 015 between 12:00 p.m. and 2:30 p.m. on August 19, 2012. **No environmental damage was known to occur as a result of the overflow.**

Sewage overflow of 2,000 gallons occurred at manhole 015 at Sandy Creek Pump Station between 12:20 p.m. to 12:30 p.m. on August 19, 2012. **No known environmental impact from the overflow.**

#### **September 2012**

**DMR Violations-NONE**

**Environmental Violations-NONE**

#### **October 2012**

**DMR Violations – NONE**

**Environmental Violations---NONE**

#### **November 2012**

**DMR Violations –NONE**

**Environmental Violations---NONE**

#### **December, 2012**

**DMR Violations – NONE**

**Environmental Violations--NONE**

### **January 2013**

#### **DMR Violations - NONE**

Environmental Violations--- On January 2, 2013 there was an overflow of 75 gallons of untreated wastewater at 208 Patton Circle. The overflow entered a tributary of Sandy Creek which is a tributary of the Tar Pamlico River Basin. **No known environmental damage occurred as a result of the overflow.**

### **February 2013**

#### **DMR Violations -- NONE**

**Environmental Violations---**On February 21, 2013, 250 gallons of untreated sewage overflowed a manhole at the corner of Valley Drive and Lynne Avenue. The overflow entered Redbud Creek which is a tributary to the Tar Pamlico River Basin. **There was no known environmental damage from the overflow.**

On February 26, 2013 from 7:00 p.m. to 8:10 p.m., 500 gallons of wastewater bypassed the Henderson water Reclamation Facility into Nutbush Creek which is part of the Roanoke River Basin. **No negative environmental impact was noted.**

### **March 2013**

#### **DMR Violations -- NONE**

#### **Environmental Violations—NONE**

### **April 2013**

#### **DMR VIOLATIONS-NONE**

**Environmental Violations-** On April 10, 2013 from 1:40 p.m. to 2:00 p.m., 80 gallons of wastewater bypassed. Eighty gallons of wastewater overflowed at manhole 285 and entered Nutbush Creek which is part of the Roanoke River Basin. **No negative environmental impact was noted.**

### **May 2013**

#### **DMR Violations -- NONE**

**Environmental Violations--** On May 6, 2013 at 2:20 p.m. to May 7, 2013 at 8:40 pm., 7,000 gallons of wastewater overflowed into sandy creek which is part of the Tar Pamlico River Basin. **No known detrimental effect occurred as a result of the bypass.**

### **June 2013**

#### **DMR Violations - NONE**

**Environmental Violations --** On June 7, 2013 from 5:30 p.m. to 7:30 p.m., 600 gallons of wastewater overflowed from Martin's Creek Pump Station into Martin's Creek which is part of the Tar Pamlico River Basin. **There was no known negative environmental impact from the overflow.**

On June 7, 2013 from 5:12 p.m. to 9:15 p.m., 3,330 gallons of wastewater overflowed from manhole 015 at Sandy Creek Pump Station and entered Sandy Creek which is part of the Tar Pamlico River Basin. **No known environmental damage occurred from the spill.**

#### IV. Notification

The following public notice was run in the Henderson Daily Dispatch on August 29, 2013 to fulfill the requirement of making the Performance Annual Report available to the users of the system and indicating how the users were notified of its availability.

## PUBLIC NOTICE

### PERFORMANCE ANNUAL REPORT

JULY 1, 2011 TO JUNE 30, 2012

CITY OF HENDERSON WATER RECLAMATION FACILITY

AND

CITY OF HENDERSON WASTEWATER COLLECTION SYSTEM

As required by North Carolina General Statutes Article 21 Chapter 143.215 C, the City of Henderson has produced a Performance Annual Report from July 1, 2012 to June 30, 2013 for the Water Reclamation Facility and Wastewater Collection System.

Copies of the report are available to the public at no charge. You may pick up a copy at the Reception area in the City Hall Municipal Building at 134 Rose Avenue or contact Tom Spain at (252) 431-6081 or Joey Long at (252) 431-6030 to request a copy be mailed to you at no charge and to answer any questions you have regarding the report.

#### V. Certification

I certify under penalty of law that this report is complete and accurate to the best of my knowledge. I further certify that this report has been made available to the users or customers of the named system and that those users have been notified of its availability.

Responsible Person: Thomas M. Spain Thomas M. Spain Date: 8-29-13

Title: Director

Entity: City of Henderson Water Reclamation Facility

Responsible Person: Joey Long Joey Long Date: 8-29-13

Title: Operator in Responsible Charge for Sewer Collection and Water Distribution

Entity: City of Henderson Utility Operations



**GRINNELL MUTUAL**  
REINSURANCE SINCE 1909

**NASFM FIRE  
RESEARCH  
EDUCATION  
FOUNDATION**

## 2012 Life Safety Achievement Award

This certificate is awarded to

City of Henderson Fire Department

For your outstanding efforts on behalf of fire and life safety

September 1, 2013

*J. William Degan*

J. William Degan, President  
NASFM Fire Research & Education Foundation

*Larry Jansen*

Larry Jansen, President  
Grinnell Mutual Reinsurance

---

Announcing the 2012 *Life Safety Achievement* Award

June 25, 2013

Danny Wilkerson  
City of Henderson Fire Department  
211 Dabney Drive  
Henderson, NC 27536

Dear Chief:

Congratulations! Your fire department has been awarded the 2012 Operation Life Safety *Life Safety Achievement* Award, presented jointly by the National Association of State Fire Marshals Fire Research & Education Foundation and Grinnell Mutual Reinsurance Company.

Since 1994, *Life Safety Achievement* (LSA) Award has recognized fire departments for having outstanding fire safety statistics and prevention programs during the preceding calendar year. In recognition of the proactive fire prevention efforts that your organization has made toward improving your community's fire and life safety behaviors, we are pleased to present you with the 2012 *Life Safety Achievement* Award.

Since its inception, the *Life Safety Achievement* Award has been granted to fire departments across the country that have achieved zero fire deaths in the previous calendar year. Recognizing that zero fire deaths in 2012 may not fully reflect a fire departments prevention efforts and may be beyond their control, criteria were revised to include those that record a 10 percent reduction in fire fatalities as well as requiring documentation of an active and effective fire prevention program.

For many years, the Grinnell Mutual Reinsurance Company has sponsored this prestigious Award and has done so again this year. Enclosed you will find a certificate suitable for framing that recognizes your department's accomplishments, signed by your State Fire Marshal, the President of the National Association of State Fire Marshals (NASFM) Fire Research & Education Foundation and the President of Grinnell Mutual Reinsurance Company. In addition, we are providing you with a news release template that you can customize and use for informing your community of your significant fire prevention efforts, in time for Fire Prevention Week, October 6 - 12, 2013.

We congratulate you for the substantial commitment that you have made to make your community safer, and we thank you for participating in the *Life Safety Achievement* Award program.

If you have any questions about the Award, please submit your inquiry to the NASFM Fire Research & Education Foundation general help line at [info@firemarshals.org](mailto:info@firemarshals.org)

Sincerely,

J. William Degnan  
President  
NASFM Fire Research & Education Foundation

# A Matter of Taste

BY BECKY TURNER AND DEBBIE MANER

The Water Taste Test is an exciting time at the NCRWA Annual Conference. Water systems from around the state are invited to enter their water in the contest. Samples are graded from 1 to 5, with 5 being the best, on color, clarity, odor and taste.

A complete list of rules for the Water Taste Test is on our website – [www.ncrwa.com](http://www.ncrwa.com). The basics are that samples are submitted in unmarked quart glass jars. The samples should be a representation of water from your system. We receive the samples and assign them a random number. Samples are placed in a secure cooler on site at the Conference.

The winners of our Water Taste Test are invited to submit a water sample in the National Rural Water Taste Test. There they compete with systems from across the nation. The upcoming National Rural Water Taste Test will be held in conjunction with the National Rural Water Rally in Washington, DC in February 2014. NCRWA is proud to invite this year's winner to represent our state at the National Rural Water Taste Test.

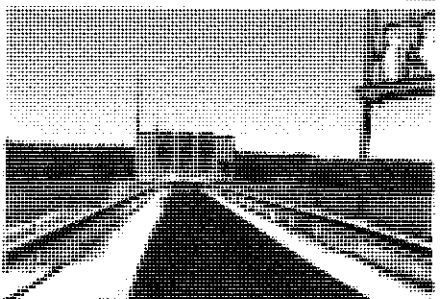
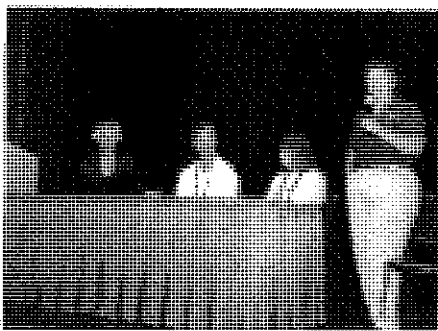
The winner of the 2013 NCRWA Water Taste Test is the Kerr Lake Regional Water System (KLRWS). A huge congratulation goes out to their staff. They have a long list of distinctions behind them as they won third place in the 2011 NCRWA Water Taste Test, first place at the 2002, 2001 and 2000 NCRWA Water Taste Tests and second place in 1994 and 1989. They also are credited with completing the first Source Water Protection Plan (SWPP) approved by the state of North Carolina in 2007. Their SWPP consisted of an educational campaign, public outreach and involvement, more stringent enforcement of pollution reduction measures within their source water protection area, and encouraging more permanent land conservation in their contributing area.

KLRWS is a public water system serving portions of Vance, Granville, Warren and Franklin Counties in the central northern portion of North Carolina. The System serves three bulk customers - the City of Henderson, City of Oxford, and Warren County - which currently supply water to the Town of Kittrell, Town of Norlina, Town of Warrenton, Town of Stovall, and Town of Middleburg. The KLRWS consists of a conventional surface water treatment plant, distribution mains, storage tanks and water meters. John H. Kerr Reservoir (Anderson Creek on Kerr Lake) serves as the water supply. The system uses an average of 6 million gallons per day to supply a population of almost 55,000 people.

