



AGENDA

Henderson City Council Short Regular Meeting
Monday 23 June 2014, 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 Peace-Jenkins
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
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) 9 June 2014 Regular Meeting [*See Notebook Tab 1*]
- b) 11 June 2014 Recessed 9 June Meeting

VII. PRESENTATIONS & RECOGNITIONS

- a) Recognizing Retiree W. Alan Gill

VIII. PUBLIC COMMENT PERIOD ON 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

IX. NEW BUSINESS

- a) Consideration of Approval of Ordinance 14-33, FY13 Budget Amendment #38, Annual Year Ending Reconciliation Ordinance. (*CAF 14-69*) [*See Notebook Tab 2*]
 - Ordinance 14-33
- b) Consideration of Approval of Resolution 14-59, Expressing Council's Concern About Moped Utilization on Streets and Highways and Supporting NC General Assembly House Bill 1145 Relative to the Same. (*CAF 14-77*) [*See Notebook Tab 3*]
 - Resolution 14-59
- c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of May 2014. (*CAF 14-48*) [*See Notebook Tab 4*]

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.

X. 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.⁴

XI. REPORTS

- a)* Mayor/Mayor Pro-Tem
- b)* City Manager
- c)* City Attorney
- d)* City Clerk
 - i. Meeting and Events Calendar [*See Notebook Tab 5*]
 - ii. Monthly Reports
 - Police Department
 - Fire Department

XII. ADJOURNMENT

⁴ 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
Regular Meeting
9 June 2014

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, Fearldine A. Simmons, and George M. Daye.

ABSENT

None.

STAFF PRESENT

City Manager A. Ray Griffin, City Attorney John H. Zollicoffer, Jr., City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, City Engineer Clark Thomas, Police Chief Marcus Barrow, Fire Chief Danny Wilkerson, Interim Recreation and Parks Director Steve Osborne, Youth Services Director Donna Stearns, Kerr Lake Regional Water Director Christy Lipscomb, Human Resources Director Cathy Brown, and Code Compliance Director Corey Williams.

CALL TO ORDER

The 9 June 2014 Regular Meeting of the Henderson City Council was called to order by Mayor O'Geary at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Simmons led those present in a prayer and the Pledge of Allegiance.

OPENING COMMENTS

Mayor O'Geary said it was great to see so many in attendance this evening and welcomed everyone.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. City Attorney John Zollicoffer, Jr. said the Closed Session will be to discuss the lawsuit by the City of Oxford against the City of Henderson, Warren County and Granville County. Council Member Inscoe 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 Daeke moved the approval of the 12 May Regular Meeting; 19 May Special Called Meeting minutes; 20 May Budget Work Session #1 minutes and 22 May Budget Work Session #2 minutes, as presented. Motion seconded by Council Member Coffey and unanimously approved.

PRESENTATIONS/RECOGNITIONS

City Manager Griffin asked Assistant City Manager Frazier to introduce the newest member of management. Mr. Frazier said he is very pleased to introduce Mr. Clark Thomas as the new City Engineer. Today is his first day and he has already been in several meetings. Mr. Frazier said he has worked with Mr. Thomas previously and is looking forward to having him as part of the City. Mr. Thomas said he looks forward to working for the City.

City Manager Griffin announced that Ms. Sherry Moss, Zoning Administrator has submitted her resignation, effective 20 June. She will be moving to a position in Granville County where she will continue to grow and develop. Mr. Griffin said he is proud of her growth and that she will be sorely missed. Code Compliance Director Corey Williams is working on a transition plan as the Zoning Department now has no employees.

PUBLIC HEARING

FY14-15 Budget

City Manager Griffin began by saying the proposed FY14-15 Budget was presented to Council on 19 May 2014. Two budget work sessions were held on 20 May and 22 May at which time a consensus of Council was reached with the following recommendations:

Regional Water Fund – The recommended 5% rate increase was reduced to 4% by reducing contributions to Fund 78 (Regional Capital Reserve Fund).

Water Fund – The recommended 5% rate increase was reduced to 3.5% by reductions in the 30-818 (Purchase for Resale line item) and transfer to 79 (Rate Stabilization Fund Capital Reserve Fund) to compensate for the reduced revenues.

Sewer Fund – No changes were made to the fund or the recommended 3% rate increase.

General Fund – No Property Tax or Sanitation Fee increases were recommended. However, Council did ask the City Manager to find \$800 in the proposed budget to support the Boys and Girls Club. To accomplish this, \$400 was transferred from each of the following funds 10-510 (Police) and 10-530 (Fire). All other recommendations in this Budget were accepted.

Other Funds – No changes were made to any of the following funds: 11 (Powell Bill); 40 (Library Trust Fund) ; 50 (LEO Trust Fund); 51 (Elmwood Cemetery Trust Fund); 70 (Capital Reserve Utilities Fund); 72 (Capital Reserve General Fund); 73 (Capital Reserve Economic Development Fund)

Before opening the Public Hearing, Mayor O’Geary reminded citizens to sign-in if they wish to address Council on any item other than the Budget. He asked those speaking on the budget to limit their comments to no more than three (3) minutes. He then opened the Public Hearing by asking if anyone present wished to speak in favor of the proposed budget.

No one came forward, so Mayor O’Geary then asked if anyone was present who wished to speak in opposition to the proposed budget.

Mr. Phil Hart, Louisburg. Mr. Hart is Chair of the Henderson-Vance Downtown Development Commission (DDC) and owns a business in downtown Henderson. He spoke on behalf of the DDC and began by saying several members of its Board are in attendance as a show of support. Those members were Curtis White, Lois Williams, David Carroll, David Headley, Stuart Litvin, John Barnes, and Marcus Barrow. Mr. Hart then read three pages of reasons for retaining the Main Street Manager position. The document is incorporated by reference and hereby made part of these minutes (See Attachment A)

Mr. Tom Church, Henderson (address not provided). Mr. Church asked Council to reconsider funding the Main Street Manager position. He said the position is needed to help revitalize downtown and to improve the economy of Henderson.

Mr. Stuart Litvin, 935 South Chestnut Street. Mr. Litvin said he was speaking mainly as a citizen this evening although he is the Henderson Vance Economic Development Director. He said the Main Street Manager position should be viewed as an investment, not an expense. Mr. Litvin feels the opening of the performing arts center puts the City on the cusp of something great and does not want the City to send the wrong message. He added a point person is needed and respectfully requested the Council to reconsider retaining the Main Street Manager position.

Ms. Andrea Harris, 340 West Rock Spring Street. Ms. Harris asked that Council be sensitive to its citizens. She felt Council should be honest because although taxes are not increasing the fees will increase and many are on fixed income. She asked Council to identify needs and increase its efforts to meet those needs. She also spoke on behalf of the Downtown Development Commission position.

No other citizens came forward so Mayor O’Geary closed the Public Hearing and asked for

Council's pleasure,

Council Member Daeke thanked everyone for their comments. He felt Council should reconvene on Tuesday evening to consider these comments along with several issues he has concerns about such as not having any contingency funds, the fleet management fund, and no street resurfacing program. Mr. Daeke felt Council should talk more about priorities and how to address those issues.

Council Member Rainey agreed and added citizen input is good and they have valid points. He also said Council works to do its best ability to do what is right for the City and citizens.

Council Member Coffey clarified that although Coffey Bail Bonds is listed on part of the document presented by Mr. Phil Hart, Chair of the Henderson-Vance Downtown Development, as having moved out of downtown, she only relocated her business because she is in the process of retiring.

Council Member Inscoe made a motion to continue the budget discussion on Tuesday 10 June.

Council Member City Manager Kearney concurred with another meeting, but asked if Council would be willing to meet on Thursday instead of Tuesday. Thursday evening was inconvenient for several and after a brief discussion it was the consensus to meet on Wednesday 11 June at 6:00 p.m. City Manager Griffin suggested Council recess this meeting rather than adjourn for further budget discussions and for discussion on any other items of business.

For the record, Council Member Kearney stated by Statute monies in the water and sewer fund cannot be used for General Fund purposes and the increase is required due to decreased usage. City Manager concurred saying the water/sewer funds cannot be used to support the General Fund and neither can the General Fund monies be used to support the Water/Sewer Funds.

Council Member Rainey asked Mr. Hart about the expenses for the Zene Street property. Mr. Hart said the general liability insurance policy of approximately \$3,000 requires power and water be current on the property.

In response to Ms. Harris' comment about raising taxes instead of fees, Council Member Coffey emphasized the City has fewer homeowners than renters which means the homeowners would carry the bulk of the cost.

Council Member Inscoe commented citizens need to understand that the General Assembly, in its wisdom, is doing away with the privilege license tax which will reduce the City's income in the coming years by an estimated \$211,000.

Adoption of FY14-15 Budget and Adoption of May 2014 Classification and Pay Study.

(Reference: (CAF 14-62-A, Ordinance 14-34, Resolution 14-42)

(Clerk's Note: Because Council will continue budget discussions, this item was not considered during this meeting.)

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.

OLD BUSINESS

Rejecting the Offer by Prestigious Housing, Inc., to Purchase the Old First National Bank Building Located at 213 South Garnett Street. (Reference: CAF 14-54-A; Resolution 14-31)

City Manager Griffin explained the Land Planning Committee met on 22 May 2014 to consider the action taken by Council on 12 May 2014. In light of the adoption of a Procedure for Purchasing City Owned Property, it was the unanimous decision of the Committee to recommend rejection of the bid offer by Kenneth G. Stevenson, owner of Prestigious Housing, Inc., in light of the significant amount in back taxes owed by several businesses owned by Mr. Stevenson.

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

Council Member Rainey moved the approval of Resolution 14-31, *Rejecting the Offer by Prestigious Housing, Inc., to Purchase the Old First National Bank Building Located at 213 South Garnett Street*. Motion seconded by Council Member Kearney and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 9)

NEW BUSINESS

Authorizing the Execution of Change Order #4 for the Henderson Water Reclamation Facility Project to Devere Construction Company, Inc. in the Amount of \$41,224.61 and FY14 Budget Amendment #37, Amending the CIP Sewer Fund for Change Order #4 to the Water Reclamation Facility Renovation Project. (Reference: CAF 14-06-A; Resolution 14-17-A, Ordinance 14-26-A)

City Manager Griffin said the next several items would be reviewed by Assistant City Manager Frank Frazier. Mr. Frazier said this change order includes modifications to the electrical service (\$10,558.49) and the addition of an Oxidation Ditch (30,666.12). He then asked Mr. Doug Chapman, from McGill Associates, to explain these changes further. Mr. Chapman said after discussions with staff it was determined placing the electrical service underground would be advantageous. He said the additional PLC is for backup purposes.

Council Member Inscoe asked what each PLC costs. Mr. Chapman said approximately \$10,000. Mr. Inscoe felt \$10,000 was a large amount for backup when the work can be completed manually until replacement parts arrive if one PLC fails.

Council Member Daeke asked if a decision could be delayed. Mr. Chapman and Mr. Frazier both said it would be best to make a decision at this time.

Council Member Peace-Jenkins asked if the second PLC is convenience oriented. Mr. Chapman responded it would offer security. Council Member Kearney asked if the second PLC would extend the life of the primary PLC. Mr. Chapman responded no.

Council Member Rainey asked how many PLC's are there. Mr. Chapman said he could not say with certainty but they are on all the equipment.

Council Member Kearney suggested this item be referred back to staff. Mr. Frazier said there is a time crunch with the electrical portion of this item and asked if Council would be willing to separate this item so the electrical portion could be considered this evening. City Manager Griffin suggested amending this item and bringing it back to Council on Wednesday evening.

It was the consensus of Council to bring this item back to Council on 11 June 2014 for further consideration.

Authorizing the Execution of Change Order #1 in Conjunction with the David Avenue Storm Sewer Replacement Project in the Amount of \$4,000 with M.T. Murphy, Inc.
(Reference: CAF 14-17-A; Resolution 14-11-A)

Assistant City Manager Frazier said this replacement project was approved on 24 February 2014. The project is nearly complete; however, there is a small portion of a 15" concrete pipe that has been found to be in need of replacement. The cost to make this replacement is \$4,000. A portion of this expense will come from the Storm Drain Improvement Account (\$1,578) and the remaining amount will be transferred from the Resurfacing Account (\$2,422).

Council Member Kearney asked why it costs \$265 per foot. Mr. Frazier said he suspected overhead costs along with mobilization costs as the contract has removed much of his equipment.

Council Member Coffey asked if this would finish the project. Mr. Frazier responded yes.

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

Council Member Kearney moved the approval of Resolution 14-11-A, *Authorizing the Execution of Change Order #1 in Conjunction with the David Avenue Storm Sewer Replacement Project in the Amount of \$4,000 with M.T. Murphy, Inc.* Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Incoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None. *(See Resolution Book 3, p 285-A)*

Authorizing the Mayor to Execute an Agreement with ECS Carolinas, LLP to Perform Construction Materials Testing Services Relative to the Sandy Creek Pump Station Improvements Project. (Reference: CAF 14-71; Resolution 14-45)

Mr. Frazier said this project is underway but just like the Henderson Water Reclamation Project, testing of concrete and other portions of this project need to be performed for the Sandy Creek project. Both City staff and McGill Associates have reviewed the proposal from ECS Carolinas, LLP and it is recommended that Council approve this agreement. There are sufficient funds within the Legal, Testing, and Administration line items to cover the testing costs.

There was no discussion.

Council Member Rainey moved the approval of Resolution 14-45, *Authorizing the Mayor to Execute an Agreement with ECS Carolinas, LLP to Perform Construction Materials Testing Services Relative to the Sandy Creek Pump Station Improvements Project.* Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 37)

Authorizing Additional Areas for Water Main and Services Replacement to the 2” Water Main and Services Replacement Project Subject to Approval From DWSRF and Availability of Remaining Funds. (Reference: CAF 14-26-A; Resolution 14-19-A)

Assistant City Manager Frank Frazier said this is better news --- this project is approximately 95% complete and the total cost to date is \$987,867.00. With approximately 57% of the total project cost expended, it is possible for up to an additional seven (7) streets to be included in this project as long as the State approves. In anticipation of approval by NCDENR and DWSRF, preliminary designs are being drafted for the following streets: Orchard and Vicksboro roads and Eaton, Walnut, Railroad, Mulberry and Montgomery streets. pation of replacing the water mains.

Council Member Kearney asked about the patching impact on the budget. Mr. Frazier said the loan does not allow for overlay.

Council Member Coffey asked then what happens since patches don't last. Mr. Frazier said the only thing the City can do is to ensure the patches are well done until the streets can be properly resurfaced.

Mayor O'Geary now asked for the pleasure of Council.

Council Member Daeke moved the approval of Resolution 14-19-A, *Authorizing Additional Areas for Water Main and Services Replacement to the 2” Water Main and Services Replacement Project Subject to Approval From DWSRF and Availability of Remaining Funds.* Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Kearney, Coffey, Inscoe, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 303-A)

Providing for Four Additional Handicap Parking Spaces on Sunday Near the First Baptist Church. (Reference: CAF 14-67; Ordinance 14-17)

Assistant City Manager Frazier said a request was received from the First Baptist Church due to the aging population. The Church is requesting a total of four (4) additional handicap parking spaces to be located on Wyche and Winder streets. The proposed spaces are for Sunday only and the approximate cost of additional signs and poles is \$40 each, not including labor for placing the signs.

Council Member Rainey asked if the signs would reflect this is for Sundays only so no tickets will be given out during the week. Mr. Frazier said the signs would be marked appropriately and Police Chief Barrow confirmed tickets would only be issued on Sundays.

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

Council Member Inscoc moved the approval of Ordinance 14-17, *Providing for Four Additional Handicap Parking Spaces on Sunday Near the First Baptist Church*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Simmons, Daye, Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, and Daeke. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9, p 97)

Appointments to the Henderson Community Appearance Commission, Henderson-Vance Human Relations Commission, Henderson Redevelopment Commission and the Henderson Planning Board. (Reference: CAF 14-68; Resolution 14-43)

City Manager Griffin asked City Clerk Esther McCrackin to enlighten Council on this matter. Ms. McCrackin said the Boards and Commissions Committee met on both 22 May 2014 and 4 June 2014 to consider four applications. It is the unanimous recommendation that the following be appointed to the various committees for the suggested terms: 1) David Carroll and Patricia Newman to the Appearance Commission for a full three-year term expiring 30 June 2017; 2) Jason Spriggs to the Henderson-Vance Human Relations Commission for a full two-year term expiring 30 June 2016; 3) Keith Coffey to the Redevelopment Commission for a full two-year term expiring 30 June 2016; and 4) Keith Coffey to the Henderson Planning Board as an Alternate for a full two-year term expiring 30 June 2016.

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

Council Member Daeke moved the approval of Resolution 14-43, *Appointments to the Henderson Community Appearance Commission, Henderson-Vance Human Relations Commission, Henderson Redevelopment Commission and the Henderson Planning Board*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Daye, Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 33)

CONSENT AGENDA

The City Clerk read the Consent Agenda, summarized as follows:

Issuing Sewer Credit for outside Watering of Lawns, Plants and Vegetation for the 1 June 2014 through 31 October 2014 Billing Statements. (*Reference: CAF 14-70; Resolution 14-44*) As in years past, this resolution offers customers a credit for watering during the specified timeframe. The City has the discretion to discontinue the credit at any time if it is in the best interest of the City (such as drought and/or implementation of water conservation measures. (*See Resolution Book 4, p 35*))

Tax Releases and Refunds from Vance County for the Month of April 2014. (*Reference: CAF 14-66*). This is a routine matter which has been reviewed and approved by the Finance Director and the releases and refunds are listed below.

April 2014 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Manning, William & Beulah	Taxes Lost to Foreclosure	2003	15.25
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2003	15.25
Manning, William & Beulah	Taxes Lost to Foreclosure	2004	16.00
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2004	16.00
Manning, William & Beulah	Taxes Lost to Foreclosure	2005	16.75
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2005	16.75
Manning, William & Beulah	Taxes Lost to Foreclosure	2006	16.75
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2006	16.75
Manning, William & Beulah	Taxes Lost to Foreclosure	2007	16.75
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2007	16.75
Manning, William & Beulah	Taxes Lost to Foreclosure	2008	16.95
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2008	19.78

April 2014 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Manning, William & Beulah	Taxes Lost to Foreclosure	2009	17.55
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2009	20.48
Manning, William & Beulah	Taxes Lost to Foreclosure	2010	17.55
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2010	20.48
Martinez, Jose	Personal Prop. Billed	2010	34.78
Champion, Alvin	Personal Prop. Billed	2011	34.78
Manning, William & Beulah	Taxes Lost to Foreclosure	2011	17.55
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2011	20.48
Champion, Alvin	Personal Prop. Billed	2012	34.78
Manning, William & Beulah	Taxes Lost to Foreclosure	2012	17.55
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2012	20.48
Adcox, Steven Ronald	Lot Lien Billed	2013	220.00
Champion, Alvin	Personal Prop. Billed	2013	36.86
Crue, Julio	Personal Prop. Billed	2013	50.60
Feggins, Kristal J	Lot Lien Billed	2013	220.00
Hawkins, Rose Lee Brow		2013	(420.93)
Manning, William & Beulah	Taxes Lost to Foreclosure	2013	18.60
Marrow, Walter Heirs	Taxes Lost to Foreclosure	2013	21.70
NCDOT	State Assessed	2013	20,891.78
Peoples, Jackie Wayne, Jr.	Personal Prop. Billed	2013	9.92
Valdes, Evelin	Personal Prop. Billed	2013	50.60
Total R&P Property Releases			\$ 21,555.32
Real & Personal Property			
Refunds			
Stokes, David	Personal Prop. Billed	2012	34.78
Stokes, David	Personal Prop. Billed	2013	36.86
Total R & P Property Refunds			\$ 71.64
Total R&P Prop. Rel. & Ref.			\$ 21,626.96
Vehicle Releases			
Ayscue, Michael Kevin	Correct Situs	2010	\$ 16.03
Ayscue, Michael Kevin	Correct Situs	2012	\$ 60.30
Ayscue, Michael Kevin	Correct Situs	2013	\$ 25.74
Cash, William Allen	Pro-Rate	2013	\$ 37.66
Garcia, Perez Jose Luis	Correct Situs	2013	\$ 148.82
Peace, Tracey Latrell	Pro-Rate	2013	\$ 9.06
Seward, Matthew William	Pro-Rate	2013	\$ 12.59
Sutton, Sandra Bullock	Pro-Rate	2013	10.1
Thompson, Robert Calvin	Correct Situs	2013	23.46
Total Vehicle Releases			\$ 343.76
Vehicle Refunds			
Broadnax, Robert Wayne	Pro-Rate	2013	\$ 0.52
Gregg, Marjorie Williams	Pro-Rate	2013	\$ 4.22
Stark, William Luther	Pro-Rate	2013	\$ 11.67
Williams, Michael Anthony	Pro-Rate	2013	2.33
Total Vehicle Refunds			\$ 18.74
Tot. Veh. Rel. & Ref.			\$ 362.50
Total All Releases & Refunds			\$ 21,989.46

Mayor O'Geary asked if anyone wished to remove an item from the Consent Agenda. There were no requests. Mayor O'Geary then asked for a motion to approve the consent Agenda

Council Member Rainey asked about the timing on the watering credit. He said several citizens have approached him as re-sodding is normally done in March and/or April. There was a brief discussion which culminated with Finance Director Kathy Brafford explaining this credit is for the May usage which is billed in June through the September usage billed in October.

City Manager Griffin said Henderson is extremely generous by continuing to offer this credit. He said many municipalities require irrigation installation for outside watering.

Council Member Coffey asked how this credit is determined. Mr. Griffin said it is determined by the consumer's average consumption and a mathematical equation.

Mayor O'Geary again asked if anyone wished to remove an item from the Consent Agenda. There were no requests. Mayor O'Geary then asked for a motion to approve the consent Agenda

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Ms. Andrea Harris, 340 West Rock Spring Street. Ms. Harris began by mentioning a book entitled "When Work Disappears." She said Henderson has made progress but more needs to be done and has two requests for Council. 1) To clean up the old city dump site and 2) to remove the temporary port-a-potty on the basketball court on Chestnut Street.

REPORTS

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

OTHER

Council Member Simmons thanked Ms. Harris for her comment about the port-a-potty saying she drives by that area often and never noticed it.

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

CLOSED SESSION

Council Member Rainey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for an Attorney-Client Privilege Matter regarding the lawsuit by the City of Oxford against the City of Henderson, Warren County and Granville County. Motion seconded by Council Member Daye and unanimously approved.

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

Mayor O’Geary asked if Council was prepared to adjourn.

MEETING RECESSED

Council Member Inscoe moved to recess this meeting until 11 June 2014 at 6:00 p.m. for further discussion regarding the FY14-15 Budget, Change Order #4 to the Henderson Water Reclamation Facility and to consider any other items of business that may properly come before Council. Motion seconded by Council Member Daye and unanimously approved. The meeting recessed at 7:55 p.m.

James D. O’Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk

DRAFT

City Council Minutes - DRAFT
Recessed 9 June 2014 Regular Meeting
11 June 2014

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, Fearldine A. Simmons, and George M. Daye.

ABSENT

None.

STAFF PRESENT

City Manager A. Ray Griffin, City Attorney John H. Zollicoffer, Jr., City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, City Engineer Clark Thomas, Police Chief Marcus Barrow, Fire Chief Danny Wilkerson, Assistant Fire Chief Steve Cordell, Kerr Lake Regional Water Director Christy Lipscomb, Human Resources Director Cathy Brown, and Code Compliance Director Corey Williams.

CALL TO ORDER

The 11 June 2014 Recessed Meeting of the Henderson City Council was reconvened and to order by Mayor O'Geary at 6:00 p.m. in the lobby of the Municipal Building, 134 Rose Avenue, Henderson, NC with staff observing from Council Chambers. *(Clerk's Note: Council chose to meet in the lobby as there was an electrical outage throughout the entire building and the lobby provided enough light to conduct business)*

ROLL CALL

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

OPENING COMMENTS

Mayor O'Geary welcomed everyone to this meeting and reminded those present that tonight's meeting is a continuation of the Monday 9 June 2014 meeting.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments and/or approval of the agenda. It was the consensus of Council to accept the agenda as presented.

Mayor O'Geary then asked City Manager Griffin to continue the FY14-15 Budget discussion.

FY14-15 Budget

City Manager Griffin said good comments were received from citizens on Monday evening. He said it was Council's desire to contemplate those comments as three of the four citizen comments regarding restoring the Main Street Manager position and one citizen commented on the increase in the water/sewer rates.

The Mayor then opened the floor for discussion.

Council Member Daeke began by saying he had some thoughts which he emailed to those Council Members for whom he had addresses for and brought copies for the others. He apologized for not getting the copies to everyone earlier but summarized his thoughts by saying Council could look at core services and make provisions to do these services well or Council could choose to do a lot of things not so well. He said he would propose re-designating the Main Street Manager position and wondered if the duties could be incorporated into the Redevelopment Committee. Mr. Daeke suggested putting more funds into the Downtown Development Commission for specific purposes such as signage and facades. He felt funds could be used from the vacant Planning and Community Development Director position until that position is filled. Mr. Daeke said he would like to see the current Main Street Manager moved to another position and felt the Downtown Development Commission would remain intact under the leadership of the current president, Phil Hart.

Council Member Kearney applauded Mr. Daeke for his efforts. Mr. Kearney's initial concern was maintaining some public image in with the Economic Development Commission. He felt input needed to be heard from the Redevelopment Committee before making such a transition and suggested the City try Mr. Daeke's suggestion for a year. He also suggested that there be a limit on any potential new Downtown Development funds of \$20,000.

Council Member Rainey thought this was a good suggestion. He sees moving the current Main Street Manager to the Zoning Administrator position as a way to ease the pressure in the Planning Department.

Council Member Inscoe clarified that this would be to fill the Zoning Administrator's position and not the vacant Director of Planning and Community Development. City Manager Griffin said that is correct.

Council Member Peace-Jenkins said she was impressed with the plan, but asked if Downtown Development would lose its Main Street designation and potential grants. Mr. Griffin responded that is correct and Council Member Inscoe added that there have not been many available grants in the last 5-7 years.

Council Member Simmons asked if the Main Street Manager's main duties are to apply for grants. City Manager Griffin responded that was part of the duties which included staff support for the Downtown Development Commission and working with the community.

Council Member Inscoe mentioned the existing USDA small business grant that one grantee is current in default on but is being paid back in small monthly payments. He reiterated that the Redevelopment Committee has the ability to work with grants and could help with this grant.

Council Member Kearney said it is not likely that Main Street grants would be offered in the near future but said if they are, the City would reapply for the designation.

Council Member Coffey said Henderson will no longer be considered a Main Street city, and since the Performing Arts Center will not be opening in the near future did not consider this a problem. City Manager Griffin said it can be reactivated at any time.

Council Member Daeke said this Council and the City are still committed to downtown and felt the Main Street Manager will provide good assistance in transitioning to these suggestions.

City Manager Griffin commented that the Redevelopment Committee can do things that the City cannot and felt it would be a natural partner with the Downtown Development Commission. He added it is important that the Redevelopment Commission keep active and felt this is "another leg to the stool." He sees this as an opportunity to reinvent and reinvigorate downtown.

Council Member Coffey asked if the Christmas Parade would still be held. Mr. Daeke said he would like to see it continue even if the City has to provide volunteers. Council Member Peace-Jenkins said at one time the Ministers Partnership did the parade and thought they might like to assist.

Council Member Kearney summarized the conversation by suggesting the City continue to fund the Downtown Development Commission with the \$10,000 already in the budget and to look for up to another \$20,000 as the year goes on. He continued saying an attempt should be made to reorganize and better align the Downtown Development Commission with the Redevelopment Committee. This would be subject to discussions with the Redevelopment Committee and Council Member Daeke said he would be happy to discuss this with the Redevelopment Committee.

Council Member Inscoe added to the summary that there is to be no ad valorem tax or sanitation fee increase, and a 4% Regional Water rate increase in FY 14-15, there will be a 3% increase in Sewer rates and a 3.5% increase in Water rates.

Council Member Daeke added he would like any additional funds for the Downtown Development Commission to be earmarked for signage and façade work to bring physical changes to downtown.

At this time, the Mayor asked if Council was willing to hear comments from a citizen. Council unanimously agreed.

Mr. Jim Populorum, 1517 Peace Street. Mr. Populorum briefly stated his agreement that downtown needs to be kept in good appearance but felt, according to the paper, that \$53,000 was too much to spend on the Main Street Manager position.

Mayor O'Geary thanked Mr. Populorum for his comments. He then asked Council for a consensus regarding the discussion so far. The consensus to approve the FY14-15 Consensus Budget and goals for some additional funding for the Downtown Development Commission pursuant to this discussion was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Subsequent to this confirmation by Council, Mayor O'Geary asked for a motion to approve the Budget Ordinance.

Adoption of FY14-15 Budget and Adoption of May 2014 Classification and Pay Study.

(Reference: (CAF 14-62-A, Ordinance 14-34, Resolution 14-42)

Adoption of FY14-15 Budget *(CAF 41-62-A, Ordinance 14-34)*

Motion was then made by Council Member Kearney to adopt Ordinance 14-34, *FY14-15 Budget* as presented and to look for up to no more than an additional \$20,000 as the year goes on for Downtown Development façade and sign grants. Motion was seconded by Council Member Coffey and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

City Manager Griffin said there is a second part to the budget approval process that needs to be considered regarding the acceptance of the May 2014 Classification and Pay Study.

Adoption of May 2014 Classification and Pay Study *(CAF 14-62-A, Resolution 14-42)*

Council Member Inscoe clarified that this action is to approve the whole plan and implementation of Phase 1 of the five (5) year phase in plan. Mr. Griffin agreed.

Motion was made by Council Member Coffey to approve Resolution 14-42, *Adoption of May 2014 Classification and Pay Study*. Motion was seconded by Council Member Daeke and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None.

Authorizing the Execution of Change Order #4 for the Henderson Water Reclamation Facility Project to Devere Construction Company, Inc. in the Amount of \$10,558.49 and FY14 Budget Amendment #37, Amending the CIP Sewer Fund for Change Order #4 to the Water Reclamation Facility Renovation Project. *(Reference: CAF 14-06-A; Resolution 14-17-A, Ordinance 14-26-A)*

City Manager Griffin asked Assistant City Manager Frank Frazier to explain this item. Mr. Frazier said Council requested the removal of the PLCs from what was brought for consideration to the 9 June meeting. Mr. Frazier said the change order being considered tonight only includes the duct work for power. He added staff is looking into alternatives for the PLC's and this will be brought back before Council at a later date.

Council Member Inscoe asked how much remains in the contingency fund. Mr. Frazier responded \$448,646 less the \$10,558.49.

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

Council Member Inscoe moved the approval of Resolution 14-17-A, *Authorizing the Execution of Change Order #4 for the Henderson Water Reclamation Facility Project to Devere Construction Company, Inc. in the Amount of \$10,558.49* and Ordinance 14-26-A, *FY14 Budget Amendment #37, Amending the CIP Sewer Fund for Change Order #4 to the Water Reclamation Facility Renovation Project*. Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye, and Kearney. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 299-A and Ordinance Book 9, p 115-A)

Council Member Inscoe thanked City Manager Griffin and the staff for creating a budget with very little controversy and reminded everyone that there will be no ad valorem tax increase and best of all there is no need to use the "savings" account to balance the budget.

Mayor O'Geary said it was good to have citizens in attendance and asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Inscoe moved for adjournment. Motion seconded by Council Member Simmons and was unanimously approved. The meeting adjourned at 6:30 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk

City Council Action Form

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



Agenda Item: _____

Council Meeting: 23 June 14 Short Reg. Meeting

20 June 2014

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

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

RE: CAF: 14-69
Consideration of Approval of Ordinance 14-33, FY13 Budget Amendment #38, Annual Year Ending Reconciliation Ordinance

Ladies and Gentlemen:

Recommendation:

- Approval of Ordinance 14-33, FY13 Budget Amendment #38, Annual Year Ending Reconciliation Ordinance

Executive Summary

Each June staff presents to Council year ending budget reconciliation ordinances in order to prepare for the annual audit.

The budget ordinance before you is to reconcile the four major operating funds, General, Water, Sewer and Regional Water, as well as to re-align for inter-fund transfers and adjustments so that they "reconcile" and are in balance for the fiscal year, as well as to establish a new CIP Project in the Regional Water Fund.

Enclosures

1. Ordinance 14-33

ORDINANCE 14-33

AN ORDINANCE AMENDING THE FY 13-14 BUDGET AS PART OF THE YEAR ENDING BUDGET RECONCILIATION PROCESS FY 13-14 BUDGET AMENDMENT # 38

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

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

WHEREAS, it is necessary to amend the various revenue and expense accounts of the capital improvements budgets from time-to-time and to effect close out of those projects when the work is completed; *and*

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Ordinance, as articulated in Sections 1 – 4, be approved and said Ordinance shall be effective immediately upon approval of the City Council:

Section 1: 10—General Fund

FUND: 10: General Fund			Ordinance 14-33			
			FY 13-14 Budget Amendment #38			
			Section 1			
REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ -	\$ -
						\$ -
EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
410: Governing Body	Board Stipends	10-410-500303	\$ 64,100	\$ 64,100	\$ (1,000)	\$ 63,100
414: Admin-City Attorney	Professional Services	10-414-500400	\$ 38,500	\$ 38,500	\$ 5,000	\$ 43,500
420: Administrative	Salaries & Wages	10-420-500200	\$ 245,600	\$ 233,390	\$ 11,000	\$ 244,390
425: Human Resources	Salaries & Wages	10-425-500200	\$ 82,900	\$ 95,110	\$ (3,000)	\$ 92,110
450: Information Services	Municipal Equip Ins	10-450-504500	\$ 2,000	\$ 2,000	\$ (2,000)	\$ -
495: Planning & CD	Flint Hill Planning	10-495-505810	\$ 25,000	\$ 23,380	\$ (10,000)	\$ 13,380
496: Hend-Vance DD	Salaries & Wages	10-496-500200	\$ 35,300	\$ 35,300	\$ 3,000	\$ 38,300
501: Bennett Perry House	Property Insurance	10-501-505404	\$ 2,000	\$ 2,000	\$ (2,000)	\$ -
510: Police	Salaries & Wages	10-510-500200	\$ 2,131,500	\$ 2,097,965	\$ (35,000)	\$ 2,062,965
510: Police	State UC PR Tax	10-510-500910	\$ 28,000	\$ 28,000	\$ (12,000)	\$ 16,000
622: Youth Services	Salaries & Wages	10-622-500200	\$ 148,500	\$ 104,700	\$ 3,000	\$ 107,700
650: Vance Co Shared Pr	NCDMV Tax & Tag Fees	10-650-509025	\$ -	\$ -	\$ 25,000	\$ 25,000
650: Vance Co Shared Pr	Tax Office	10-650-509007	\$ 161,000	\$ 161,000	\$ 13,000	\$ 174,000
650: Vance Co Shared Pr	Elections	10-650-505900	\$ 67,500	\$ 67,500	\$ (3,000)	\$ 64,500
650: Vance Co Shared Pr	911	10-650-509010	\$ 542,800	\$ 542,800	\$ (10,000)	\$ 532,800
660: Non-Departmental	Bad Debt	10-660-505100	\$ 30,000	\$ 30,000	\$ 33,000	\$ 63,000
660: Non-Departmental	Medical Ins >65 Medicare	10-660-500601	\$ 144,800	\$ 144,800	\$ (15,000)	\$ 129,800
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 3,749,500	\$ 3,670,545	\$ -	\$ 3,670,545
						\$ 3,670,545.00
		Variance			\$ -	
Reference:			Notes:			
CAF #14-69; Ord 14-33; BA #38; 23 June 2014			To re-align budgets among departments in preparation for year-end closeout			

Section 2: 64—Regional Water Fund and 46-CIP Regional Water Fund

FUNDS: 64: Regional Water System Fund			Ordinance 14-33			
			FY 13-14 Budget Amendment #38			
			Section 2(a)			
64: REGIONAL WATER SYSTEM REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ -	\$ -
64: REGIONAL WATER SYSTEM FUND EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
Regional Water System	Capital Outlay >\$5,000	64-900-507405	212,000	212,000	(144,000)	68,000
Non-Departmental	Trans to: 46 CIP Regional	64-660-561046	38,000	38,000	144,000	182,000
		Total	250,000	250,000	-	250,000
		Variance			\$ -	
Reference:			Notes:			
CAF #14-69; Ord 14-33; BA #38; 23 June 2014			To transfer funds unspent funds budgeted for capital to establish new CIP project fund for the purpose of constructing a chemical containment wall.			