Treatment of the raw water consists of sodium hypochlorite as a microbial deterrent, fluoride to promote good dental health in school-aged children, alum for coagulation, polymer to help with coagulation, caustic soda to regulate the pH, Corrugard to help slow down corrosion of the distribution lines and potassium permanganate to help with iron and manganese removal and taste and odor. There are currently ten certified operators that run the treatment plant. They all should be proud of a job well done.

Thanks to KLRWS and to all who participated in the contest. A special thanks also to our judges this year – Marvin Hutchinson from USDA, Rita Moroczek, Water Conservation Specialist with the NC Division of Water Resources, and Pam Baughman with the Virginia Rural Water Association.

How does your water measure up? Make plans to submit a sample for next year's Conference and see how your water compares to other systems from around the state.



19AUG2013

MEMORANDUM

TO: Municipal Official

FROM: Jennifer Song  
State Demographer  
Office of State Budget and Management

RECEIVED  
AUG 26 2013

BY: CSS

SUBJECT: Preliminary 2012 Municipal Population Estimates

The purpose of this memo is to give you a chance to preview the Certified Estimate of the July 1, 2012 permanent resident population of your municipality. This estimate is used for the purpose of distributing state-shared revenues to municipalities and will be featured in the Municipal Estimates section of the OSBM State Demographics website; to view go to [www.osbm.nc.gov](http://www.osbm.nc.gov) and select State Demography from the far right column.

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Henderson , Vance County

July 1, 2012 Certified Population Estimate: 15,213

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If you have questions or comments concerning this information, wish help in interpreting the estimates, or would like clarification of the methods used in preparing the estimates, please contact me (20320 Mail Service Center, Raleigh, NC, 27699-0320. Telephone 919/807-4756).

DEADLINE FOR REVIEW: September 6, 2013

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## *Meetings and Events Calendar*

| <b>Date</b>   | <b>Time</b>                 | <b>Event</b>                                              | <b>Location</b>                                                  |
|---------------|-----------------------------|-----------------------------------------------------------|------------------------------------------------------------------|
| Sept 10       | 3:00 PM                     | <b>Henderson Community Appearance Commission</b>          | City Hall Large Conference Room<br><i>*Note Change of Venue*</i> |
| Sept 10       | 3:30 PM                     | <b>Henderson Zoning Board of Adjustment</b>               | City Council Chambers                                            |
| Sept 12       | 12:00 PM                    | <b>Henderson-Vance Park &amp; Recreations Commission</b>  | Aycock Recreation Center                                         |
| Sept 19       | 7:00 PM                     | <b>Human Relations Commission</b>                         | City Council Chambers                                            |
| Sept 23       | 6:00 PM                     | <b>City Council Meeting Work Session to Follow</b>        | City Council Chambers                                            |
| Sept 27       | 10:00 AM                    | <b>Henderson-Vance E911 Advisory Board Meeting</b>        | E911 Operations Center                                           |
| Oct 1         | 3:30 PM                     | <b>Henderson Zoning Board of Adjustment</b>               | City Council Chambers                                            |
| Oct 7         | 3:30 PM                     | <b>Henderson Planning Board</b>                           | City Council Chambers                                            |
| Oct 8         | 3:00 PM                     | <b>Henderson Community Appearance Commission</b>          | City Council Chambers                                            |
| Oct 10        | 12:00 PM                    | <b>Henderson-Vance Park &amp; Recreations Commission</b>  | Aycock Recreation Center                                         |
| Oct 14        | 9:30 AM                     | <b>KLRW Advisory Board Meeting</b>                        | City Hall Large Conference Room                                  |
| Oct 14        | 6:00 PM                     | <b>City Council Regular Meeting Cancelled</b>             | <b>Cancelled due to Conference</b>                               |
| Oct 17        | 7:00 PM                     | <b>Human Relations Commission</b>                         | City Council Chambers                                            |
| Oct 28        | 6:00 PM                     | <b>City Council Meeting Work Session to Follow</b>        | City Council Chambers                                            |
| Nov 4         | 3:30 PM                     | <b>Henderson Planning Board</b>                           | City Council Chambers                                            |
| Nov 5         | 3:30 PM                     | <b>Henderson Zoning Board of Adjustment</b>               | City Council Chambers                                            |
| Nov 11        | 5:00 PM                     | <b>Library Board of Trustees</b>                          | Perry Memorial Library                                           |
| <b>Nov 11</b> | <b>Veterans Day</b>         | <b>City Council Meeting Cancelled due to Veterans Day</b> | <b>CITY HALL CLOSED Happy Veterans Day</b>                       |
| Nov 12        | 3:00 PM                     | <b>Henderson Community Appearance Commission</b>          | City Council Chambers                                            |
| Nov 14        | 12:00 PM                    | <b>Henderson-Vance Park &amp; Recreations Commission</b>  | Aycock Recreation Center                                         |
| Nov 21        | 7:00 PM                     | <b>Human Relations Commission</b>                         | City Council Chambers                                            |
| Nov 25        | 6:00 PM                     | <b>City Council Meeting Work Session to Follow</b>        | City Council Chambers                                            |
| <b>Nov 28</b> | <b>Thanksgiving Day</b>     | <b>THANKSGIVING HOLIDAY</b>                               | <b>CITY HALL CLOSED</b>                                          |
| <b>Nov 29</b> | <b>Thanksgiving Holiday</b> | <b>THANKSGIVING HOLIDAY</b>                               | <b>CITY HALL CLOSED</b>                                          |

Last Updated 9/6/2013

# HENDERSON-VANCE CO 911

## Number Of Calls Report by Complaint

**Jurisdiction:** HEN-VAN

**First Date:** 07/21/2013

**Last Date:** 08/20/2013

| Complaint    |                                          | Number |
|--------------|------------------------------------------|--------|
| 911HU        | 911 HANG UP CALL                         | 70     |
| ABAND        | ABANDONED OR JUNKED CARS                 | 2      |
| ABDOM-EMD    | ABDOMINAL PAIN OR PROBLEMS               | 17     |
| ACC-PD       | ACCIDENT PROPERTY DAMAGE                 | 66     |
| ACC-PI       | ACCIDENT PERSONAL INJURY                 | 32     |
| ALARM        | ALARM RESIDENCE OR BUSINESS              | 279    |
| ALARMFALSE   | ALARM FALSE                              | 156    |
| ALARMMED     | ALARM MEDICAL                            | 14     |
| ALLERG-EMD   | ALLERGIC REACTION / ENVENOMATIC          | 6      |
| ANIMAL-EMD   | ANIMAL BITE / ATTACK                     | 5      |
| ANIM         | ANIMAL COMPLAINT/VISCIOUS ANIMAL         | 90     |
| ARMED SUSP   | ARMED SUSPECT (MAN WITH A GUN)           | 10     |
| ARRE         | ARREST                                   | 2      |
| ASAG         | ASSIST OTHER AGENCY                      | 27     |
| ASMO         | ASSIST MOTORIST                          | 57     |
| ASSAULIP-EMD | ASSAULT OR SEXUAL ASSAULT - IN PROGRESS  | 6      |
| ASSAULT-EMD  | ASSAULT OR SEXUAL ASSAULT                | 58     |
| BACKPAIN-EMD | BACK PAIN (NON-TRAUMATIC)                | 4      |
| BE MV        | BREAKING AND ENTERING TO A MOTOR VEHICLE | 14     |
| BON          | BONDING                                  | 12     |
| BREATH-EMD   | BREATHING PROBLEMS                       | 62     |
| BURG-IP      | BURGULARY/B&E IN PROGRESS                | 6      |
| BURGLARY     | BURGLARY                                 | 71     |
| CAR          | CARELESS AND RECKLESS DRIVER             | 23     |
| CARDIAC-EMD  | CARDIAC/RESPIRATORY ARREST OR I          | 7      |
| CHASE        | CHASE                                    | 3      |
| CHESTPAI-EMD | CHEST PAIN                               | 47     |
| CHILD-ABU    | CHILD ABUSE OR NEGLECT                   | 1      |
| CHOKING-EMD  | CHOKING                                  | 1      |
| CIVDIS       | CIVIL DISPUTE                            | 86     |
| COMTHR       | COMMUNICATING THREATS                    | 6      |
| CONVULS-EMD  | CONVULSIONS / SEIZURES                   | 26     |
| COURT        | COURT                                    | 1      |
| DIABETIC-EMD | DIABETIC PROBLEMS                        | 15     |
| DIRTRF       | DIRECTING TRAFFIC/TRAFFIC CONTROL        | 3      |
| DISO         | DISORDERLY PERSON                        | 79     |
| DOMEIP/W     | DOMESTIC DISPUTE - IN PROGRESS           | 6      |
| DOM-PROB     | DOMESTIC PROBLEM                         | 79     |
| DRUGALC      | DRUG OR ALCOHOL COMPLAINT                | 55     |
| DRUNKDRIV    | DRUNK DRIVER                             | 4      |
| EMERG TRANS  | EMERGENCY TRANSPORT                      | 1      |
| ESCO         | ESCORT                                   | 217    |
| EVICTION     | EVICTION CARRIED OUT                     | 33     |
| FALLS-EMD    | FALLS (SUBJECT FALLEN)                   | 56     |
| FIGHT        | FIGHT                                    | 37     |
| FIGHT-IP/W   | FIGHT IN PROGRESS/W-WEAPONS              | 1      |
| FIRE AL      | FIRE ALARM                               | 31     |
| FIRE BRU     | BRUSH/GRASS FIRE                         | 6      |
| FIRE CHIM    | CHIMNEY FIRE                             | 1      |
| FIRE ELEC    | ELECTRICAL FIRE                          | 3      |
| FIRE SMOKE   | SMOKE REPORT                             | 4      |
| FIRE STRUC   | STRUCTURE FIRE                           | 9      |