Section 2 (cont'd): 64—Regional Water Fund and 46-CIP Regional Water Fund

FUNDS: 46: CIP Regional Water Fund			Ordinance 14-33 FY 13-14 Budget Amendment #38 Section 2(b)			
46: CIP-REGIONAL WATER FUND REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
940: Chemical						
Containment Wall	Trans fr: 64 Regional	46-940-461064	\$ -	\$ -	\$ 144,000	\$ 144,000
			\$ -	\$ -	\$ -	\$ -
		940: Containment Wall	\$ -	\$ -	\$ 144,000	\$ 144,000
46: CIP REGIONAL WATER FUND EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
940: Chemical						
Containment Wall	Construction	46-940-510400	\$ -	\$ -	\$ 144,000	\$ 144,000
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		940: Containment Wall	\$ -	\$ -	\$ 144,000	\$ 144,000
		Variance			\$ -	
Reference:			Notes:			
CAF #14-69; Ord 14-33; BA #38; 23 June 2014			To establish project budget to build a containment wall at the Regional Water System Plant			

Section 3: 30—Water Fund

FUND: 30 Water Fund			Ordinance 14-33 FY 13-14 Budget Amendment #38 Section 3			
WATER FUND REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ -	\$ -
WATER FUND EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
725: Customer Service	Auto Insurance	30-725-505408	\$ -	\$ 1,220	\$ 10,000	\$ 11,220
660: Non-departmental	Contingency	30-660-509900	\$ 42,700	\$ 9,400	\$ (6,100)	\$ 3,300
660: Non-departmental	Insurance Reserve	30-660-900226	\$ -	\$ 3,910	\$ (3,900)	\$ 10
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 42,700	\$ 14,530	\$ -	\$ 14,530
		Variance			\$ -	
Reference:			Notes:			
CAF #14-69; Ord 14-33; BA #38; 23 June 2014			To re-align budgets among departments in preparation for year-end closeout. There have been three vehicle accidents in the past few months involving meter reader trucks. This will establish a budget to cover any insurance deductible billings that may result from these accidents.			

Section 4: 31—SEWER FUND

FUND: 31 Sewer Fund			Ordinance 14-33			
			FY 13-14 Budget Amendment #38			
			Section 4			
SEWER FUND REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ -	\$ -
						\$ -
SEWER FUND EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-13	Budget	Amendment	Revised
660: Non-departmental	Reserve for Bad Debt	31-660-505100	\$ 70,000	\$ 70,000	\$ 35,000	\$ 105,000
680: Debt Service	DS Principal	31-680-508100	\$ 726,700	\$ 384,882	\$ (35,000)	\$ 349,882
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 796,700	\$ 454,882	\$ -	\$ 454,882
						\$ 454,882.00
		Variance			\$ -	
Reference:			Notes:			
CAF #14-69; Ord 14-33; BA #38; 23 June 2014			To re-align budgets among departments in preparation for year-end closeout.			

Section 5: Budget Closeout Authority

The City Manager and Finance Director are authorized to effect any additional budget amendments necessary for year-ending closeout between 23 June and 30 June provided; however, such amendments are reported to and ratified by the City Council at its July 2014 meeting.

The foregoing Ordinance 14-33, 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 23rd day of June 2014: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O’Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

*Reference: Minute Book 43, p.**; CAF 14-69*

STATE OF NORTH CAROLINA - CITY OF HENDERSON

I, Esther McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 14-33 adopted by the

Henderson, City Council in Regular Session on 23 June 2014. This Ordinance is recorded in *Ordinance Book 8*, p.***.

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

Esther McCrackin
City Clerk
City of Henderson, North Carolina

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

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

City Council Action Form

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



Agenda Item: _____

Council Meeting: 23 June 14 Short Reg. Meeting

18 June 2014

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

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

RE: CAF: 14-77

Consideration of Approval of Resolution 14-59, Expressing Council's Concern about Moped Utilization on Streets and Highways and Supporting NC General Assembly House Bill 1145 Relative to the Same.

Ladies and Gentlemen:

Key Strategic Objectives Addressed:

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

Recommendation:

- Approval of Approval of Resolution 14-59, Expressing Council's Concern about Moped Utilization on Streets and Highways and Supporting NC General Assembly House Bill 1145 Relative to the Same.

Executive Summary

During the 13 August 2012 Council meeting, City Council approved Resolution 12-70 authorizing the City Manager, City Attorney and Police Chief to pursue legislative remedy to moped concerns, including asking the North Carolina General Assembly to consider approving moped legislation as a legislative policy initiative for the 2013 General Assembly Session.

Although the General Assembly did not consider this matter in 2013, House Bill 1145 passed the first reading on 21 May 2014. Therefore it is now appropriate for Council to re-emphasize its support of requiring insurance and registration by moped owners.

Enclosures

1. Resolution 14-59
2. House Bill 1145
3. Resolution 12-70

R E S O L U T I O N 14-59

EXPRESSING THE CITY COUNCIL'S CONCERN ABOUT MOPED UTILIZATION ON STREETS AND HIGHWAYS AND SUPPORTING NC GENERAL ASSEMBLY HOUSE BILL 1145

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2014, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY SUPPORT HOUSE BILL 1145 and AUTHORIZES the City Manager to express support of this bill to our local representatives.

The foregoing Resolution 14-59, introduced by Council Member ** and seconded by Council Member ** on this the 23rd day of June 2014, 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 43, p.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H

2

HOUSE BILL 1145
Committee Substitute Favorable 6/17/14

Short Title: Insurance & Registration Required for Mopeds. (Public)

Sponsors:

Referred to:

May 21, 2014

A BILL TO BE ENTITLED

AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF
MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL
FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-10.1 reads as rewritten:

"§ 20-10.1. **Mopeds.**

(a) General. – It shall be unlawful for any person who is under the age of 16 years to operate a moped as defined in G.S. 105-164.3 upon any highway or public vehicular area of this State.

(b) Registration. – Mopeds shall be registered with the Division. The owner of the moped shall pay the same fees and be issued the same type of registration card and plate issued for a motorcycle. In order to be registered with the Division and operated upon a highway or public vehicular area, a moped must meet the following requirements:

(1) The moped has a manufacturer's certificate of origin.

(2) The moped was designed and manufactured for use on highways or public vehicular areas.

(c) Financial Responsibility. – It shall be unlawful to operate a moped on a public street, highway, or vehicular area without having in full force and effect financial responsibility as required by the provisions of Article 9A and Article 13 of this Chapter. The Division shall treat a moped the same as any other motor vehicle for the purposes of compliance with Article 9A and Article 13 of this Chapter."

SECTION 2. G.S. 20-51(9) is repealed.

SECTION 3. G.S. 20-76 is amended by adding a new subsection to read:

"(c) Whenever an applicant for the registration of a moped is unable to present a manufacturer's certificate of origin for the moped, the applicant must submit an affidavit stating why the applicant does not have the manufacturer's certificate of origin and attesting that the applicant is entitled to registration. Upon receipt of the application and accompanying affidavit, the Division shall issue the applicant a registration card and plate. The Division may not require the applicant to post a bond as required under subsection (b) of this section. A person damaged by issuance of the registration card does not have a right of action against the Division."

SECTION 4. G.S. 58-36-3 reads as rewritten:

"§ 58-36-3. **Limitation of scope; motorcycle and moped endorsements allowed; Department of Insurance report.**

(a) The Bureau has no jurisdiction over:

...



1 (7) Personal excess liability or personal "umbrella" insurance.

2 (8) Liability insurance, theft or physical damage insurance, medical payments
 3 insurance, uninsured and underinsured motorists coverage, and other
 4 insurance coverages as written in connection with the sale of liability
 5 insurance.

6 (b) Member companies writing motorcycle liability insurance under this Article and
 7 writing insurance against theft of or physical damage to motorcycles under Article 40 of this
 8 Chapter may incorporate motorcycle theft and physical damage coverage as an endorsement to
 9 the liability policy issued under this Article. Member companies writing moped liability
 10 insurance or theft and physical damage insurance under Article 40 of this Chapter may
 11 incorporate either or both types of insurance as an endorsement to liability and physical damage
 12 policies issued under this Article.

13"

14 **SECTION 5.** G.S. 58-37-1(6) reads as rewritten:

15 "(6) "Motor vehicle" means every self-propelled vehicle that is designed for use
 16 upon a highway, including trailers and semitrailers designed for use with
 17 such vehicles (except traction engines, road rollers, farm tractors, tractor
 18 cranes, power shovels, and well drillers). "Motor vehicle" also means a
 19 motorcycle, as defined in G.S. 20-4.01(27)d. "Motor vehicle" does not mean
 20 a moped, as defined in G.S. 105-164.3. Notwithstanding any other
 21 provisions of this Article, liability insurance on a moped is not eligible for
 22 cession to the facility."

23 **SECTION 6.** G.S. 58-40-10(1) reads as rewritten:

24 "(1) "Private passenger motor vehicle" means:

- 25 a. A motor vehicle of the private passenger or station wagon type that is
 26 owned or hired under a long-term contract by the policy named
 27 insured and that is neither used as a public or livery conveyance for
 28 passengers nor rented to others without a driver; or
 29 b. A motor vehicle that is a pickup truck or van that is owned by an
 30 individual or by husband and wife or individuals who are residents of
 31 the same household if it:
 32 1. Has a gross vehicle weight as specified by the manufacturer
 33 of less than 14,000 pounds; and
 34 2. Is not used for the delivery or transportation of goods or
 35 materials unless such use is (i) incidental to the insured's
 36 business of installing, maintaining, or repairing furnishings or
 37 equipment, or (ii) for farming or ranching. Such vehicles
 38 owned by a family farm copartnership or a family farm
 39 corporation shall be considered owned by an individual for
 40 the purposes of this section; or
 41 c. A motorcycle, motorized scooter or other similar motorized vehicle
 42 not used for commercial purposes. A moped, as defined in
 43 G.S. 105-164.3, is not considered a private passenger motor vehicle."

44 **SECTION 7.** G.S. 58-40-15 reads as rewritten:

45 "**§ 58-40-15. Scope of application.**

46 The provisions of this Article shall apply to all insurance on risks or on operations in this
 47 State, ~~except~~ except for all of the following:

- 48 (1) Reinsurance, other than joint reinsurance to the extent stated in
 49 G.S. 58-40-60; G.S. 58-40-60.
 50 (2) Any policy of insurance against loss or damage to or legal liability in
 51 connection with property located outside this State, or any motor vehicle or

- 1 aircraft principally garaged and used outside of this State, or any activity
- 2 wholly carried on outside this ~~State~~; State.
- 3 (3) Insurance of vessels or craft, their cargoes, marine builders' risks, marine
- 4 protection and indemnity, or other risks commonly insured under marine, as
- 5 distinguished from inland marine, insurance ~~policies~~; policies.
- 6 (4) Accident, health, or life ~~insurance~~; insurance.
- 7 (5) ~~Annuities~~; Annuities.
- 8 (6) Repealed by Session Laws 1985, c. 666, s. 43.
- 9 (7) Mortgage guaranty ~~insurance~~; insurance.
- 10 (8) Workers' compensation and employers' liability insurance written in
- 11 connection ~~therewith~~; therewith.
- 12 (9) For private passenger (nonfleet) motor vehicle liability insurance,
- 13 automobile medical payments insurance, uninsured motorists' coverage and
- 14 other insurance coverages written in connection with the sale of such
- 15 liability insurance; except this Article applies to motor vehicle liability
- 16 insurance, automobile medical payments insurance, uninsured motorists'
- 17 coverage, and theft or physical damage insurance on mopeds, as defined in
- 18 G.S. 105-164.3.
- 19 (10) Theft of or physical damage to nonfleet private passenger motor vehicles;
- 20 except this Article applies to insurance against theft of or physical damage to
- 21 motorcycles, as defined in ~~G.S. 20-4.01(27)d.~~; and G.S. 20-4.01(27)d.
- 22 (11) Insurance against loss to residential real property with not more than four
- 23 housing units located in this State or any contents thereof or valuable interest
- 24 therein and other insurance coverages written in connection with the sale of
- 25 such property insurance. Provided, however, that this Article shall apply to
- 26 insurance against loss to farm dwellings, farm buildings and their
- 27 appurtenant structures, farm personal property and other coverages written in
- 28 connection with farm real or personal property; travel or camper trailers
- 29 designed to be pulled by private passenger motor vehicles unless insured
- 30 under policies covering nonfleet private passenger motor vehicles;
- 31 residential real and personal property insured in multiple line insurance
- 32 policies covering business activities as the primary insurable interest; and
- 33 marine, general liability, burglary and theft, glass, and animal collision
- 34 insurance except when such coverages are written as an integral part of a
- 35 multiple line insurance policy for which there is an indivisible premium.

36 The provisions of this Article shall not apply to hospital service or medical service
 37 corporations, investment companies, mutual benefit associations, or fraternal beneficiary
 38 associations."

39 **SECTION 8.** The Division of Motor Vehicles, in conjunction with the Department
 40 of Justice, the Department of Public Safety, and the Department of Insurance, shall study
 41 whether additional statutory changes are needed to ensure the safe operation of mopeds. The
 42 report shall include data on (i) the number of mopeds involved in traffic accidents, (ii) the
 43 number and types of injuries resulting from traffic accidents involving mopeds, and (iii) the
 44 causes for the traffic accidents involving mopeds. The Division shall submit a report on its
 45 analysis, findings, and recommendations, including any additional statutory changes, to the
 46 Joint Legislative Transportation Oversight Committee on or before February 1, 2016.

47 **SECTION 9.** This act becomes effective July 1, 2015, and applies to offenses
 48 committed on or after that date.

RESOLUTION
12—70

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

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

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

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

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

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

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

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

The foregoing Resolution 12-70, introduced by Council Member Coffey and seconded by Council Member Daye on this the 13th day of August 2012, and having been submitted to a roll call vote, was APPROVED by the following votes: YES: Daye, Coffey, Inscoe, Peace-Jenkins, Daeke and Brown. 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.550

City Council Action Form

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



Agenda Item: _____

Council Meeting: 28 Apr 14 Work Session

8 April 2014

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

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

RE: CAF 14-48

Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of March 2014.

Ladies and Gentlemen:

Recommendation:

- Approval of tax releases and refunds from Vance County for the month of March 2014.

Executive Summary

The Vance County Tax office submitted the following tax releases and refunds to the Finance Department for the month of March 2014. These releases and refunds are found to be in order and are being recommended for approval.




March 2014 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Butler, Anthony O	Taxes Lost to Foreclosure	2003	\$ 13.91
Butler, Anthony O	Taxes Lost to Foreclosure	2004	\$ 14.59
Butler, Anthony O	Taxes Lost to Foreclosure	2005	\$ 15.28
Butler, Anthony O	Taxes Lost to Foreclosure	2006	\$ 15.28
Butler, Anthony O	Taxes Lost to Foreclosure	2007	\$ 15.28
Hill, George L	Taxes Lost to Foreclosure	2007	\$ 42.28
Williamsboro Rentals	Taxes Lost to Foreclosure	2007	\$ 309.21
Butler, Anthony O	Taxes Lost to Foreclosure	2008	\$ 20.63
Hill, George L	Taxes Lost to Foreclosure	2008	\$ 57.01
Jones, Virginia H Heir	Taxes Lost to Foreclosure	2008	\$ 131.05
Leyland, Thomas R	Taxes Lost to Foreclosure	2008	\$ 188.77
Williamsboro Rentals	Taxes Lost to Foreclosure	2008	\$ 225.83

March 2014 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Butler, Anthony O	Taxes Lost to Foreclosure	2009	\$ 21.35
Hill, George L	Taxes Lost to Foreclosure	2009	\$ 59.03
James, Raymond N	Taxes Lost to Foreclosure	2009	\$ 33.33
Jones, Virginia H Heir	Taxes Lost to Foreclosure	2009	\$ 167.02
Leyland, Thomas R	Taxes Lost to Foreclosure	2009	\$ 195.45
Williamsboro Rentals	Taxes Lost to Foreclosure	2009	\$ 233.82
Butler, Anthony O	Taxes Lost to Foreclosure	2010	\$ 21.35
Hill, George L	Taxes Lost to Foreclosure	2010	\$ 59.03
James, Raymond N	Taxes Lost to Foreclosure	2010	\$ 93.60
Jones, Virginia H Heir	Taxes Lost to Foreclosure	2010	\$ 167.02
Leyland, Thomas R	Taxes Lost to Foreclosure	2010	\$ 195.45
Martinez, Andres	Pers. Prop.Billed in Error	2010	\$ 47.75
Williamsboro Rentals	Taxes Lost to Foreclosure	2010	\$ 233.82
Butler, Anthony O	Taxes Lost to Foreclosure	2011	\$ 21.34
Hill, George L	Taxes Lost to Foreclosure	2011	\$ 59.01
James, Raymond N	Taxes Lost to Foreclosure	2011	\$ 93.59
Jones, Virginia H Heir	Taxes Lost to Foreclosure	2011	\$ 167.07
Leyland, Thomas R	Taxes Lost to Foreclosure	2011	\$ 195.39
Williamsboro Rentals	Taxes Lost to Foreclosure	2011	\$ 233.85
Butler, Anthony O	Taxes Lost to Foreclosure	2012	\$ 21.34
Hill, George L	Taxes Lost to Foreclosure	2012	\$ 59.01
James, Raymond N	Taxes Lost to Foreclosure	2012	\$ 93.59
Jones, Virginia H Heir	Taxes Lost to Foreclosure	2012	\$ 167.07
Leyland, Thomas R	Taxes Lost to Foreclosure	2012	\$ 195.39
Williamsboro Rentals	Taxes Lost to Foreclosure	2012	\$ 233.85
Butler, Anthony O	Taxes Lost to Foreclosure	2013	\$ 22.62
Hill, George L	Taxes Lost to Foreclosure	2013	\$ 62.55
J & K Commercial LLP	Correct Ownership	2013	\$ 4,368.95
James, Raymond N	Taxes Lost to Foreclosure	2013	\$ 99.19
Jones, Virginia H Heir	Taxes Lost to Foreclosure	2013	\$ 177.07
Leyland, Thomas R	Taxes Lost to Foreclosure	2013	\$ 207.08
Rosemyr Corporation	Correct Ownership	2013	\$ (4,368.95)
Williamsboro Rentals	Taxes Lost to Foreclosure	2013	\$ 247.84
Total R&P Prop. Releases			\$ 4,933.99
Real & Personal Property			
Refunds			
Jackson, Noleen	Pers. Prop.Billed in Error	2013	\$ 50.60
Mojica, Dalila Valle	Pers. Prop.Billed in Error	2013	\$ 50.60
Total R&P Prop. Refunds			\$ 101.20
Total R&P Prop. Rel. & Refunds			\$ 5,035.19

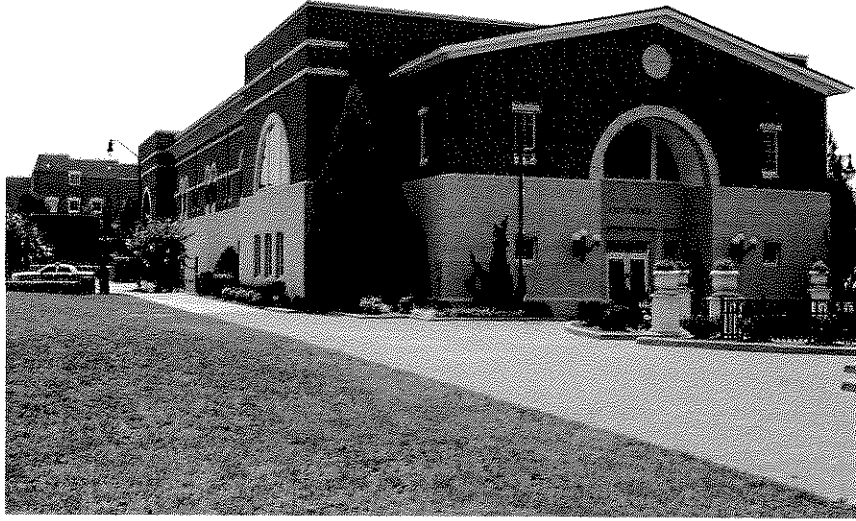
March 2014 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Registered Vehicle Releases			
Stewart, Rodney Reggis	Pro-Rate	2012	\$ 11.97
Ayscue, Michael Kevin	Correct Situs	2013	\$ 42.55
Brooks, Tammy Ann	Pro-Rate	2013	\$ 3.96
Brown, Christie Latoya	Pro-Rate	2013	\$ 9.28
Bullock, Joyce Somerville	Transfer Out	2013	\$ 25.69
Evans, Mary Southerland	Pro-Rate	2013	\$ 4.51
Harris, Shelton Monroe	Billed in NCVTS	2013	\$ 41.95
Harris, Tefanie Sharon	Pro-Rate	2013	\$ 6.24
Henderson, Rufus	Billed in NCVTS	2013	\$ 37.40
Johnson, Frankie Donnell	Billed in NCVTS	2013	\$ 32.75
Jones, Davine Marie	Billed in NCVTS	2013	\$ 14.22
Lewis, Phyllis Wade	Transfer Out	2013	\$ 42.49
Neubauer, Timothy Scott	Pro-Rate	2013	\$ 1.76
Newton, Foy Pumpfry, Jr.	Pro-Rate	2013	\$ 0.32
Ragland, Isiah Thomas	Transfer Out	2013	\$ 111.44
Reyes, Gustavo Antonio Martinez	Pro-Rate	2013	\$ 33.57
Small, Peter	Correct Situs	2013	\$ 91.34
Stokes, Gearlean	Pro-Rate	2013	\$ 86.82
White, Dumoneak Ann	Billed in NCVTS	2013	\$ 26.24
Total Releases			\$ 624.50
Registered Vehicle Refunds			
Ayscue, Michael Kevin	Correct Situs	2012	\$ 13.69
Lehman, Doris Jean	Pro-Rate	2012	\$ 1.01
Vance Furniture Co. Inc.	Pro-Rate	2012	\$ 3.95
Bullock, Felicia Darlene	Pro-Rate	2013	\$ 1.81
Eubanks, Angela Wray	Pro-Rate	2013	\$ 2.56
Gibbs, Agnes Barbara	Pro-Rate	2013	\$ 9.24
Gill, Essecen Wykia	Pro-Rate	2013	\$ 16.03
Harris, Tefanie Sharon	Pro-Rate	2013	\$ 4.13
Hawkins, Robert Lee	Pro-Rate	2013	\$ 21.86
Jones, Brian Keith	Pro-Rate	2013	\$ 10.11
Singletary, Robert George	Pro-Rate	2013	\$ 1.55
Watkins, George Rose Jr.	Pro-Rate	7.66	\$ 12.65
Total Reg Veh Refunds			\$ 98.59
Total Reg Veh Releases			
& Refunds			\$ 723.09
Total All Releases & Refunds			\$ 5,758.28

Meetings and Events Calendar

All Regular City Council Meetings Held 2nd & 4th Monday at 6:00 P.M.

Date	Time	Event	Location
July 1 st	3:30	Henderson Zoning Board of Adjustments	City Council Chambers
July 4 th	<i>City Hall Closed</i>	 <i>Happy July 4th</i> 	CITY HALL CLOSED
July 7 th	3:30 PM	Henderson Planning Board	City Council Chambers
July 8 th	3:00 PM	Henderson Appearance Commission	City Council Chambers
July 12 th	12:00 PM	Henderson-Vance Parks & Recreation Commission	Aycock Recreation Center
July 14 th	5:00 PM	Library Advisory Board Meeting	Perry Memorial Library
July 14 th	6:00 PM	City Council Regular Meeting	City Council Chambers
July 17 th	7:00 PM	Human Relations Commission	City Council Chambers
July 25 th	10:00 AM	Henderson-Vance E-911 Advisory Board Meeting	E-911 Operations Center
July 28 th	6:00 PM	City Council Meeting Work Session to Follow	City Council Chambers
Aug 4 th	3:30 PM	Henderson Planning Board	City Council Chambers
Aug 5 th	3:30 PM	Henderson Zoning Board of Adjustments	City Council Chambers
Aug 11 th	9:30 AM	KLRWS Advisory Board Meeting	City Hall Large Conference Room
Aug 11 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Aug 12 th	3:00 PM	Henderson Appearance Commission	City Council Chambers
Aug 14 th	12:00 PM	Henderson-Vance Parks & Recreation Commission	Aycock Recreation Center
Aug 21 st	7:00 PM	Human Relations Commission	City Council Chambers
Aug 25 th	6:00 PM	City Council Meeting Work Session to Follow	City Council Chambers
Sept 1 st	<i>City Hall Closed</i>	<i>Happy Labor Day</i> 	CITY HALL CLOSED
Sept 2 nd	3:30 PM	Henderson Zoning Board of Adjustments	City Council Chambers
Sept 8 th	3:30 PM	Henderson Planning Board	City Council Chambers

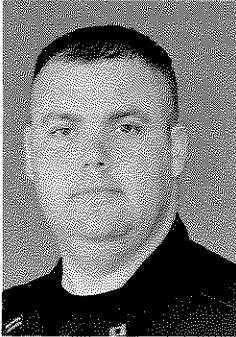
Last Updated 17 June 2014



HENDERSON POLICE DEPARTMENT
MONTHLY REPORT
MAY 2014

CHIEF OF POLICE MARCUS W. BARROW

"AIN FORTITUDO ET IUSTITIA"

Chief Marcus W. Barrow

Over the last month the Henderson Police Department has made major changes, adjustments, promotions and created new projects and incentives that have had and will continue to have a major impact on the way that the department operates in working with the Community as well as how the department works internally.

We returned to a three (3) division organizational structure and two (2) new Police Captains were promoted following an assessment center conducted in March and April. Interim Captain Lt. Steven Vaughn was promoted to Captain and assumed command of the Operations (Patrol) Division. The Special Operations Division (Vice/Narcotics) and the Criminal Investigations Division were combined into a single Criminal Operations Division and Vance Johnson was promoted to Captain over that division. Captain Perry Twisdale continued to command the Services Division.

We also received notification that a Lieutenant and a Senior Police Officer would be retiring this summer and both a Sergeant's Promotional Assessment and a Lieutenant's Promotional Assessment were announced in May and will be conducted in June. Two (2) new officers were hired at the end of May to fill vacant openings from the previous promotions. Another two (2) open positions are planned to be filled in early June as well.

The Department, along with the H.E. Tyndall F.O.P. Lodge #33 and the Downtown Development Corporation held the first Henderson St. Baldrick's Day event on May 31 in downtown. The event was a great success and the original goal of raising \$5000 for Pediatric Cancer Research was surpassed with almost \$16,000 raised. Plans are already in place to hold another event in 2015 closer to the date of St. Patrick's Day and with the attention generated by this event we believe that we can draw and even larger number of visitors and participants. I would also like to thank our non-sworn staff for their work in the planning and carrying out of the event as well as Patrol Section 2 and their Sergeant David Pitman, who also worked to spearhead the event.

In the coming months we hope to continue to have events, projects and ideas that increase the department's presence in the community and encourage the citizens of Henderson to take a more active role in addressing crime, safety and quality of life issues.

Operations Division



Captain S.T. Vaughn

Patrol Activity Summary by Patrol Section May 2014

Section #	Incidents	Persons Arrested	Collisions Investigated	Citations	*Warrants Served	Warrants** Attempted
Section 1	84	31	23	45	11	13
Section 2	89	34	34	34	16	32
Section 3	102	25	24	14	10	10
Section 4	95	30	26	26	10	5
CID	NA	NA	NA	NA	1	0
Totals	370	120	107	119	48	60

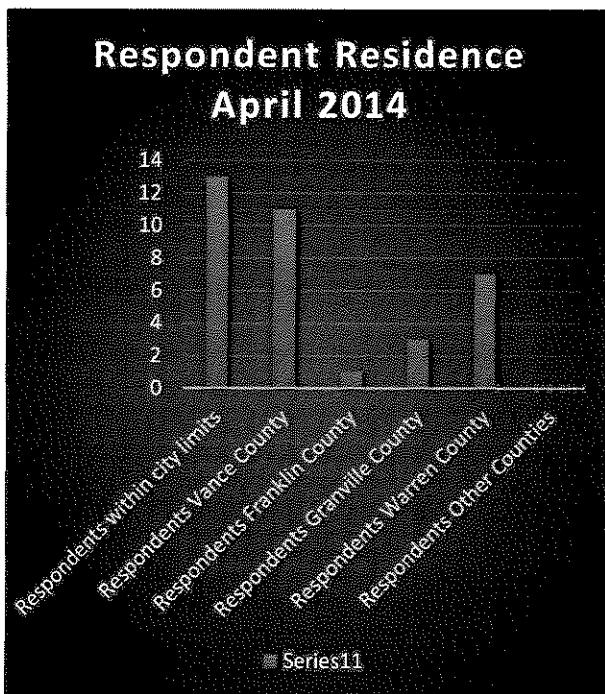
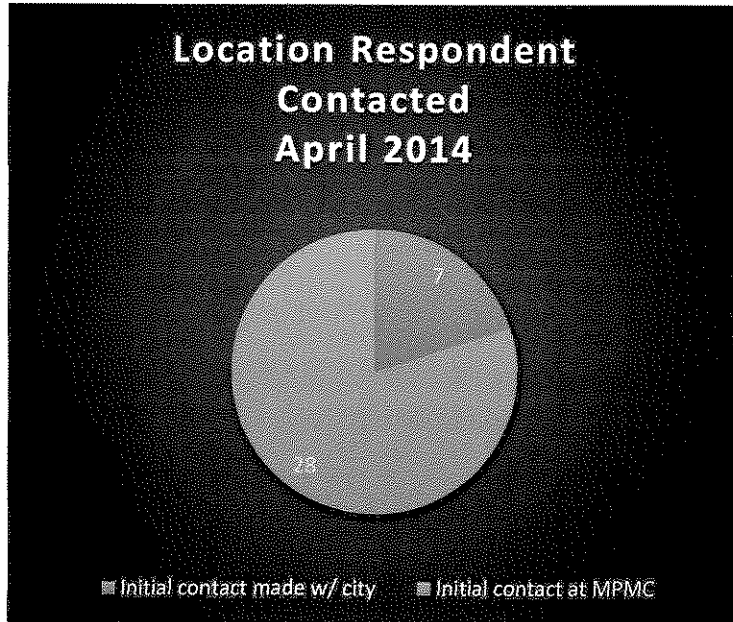
**Warrants – This is a count of the number of occasions when a Warrant for Arrest, an Order for Arrest or a Criminal Summons were listed as the sole type of arrest for the person arrested and the date arrested was not the same as the date on the warrant. Each person is only counted once per arrest occasion,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

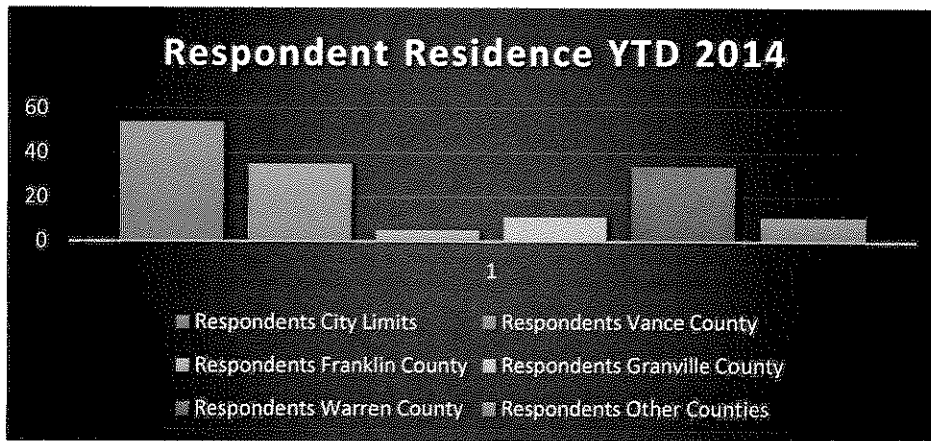
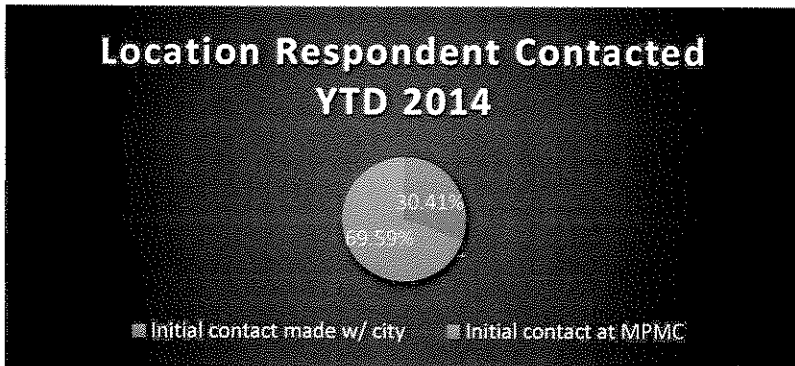
Active Warrants on file by Section as of May 2014 (Including Criminal Investigations)

Zones	Warrants	OFA	Worthless Check	Criminal Summons	Warrant for Child Support	Fugitive
Zone 1	60	103	0	15	2	0
Zone 2	14	37	1	9	1	0
Zone 3	34	71	0	11	1	0
Zone 4	44	93	0	12	1	0
CID	24	7	0	0	0	0
Total	176	311	1	47	5	0

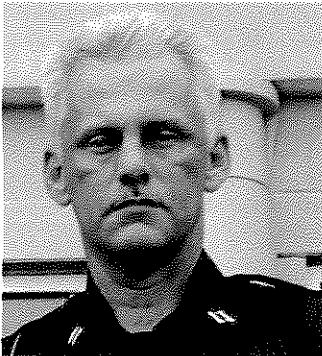
As this chart shows the warrants received by the Department for "Order for Arrest" (meaning the wanted person did not show in court or violated a court appearance order or has a true bill of indictment) is almost twice the number of original warrants on file by the department. The number of persons wanted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

Committed Time – Mental Patients





Month	Calls For Service	Incident Reports	Monthly Hours	Hours at MPMC	Respondents within city limits	Respondents Vance County	Respondents Franklin County	Respondents Granville County	Respondents Warren County	Respondents Other Counties	Initial contact made w/ city	Initial contact at MPMC	Total Wages for Coverage
2013													
September	50	30	720	637.5									\$9,798.37
October	41	26	744	331.5									\$5,096.51
November	37	24	720	421.5	8	12	1	1	1	1	3	21	\$6,480.18
December	41	20	744	453.25	9	6	0	3	1	1	7	13	\$6,968.31
2014													
January	44	27	744	474.5	11	7	1	1	4	3	24	3	\$7,295.01
February	40	23	672	632	5	5	1	2	8	1	5	18	\$9,716.43
March	48	33	744	880*	12	6	2	3	8	2	6	27	\$13,529.20
April	44	33	720	1163*	13	6	0	2	7	5	7	25	\$17,880.07
May	53	35	744	1112*	13	11	1	3	7	0	7	28	\$17,095.99
June													
July													
August													
September													
October													
November													
December													
Total	398	253	6552	2950.25	94	85	5	11	34	11	59	135	\$93,860.07

Criminal Investigations Division**Captain Vance W. Johnson****Investigations Section**

Cases Received	47
Cases Suspended	3
Cases Cleared (Solved)	6
Unfounded Reports Identified	3
Witnesses Interviewed	36
Victims Interviewed	48
Suspects Interviewed	3
Warrants Obtained	2
Warrants Attempted	2
Warrants Served	0
Search Warrants Obtained	1
Search Warrants Executed	1
Property Recovered	13

Juvenile Investigations

Released to custody of Parent/Guardian	5
Assault	9
Youth Ordinance	3
Shoplifting	1
Assault with Deadly Weapon	2
Sexual Assault	1
Runaway	2
Breaking and Entering	1
Possession of Firearm/Stolen Property	1
General Contacts	3
Domestic Disturbance	1

Special Operations Section

Felony Arrest	3
Misdemeanor Arrest	4
Warrant Served	7
Training	72 hours
Court	52 hours
Firearms Seized	8
Citations Issued	10
Marijuana Seized	39.2 grams
"Crack" Cocaine seized	9
Heroin seized	5
US Currency seized	\$310
Search Warrants executed	1
Prescription Pills seized	12.5 units

Property/Evidence Section

Number of items collected for the month:	267 items
Total amount of U.S. Currency collected:	\$3,025.29
Total amount of firearms collected:	9
Total amount of marijuana seized:	64.83 grams
Total amount of cocaine seized:	10 grams
Total amount of heroin seized:	5.55 grams/14 dos
Total number of pills and prescription meds seized:	98.5 dosage units
Total amount and type of other illegal substances seized:	0

Total number of items returned to owner by court order:	3 items
Total number of evidence turned over to other agencies (see narrative):	0 items
Total number of items returned to owner by officer request:	18 items
Total amount of U.S. Currency turned over to school board:	\$656.16
Total number of items destroyed by court order:	1 item
Total number of video cd made/copied:	16 CD/DVD
Total number of in car videos copied to CD:	5 CD/DVD
Total number of copies of evidence (paperwork) for investigation:	6 items
Total number of evidence packages sent to SBI lab/Returned:	3 items
Crime Scenes for month of May 2014:	3
Vehicles Processed for month of May 2014:	1
Total of items processed/seized at HPD:	1
Training Hours:	8 hours
Firearm E-Trace's	2 Traces
Supplemental Reports	3
Court Appearances	4 Days
Meetings	26
Interview Panels	1
Background Investigations	1

Services Division



Captain Perry L. Twisdale

On May 27 and May 29th the Henderson Police Department partnered with Vance Granville Community College to host a mandatory in-service training for all Henderson Police Department personnel (sworn, non-sworn and reserve officers) on “Surviving Verbal Encounters”. This training was taught by Chief Harry Dolan (retired Raleigh Police Department) who is a nationally known speaker, trainer and researcher specializing in developing communications skills for law enforcement personnel. The classes covered aspects of effective communication in dealing with difficult persons, avoiding verbal conflict and increasing officer safety in all levels of contact with citizens, victims and suspects.