# HENDERSON-VANCE CO 911

## Number Of Calls Report by Complaint

**Jurisdiction:** HEN-VAN

**First Date:** 07/21/2013

**Last Date:** 08/20/2013

| Complaint    |                                    | Number |
|--------------|------------------------------------|--------|
| FIRE TRANS   | TRANSFORMER FIRE                   | 1      |
| FIRE VEHI    | VEHICLE FIRE                       | 5      |
| FRAUD        | FRAUD/FORGERY                      | 28     |
| GASLEA       | GAS LEAK                           | 1      |
| HARR         | HARRASSMENT/THREATS                | 56     |
| HEADACHE-EMD | HEADACHE                           | 3      |
| HEART-EMD    | HEART PROBLEMS - AICD              | 10     |
| HEAT/CLD-EMD | HEAT / COLD EXPOSURE               | 3      |
| HEMORR-EMD   | HEMORRHAGE / LACERATION            | 20     |
| HOMEINV      | HOME INVASION                      | 1      |
| HRPD         | HIT & RUN PD                       | 26     |
| HRPI         | HIT & RUN PI                       | 2      |
| ILL-DUMP     | ILLEGAL DUMPING                    | 23     |
| INSPECTION   | FIRE INSPECTION                    | 89     |
| INTPERS      | INTOXICATED PERSON                 | 20     |
| INVE         | INVESTIGATE ----- AT               | 754    |
| IPV          | IMPROPERLY PARKED VEHICLE          | 7      |
| JUV          | JUVENILE PROBLEMS                  | 24     |
| LARCIP       | LARCENY IN PROGRESS                | 1      |
| LARC         | LARCENY - ALREADY OCCURRED         | 152    |
| LOIT         | LOITERING COMPLAIN                 | 3      |
| LOST         | LOST PROPERTY                      | 9      |
| LOUD         | LOUD MUSIC                         | 91     |
| MEDICAL      | MEDICAL                            | 12     |
| MEN          | MENTAL SUBJECT                     | 78     |
| MISS         | MISSING PERSON                     | 7      |
| OPEN         | OPEN DOOR/WINDOW                   | 7      |
| OVERDOSE-EMD | OVERDOSE / POISONING (INGESTION)   | 6      |
| PDAMG        | PROPERTY DAMAGE ALREADY OCCUI      | 84     |
| PDMGIP       | PROPERTY DAMAGE IN PROGRESS        | 1      |
| PREGNANT-EMD | PREGNANCY/CHILDBIRTH/MISCARRIA     | 6      |
| PROW         | PROWLER                            | 18     |
| RACE         | RACING/HIGH SPEED DRIVING          | 1      |
| RAPE         | RAPE                               | 2      |
| RECFPI       | RECOVERED/FOUND PROPERTY           | 18     |
| ROBARM       | ROBBERY ARMED                      | 8      |
| ROBBERY      | ROBBERY                            | 1      |
| RUN          | RUNAWAY                            | 2      |
| SHOP         | SHOPLIFTER                         | 21     |
| SHOTS        | SHOTS FIRED                        | 45     |
| SICK-EMD     | SICK PERSON                        | 93     |
| SPEC         | SPECIAL ASSIGNMENT                 | 5      |
| STABBING-EMD | STABBING / GUNSHOT / PENETRATING   | 8      |
| STOLV        | STOLEN VEHICLE                     | 10     |
| STROKE-EMD   | STROKE (CVA)                       | 10     |
| SUBINCUS     | SUBJECT IN CUSTODY                 | 23     |
| SUICIDE-EMD  | SUICIDE / PSYCHIATRIC / ABNORMAL I | 4      |
| SUMMONS      | CIVIL / CRIMINAL SUMMONS           | 123    |
| SUPSUB       | SUSPICIOUS SUBJECT                 | 66     |
| SURR         | SURRENDER                          | 11     |
| SUSVEH       | SUSPICIOUS VEHICLE                 | 103    |
| TEST         | TEST CALL                          | 72     |

# ***HENDERSON-VANCE CO 911***

## ***Number Of Calls Report by Complaint***

***Jurisdiction:*** HEN-VAN

***First Date:*** 07/21/2013

***Last Date:*** 08/20/2013

| <b><i>Complaint</i></b> |                                   | <b><i>Number</i></b> |
|-------------------------|-----------------------------------|----------------------|
| Traffic Stop            | VEHICLE STOP                      | 601                  |
| TRANSPORT               | TRANSPORT                         | 1                    |
| TRAUMA-EMD              | TRAUMATIC INJURY (SPECIFY IN NARI | 3                    |
| TREEDWN                 | TREE DOWN                         | 7                    |
| TRES                    | TRESPASSING SUSPECT               | 93                   |
| UNAUTHVEH               | UNAUTHORIZED USE VEHICLE          | 9                    |
| UNCONC-EMD              | UNCONCIOUS / FAINTING OR NEAR     | 34                   |
| UNKNOWN-EMD             | UNKNOWN PROBLEM (MAN DOWN)        | 4                    |
| WARRANT                 | WARRANT                           | 1110                 |
| WATER                   | WATER RELATED PROBLEM             | 16                   |
| WRIT                    | WRIT OF EXECUTION                 | 3                    |

***Report Total:*** 5962



# HENDERSON POLICE DEPARTMENT MONTHLY REPORT JULY 2013

*Marcus Barrow, Interim Chief of Police*

*08/20/2013*

*"Semper vigil"*

## Chief's Comments



**Marcus Barrow, Interim Chief of Police**

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 continue to progress with the Department's past programs such as the Community Revitalization Initiative and with new initiatives such as our door to door visitation and rebuilding of the Flint Hill Neighborhood Community Watch. In July several officers and members of the command staff spent the morning covering all of the areas of the Flint Hill Community Watch area on foot, handing out flyers and talking to residents and property owners in the area about the Community Watch program and the department's efforts to work with both the City of Henderson Planning Department and private and faith based groups on making the area a safer place to live.

The department also worked on updating our policies and procedures on responding to business alarms and continued our ongoing review of all department practices, policies and procedures ahead of our upcoming onsite for the Commission on Accreditation for Law Enforcement Agencies. In July we received our official notification that the department has been scheduled for its three year onsite starting December 8 and running through December 11, 2013. More information as to the schedule of events and itinerary for this onsite will be forwarded to the City Manager and released to the public in the near future.

We are also extremely pleased with our first month under the new budget for 2013-2014. Already several items and equipment that were identified in the budget for purchase are being obtained for prices which will bring these projects in under budget. Use of fuel, supplies and other items are already being monitored at the start of the year to ensure that funds are being expended wisely.

## Operations Division



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

## Patrol Activity Summary by Patrol Section July 2013

| Section #     | Incidents  | Persons Arrested | Collisions Investigated | Citations  | *Warrants Served | **Warrants Attempted |
|---------------|------------|------------------|-------------------------|------------|------------------|----------------------|
| Section 1     | 96         | 64               | 16                      | 106        | 22               | 116                  |
| Section 2     | 69         | 39               | 16                      | 55         | 21               | 47                   |
| Section 3     | 84         | 44               | 20                      | 29         | 14               | 28                   |
| Section 4     | 75         | 36               | 28                      | 39         | 17               | 77                   |
| <b>Totals</b> | <b>324</b> | <b>183</b>       | <b>80</b>               | <b>229</b> | <b>78</b>        | <b>270</b>           |

*\*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.*

*\*\* - Four (4) warrants were served and two (2) attempted by officers in the Criminal Investigations Division.*

## Active Warrants on file by Section as of July, 2013 (Including Criminal Investigations)

| Zones        | Warrants   | OFA        | Worthless Check | Criminal Summons | Warrant for Child Support | Fugitive |
|--------------|------------|------------|-----------------|------------------|---------------------------|----------|
| Zone 1       | 49         | 102        | 1               | 7                | 2                         | 0        |
| Zone 2       | 1          | 13         | 0               | 0                | 0                         | 0        |
| Zone 3       | 17         | 222        | 1               | 15               | 3                         | 0        |
| Zone 4       | 18         | 70         | 0               | 6                | 0                         | 0        |
| CID          | 30         | 7          | 0               | 0                | 0                         | 0        |
| <b>Total</b> | <b>115</b> | <b>222</b> | <b>1</b>        | <b>15</b>        | <b>3</b>                  | <b>0</b> |

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****Lieutenant G.L. Williams**

ON July 23, 2013 Lieutenant G.L. Williams was recognized by the Henderson Optimist Club as the "Police Officer of the Year" at that organization's "Appreciation for Public Safety" meeting. The group hosted a dinner for the award winners and their families and supervisors at the Henderson Country Club. One officer was selected from each of the County's law enforcement agencies and Fire/EMS agencies to be recognized by the Optimist Club.

Lieutenant Williams was recognized for his leadership of the department's Canine Team Program and his work in the last year to select, obtain and get certified three (3) new Canine Police Officers and their new handlers. Williams was also recognized for his work as the Patrol Zone Commander and Section Commander for Section 1 (Zone 3) and his past work as part of the department's SWAT team.

**RETIREMENT****Senior Police Officer Alvis Hawkins**

July 31 was the final day for Senior Police Officer Alvis Hawkins as a full time Henderson Police Officer. Hawkins retired from the department and his position as Court Liaison Officer in the Criminal Investigations Division after a distinguished career that started with the Henderson Police Department, then the NC State Capital Police and back to the Henderson Police Department. Officer Hawkins will continue to be a part of the department in his retirement as a Reserve Officer.

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

|                              |    |
|------------------------------|----|
| Cases Received               | 60 |
| Cases Suspended              | 33 |
| Cases Cleared (Solved)       | 12 |
| Unfounded Reports Identified | 4  |
| Witnesses Interviewed        | 76 |
| Suspects Interviewed         | 20 |
| Warrants Obtained            | 14 |
| Warrants Attempted           | 1  |
| Warrants Served              | 8  |
| Search Warrants Obtained     | 2  |
| Search Warrants Executed     | 1  |
| Property Recovered           | 3  |

On July 12, 2013, Kirtrell Dixon, 22, of 718 S. Chestnut Street, Henderson was arrested for robbery with a dangerous weapon. After further investigation, detectives determined that Mr. Dixon was the suspect in the June 6, 2013 robbery of a Papa John's deliveryman that occurred on State Street.

The Criminal Investigations Division investigated the shooting of Chanequa Kelly, 20, of Henderson, that occurred on July 20, 2013 around 2:30 AM. Shooting occurred in the parking lot of Gate City Foods on West Andrews Ave after a confrontation between the alleged offender and another subject. During the confrontation a shot was fired and a bullet struck Ms. Kelly in her upper leg. Ms. Kelly was treated at an area hospital. Warrants were obtained for Keylan Johnson, 20, of 5532 Raleigh Road, Henderson for assault with a deadly weapon inflicting serious injury and assault by pointing a gun.