Two (2) new officers were given Conditional Offers of employment and hired at the end of the month. Cody Tuck and Andretti Oliver were hired from the most recent VGCC Basic Law Enforcement Program and will begin their orientation and field training in the first week of June. Reserve Officer Tony Pendergrass was also selected to fill a vacant position within the department effective June 5, 2014.

Announcements on promotional processes for Police Sergeant and Police Lieutenant were issued by Services Division Staff after approval of Chief Barrow. The current schedule has the Sergeant’s candidates completing their process in late June while the Lieutenant’s process will run through mid-July.

Services Division personnel worked in May to revise and issue out new policies and procedures affected by the changes in the department’s organizational structure. Services Staff also completed the applications and provided the Chief of Police with the information to provide to the City Council on two (2) grants. The NC Governor’s Crime Commission grant will provide a 75% reimbursement for the purchase of new Mobile Data Computer Terminals and three (3) new VIPER in-car radios. The BJA JAG 2014 grant will provide funding to purchase new mobile video cameras to record officer’s actions and vehicle stops and to continue to replace broken and outdated in-car camera units under the Capital Improvement Program.

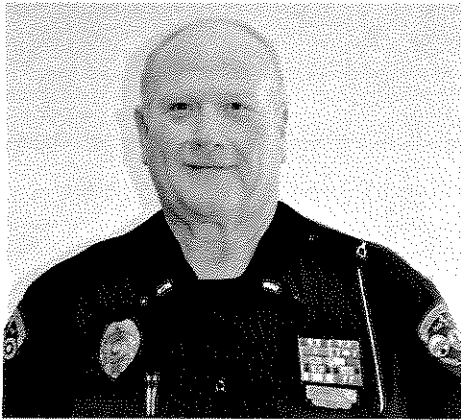
The Henderson Police Department used \$15,282.45 of fuel during the month of May. This was above the monthly average of fuel consumption, but is below the amount remaining budget year which is now \$35,547.12.

Remaining Funds

- 1. Fuel- \$35,547.12
- 2. Maintenance- \$58,887.51

Total Remaining: \$94,434.63

Vehicle 124 (A. Mitchell) consumed 173 gallons of fuel, which is the largest consumer in the fleet. Based on the current trend of fuel consumption, it is still projected that there should be at least a \$20,000 surplus in the fuel funds and at least a \$50,000 surplus in the maintenance funds at the end of the fiscal year.



In May, Services Division Lieutenant and the longest-serving officer currently at the Henderson Police Department Lieutenant I.W. Robinson, Jr. announced his retirement effective August 1, 2014. Lieutenant Robinson will retire with around 35 continuous years of service with the department, several years of that serving in Community Policing and Crime Prevention capacities within the agency. Lieutenant Robinson plans to remain with the agency as a Reserve Officer and will continue to assist the department with his membership and chairmanship of several local, state and regional law enforcement organization boards.

Community Services

Safe Kids Belk's Charity event	05-03-14	Lt. Robinson /Thorpe
Kittrell Job Corp Career Day	05-05-14	Thorpe
Law Enforcement luncheon	05-07-14	Lt. Robinson/ Thorpe

Club 15 Community event	05-10-14	Lt. Robinson / Thorpe
Safe Kids Diversion event	05-12-14	Lt. Robinson
Crime Stoppers Golf Tournament	05-15-14	Lt. Robinson
United Way event	05-28-14	Lt. Robinson
"Meet Me in the Street"	05-29-14	Lt. Robinson / Thorpe
Juvenile Attendance Council	05-09-14	Lt. Robinson/Thorpe
JCPC Funding Meeting	05-12-14	Lt. Robinson
Safe Kids	05-14-14	Lt. Robinson / Thorpe
Crime Stoppers	05-14-14	Lt. Robinson / Thorpe
Juvenile Crime Prevention	05-15-14	Lt. Robinson / Thorpe
Juvenile Attendance Council	05-16-14	Lt. Robinson/Thorpe
Juvenile Attendance Council	05-23-14	Thorpe
Safe Kids Workshop	5-20,21,22-14	Lt. Robinson / Thorpe

Crime Analysis and Records

As projected in the monthly report for April 2014, there was a slight slowdown in the overall decrease of Part 1 Crimes in Henderson in May 2014. Staff projections had shown that an end to the long spell of cold weather and the quick onset of warmer/hot weather might increase overall activity in all zones and this turned out to be the case. However, despite a continued higher level of Aggravated Assaults and an a slight upturn in some areas of Larceny the overall comparison to this point in 2013 still shows just under 9% decrease through the end of May.

HENDERSON POLICE DEPARTMENT

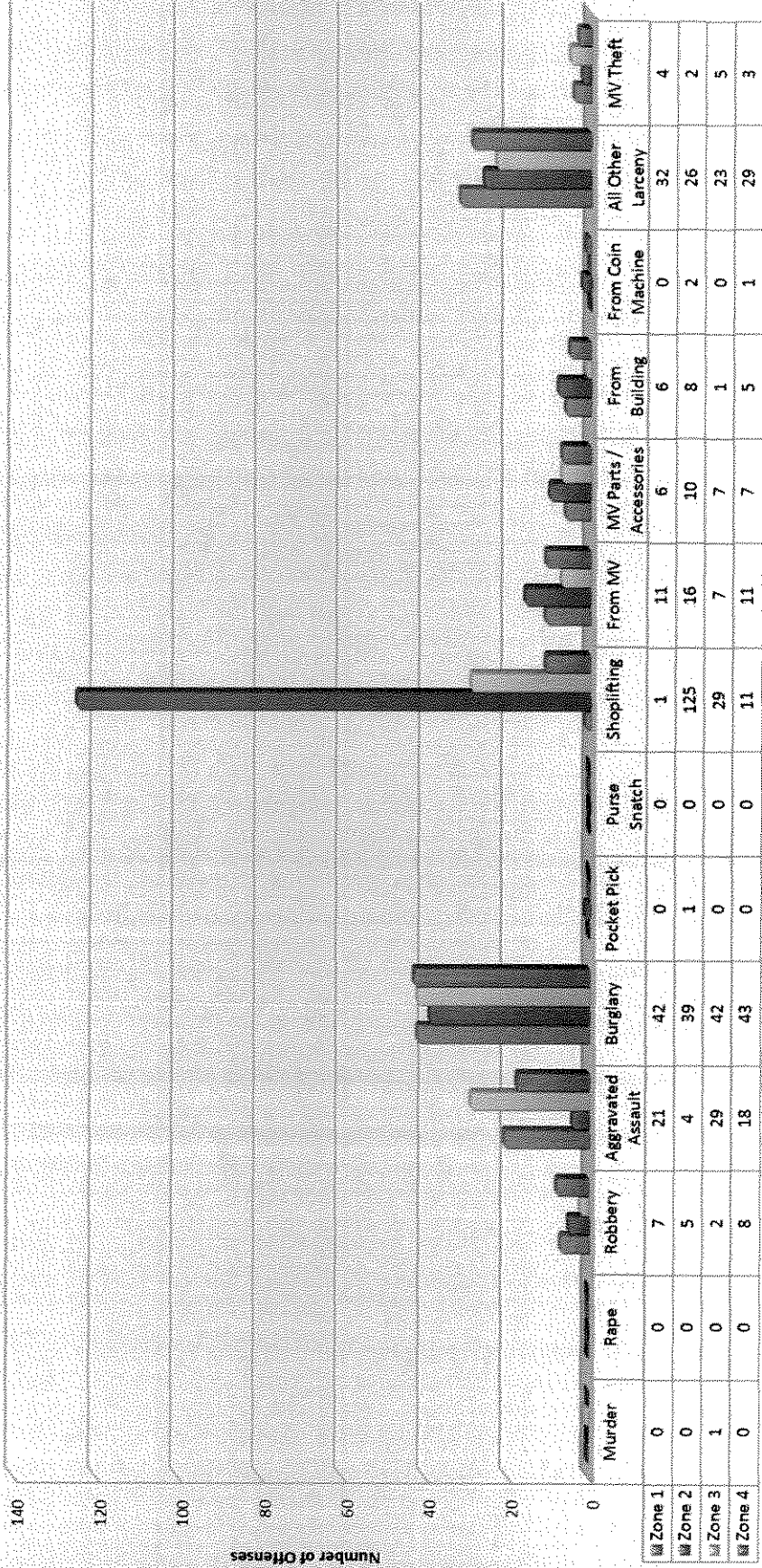
Part I Crimes

Month-to-Month and Annual Comparison

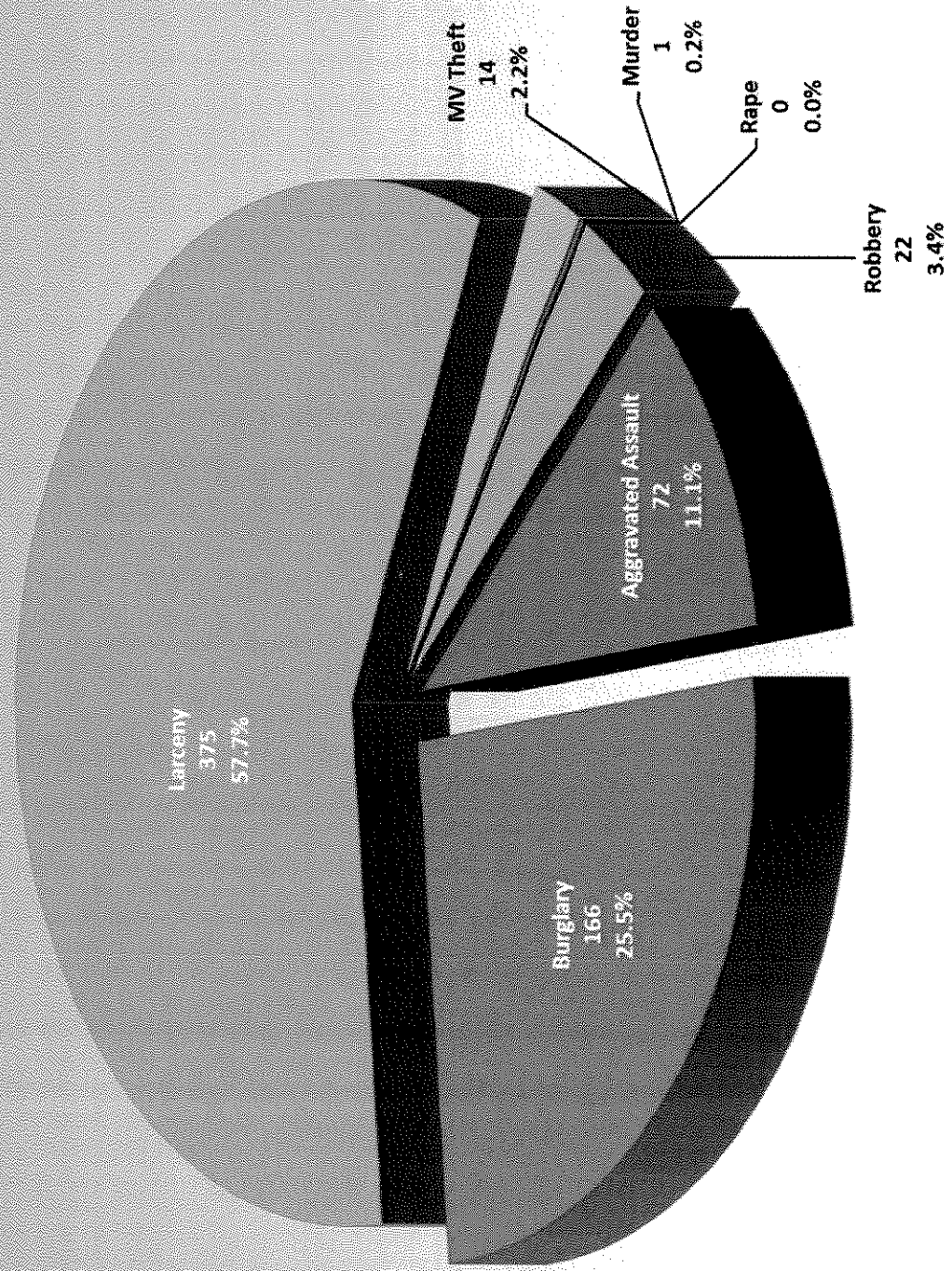
	Jan		Feb		Mar		Apr		May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		TOTAL		Change			
	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014		2013	2014	
Murder																												1	-75.0%	
Rape																												3	-100.0%	
Robbery	5	1	9	6	9	8	9	3	4	4																	36	22	-38.9%	
Agg Assault	11	12	14	7	7	11	18	25	15	22																	65	77	18.5%	
VIOLENT TOTAL	15	13	27	13	17	20	27	29	21	28	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	108	100		-7.4%	
Burglary	53	31	18	20	20	32	23	44	24	37																	138	164	18.8%	
Larceny (Theft)																														
Pocket Pick																												0	1	NC
Purse Snatch																												0	0	NC
Shoplifting	56	25	32	22	45	25	66	34	52	61																	251	167	-33.5%	
From MV	11	10	5	6	9	9	11	6	15	14																	51	45	-11.8%	
MV Parts	6	2	4	3	7	7	11	11	7	9																	35	32	-8.6%	
From Building	3	2	4	4	8	5	5	6	5	3																	25	20	-20.0%	
From Coin Machine	1	1	1	1						1																	1	3	200.0%	
All other	14	22	23	19	21	17	16	26	19	27																	93	111	19.4%	
Larceny (Theft) Total	90	62	69	55	90	63	109	84	98	115	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	456	379	-16.9%		
MV Theft	3	1			1	5	11	4	2	5																	17	15	-11.8%	
PROPERTY TOTAL	148	94	87	75	111	100	143	132	124	157	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	611	568		-8.7%	
TOTAL INDEX OFFENSES	162	107	114	88	128	120	170	160	148	183	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	719	688		-8.5%	

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

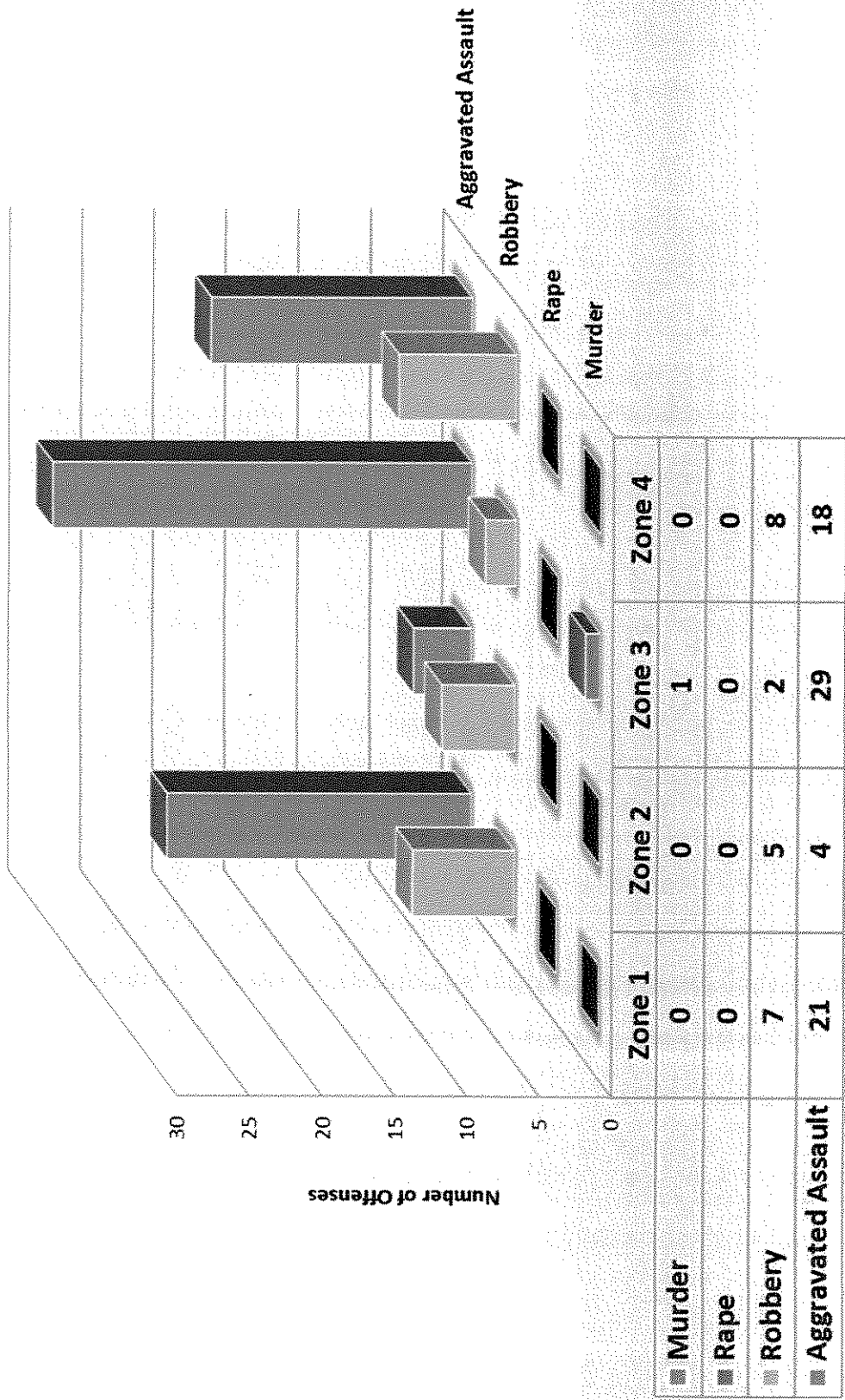
HENDERSON POLICE DEPARTMENT
2014 Year-To-Date Index (Part I) Offenses by Zone
 Through May



Henderson Police Department 2014 Part I (Index) Crimes Distribution by Category Year-To-Date Through May