Keylan Johnson was apprehended July 30, 2013 in Jacksonville, Florida by the United States Marshals Service. Johnson was arrested on a fugitive warrant in Florida and is awaiting extradition to North Carolina for the charges related to the July 20, 2013 shooting of Chanequa

Kelly. Assistance from the U.S. Marshals Service was provided by the Eastern District of North Carolina Violent Fugitive Task Force and the Florida/Caribbean Regional Fugitive Task Force, Jacksonville and Orlando Divisions.

On July 28, 2013, members of the Criminal Investigation Division were contacted to investigate a sexual assault of a 22 year-old female that occurred on Davis Street. Officers were able to locate the suspect and after further investigation by detectives, James Boyd, 44, of 515 Davis Street, Henderson was charged with first degree rape.

### Juvenile Services

|                                         |   |
|-----------------------------------------|---|
| Juveniles Contacted Released to Parents | 3 |
| Juvenile Petition – Not School Related  | 1 |
| Assault                                 | 1 |
| Neglect                                 | 2 |
| Runaway                                 | 1 |
| Weapon in Public                        | 3 |
| Fight                                   | 2 |
| General Contacts                        | 1 |

### Property and Evidence/Crime Scene Technician Unit

|                                                                         |                    |
|-------------------------------------------------------------------------|--------------------|
| Number of items collected for the month:                                | 301 items          |
| Total amount of U.S. Currency collected:                                | \$82.00            |
| Total amount of firearms collected:                                     | 8                  |
| Total amount of marijuana seized:                                       | 332.16 grams       |
| Total amount of cocaine seized:                                         | 303.5 grams        |
| Total amount of heroine seized:                                         | 1 dosage units     |
| Total number of pills and prescription meds seized:                     | 323.5 dosage units |
| Total amount and type of other illegal substances seized:               | 0                  |
| Total number of items returned to owner by court order:                 | 1 item             |
| Total number of evidence turned over to other agencies (see narrative): | 0 items            |
| Total number of items returned to owner by officer request:             | 5 items            |

|                                                                                |             |
|--------------------------------------------------------------------------------|-------------|
| Total amount of U.S. Currency turned over to school board:                     | \$0         |
| Total number of items destroyed by court order:                                | 0           |
| Total number of video cd made/copied:                                          | 84          |
| Total number of in car videos copied to CD:                                    | 8 CD/DVD    |
| Total number of copies of evidence (paperwork) for investigation:<br>paperwork | 10 items of |
| Total number of evidence packages sent to SBI lab:                             | 19 items    |
| Crime Scenes for month of July 2013:                                           | 3           |
| Vehicles Processed for month of July 2013:                                     | 2           |
| Total of items processed at HPD:                                               | 5           |
| CALEA files Submitted:                                                         | 0           |
| Training Hours:                                                                | 0 hours     |

## SPECIAL OPERATIONS DIVISION



**Lieutenant D. Allen Hedgepeth, Division Commander**

During the month of July the investigators of the Special Operations Division worked with ATF Agents and the US Attorney's office and had one (1) individual indicted at the federal level on weapons and narcotics charges. Another of these individuals was taken into custody during the month by Henderson Police Department and ATF Agents and other assisting agencies. Vice/Narcotics Detectives were involved in one (1) brief vehicle pursuit in which the suspects were taken into custody.

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            | 5               |
| Felony Arrests                 | 6               |
| Citations Issued               | 16              |
| Warrants served                | 10              |
| Search Warrants executed       | 2               |
| Cocaine Seized                 | 8 grams         |
| Heroin Seized                  | 1.5 grams       |
| Prescription Medication Seized | 12 dosage units |
| Marijuana Seized               | 9 grams         |
| Firearms Seized                | 1               |
| Currency Seized                | \$2,123.00      |

### Power Shift

|                      |         |
|----------------------|---------|
| Traffic Stops        | 163     |
| Assist Motorists     | 1       |
| Written Warnings     | 163     |
| Incident Reports     | 2       |
| Arrest Reports       | 2       |
| Citations            | 5       |
| Cocaine/Crack Seized | 11 oz.  |
| Marijuana Seized     | 3.4 gr. |

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

|                                           |   |                                  |    |
|-------------------------------------------|---|----------------------------------|----|
| Staff Inspections Conducted               | 0 | Line Inspection Reports Received | 41 |
| Radio / Vehicle Equipment Repair Requests | 2 | Equipment Repairs Completed      | 2  |
| Computer System repairs / upgrades        | 8 | Employment Applications Received | 4  |
| 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 July the Services Division updated twelve (12) General Orders. There are currently 15 applications on file and of those four are certified. As of August 1, 2013 there will be two (2) vacancies for sworn officers within the department. One for the vacancy of the retirement of Chief Sidwell in May and the other from the retirement of Officer Alvis Hawkins on July 31st. There is one (1) sworn applicant competing the final portion of the process and we estimate that this candidate will begin work with the department in mid-August following Conditional Offer testing.

Line inspections were conducted in July and a full semi-annual inspection summary report is being prepared by Lieutenant Marshall Perry for review by the Command Staff. Any needed equipment or deficiencies noted in the inspection reports have either been addressed or the needed items ordered. Arrangements were made for ballistic vest measurements to be held August 12, 2013 for those needing new vest. Bi-annual Pepper ball gun training was scheduled for patrol supervisors.

The department received notification in July that two (2) grants from the State of North Carolina had been approved and both have been forwarded to the City Manager's Office for Council action in August. One grant will allow the department to purchase over \$18,000 in traffic safety and enforcement equipment with no local match through the NC Governor's Highway Safety Program. The other will pay for 75% of the purchase of eight (8) new Mobile Data Terminals to replace old and outdated units in Patrol Vehicles. An application for the BJA JAG 2013 Grant to pay for the purchase of two (2) new replacement in-car camera systems was submitted in August as well.

The new budget year began July 1st with a budget of \$195,400 for fuel. This comes to an average of \$16,283.33 a month for the entire year. In July the department used \$16,567.42 in fuel which was \$284 above the average needed. The new average needed for the remaining eleven months is now \$16,257.50. The largest consumers of fuel were Burrell (120) at 287 gallons, which is a record amount since the beginning of these reports, and Yarborough (176) at 211 gallons.

This year's budget has \$50,000 allotted for maintenance and \$50,000 allotted for filters. This is a total of \$35,000 more than we had allotted last year. We also have \$9,000 more allotted for fuel this year.

### Crime Prevention/Community Services

Lieutenant Irvin Robinson and SPO Craig Thorpe met with the Night Out Against Crime Committee during the month of July in order to plan the Night Out Event to be held on Breckenridge Street on Tuesday, August 6 at 5:00 PM. As of July 31, the event had more agencies planning to attend and set up booths and events than we have had in recent years.

| Community Watch                  | Date     | Attendance           |
|----------------------------------|----------|----------------------|
| Brodie Grove Community Watch     | 07-22-12 | 04 residents present |
| Garden Walk Vila Community Watch | 07-24-12 | 10 residents present |
| Oak Hill Community Watch         | 07-25-13 | 04 residents present |
| Flint Hill Community Watch       | 07-30-13 | 20 residents present |
| Sterling Park Community Watch    | 07-30-13 | 15 residents present |

| Event                           | Date    | Officers                                                                                                                                                      |
|---------------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Flint Hill Community Watch walk | 7-24-13 | Lt. Robinson / Officer Thorpe                                                                                                                                 |
| Flint Hill Community Watch walk | 7-25-13 | Interim Chief Barrow<br>Captain P.L. Twisdale<br>Lt. S. T. Vaughn<br>Lt. C.D. Ball<br>Sgt. M. Stewart<br>Sgt. A. Feingold<br>Det. J. Hammond<br>Det. B. Logue |

|                            |         |                                                          |
|----------------------------|---------|----------------------------------------------------------|
|                            |         | Lt. I. Robinson<br>Officer C. Thorpe<br>Sergeant J. West |
| Lowes Community Day event  | 7-26-13 | Lt. Robinson / Thorpe                                    |
| New Awakening Church event | 7-27-13 | Lt. Robinson / Thorpe                                    |

| Meeting                                 | Date     | Attended              |
|-----------------------------------------|----------|-----------------------|
| V-GAP Vance Gang Awareness Partnership  | 07-17-13 | Lt. Robinson / Thorpe |
| Community Watch Board Meeting           | 07-18-13 | Lt. Robinson / Thorpe |
| Henderson-Vance night out against Crime | 07-19-13 | Lt. Robinson / Thorpe |
| ACT'S Board                             | 07-22-13 | Lt. Robinson          |
| Community Partners of Hope              | 07-23-13 | Lt. Robinson / Thorpe |
| Kerr Tar Community of Care              | 07-23-12 | Lt. Robinson / Thorpe |
| V-GAP Vance Gang Awareness Partnership  | 07-29-13 | Lt. Robinson / Thorpe |

### **Residential CPTED:**

The resident at 508 Owen Street requested a security Crime Prevention through Environmental Design (CPTED) survey of her property. This was completed and a report of the findings given to the property owner.

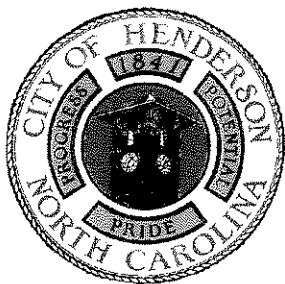


We currently have active 3 VIPS members. The VIPS volunteered 242 hours for the month of July 2013. The V.I.P.S. have assisted with visiting businesses and homes. The V.I.P.S have increased patrol in the shopping centers and volunteering at the Senior Centers on Garnett Street. A report on a new VIPS training and selection process was provided to Interim Chief Barrow in July 2013 and changes to the VIPS program and a new VIPS class are in progress.

## 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 July 2013. Please note that not all responses to calls result in a written investigation or an arrest.

|                                      |       |
|--------------------------------------|-------|
| Total Calls for Service              | 2,984 |
| Total Responding units for all calls | 4,753 |
| 911 Hang Up Calls                    | 40    |
| Alarm Calls                          | 81    |
| False Alarms                         | 133   |
| Assist Motorist                      | 51    |
| Assault Calls                        | 25    |
| B&E Motor Vehicle                    | 13    |
| Civil Disputes                       | 59    |
| Disorderly Person                    | 55    |
| Domestic Problem                     | 41    |
| Drug or Alcohol Complaint            | 43    |
| Escorts                              | 125   |
| Fight Report                         | 20    |
| Harassment/Threat Reports            | 34    |
| Intoxicated Person                   | 18    |
| General Investigation                | 550   |
| Loitering                            | 7     |
| Loud Music                           | 53    |
| Mental Subject/Commitment            | 23    |
| Property Damage                      | 42    |
| Missing Persons                      | 3     |
| Prowler                              | 12    |
| Shots Fired Reports                  | 47    |
| Suspicious Person                    | 39    |
| Suspicious Vehicle                   | 40    |
| Vehicle Stop                         | 642   |
| Trespassing                          | 61    |
| Warrant Service/Attempt              | 340   |



# 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:** September 5, 2013

## FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: AUGUST , 2013

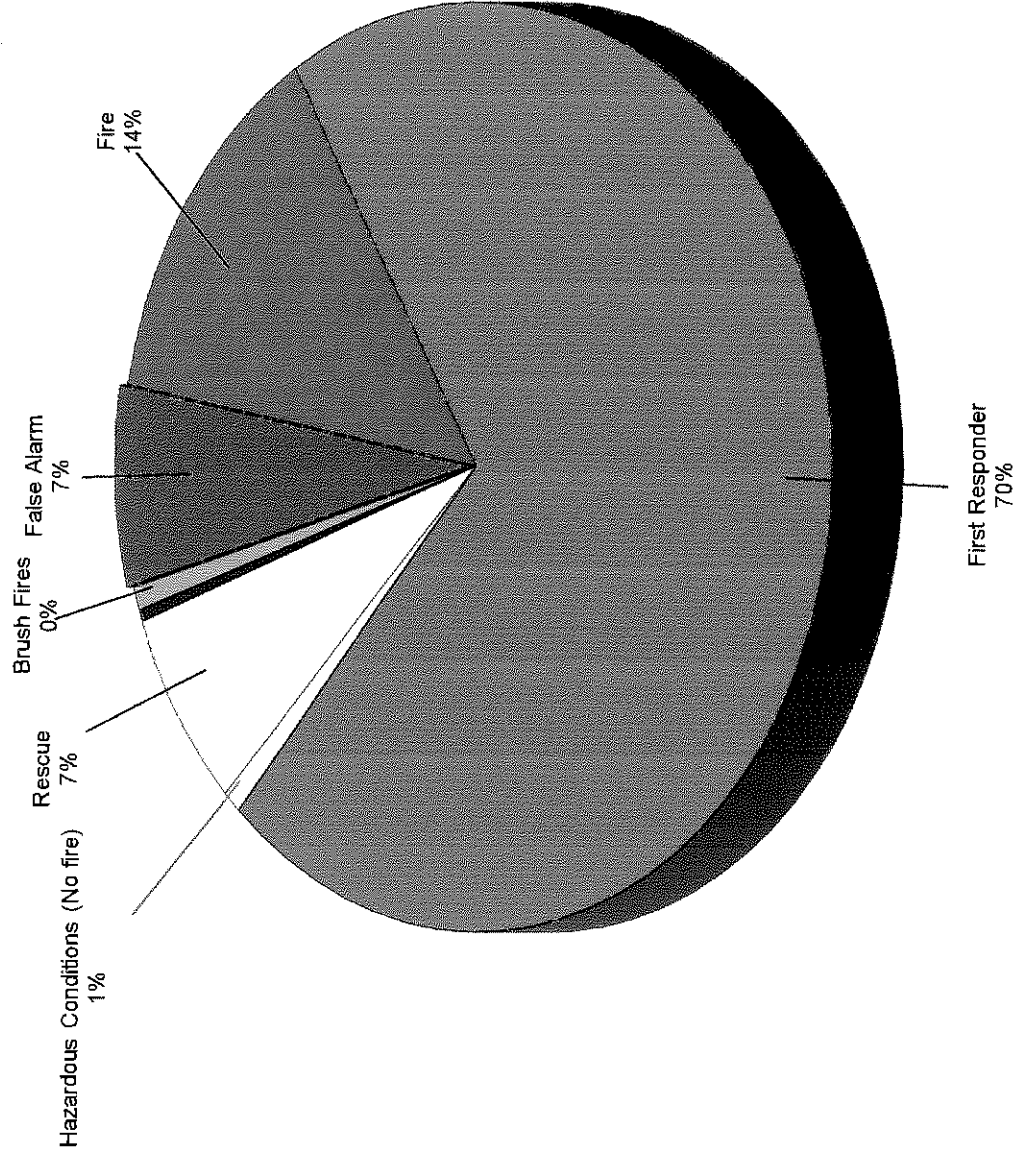
| TYPE OF CALL                                                                   | PRESENT MONTH | PREVIOUS MONTH | YEAR-TO-DATE |
|--------------------------------------------------------------------------------|---------------|----------------|--------------|
| PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes                      | 15            | 19             | 104          |
| APARTMENTS (3 or More Families)                                                | 5             | 1              | 15           |
| HOTELS AND MOTELS                                                              | 0             | 2              | 3            |
| ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)              | 0             | 0              | 1            |
| PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)                              | 1             | 3              | 10           |
| SCHOOLS AND COLLEGES                                                           | 0             | 2              | 4            |
| HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)   | 1             | 2              | 15           |
| STORES AND OFFICES                                                             | 1             | 5              | 17           |
| INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING                        | 1             | 7              | 13           |
| STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)  | 0             | 0              | 0            |
| OTHER STRUCTURES (Outbuildings, Bridges, etc.)                                 | 0             | 4              | 5            |
| WORKING STRUCTURE FIRE                                                         | 2             | 3              | 13           |
| FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)                         | 2             | 1              | 14           |
| 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.) | 2          | 0          | 2           |
| FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved                    | 0          | 0          | 11          |
| FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved                      | 1          | 0          | 6           |
| ALL OTHER FIRES                                                                                         | 0          | 3          | 9           |
| RESCUE                                                                                                  | 17         | 26         | 164         |
| FIRST RESPONDER                                                                                         | 171        | 159        | 1293        |
| FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)               | 17         | 27         | 119         |
| MUTUAL AID OR ASSISTANCE RESPONSES                                                                      | 2          | 10         | 52          |
| HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)                                                     | 0          | 5          | 17          |
| OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)                           | 2          | 4          | 27          |
| ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)                                     | 3          | 1          | 21          |
| <b>TOTALS</b>                                                                                           | <b>243</b> | <b>284</b> | <b>1935</b> |

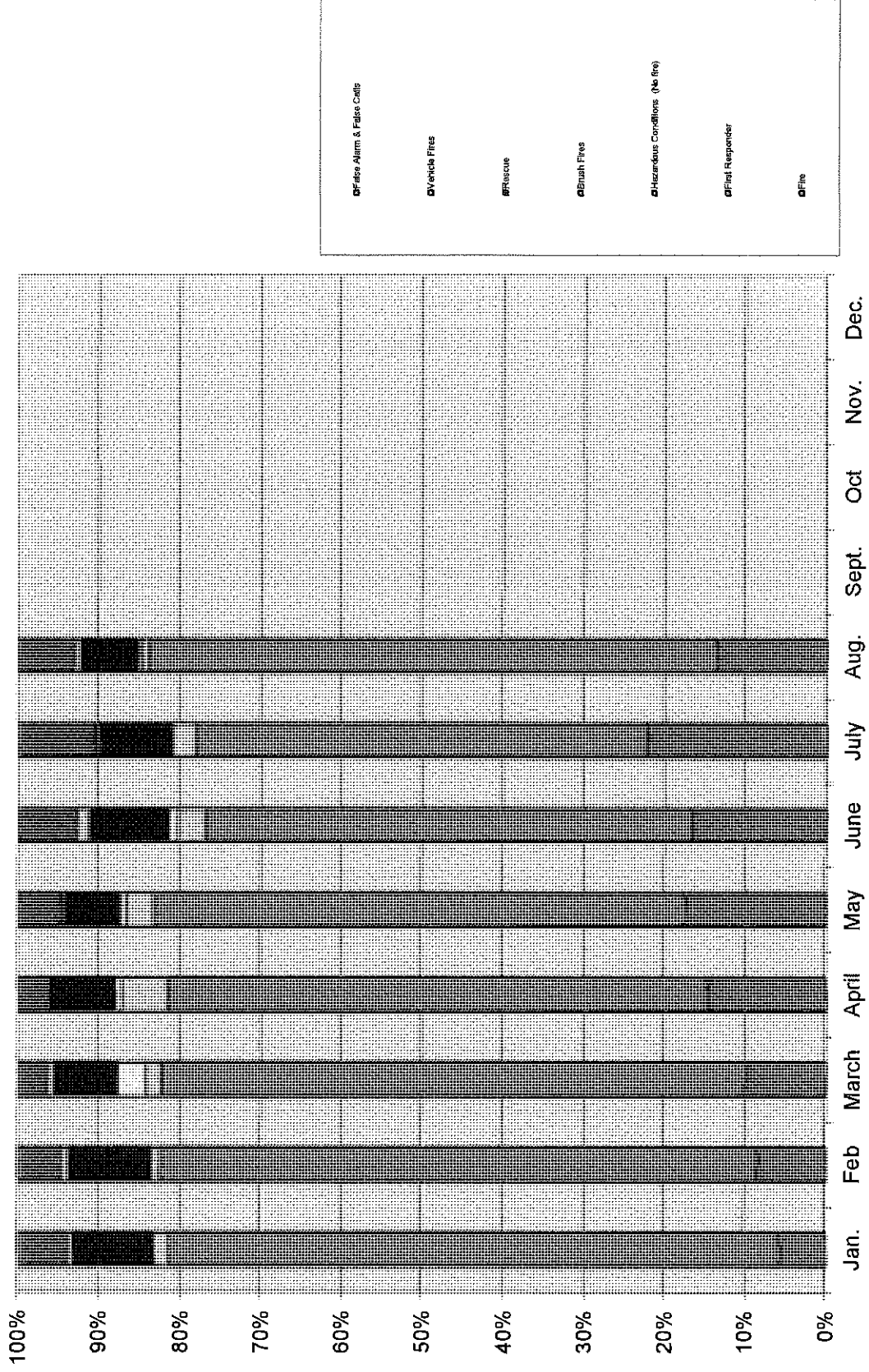
|                                                                | PRESENT MONTH        | PREVIOUS MONTH         | YEAR-TO-DATE           |
|----------------------------------------------------------------|----------------------|------------------------|------------------------|
| <b>Total Fire Incidents With Property and/or Contents Loss</b> | <b>7</b>             | <b>7</b>               | <b>58</b>              |
| <b>Total of Property and Contents Value Saved</b>              | <b>\$ 480,654.00</b> | <b>\$ 1,995,640.00</b> | <b>\$ 4,767,171.00</b> |

|                                        | 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 August 2013