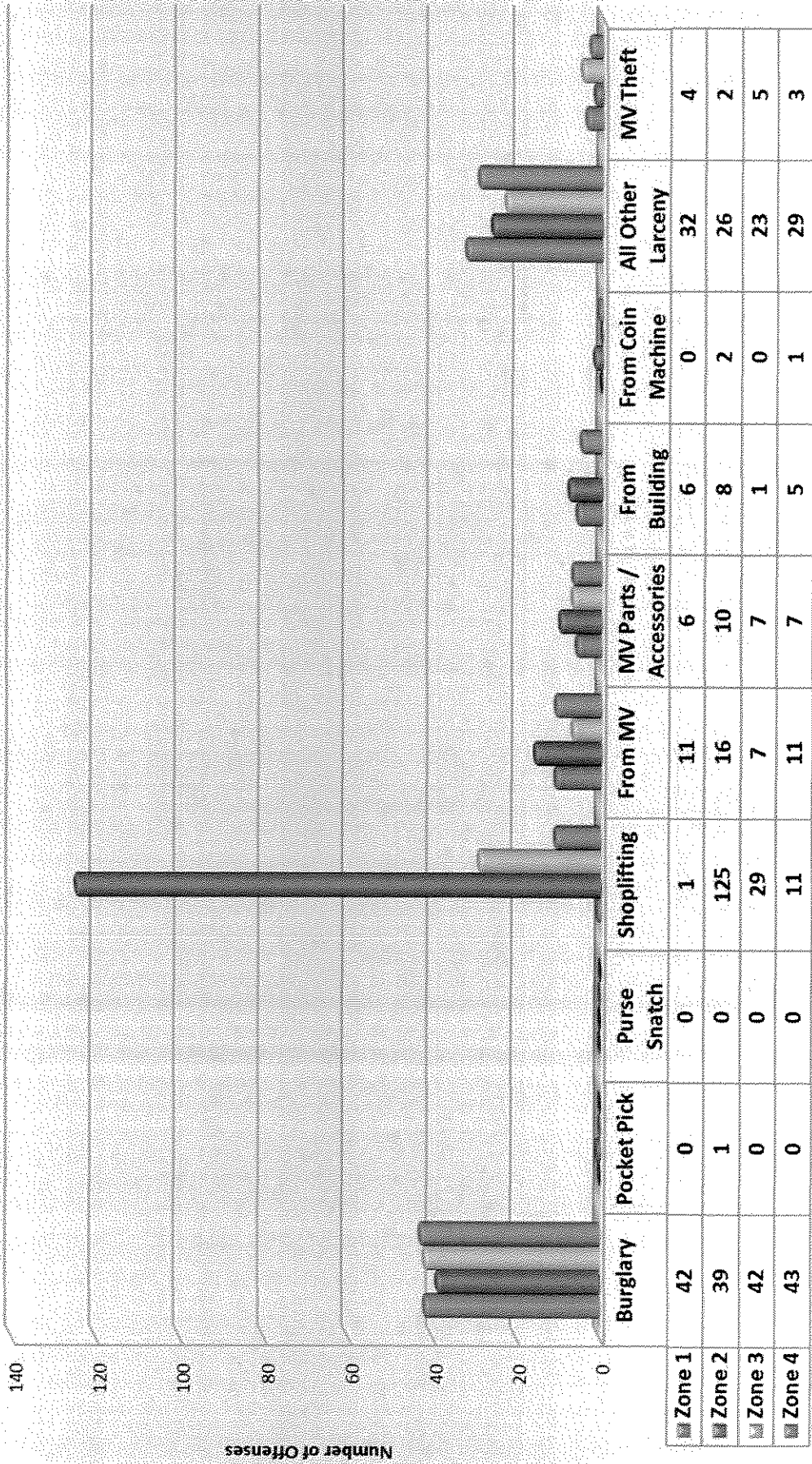


Henderson Police Department 2014 Violent Index Offenses by Zone Through May



HENDERSON POLICE DEPARTMENT

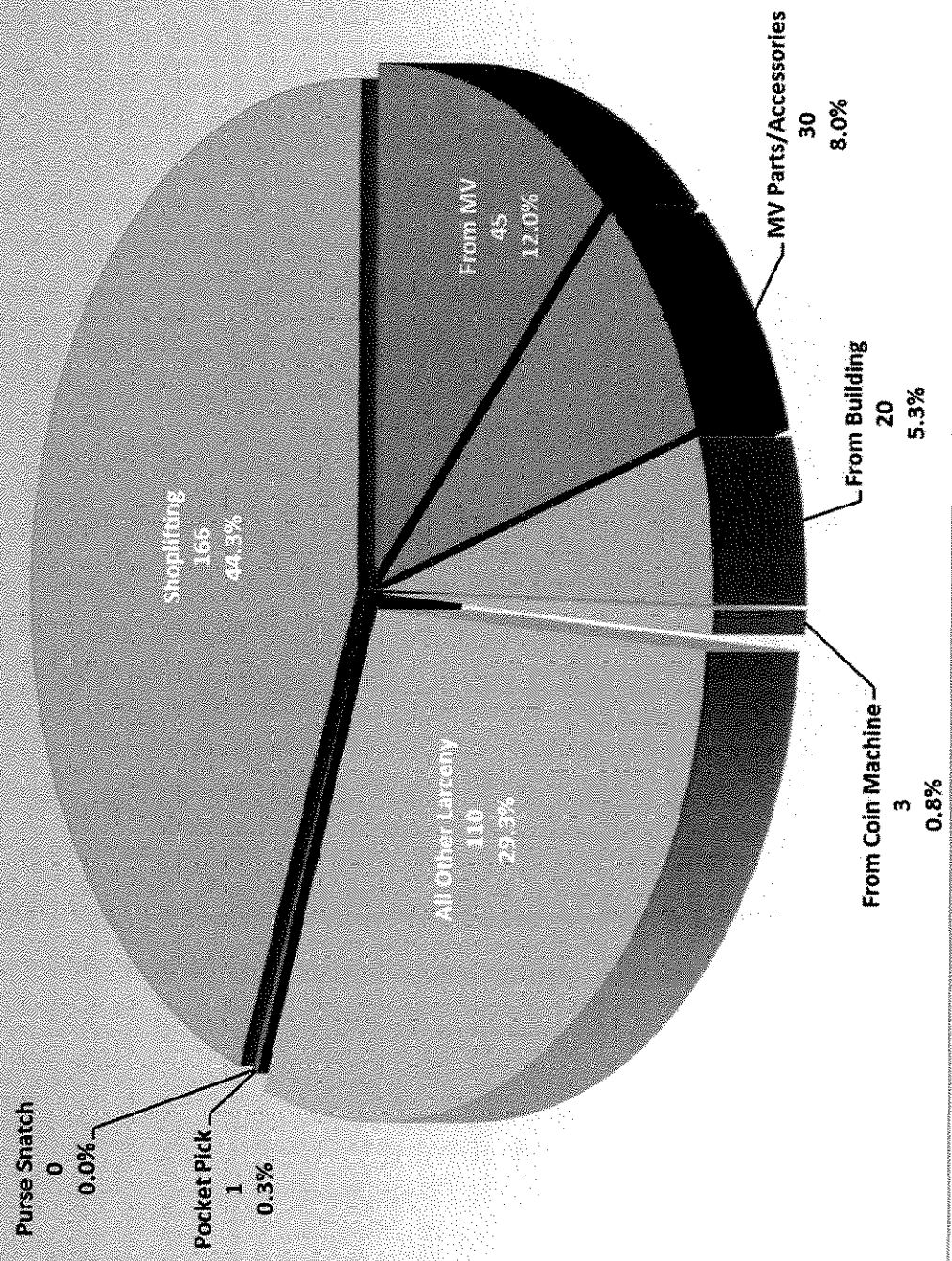
2014 Year-To-Date Property Offenses by Zone Through May

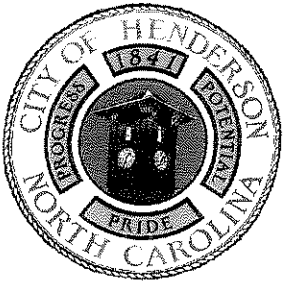


Henderson Police Department

2014 Nature of Larceny-theft - Offenses by Sub-Category

Year-To-Date Through May





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: 6/2/14

FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: May 2014

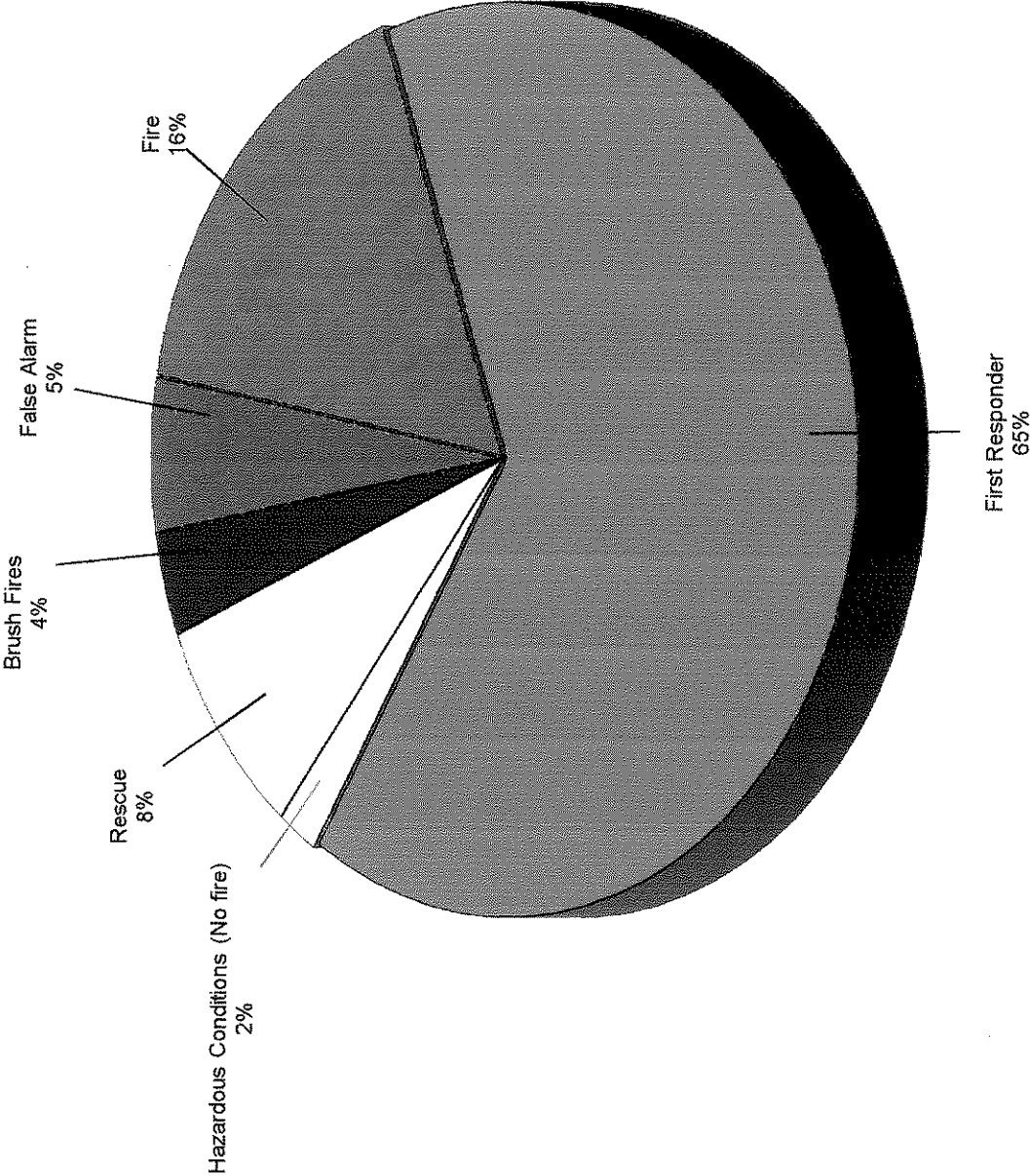
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	25	12	96
APARTMENTS (3 or More Families)	3	5	7
HOTELS AND MOTELS	1	0	1
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	0	0	1
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	1	2	4
SCHOOLS AND COLLEGES	0	0	1
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	0	1	6
STORES AND OFFICES	2	2	9
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	0	0	7
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	1	0	1
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	0	0	0
WORKING STRUCTURE FIRE	3	1	10
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	0	2	9
FIRES IN OTHER VEHICLES (Planes, Trains, Ships, Construction or Farm Vehicles)	0	2	0

FIRE OUTSIDE OF STRUCTURES WITH VALUE INVOLVED, BUT NOT VEHICLES (Outside Storage, Crops, Timber, etc.)	2	2	3
FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved	2	2	12
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	8	3	16
ALL OTHER FIRES	2	2	11
RESCUE	22	17	79
FIRST RESPONDER	179	144	699
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	15	12	56
MUTUAL AID OR ASSISTANCE RESPONSES	3	5	13
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	2	3	11
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	3	5	29
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	3	0	20
TOTALS	277	222	1101

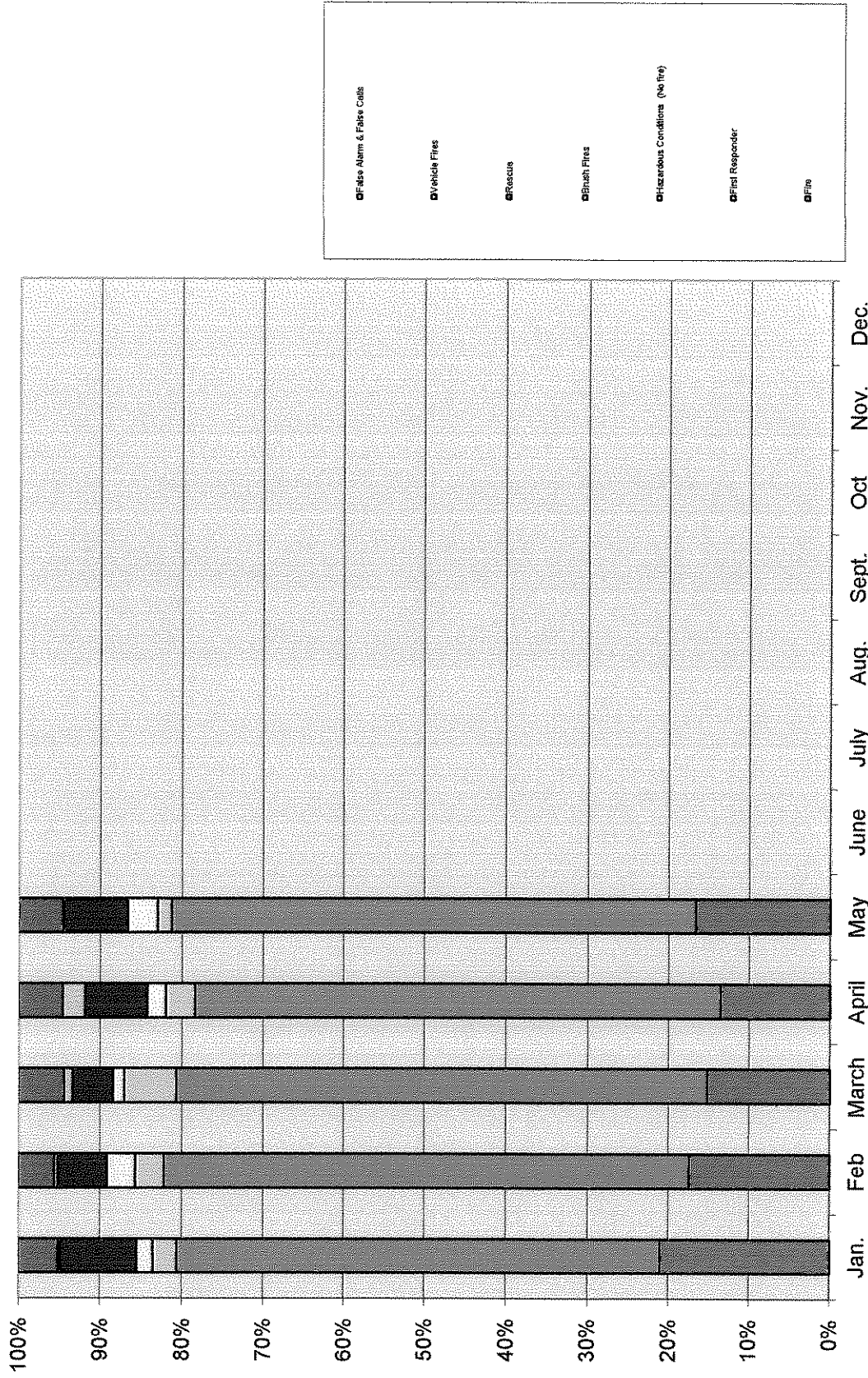
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property and/or Contents Loss	12	6	32
Total of Property and Contents Value Saved	\$ 669,805.00	\$ 195,346.00	\$ 1,317,642.00

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
FIRE CASUALTIES FIREFIGHTER-DEATH	0	0	0
FIRE CASUALTIES FIREFIGHTER - INJURIES	0	0	1
FIRE CASUALTIES CIVILIAN - DEATH	0	0	0
FIRE CASUALTIES CIVILIAN - INJURIES	0	0	0

Incident Summary For May



YEAR TO DATE SUMMARY BY MONTH FOR 2014



INSPECTION ACTIVITIES REPORT FOR:

May, 2014

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	10	5	38
BUSINESS	13	15	101
EDUCATIONAL	0	0	0
HAZARDOUS	0	0	0
INDUSTRIAL	0	0	0
INSTITUTIONAL	4	0	13
MERCANTILE	3	11	29
RESIDENTIAL	2	4	22
STORAGE	0	1	9
DAY CARE	0	0	0
HOME CARE	0	0	0
FOSTER CARE	0	0	0
VACANT	0	0	2
TOTALS	32	36	214

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
CODE VIOLATIONS	11	31	136
FOLLOW UP INSPECTIONS	5	11	52

FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2014

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	10	15	5	4	40								74
Home Inspections / Door Hanger Follow Ups	2	4	0	0	6								12
Smoke Alarms Installed	5	6	2	2	9								24
Batteries Installed in Smoke Alarms	5	9	3	2	15								34
Fire Extinguisher Classes	2	0	3	4	3								12
School / Daycare Presentations	0	3	1	3	2								9
Community / Civic Group Presentations	1	3	1	0	4								9
Station Tours	2	1	3	1	0								7
Total Participants in Fire & Life Safety Programs	500	600	300	450	1,000								2,850
Community / Business Displays	0	1	2	1	4								8
Child Safety Seat Clinics	0	0	1	1	1								3
Child Safety Seats Inspected	1	4	3	5	3								16
Child Safety Seats Distributed	0	0	0	0	0								0
Shift Coverage Hours	8	8	0	16	16								48
Fire Inspections	15	47	43	23	18								146