# YEAR TO DATE SUMMARY BY MONTH FOR 2013



# **INSPECTION ACTIVITIES REPORT FOR: AUGUST, 2013**

| <b>INSPECTIONS</b> | <b>PRESENT MONTH</b> | <b>PREVIOUS MONTH</b> | <b>YEAR-TO-DATE</b> |
|--------------------|----------------------|-----------------------|---------------------|
| ASSEMBLY           | 9                    | 17                    | 73                  |
| BUSINESS           | 21                   | 23                    | 191                 |
| EDUCATIONAL        | 1                    | 0                     | 2                   |
| HAZARDOUS          | 0                    | 0                     | 0                   |
| INDUSTRIAL         | 1                    | 0                     | 7                   |
| INSTITUTIONAL      | 1                    | 0                     | 7                   |
| MERCANTILE         | 16                   | 17                    | 103                 |
| RESIDENTIAL        | 4                    | 2                     | 18                  |
| STORAGE            | 0                    | 0                     | 2                   |
| DAY CARE           | 0                    | 3                     | 16                  |
| HOME CARE          | 0                    | 0                     | 0                   |
| FOSTER CARE        | 0                    | 0                     | 2                   |
| VACANT             | 5                    | 3                     | 16                  |
|                    |                      |                       |                     |
| <b>TOTALS</b>      | <b>58</b>            | <b>65</b>             | <b>437</b>          |

|                       | <b>PRESENT MONTH</b> | <b>PREVIOUS MONTH</b> | <b>YEAR-TO-DATE</b> |
|-----------------------|----------------------|-----------------------|---------------------|
| CODE VIOLATIONS       | 71                   | 92                    | 591                 |
| FOLLOW UP INSPECTIONS | 28                   | 19                    | 157                 |

## 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   | 17   | 10   |      |     |     |     | 113    |
| Home Inspections / Door Hanger Follow Ups         | 8   | 2   | 5    | 8    | 0    | 2    | 0    | 0    |      |     |     |     | 25     |
| Smoke Alarms Installed                            | 5   | 12  | 7    | 6    | 8    | 9    | 11   | 5    |      |     |     |     | 64     |
| Batteries Installed in Smoke Alarms               | 7   | 12  | 12   | 9    | 8    | 6    | 5    | 3    |      |     |     |     | 62     |
| Fire Extinguisher Classes                         | 0   | 0   | 0    | 1    | 0    | 2    | 3    | 1    |      |     |     |     | 7      |
| School / Daycare Presentations                    | 3   | 4   | 6    | 4    | 3    | 5    | 2    | 1    |      |     |     |     | 28     |
| Community / Civic Group Presentations             | 2   | 1   | 3    | 1    | 2    | 0    | 3    | 2    |      |     |     |     | 14     |
| Station Tours                                     | 1   | 5   | 3    | 2    | 3    | 4    | 3    | 0    |      |     |     |     | 21     |
| Total Participants in Fire & Life Safety Programs | 600 | 800 | 1000 | 1300 | 2000 | 1000 | 1900 | 1100 |      |     |     |     | 9600   |
| Community / Business Displays                     | 0   | 1   | 2    | 1    | 1    | 0    | 2    | 5    |      |     |     |     | 12     |
| Child Safety Seat Clinics                         | 0   | 0   | 0    | 0    | 0    | 0    | 0    | 0    |      |     |     |     | 0      |
| Child Safety Seats Inspected                      | 12  | 8   | 6    | 8    | 5    | 11   | 4    | 2    |      |     |     |     | 56     |
| Child Safety Seats Distributed                    | 2   | 0   | 0    | 0    | 0    | 2    | 0    | 0    |      |     |     |     | 4      |
| Shift Coverage Hours                              | 40  | 48  | 16   | 24   | 24   | 8    | 4    | 16   |      |     |     |     | 182    |

## MONTHLY CITATION REPORT FOR THE MONTH OF: AUGUST 2013

| LOCATION                   | CURRENT<br>MONTH<br>FIRE LANE | CURRENT<br>MONTH<br>HANDICAPPED | LAST<br>MONTH<br>FIRE LANE | LAST<br>MONTH<br>HANDICAPPED | YEAR<br>TO<br>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                               |                            | 3                            | 3                  |
| Walgreens                  |                               |                                 |                            |                              | 0                  |
|                            |                               |                                 |                            |                              |                    |
|                            |                               |                                 |                            |                              |                    |
|                            |                               |                                 |                            |                              |                    |
|                            |                               |                                 |                            |                              |                    |
| <b>TOTALS</b>              | <b>0</b>                      | <b>0</b>                        | <b>0</b>                   | <b>3</b>                     | <b>4</b>           |

## TRAINING DIVISION PRODUCTIVITY - AUGUST 2013

Henderson Fire Department

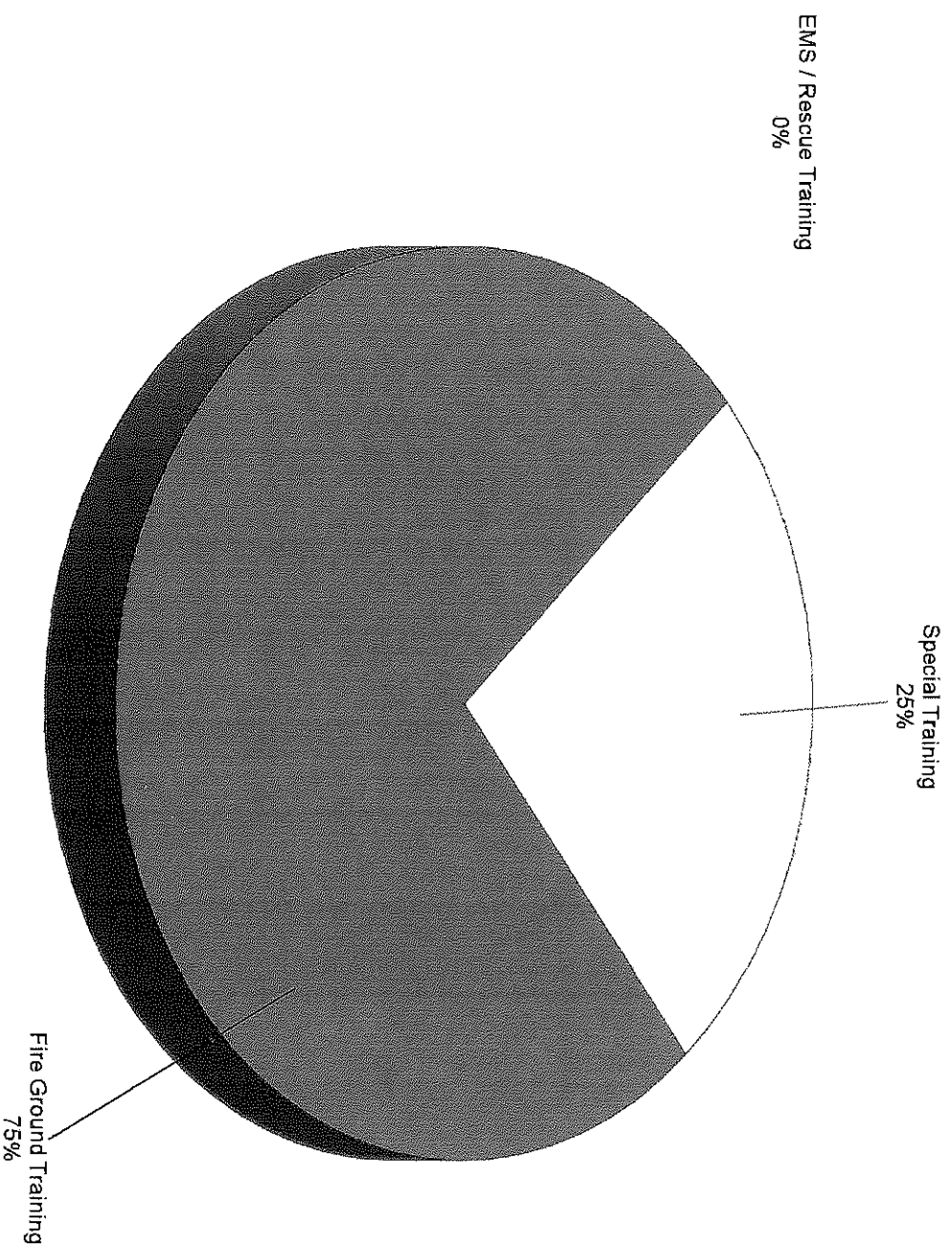
| Types of Courses Taught | Course Hours Taught | Man-hours of Training |
|-------------------------|---------------------|-----------------------|
| Fire Ground Training    | 164.5               | 1100.5                |
| EMS / Rescue Training   | 0                   | 0                     |
| Special Training        | 56                  | 472                   |

|        |       |        |
|--------|-------|--------|
| Totals | 220.5 | 1572.5 |
|--------|-------|--------|

|                      | Course Hours Taught | Man-hours of Training |
|----------------------|---------------------|-----------------------|
| PREVIOUS MONTH TOTAL | 180                 | 1369                  |

|                        |      |       |
|------------------------|------|-------|
| YEAR - TO - DATE TOTAL | 1410 | 11300 |
|------------------------|------|-------|

## Training Hours by Category - August 2013



## **Fire Department Regulatory Compliance**

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



## *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](mailto:rgriffin@ci.henderson.nc.us)*

*[www.ci.henderson.nc.us](http://www.ci.henderson.nc.us)*

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5 September 2013

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

FR: Ray Griffin, City Manager

RE: **CM 13-20**  
**Police Chief Recruitment Focus Group**

### **Ladies and Gentlemen:**

The police chief recruitment effort is now underway. Ms. Veazey has conducted focus groups with each of the police shifts. The focus group for the City Council is to be conducted in the work session portion of the 9 September Council Meeting.