MONTHLY CITATION REPORT FOR THE MONTH OF: APRIL 2014

LOCATION	CURRENT MONTH FIRE LANE	CURRENT MONTH HANDICAPPED	LAST MONTH FIRE LANE	LAST MONTH HANDICAPPED	YEAR TO DATE
Cardinal Plaza					0
Compare Foods					0
Crossroads Shopping Center					0
Dabney Shopping Center					0
Dabney West Mall					0
Golden Corral					0
Guardian Care					0
Henderson Mall					0
Henderson Square					0
Lowe's	1	0	0	0	1
Maria Parham Hospital					0
Market Place					0
Northside Plaza					0
Oak St					0
Rose's Norlina Rd					0
Staples					0
Vance County Courthouse					0
Vance Medical Arts Bldg					0
Vance Square					0
Village Square					0
Wal Mart					0
Walgreens					0
TOTALS	1	0	0	0	1

TRAINING DIVISION PRODUCTIVITY - MAY 2014

Henderson Fire Department

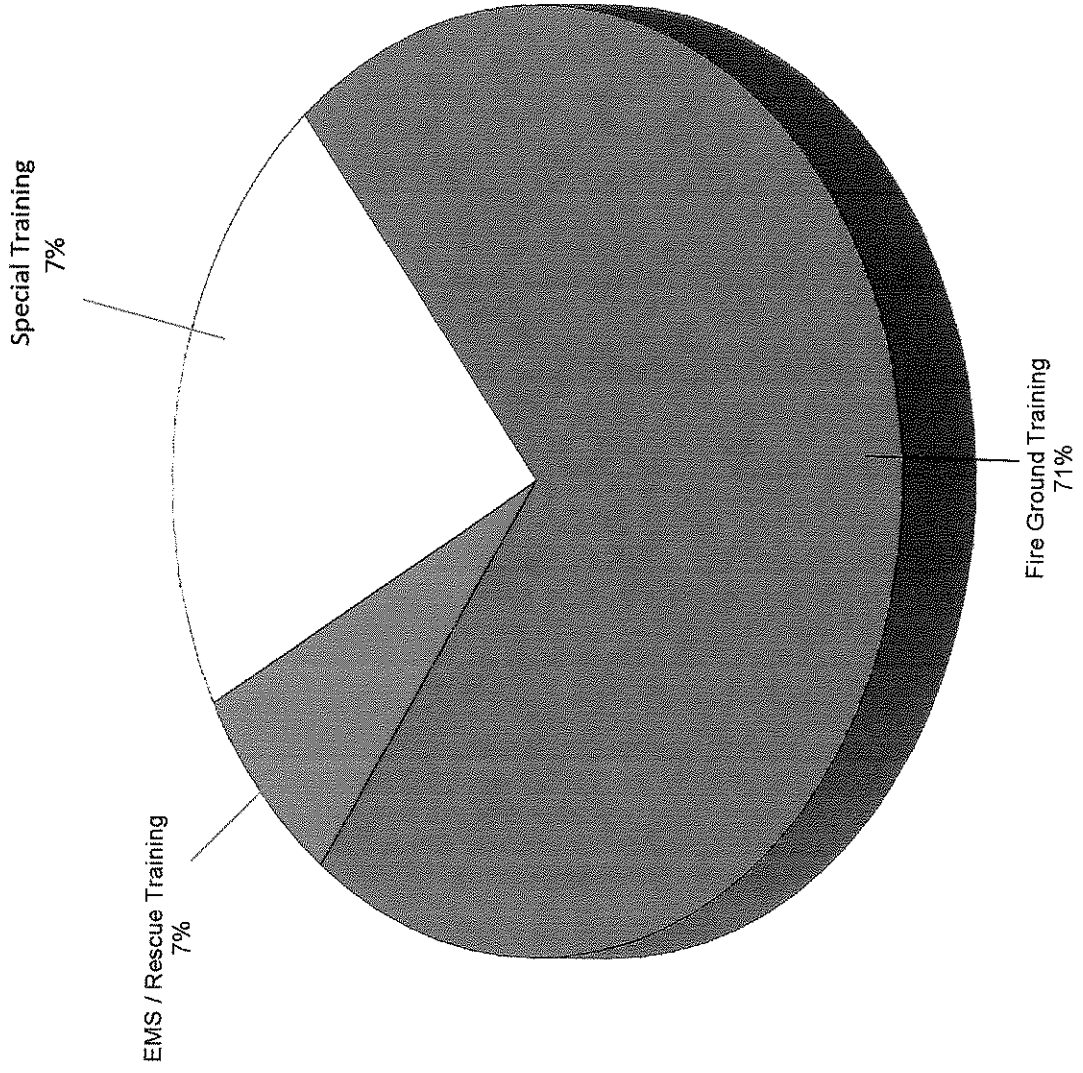
Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire Ground Training	157.5	1355
EMS / Rescue Training	16	156
Special Training	48	128

Totals	221.5	1639
--------	-------	------

	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	165.5	1279

YEAR - TO - DATE TOTAL	678.5	5590
------------------------	-------	------

Training Hours by Category - May 2014



Fire Department Regulatory Compliance

The Fire Department has met all regulatory compliance items for the month of
May 2014



AGENDA
Henderson City Council Work Session
Monday, 23 June 2014 Immediately Following Regular Session
R. G. (Chick) Young, Jr. Council Chambers, Municipal Building
134 Rose Avenue
Henderson, North Carolina

Mayor and City Council Members

Mayor James D. O'Geary, Presiding

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

Councilmember Brenda G. Peace-Jenkins
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
Councilmember George M. Daye

City Officials

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

I. CALL TO ORDER

II. ROLL CALL

III. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

IV. REGULAR WORK SESSION

a) Consideration of Approval of Resolution 14-28, Adopting the Comprehensive System-Wide Master Plan for the Recreation and Parks Department. *(CAF 14-45) [See Notebook Tab 7]*

- Resolution 14-45

b) Consideration of Approval of Resolution 14-16, Authorizing Execution of Agreement with the North Carolina Department of Transportation (NCDOT) Relative to the Chavasse Avenue Widening Project (WBS Element: 38404) Contingent on Review of Bids and Final Approval by the City Prior to NCDOT Awarding a Contract. *(CAF 14-29-A) [See Notebook Tab 8]*

- Resolution 14-16

c) Coal Ash Spill in the Dan River Update [See Notebook Tab 9]

d) Graffiti Update. (CM 14-24) [See Notebook Tab 10]

V. ADJOURNMENT

City Council Action Form

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



Agenda Item: _____

Council Meeting: 23 June 14 Work Session

19 June, 14

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

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

RE: CAF: 14-45

Consideration of Approval of Resolution 14-28, Adopting the Comprehensive System-Wide Master Plan for the Recreation and Parks Department

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- **KSO 7: To Expand Leisure and Cultural Services, Programs and Facilities:** *To expand leisure and cultural 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 Resolution 14-28, Adopting the Comprehensive System-Wide Master Play for the Recreation and Parks Department

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 determined that the Plan could be developed by the Kerr-Tar Regional Council of Governments (KTRCOG) and plans were put into place to have the KTRCOG develop the Plan.

The Plan elements include citizen involvement, demographic trends analysis, action plans, program/facilities inventories, recreation facilities maintenance and renovations, and general design guidelines/principals. The Plan has been completed and reviewed by the Recreation Commission and is being submitted to the City Council for their approval.

Enclosure:

1. Resolution 14-28
2. Comprehensive System-Wide Master Plan (To be distributed)

RESOLUTION 14-28

A RESOLUTION ADOPTING THE COMPREHENSIVE SYSTEM-WIDE MASTER PLAN FOR THE RECREATION AND PARKS DEPARTMENT

WHEREAS, the Henderson City Council conducted its Annual Planning Retreat in January 2014, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses two of the 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, 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 completed a Comprehensive System-Wide Master Plan and the Recreation Commission has approved it and recommended it for Approval by the Henderson City Council.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY Authorize the adoption of the Comprehensive System-Wide Master Plan for the Henderson Vance Recreation and Parks Department.

The foregoing Resolution 14-28 introduced by Council Member ** and seconded by Council Member ** on this the ___ day of***** 2014, 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 44, p. **.)

City Council Action Form

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



Agenda Item: _____

Council Meeting: 23 June 14 Work Session

16 June 2014

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

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

RE: **CAF: 14-29-A**

Consideration of Approval of Resolution 14-16 Authorizing Execution of Agreement with the North Carolina Department of Transportation (NCDOT) Relative to the Chavasse Avenue Widening Project (WBS Element: 38404) Contingent on Review of Bids and Final Approval by the City Prior to NCDOT Awarding a Contract

Ladies and Gentlemen:

Council Goals Addressed By This Item:

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

Recommendation:

- Approval of Resolution 14-16 Authorizing Execution of Agreement with the North Carolina Department of Transportation (NCDOT) Relative to the Chavasse Avenue Widening Project (WBS Element: 38404) Contingent on Review of Bids and Final Approval by the City Prior to NCDOT Awarding a Contract

Executive Summary

The City of Henderson requested the NCDOT widen a portion of Chavasse Avenue (SR 1228) from US#1 Business to Young Avenue. Through its Legislation delegation in 2007, funding was secured in the amount of \$700,000, with the stipulation that the City procure the necessary right-of-way. At the present time there is one easement remaining to be obtained, in which there is ongoing negotiation with the property owner. The appraisal has been received and forwarded to the property owner for consideration.

In 2010 there were many discussions, Public Hearings, etc. regarding the High Speed Rail Project. This caused a major delay with the State due to plans to close the Chavasse Avenue

CAF 14-29-A: 23 June 14 Council Meeting; CAF 14-29: 12 May 14 Council Meeting;
28 April 2014 Work Session

crossing onto William Street and at one point the City was told the project would not proceed. There was virtually no work performed on the Chavasse Avenue widening project during this timeframe. The City was notified in late 2012 that funding was still available and the project could proceed if the City so desired; however, by that time the existing easements obtained by the City had expired requiring new easements to be obtained. This project also requires approval of the NC Dept. of Cultural Resources State Historic Preservation office (SHPO) relative to the Mistletoe Villa Property. There are trees within the proposed easement that would have to be removed and landscaping plans were prepared by the State and approved by the SHPO and Mistletoe Villa property owners.

This item was originally brought before Council at the 12 May 2014 Council meeting at which time Council had some concerns. Two of the main issues dealt with funding and indemnification. After some discussion it was voted to table this item until further negotiations could be attempted.

Originally, the "Funding" components of the Agreement stated "*the Department shall participate up to a maximum amount of Seven Hundred Thousand Dollars (\$700,000). The Municipality shall be responsible for any cost that exceeds the maximum amount unless other sources are identified within NCDOT and/or other funding sources.*" Based on information received from NCDOT relative to the estimated cost of construction, it appears that there could be a shortfall of approximately \$50,000 to \$100,000. Subsequent conversations with the NCDOT, has indicated that the only additional funding they have available is for the sidewalk work. Email correspondence from the Division 5 Project Manager has verified the City's ability to review the bids prior to any award by the NCDOT.

The other major concern, deals with the City indemnifying holding harmless NCDOT and the State of North Carolina for damage and/or liability in connection with the right of way, including construction. This has been amended to include responsibility for the right of way portion only.

It is difficult to recommend using critically limited local funds to supplement this State project since there are many City streets that need resurfacing and/or other repairs such as storm drain improvements, pavement marking, etc. that cannot be addressed due to lack of funding. Bids have not been taken at this time on this project, so there is a chance that the project will come in within budget, but the possibility that there could be a shortfall of funds must be considered. There is a small amount of Powell Bill funds available; however, use of Powell Bill funds on a State maintained facility would be limited only to construction of the sidewalk, for which, as previously stated, NCDOT may possibly have available funds.

The NCDOT has confirmed with staff that once all of the easements have been obtained and confirmed by NCDOT, they will proceed with taking bids and will allow the City to review the bids and review the extent of funds needed, depending on the bids received, prior to executing a contract for the work. If bids come in higher than expected the City may decline participation in the project.

As a matter of information, the appraisal for Mistletoe Villa has been obtained and the property owner has accepted appraised value. The City may now continue with obtaining the final easement for this project.

Enclosures:

1. Resolution 14-16
2. Proposed NCDOT Agreement
3. Resolution 12-84

RESOLUTION 14-16

AUTHORIZING EXECUTION OF AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) RELATIVE TO THE CHAVASSE AVENUE WIDENING PROJECT (WBS ELEMENT: 38404)

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in February 2014 and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses **KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems**; *and*

WHEREAS, the City Council (Council) requested funding for the Chavasse Avenue Widening Project and received notice in 2007 that funding was secured; *and*

WHEREAS, the City Council resolved to support completion of the Chavasse Avenue Widening Project in 2012, via Resolution 12-84; *and*

WHEREAS, the City is responsible for obtaining any necessary easements and/or right of ways to construct the project; *and*

WHEREAS, the NCDOT has determined that it is necessary to execute an agreement with the City which outlines the responsibility of the City and NCDOT; *and*

WHEREAS, bids have not been taken for the project and there could be costs exceeding \$700,000; *and*

WHEREAS, the agreement states that the City (municipality) would be responsible for any cost exceeding \$700,000, unless other sources are identified within NCDOT or other funding sources; *and*

WHEREAS, the agreement is approved contingent on review and final approval of the bids by the City prior to NCDOT awarding a contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HENDERSON That it is supportive of this project and approves it subject to the following conditions:

- The City shall be held harmless for damage and/or liability in connection with construction except for Right of Way acquisition; *and*

- The City shall be entitled to review the bids once they have been received by NCDOT, and NCDOT has advised the City of the amount of local financial contribution necessary, if any, for the project to be considered for bid award; *and*
- Upon receipt of said information, City administration shall advise the City Council of same and at that time, Council will approve a Resolution supporting the project and any financial contributions so required by NCDOT, or approve a Resolution declining participation on the project.

The foregoing Resolution 14-16 introduced by Council Member ** and seconded by Council Member ** on this the ___ day of _____ 2014, 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. **.)*

**CAF 14-29-A
Attachment 2
Revised Agreement**

NORTH CAROLINA

**LOCALLY ADMINISTERED PROJECT – STATE
CONTINGENCY AGREEMENT**

VANCE COUNTY

DATE: 05/30/2014

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

WBS Element: 38404

CITY OF HENDERSON

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and City of Henderson, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, the parties have agreed to make certain improvements within the Municipality under WBS Element 38404 in Vance County in accordance with the plans and specifications approved by the Department; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-66.3, Section 136-18 (24) and (27), Section 20-169, Section 160A-296 and Section 297, to participate in the planning and construction of the Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the Department and the Municipality have agreed that the jurisdictional limits of the Parties, as of the date of the awarding of the contract for the construction of the above-mentioned Project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,


WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:


Agreement ID # 4542

1


SCOPE OF PROJECT

1. The Project consists of the widening of SR 1228 (Chavasse Avenue) and installation of curb and gutter and sidewalks, from US 1 Business to Young Avenue. 

PLANNING/DESIGN AND CONSTRUCTION

2. The Department shall be responsible for the planning, design, construction and administration phases of the Project. The Department shall advertise and award a contract for the construction of the Project in accordance with the Project plans and with Departmental and Federal policies and procedures. The Department, and/or its agent, shall administer the contract for construction of the Project. 


UTILITIES

3. The Department shall accomplish the relocation and/or adjustment of any and all utilities in conflict with the construction of the Project. 

RIGHT OF WAY

4. The Municipality shall be responsible for acquiring any needed right of way and/or permanent easements required for said Project. If the Project is not to be constructed within the existing right of way, the Municipality will be responsible for any additional right of way or easements. Acquisition of right of way shall be accomplished in accordance with applicable policies, guidelines, statutes and the North Carolina Department of Transportation Right of Way Manual.


FUNDING

5. The estimated cost of the Project is \$700,000. Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of state funds, the Department shall participate up to a maximum amount of Seven Hundred Thousand Dollars (\$700,000). The Municipality shall be responsible for any cost that exceeds the maximum amount unless other sources are identified within NCDOT and/or other funding sources. 

MAINTENANCE

6. Upon completion of the Project, only those improvements within the state owned right of way shall be considered on the State Highway System and owned and maintained by the Department.

ADDITIONAL PROVISIONS

7. This Agreement is solely for the benefit of the identified parties to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.
8. The Municipality will indemnify and hold harmless the Department and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability in connection with the right of way acquired for Project activities performed pursuant to this Agreement, including right of way or easements needed for construction of the Project. The Department shall not be responsible for any damages claims, which may be initiated by third parties. 
9. All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.
10. Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by N.C. Gen. Stat. § 160A-20.1
11. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).
12. The Municipality shall comply with Title VI of the Civil Rights Act of 1064 (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

APPROVED AS TO LEGAL FORM: CITY OF HENDERSON
BY: _____ BY: _____
CITY ATTORNEY TITLE: _____
DATE: _____ DATE: _____

Approved by _____ of the local governing body of the City of Henderson

as attested to by the signature of Clerk of said governing body on _____ (Date)

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:
City of Henderson

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

PRESENTED TO THE BOARD OF TRANSPORTATION ITEM O: _____

Agreement ID # 4542

Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: City of Henderson

County: Vance

TIP / WBS Element:

WBS Element: 38404

Scope: The Project consists of the widening of SR 1228 (Chavasse Avenue) for curb and gutter and sidewalk, from US 1B to Young Avenue.

Funding:

Type (Payable or Non-Participation): Non-Participation

State Agreement Type: Contingency

State Funding: \$700,000

Total Cost: \$700,000

Funding for (Project or Construction): Project

Payment Interval: N/A

Will the Department reimburse the ROW: False

*If "True" appears, the Department will reimburse
If "False" appears, the Department will not reimburse No*

Responsibilities:

Planning: Department

Design: Department

ROW: Municipality

Utilities: Department

Construction: Department

Maintenance: The Department shall maintain the Project upon completion. Sidewalk shall be maintained by the Municipality.

Agreement ID # 4542

NORTH CAROLINA

**LOCALLY ADMINISTERED PROJECT – STATE
CONTINGENCY AGREEMENT**

VANCE COUNTY

DATE: 03/24/2014

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

WBS Elements: 38404

CITY OF HENDERSON

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and City of Henderson, hereinafter referred to as the "Municipality".