Ms. Veazey and a member of her staff will facilitate the focus group. It should last anywhere from 30 minutes to an hour. The question around which the focus group will center is this:

*"What knowledge, skills, abilities and characteristics does the next police chief need to have?"*

The responses to this question from the various focus group participants will be reviewed and used to form the key elements for the position that will be further explored through the application and assessment center processes.

Ms. Veazey has provided a 12 page article on Assessment Center Focus Groups and the Assessment Center processes. This information will give you a good feel for the process being used by City Administration in its effort to recruit, select and hire a new police chief.

Enclosure

### **Assessment Center Focus Groups**

You have been invited to participate in a focus group to help begin a recruitment and selection process for an important role in your community. You have been chose to participate because you are an important stakeholder of the organization for which this person will work, and thus for the person who will be hired.

In order to create a thorough and accurate profile of the needs this new person will ideally meet, we are conducting a focus group to identify the 1) knowledges; 2) skills; 3) abilities; and 4) characteristics that would be found in the ideal candidate. The focus group process will use the brainstorming method to help create synergy and stimulate the ideas of participants. The information generated by the focus groups will be combined with other requirements of the job to create the basis for the recruitment information and the candidate screening and selection process.

The City has chosen to use an Assessment Center process for this selection.

### **WHAT IS AN ASSESSMENT CENTER?**

An Assessment Center is a means of gathering relevant information, under standardized conditions, about an individual's capabilities to perform a specific, usually managerial job. In essence, an Assessment Center puts candidates through a series of group and individual exercises designed to simulate the conditions of a given job or assess a specific skill set. When assessment centers are used for selection purposes, the exercises are designed to determine if the candidates have the skills and abilities necessary to perform defined aspects of that job. The exercises do this by bringing out the candidate's behavior relevant to the job, while the candidate is being observed and rated by a group of trained assessors. The assessors judging a candidate's behavior see all individuals from a common frame of reference in the various assessment activities. The process helps to insure that the judgments made are relatively free of many forms of rater bias, are reliable, and can serve as the basis for meaningful predictions of a candidate's performance. Assessment centers may also be used to identify developmental needs as part of a training needs analysis or individual assessment plan for the purposes of career or individual development. When used for selection, assessment centers are one in a series of other processes designed to help the Manager make an effective, informed decision.

The benefits of an Assessment Center include:

1. Assessment Centers measure job-related behaviors rather than other characteristics which are not directly related to effective job performance
2. Assessment Centers measure a broader range of knowledge, skills and abilities such as leadership and interpersonal skills than do most traditional methods.
3. Assessment Centers are standardized to the extent that the testing conditions are similar for all candidates. This helps to insure that no candidate receives better or worse treatment than another.
4. Assessment Centers are fair to minorities and women. Unlike some testing programs, available research suggests that a candidate's race or gender has no influence on the assessment ratings received, and provide better documentation of candidate performance.

5. Assessment Centers have been found to be well accepted and seen as a fair selection method by most candidates.
6. Assessment Center ratings tend to be much more accurate than conventional ratings because the Assessment Center provides an opportunity for direct observation of behavior in a controlled setting with trained raters.
7. Assessment Centers provide more information concerning a candidate's relative strengths and developmental needs to help managers provide better future guidance for newly hired or promoted employees, as well as for in-house candidates that are not selected when appropriate. This is helpful because even the most successful candidates are not perfect and need to continue their professional development.
8. Assessment centers allow for broad participation of organizational or community members in the hiring process while protecting the unique role of the hiring manager. This is especially helpful when broad commitment to the new person is important.
9. Assessment centers are the best way to evaluate interpersonal skills and management skills such as leadership, coaching, conflict resolution, motivation, employee development, planning, discipline and grievance administration, hiring effectiveness, etc.

The major disadvantages:

1. The development of the center takes time. A period of at least six weeks is usually needed to design, plan, schedule and conduct an assessment center.
2. The process is expensive with costs for assessment center design, assessor training, and candidate and assessor travel and lodging (ranging from \$5000 to \$18,000). Fees alone for design and administration range from \$4500 - \$12,000 and usually average \$6000 to \$8500..

The steps in conducting an assessment center include:

1. Conduct a job analysis. This includes identifying/ reviewing the knowledges, skills and abilities needed to perform a given job. It may also involve conducting focus groups with important stake holders to determine priority needs for a given position. For example, for a Police Chief assessment center, focus groups are often conducted with Police Department staff, municipal management staff (manager and department heads), elected body, community groups, and any other groups that are relevant stakeholders.
2. Determine the dimensions needed for the selection process. Dimensions are behavioral statements that describe priority knowledges skills and abilities needed in the role. These are developed based on the job requirements and the local needs as obtained in the focus groups and/or in other ways.
3. Design exercises that will allow assessors to observe and rate the degree to which candidates behave consistent with the desired behaviors (dimensions). A draft of the assessment center is approved by management and then both candidate and assessor manuals are mailed to allows for preparation prior to the center.
4. Schedule assessors and candidates to attend the assessment center. It is important that at

least some of the assessors be experienced.

5. Conduct candidate and assessor orientation and training to the process.
6. Conduct the assessment center.
7. Evaluate the findings and the relative merits of the candidates.

It is important to keep in mind that the assessment process is only one source of information you use in the selection. Very often the process will suggest areas where you need to do further investigation or show you problem areas that your preliminary selection process did not pick up. These areas are then explored in further interviews and reference information.

## ASSESSMENT CENTER DIMENSIONS EXAMPLE

### Police Chief Town of Boone

1. **Work Perspective.** Appropriate work perspective is demonstrated when the candidate sees him/herself as part of teams in the police department, with other department heads and the town manager, with elected officials, with the university and with the community. The candidate sees the role as requiring a strong commitment to personal and professional integrity, service, and partnership and as requiring frequent visibility with officers on the street and with the public in multiple settings. Decisions and actions reflect a clear comprehension of ethical issues, commitment to do the right thing, and knowledge of where, in the face of political pressure, to draw the line to protect the interest of the town. Clearly communicates policies and reasons behind actions, decisions, etc. to those affected by them. Builds effective working relationships with Town Manager, Council, and other Town departments that are consistent with the Council-Manager form of government. Follows the chain of command both up and down on important issues while maintaining accessibility to all staff and the public and staying knowledgeable of issues affecting all aspects of the department. Clearly understands and is committed to promoting the Council and community's commitment to the values concerning equal treatment and protection of civil liberties within the department. Understands and effectively negotiates issues that have political implications within the community while remaining apolitical; shows realistic views of the availability of resources and is patient with making progress. Leads in working in partnership with other law enforcement agencies and avoiding turf protection. The dimension also includes sensitivity to the cultural diversity of the department and the community.
2. **Staff Development.** This dimension focuses on the degree to which the candidate demonstrates commitment to and skill in hiring the right people, insuring proper training of staff to meet department needs, and developing and improving staff competencies through 1) appropriate delegation, 2) counseling, mentoring and coaching for improved performance, 3) involving staff in decision-making and problem-solving, and 4) encouraging professional and personal growth and goal achievement. Effective staff development also includes using promotional processes and special assignments that are fair and standardized. Promotions results are published and candidates receive specific feedback on their performance. The dimension also incorporates enhancing/promoting personal responsibility and accountability of all employees rather than consistently looking over the shoulder of employees (micro-managing).
3. **Interpersonal Communications** .The degree to which the candidate conveys ideas clearly, succinctly, and completely and uses nonverbal communications that enhance verbal communications. This dimension includes effective advocacy of ideas and the clear explanation of ideas and concepts to others. The dimension also includes inquiry to assure understanding as necessary, direct responses to questions and asking questions to assure others understand. The communicator balances sharing thoughts and ideas openly with others and inquires into the thoughts and ideas of others; listens to others for full understanding; keeps staff at all levels and divisions informed on relevant issues that impact them; treats others with respect; and maintains appropriate confidentiality. Finally, this dimension includes speaking and writing with appropriate vocabulary, grammar and syntax.
4. **Professional Knowledge.** The effective candidate has a broad law enforcement and management scope of experience including specific work in patrol and investigations. The candidate has knowledge of NC statutes or expresses a sound plan for bringing him or herself quickly up to speed after he or she takes the job. The candidate has sound knowledge of community policing and/or other law enforcement programming that focuses on prevention and

community partnership rather than enforcement, and how these programs might work in Boone. The candidate can articulate how he or she will determine if the department is working in a way that is consistent community expectations and how to modify the current approach if needed and still achieve the program goals. Has good familiarity with the value of the application of information technology in law enforcement work. Has knowledge of the impact of university presence on law enforcement planning, preparation and action. Professional knowledge includes an understanding of the budget process, of policy development, and of current trends and developments in law enforcement and how these might impact Boone. Finally, professional knowledge includes knowledge of modern and effective hiring and promotional processes, employee performance and career development systems, and an ability to exercise informed flexibility in personnel administration.

5. **Planning, Decision-Making, and Problem-Solving.** Effective candidates are able to articulate operational plans which he or she intends to have in place. Effective candidates also solve day-to-day problems in a manner that prevents further occurrence or amplification of the problems and can anticipate possible positive and negative effects of his or her solutions. Effective problem-solving includes involving stake holders in decision processes, and leading a collaborative process in finding solutions that meet stakeholder interests rather than imposing decisions unilaterally. Candidates are able to articulate a logical process for organizing resources and personnel; reflect in their prescribed actions and planning processes how they will involve relevant individuals, other officials, other departments in the town or University as well as other important law enforcement agencies before making decisions; and have a clear and consistent planning process for the department that takes into account both long range and short-term issues. The candidate balances getting decisions made with the importance of gathering data to assure decisions are based on sound information. Effective candidates are able to see issues from the perspective of the community, local elected officials, Town administration, and department staff in making decisions. Effective planning and programs take into consideration the need to reflect the community's sensitivity to efficiency issues and has a process for evaluating effectiveness of the Police Department and the various units of that department.
6. **Leadership.** Candidates for Chief of Police in Boone must have strong leadership skills. Departmental leadership in the Boone Police department is expected to be committed to values based team management while recognizing that he or she is accountable for the department's actions. An effective candidate describes his or her leadership style in a way that is consistent with team management and expresses a high level of enthusiasm and commitment to the work of the department. The candidate's leadership effectiveness is expressed in his or her ability to articulate the importance of and process for developing a vision for the department; by effective delegation that creates staff commitment; by communicating respect for the ideas of others; by presenting him or herself with confidence, compassion, clarity and enthusiasm; and by maintaining an air of accessibility. The candidate demonstrates an understanding that involving relevant others in decisions making enhances the effectiveness of decisions and promotes higher levels of commitment to those decisions. Effective leadership also requires the courage and ability to effectively advocate for the resources and support needed to provide exemplary police service to the Town of Boone. Effective leadership requires the ability to model personal excellence and create a high performance work force. Finally, effective leaderships includes the ability to communicate law enforcement issues in an effective and understandable fashion to Town Manager and Council for their effective decision making, and to the community to create a sense of partnership.

7. **Community Relations.** This dimension is demonstrated in the candidate's awareness of, commitment and ability to create a positive and credible community presence for self and the department with all areas of the Town including media, businesses, and with other law enforcement agencies, various genders, ages, educational levels, races, and cultures. It is also shown by the Police Chief clearly articulating a belief in the field officers being "problem solvers" in the broadest sense and leading staff in addressing law enforcement problems in a way that social and other systemic problems that are contributing or causative are addressed. Community relations are also demonstrated when the candidate expresses an intention to develop friendships and social patterns that are not entirely police related. Community relations include the ability to relate effectively and lead the department in relating effectively to all aspects of the community. The candidate who can effectively relate to the community has a keen sense of how and when to respond to citizens who contact him or her, does not discount the needs or interests of any citizen, and sees citizens as both customers and partners in creating effective law enforcement. Effective Community relations is also demonstrated by recognizing the need and willingness to partner with the community agencies and social groups in solving community issues that address or prevent law enforcement issues, addressing community concerns, and promoting social change. Successful candidates focus on community issues in planning, orientation and training of staff, helping them understand their roles in the community and see the community's young people as prize possessions and the leaders of the next generation.

## **ASSESSMENT CENTER EXERCISES EXAMPLE**

The assessment center has four parts: an intensive structured interview, a subordinate coaching role play, a community presentation, and a department head problem-solving role play.

### **Interview**

Each candidate will participate in a interview with a panel of 3 or 4 assessors. The interview is designed to last no more than one hour and fifteen minutes. The assessors will ask questions concerning a wide variety of issues. The assessors will ask all candidates the same questions. Follow-up questions to clarify answers may differ depending on the nature of each candidate's answers to the standards set of questions. Candidates should be complete and clear in their responses to the questions. After the interview, the assessors will have 45 minutes to write individual assessments and ratings, discuss the candidate's performance and agree on a consensus rating for each dimension.

### **Subordinate Role Play**

Each candidate will participate in a role play exercise designed to last no more than 45 minutes. The exercise will consist of a subordinate counseling session and is designed to assess specific dimensions especially related to supervisory and communication skills. Assessors will observe the role play and then have 30 minutes to develop a consensus group rating of the candidate's performance in the role play.

### **Community Presentation**

In this exercise, candidates will make a short (15 minute) presentation on how he/she intends to build effective relations with the community as a new Police Chief. Following the presentation, community role players will ask the candidates questions. The questions asked by the citizens will be structured questions so that each candidate receives the same questions and so that the questions insure information for rating the dimensions. The entire meeting will last no more than one hour. The assessors will take notes during the meeting. Once the candidate leaves, assessors will have 30 minutes to do individual ratings and then come to consensus on the ratings for each dimension measured by the exercise.

### **Staff Meeting**

Each candidate will plan and conduct the first meeting with the Boone Police Department Command staff. Approximately 4 to 6 of your staff will be available, each of whom represents a division of the Department. Each of the division heads will have their own perspective on issues. The candidates should cover the items and conduct the meeting in the way they think they would hold the first staff meeting with command staff. Up to 45 minutes are available for the meeting.

| <u>Dimensions</u>                                | Employment Application | Supplemental Employment Application | Telephone Interview | Interview | Subordinate Role Play | Community Presentation | Staff Meeting | Reference Checks |
|--------------------------------------------------|------------------------|-------------------------------------|---------------------|-----------|-----------------------|------------------------|---------------|------------------|
| 1. Work Perspective                              |                        | x                                   | x                   | x         | x                     | x                      | x             |                  |
| 2. Staff Development                             |                        | x                                   | x                   | x         | x                     | x                      | x             |                  |
| 3. Interpersonal Communications                  |                        | x                                   | x                   | x         | x                     | x                      | x             |                  |
| 4. Professional Knowledge                        |                        | x                                   | x                   | x         |                       | x                      | x             |                  |
| 5. Planning, Decision-making and Problem-solving |                        | x                                   | x                   | x         | x                     | x                      | x             |                  |
| 6. Leadership                                    |                        | x                                   | x                   | x         | x                     | x                      | x             |                  |
| 7. Community Relations                           |                        | x                                   | x                   | x         | x                     | x                      | x             |                  |

#### Interview Question Examples

17. (Professional Knowledge) The Department is in need of new equipment and technology. What methods of funding these needs, other than general fund budget requests, would you pursue and how would you go about this pursuit?
18. (Decision-Making, Work Perspective) The local area has a growing Hispanic population. What issues do you see and what approach would you take to dealing with this increasing population?
19. (Leadership, Work Perspective) Describe an incident where you made a major mistake and what you did about it.
20. (Work Perspective, Leadership) How would you keep the Town Manager informed and how would you decide what to inform him about? Do you think it is important for Police staff to be informed on general Town issues? If so, why? If not, why not? If so, how would you facilitate this information flow?
21. (Professional Knowledge, Leadership) What would you do to attract strong candidates to the department and keep staff motivated?
22. (Public Relations) If you become Chief, what would you do to help the community believe the Town has hired the right person?
23. (Leadership) The Police Department general orders are outdated and incomplete. How would you go about updating them?
24. (Leadership, Interpersonal Sensitivity) Just before your first meeting with the supervisory staff, you over-hear two of the sergeants saying that they think the chief should have come from an internal candidate even if no one applied. They say they don't believe they can trust an outsider and it will take years for an outsider to come to understand the people in Boone. Their discussion suggests they will do their job and be professional, but they will not be loyal to the new chief (you). They do not know you have over heard this conversation. What, if anything, would you do?
25. (Work Perspective, Decision-Making) The Town Manager has determined that, for budgetary reasons, a requested Police Captain position who would serve as Assistant Chief should be cut rather than approved in the budget. You feel strongly that the role is needed and have shared your feelings. Two Council members who are known critics of the Town Manager come to your office and want to know your feelings about the cuts your budget had received. They give every indication that, with a little encouragement from you, they will overrule the manager's recommendation and want you to give them your full justification for keeping the Police Captain in the budget. How would you respond to them?
26. (Teamwork) Tell us what accomplishment in your career gives you the most pride and why that is.

Tell us how you went about accomplishing it.

## **DIMENSION RATING GUIDELINES 6: PROFESSIONAL KNOWLEDGE**

**Definition:** The effective candidate has a broad law enforcement and management scope of experience including specific work in patrol and investigations. The candidate has knowledge of NC statutes or expresses a sound plan for bringing him or herself quickly up to speed after he or she takes the job. The candidate should be familiar with the Court System of NC and the character of the court, the District Attorney and other important figures in the Court system. The candidate has knowledge of community policing and/or other law enforcement programming that focuses on prevention and partnership rather than enforcement, and how these programs might work in Boone. The candidate can articulate how he or she will determine if the department is working in a way that is consistent community expectations and how to modify the current approach if needed and still achieve the program goals. Has good familiarity with the value of and the application of information technology in law enforcement work. Professional knowledge includes an understanding of the budget process, of grant development and administration, of policy development, of staff motivation, of effective conflict resolution, generational values and differences, and of current trends and developments in law enforcement and how these might impact Boone.

### **High rating should be given when the candidate:**

- (1) gives responses that indicate the candidate has sufficient knowledge of the profession and management responsibilities to deal effectively with the question or situations being confronted;
- (2) answers questions fully demonstrating knowledge without prompting;
- (3) answers technical questions with appropriate and current information regarding the subject;
- (4) answers to administrative questions such as budget and personnel are consistent with state and local laws;
- (5) demonstrates knowledge of modern procedures and concepts relating to hiring, performance evaluation, compensation, budgeting, program evaluation, and law enforcement program management;
- (6) recognizes his/her personal development needs;
- (7) finds ways to continually update own professional knowledges and skills;
- (8) articulates a clear understanding of community policing and how it might apply in Boone;
- (9) expresses a clear understanding of NC law and/or recognizes those areas of the law that may differ from his or her background or origin; has a clear plan for getting up to speed on law enforcement-related laws in NC.

### **Low ratings should be given when the candidate:**

- (1) answers questions which are clearly inconsistent with practice, law or policies.
- (2) even with prompting and follow up does not demonstrate information required to answer questions;
- (3) does not generalize specific knowledge to situations similar enough to one another to apply the same principles;
- (4) sees professional knowledge only related to law enforcement rather than including general management knowledges, skills and abilities;
- (5) fails to see him/herself as a steward of Town resources;
- (6) takes a rigid approach to one or more knowledge areas that lacks the desire to learn more or different approaches.

**Rating Form Example**

Town of Boone Police Chief Assessment Center: Subordinate Role Play Exercise

Name of Candidate: \_\_\_\_\_ Name of Assessor(s): \_\_\_\_\_

Scale: 1 ----- 5 ----- 10 ----- Total Score: \_\_\_\_\_ Date: \_\_\_\_\_

Low      Average      High

| Dimension              | Rating | Effective Behaviors | Ineffective Behaviors |
|------------------------|--------|---------------------|-----------------------|
| 1. Community Relations |        |                     |                       |
| 2. Work Perspective    |        |                     |                       |
| 3. Leadership          |        |                     |                       |
| 4. Staff Development   |        |                     |                       |

|                                                  |  |  |  |
|--------------------------------------------------|--|--|--|
| 5. Interpersonal Communications                  |  |  |  |
| 6. Planning, Decision-Making and Problem-Solving |  |  |  |

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature: \_\_\_\_\_