WITNESSETH:

WHEREAS, the parties have agreed to make certain improvements within the Municipality under WBS Element 38404 in Vance County in accordance with the plans and specifications approved by the Department; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-66.3, Section 136-18 (24) and (27), Section 20-169, Section 160A-296 and Section 297, to participate in the planning and construction of the Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the Department and the Municipality have agreed that the jurisdictional limits of the Parties, as of the date of the awarding of the contract for the construction of the above-mentioned Project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

Agreement ID # 4542

1

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF PROJECT

1. The Project consists of the widening of SR 1228 (Chavasse Avenue) for curb and gutter and sidewalk, from US 1B to Young Avenue.

PHASES OF THE WORK:

2. The Department shall be responsible for the planning, design, utilities, construction and contract administration phases of the project. The Municipality shall be responsible for the right of way phase of the project. All work shall be done in accordance with Departmental standards, specifications, policies and procedures.

RIGHT OF WAY

3. The Municipality shall be responsible for acquiring any needed right of way and/or permanent easements required for said Project. If the Project is not to be constructed within the existing right of way, the Municipality will be responsible for any additional right of way or easements. Acquisition of right of way shall be accomplished in accordance with applicable policies, guidelines, statutes and the North Carolina Department of Transportation Right of Way Manual.

FUNDING

4. Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of state funds, the Department shall participate up to a maximum amount of Seven Hundred Thousand Dollars (\$700,000). The Municipality shall be responsible for any cost that exceeds the maximum amount unless other sources are identified within NCDOT and/or other funding sources.

MAINTENANCE

5. Upon completion of the Project, only those improvements within the state owned right of way shall be considered on the State Highway System and owned and maintained by the Department.

ADDITIONAL PROVISIONS

7. This Agreement is solely for the benefit of the identified parties to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.
8. The Municipality will indemnify and hold harmless the Department and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claims for damage and/or liability in connection with the right of way acquired for Project activities performed pursuant to this Agreement including construction of the Project. The Department shall not be responsible for any damages claims, which may be initiated by third parties.
9. All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.
10. Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by N.C. Gen. Stat. § 160A-20.1
11. "By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

12. The Municipality shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement and that no expenditure of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

APPROVED AS TO LEGAL FORM: CITY OF HENDERSON

BY: _____ BY: _____

CITY ATTORNEY: _____ TITLE: _____

DATE: _____

"N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization."

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Henderson

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

PRESENTED TO THE BOARD OF TRANSPORTATION ITEM O: _____

RESOLUTION 12-84

A RESOLUTION SUPPORTING COMPLETION OF THE WIDENING OF SR 1228 (CHAVASSE AVENUE) FROM US 1 BUSINESS (RALEIGH ROAD) TO SR 1143(S. WILLIAM STREET)

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

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

WHEREAS, the City Council resolved on 6 November 2006 to request release of funding in the total amount of \$700,000 to complete the widening of Chavasse Avenue; *and*

WHEREAS, the NCDOT prepared the design for the project and utility relocation was performed; *and*

WHEREAS, the design prepared by the NCDOT includes the installation of curb and gutter, sidewalk on the north side and widening to a width of 36'-0 (back to back of curb); *and*

WHEREAS, the City of Henderson City Council does understand that the Chavasse Avenue crossing would be closed as if the High Speed Rail project proceeds; *and*

WHEREAS, the remaining portion of Chavasse Avenue would still be used by nearby businesses and homes, as well as connecting future sidewalks to a new pedestrian crossing which would be built as a result of the High Speed Rail project.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE supporting the completion of the Chavasse Avenue widening project (SR 1228) by the NCDOT as indicated in *Attachment A* to this Resolution, and is appreciative of the NCDOT in retaining these funds to complete said project.

The foregoing Resolution 12-84, upon motion of Council Member Inscoe and second by Council Member Rainey, and having been submitted to a roll call vote received the following votes and was APPROVED on this the 8th day of October 2012: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Brown.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

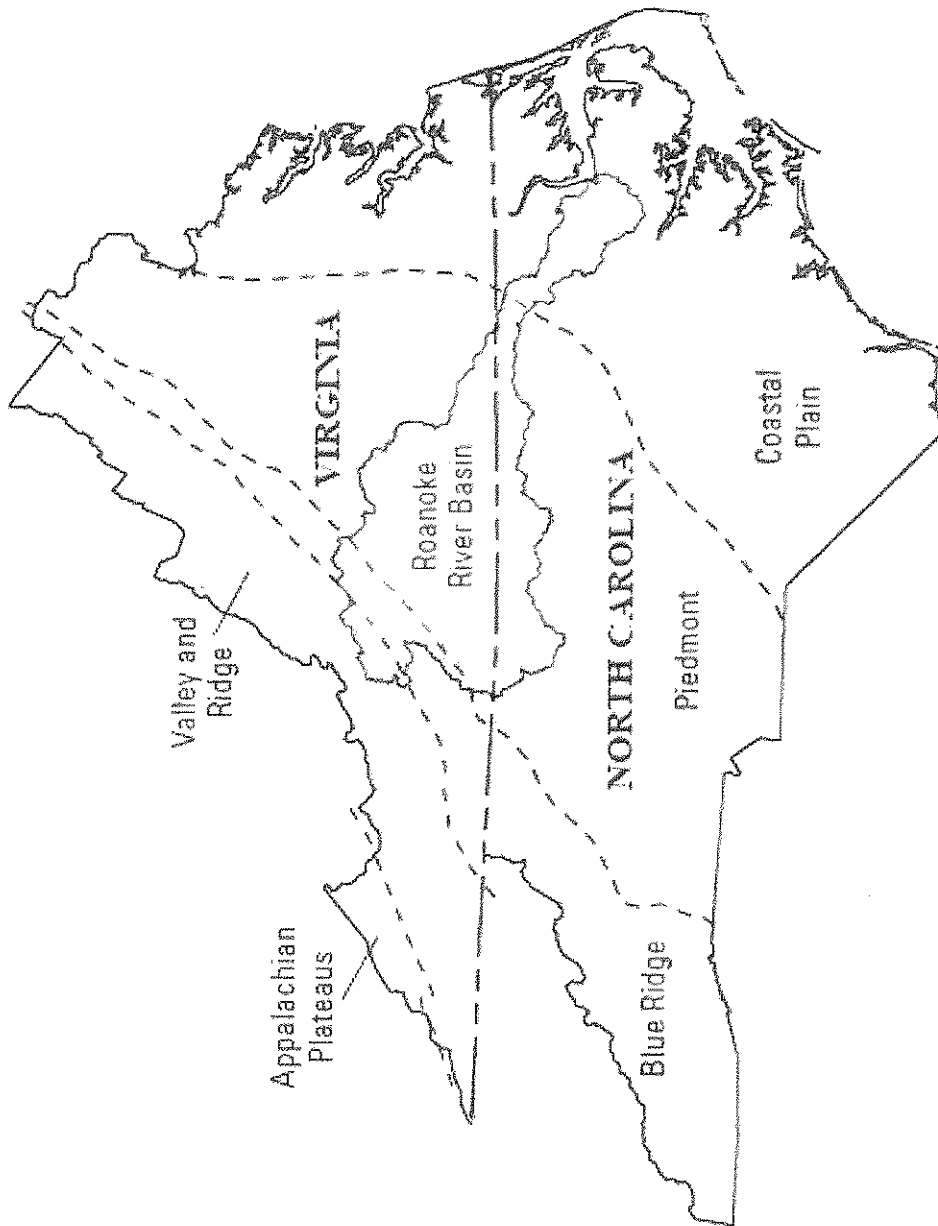
John H. Zollicoffer, Jr., City Attorney

Reference: Minute Book 42, p.618, CAF 12-124

Coal Ash Spill in the Dan River

1. There was a major coal ash spill into the Dan River on 02/02/14 from a coal ash pond at the Duke Power facility in Eden, N.C. The spill dumped 50,000 to 82,000 tons of coal ash and water into the River.
2. Duke Power contracted with Pace Analytical labs to conduct water test on samples from KLRWS water plant Raw and Finished Sample taps starting on 02/04/14 thru 02/10/14 at 4 hour intervals every day.
3. After the pipe line failure that caused the major spill was found. It was stated that 36 hours later there was still coal ash leaking into the river.
4. From 02/11/14 thru 02/28/14 Pace analytical Labs conducted sampling two times a day every day. The sampling ended on 02/28/14.
5. Also during these sampling periods the State and Federal agency over stream water quality did their own testing as well to make sure that no high levels of Toxic material above the State and Federal Limits were reached or exceeded.
6. The Toxic sludge contained Arsenic, selenium, lead, mercury, thallium and several other contaminants.
7. During all the Lab test there was never any limits above State and Federal levels detected.

8. Duke power submitted a plan to the State on how they were going to clean up the spill and the plan was approved by the State and the cleanup process has begun.
9. Currently, there is not testing being conducted in Clarksville, South Boston or Danville VA water plants. These are the three Water Plants that are downstream of the spill.
10. Regional Water's intake is approximately 10 miles from the main channel.



Ash Management

Our ash management plan

We are modernizing our generation fleet - transitioning to cleaner, more efficient energy sources. As part of this plan, we place a high priority on closing ash basins across the fleet once they are no longer needed. We are taking another look at our coal ash management and basin closure plans as a result of the event at our retired Dan River Steam Station after a broken stormwater pipe released coal ash into the river.

We have initiated a near-term engineering review of the ash basins to identify and address potential risks. In addition, a team is focusing its expertise and energy on identifying ways to strengthen the comprehensive ash management plan. Elements of the plan are included in the chart below.

All coal plant sites

We have initiated a near-term engineering review of the ash basins to identify and address potential risks. In addition, we are developing a comprehensive longer-term ash basin strategy including a review of the effectiveness of ash storage management and practices.

Retired coal plant sites

Scope of work: Accelerate ash pond water removal at all retired coal plants to minimize the potential risk of a discharge similar to the one that occurred at Dan River. We continue to evaluate the most appropriate way to close the ash basins at retired sites.

Timeframe: The water removal work would be completed within 24 to 36 months after receiving the required permits.

Dan River Response

Would you like more information about the Dan River response effort, water quality and well testing?

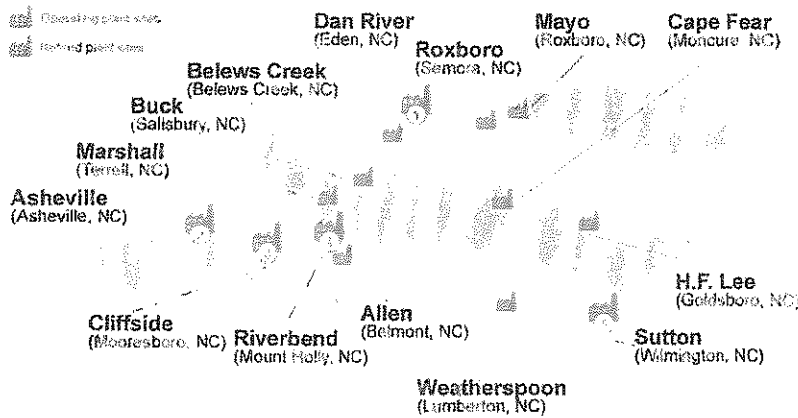
[Learn More \(dan-river\)](#)

About coal ash and ash basins

According to the U.S. Energy Information Administration, about 37 percent of all electricity generated in the United States comes from coal. All coal naturally contains inorganic matter from the rocks and minerals in the coal seam where it was mined.

Coal-fired power plants burn coal to make steam, and the steam turns turbines to generate electricity. When that coal is burned, the inorganic matter in the coal becomes coal ash.

[Learn more \(pdfs/CoalAshInNC.pdf\)](#) about the types, storage and reuse of coal ash.



Retired Dan River Plant Eden, NC

Scope of work: Permanently close the Dan River ash ponds and move ash away from the river for use as lined structural fill or to a lined landfill.

Timeframe: This work would start immediately upon confirming the destination for the ash and securing the necessary permits. Once those details are in place, we would expect to complete this work within 24 to 30 months.

Asheville Plant Asheville, NC

Scope of work: Continue moving ash from the site to a lined structural fill and look for similar ash reuse opportunities where allowed under upcoming coal ash regulations. We will also either convert to dry fly ash management or retire the units.

Timeframe: If the conversion to dry fly ash option is selected, this work would be completed within 30 to 36 months of receiving the necessary permits.

Cliffsides Plant Mooresboro, NC

Scope of work: Convert unit 5 to dry fly ash management or retire the unit.

Timeframe: If the conversion to dry fly ash option is selected, this work would be completed within 30 to 36 months of receiving the necessary permits.

Retired Riverbend Plant Mount Holly, NC

Scope of work: Move all ash from the retired plant away from the Catawba River. Like Dan River, we would seek to find a lined structural fill opportunity or a lined landfill for the ash.

Timeframe: Upon confirming the destination for the ash and receiving the proper permits, we would expect to complete this work within 48 to 54 months.

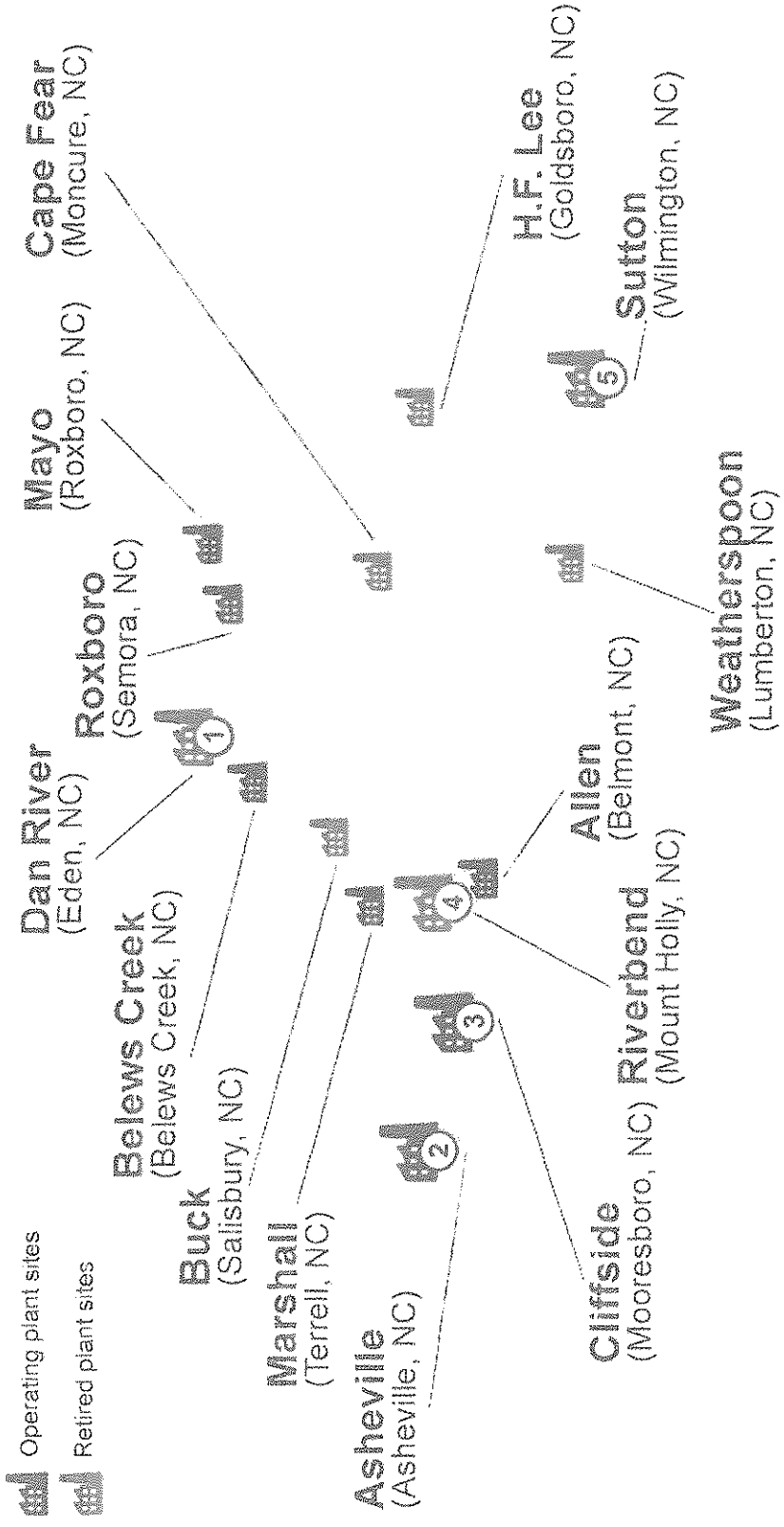
Retired Sutton Plant Wilmington, NC

Scope of work: Accelerate planning and closure of the ash ponds at the retired coal-fired plant. We will evaluate the possibility of using the ash from this site as lined structural fill, as well as other options.

Timeframe: We will submit a conceptual ash basin closure plan to the North Carolina Department of Environment and Natural Resources (DENR) within six months.

We will look for similar ash reuse opportunities where allowed under upcoming coal ash regulations from the Environmental Protection Agency. Implementing these near-term recommendations and longer-term plans depends on state and federal agreement that these are prudent, cost-effective and environmentally sound options.

For more than a century, the company has provided reliable and affordable electricity to our customers. Coal-fired power plants produced a good portion of that electricity. Throughout that time, Duke Energy has managed ash basins using industry standard technology and monitoring practices. The continued safe operation of ash basins is a top priority.



City Council Memo

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



Agenda Item: _____

Council Meeting: 23 Jun 2014 Work Session

20 June 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council
FR: A. Ray Griffin, Jr., City Manager
RE: CM: 14-24

Subject: Graffiti Update

Ladies and Gentlemen

Graffiti has plagued our community for many years which suggests the city is not conducive for growth and/or development, nor does it provide a safe environment for its citizens. As a result, the City Council adopted Ordinance 10-80 (*An Ordinance to Help Prevent the Spread of Graffiti Vandalism and for the Removal of Unauthorized Graffiti from Public and Private Property*) to provide additional enforcement tools to protect public and private property from acts of graffiti vandalism and defacement. With direction from the City Manager, the Police and Code Compliance Departments were appointed as the enforcement agents to bring forth compliance.

Through combine efforts, the Police and Code Compliance Departments have cited several properties, and the majority of the property owners have removed or painted over graffiti. The process or plan of action used is to periodically survey the city for areas vandalized by graffiti; then notify owners / businesses and allow time after receipt of notice to comply (10 days). Approximately 80% to 90% of property owners comply with graffiti removal within this timeframe.

Recently the Police and Code Compliance Departments surveyed the city for areas vandalized by graffiti. We notified eight (8) property owners and business, which is a 60% reduction in violations compared to the number of violations issued in 2013. There is still work to do in the area of eradicating graffiti within the City. However, through continued efforts we believe the number of violations will continue to decline.