



AGENDA

Henderson City Council Regular Meeting

Monday 10 November 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

Edward A. Wyatt, Interim City Manager
D. Rix Edwards, 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) 27 October 2014 Short Regular Meeting [See Notebook Tab 1]*
- b) 27 October 2014 Work Session*

VII. 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

VIII. OLD BUSINESS

- a) Consideration of Approval of Resolution 14-91, Approving the Settlement Agreement between the City of Oxford, Granville County, Warren County and the City of Henderson. (CAF 14-123) [See Notebook Tab 2]*

- Resolution 14-91

IX. NEW BUSINESS

- a) Consideration of Approval of Resolution 14-86, Authorizing the NC Wildlife Resources Commission to Apply for Permits for a Public Fishing Pier Construction Project at Fox Pond Park. (CAF 14-119) [See Notebook Tab 3]*

- Resolution 14-86

- b) Consideration of Approval of Resolution 14-73-A, Relaying Concerns on the Impact of I-85 Ramp Closures on Local Businesses and Public Safety and Requests for Certain Actions be Taken by the North Carolina Department of Transportation (NCDOT). (CAF 14-102-A) [See Notebook Tab 4]*

- Resolution 14-73-A

³ Citizen Comment Guidelines for Agenda Items

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.

- c) Consideration of Approval of Resolution 14-87, Ratifying and Approving the Mayor's Signature on Amendment #6 for the North Carolina Rural Economic Development Center Contract 2010-266-40101-112 Relative to the Replacement of the UV Disinfection System at Henderson Water Reclamation Facility. (CAF 14-118) [See Notebook Tab 5]
 - Resolution 14-87
- d) Consideration of Approval of Resolution 14-88, Authorizing the Execution of a Construction Contract for the Lakeview Drive Storm Sewer Replacement Project in the Amount of \$15,844 with M. T. Murphy, Inc. (CAF 14-120) [See Notebook Tab 6]
 - Resolution 14-88
- e) Consideration of Approval of Resolution 14-89, Respectfully Declining an Offer to Accept the Donation of Four Parcels of Land within City Limits. (CAF 14-121) [See Notebook Tab 7]
 - Resolution 14-89
- f) Consideration of Approval of Resolution 14-60, Endorsing the Concept of the Formation of the Henderson NC Preservation Committee in Relation to the Bennett Perry Memorial Museum. (CAF 14-78) [See Notebook Tab 8]
 - Resolution 14-60

X. CONSENT AGENDA

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

- a) Consideration of Approval of Resolution 14-86, Verifying the Ethics Policies for the City of Henderson's Elected Officials. (CAF 14-09) [See Notebook Tab 9]
 - Resolution 14-86
- b) Consideration of Approval of Resolution 14-81, Authorizing the Implementation of an "Adopt a Park" Policy for the Henderson-Vance Recreation and Parks Department. (CAF 14-112) [See Notebook Tab 10]
 - Resolution 14-81

- c) Consideration of Approval of Resolution 14-82, Adopting the 2015 City Council Meeting Schedule. (CAF 14-113) [See Notebook Tab 11]

- Resolution 14-82

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only speak on non-Agenda items only at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.⁴

XII. REPORTS

- a) Mayor/Mayor Pro-Tem (No Report)
- b) Interim City Manager (No Report)
- c) City Attorney (No Report)
- d) City Clerk
 - i. Meeting and Events Calendar [See Notebook Tab 12]
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report
 - iv. Finance Department
 - v. American Education Week Proclamation
 - vi. Home Health Month Proclamation

XIII. CLOSED SESSION

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

XIV. ADJOURNMENT

⁴ Citizen Comment Guidelines for Non-Agenda Items

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

City Council Minutes - DRAFT
Short Regular Meeting
27 October 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 Ray Griffin, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Engineering Director Clark Thomas, Development Services Director Corey Williams, Human Resources Director Cathy Brown, Police Chief Marcus Barrow, Fire Chief Danny Wilkerson, Assistant Fire Chief Steve Cordell, Battalion Chief Tim Twisdale Interim Recreation and Parks Director Steve Osborne and Executive Assistant Patricia Pearson.

CALL TO ORDER

The 27 October 2014 Short Regular Meeting and Work Session of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

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

INVOCATION AND PLEDGE OF ALLEGIANCE

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

Mayor O'Geary greeted everyone by saying it is good to see so many citizens present, along with staff.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. City Clerk McCrackin asked Council's permission to move the DOT presentation from last on the Work Session to just before the New Business as the DOT staff arrived earlier than expected. Council Member Rainey moved to accept the Agenda as adjusted. Motion was seconded by Council Member Daye and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Peace-Jenkins moved the approval of the 22 September Short Regular and Work Session Meeting minutes, 10 October 2014 Special Called Meeting minutes, and 20 October 2014 Recessed Special Called Meeting minutes of 10 October 2014, as presented. Motion seconded by Council Member Coffey, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

The Mayor asked Mr. Eddie Hicks, a part-time Recreation and Parks employee and native son, to come forward so he could be recognized specifically for his recent induction into the East Carolina University Hall of Fame and the thirty (30) plus years of service he has contributed to the City of Henderson. Mayor O'Geary read a proclamation which is incorporated by reference and hereby made part of these minutes. Mr. Hicks thanked Council and Mayor O'Geary for the recognition.

The Mayor then asked retiring City Manager A. Ray Griffin, Jr. to come forward and read a resolution which is incorporated by reference and hereby made part of these minutes. Mayor O'Geary also presented Mr. Griffin with a clock, a City of Henderson throw and a gift.

Mayor O'Geary then recognized North Carolina Senator Angela Bryant. Senator Bryant honored Mr. Griffin by presenting him with the North Carolina Cardinal award which Governor McCrory implemented this year as the highest service award for state/local government personnel. She was extremely complimentary of Mr. Griffin and wished him the very best.

Mr. Griffin then took a few moments to express his thanks. He said he tried to put his parting thoughts to poem but his muse has been most uncooperative. Mr. Griffin then said "There comes a time when one must say goodbye to those with whom he's worked and loved through these many years." He said retiring is harder than he expected, especially working with a Council that works so well together, plays well together and has accomplished so much together. Jokingly, he asked Senator Bryant if she could present an award from the Governor acknowledging this great Mayor and City Council. He then thanked Senator Bryant, along with Senator McKissick, Representative Baskerville and others for assisting in moving the Interbasin Transfer (IBT) project toward completion. Lastly, he thanked everyone for the opportunity to be part of the City and said it has been a pleasure and a high-nail in his professional career..

Mayor O'Geary called for a brief recess and invited everyone present to a short reception for retiring City Manager Griffin.

Mayor O'Geary reconvened the meeting at 6:45 p.m. and asked the City Clerk to begin with the Public Hearing.

PUBLIC HEARING

Amending Section 408 and 10-33.3 of the City Code and Zoning Ordinance Section 405.3 Relative to Signs. (Reference: CAF 14-30-A; Ordinance 14-18-A)

Development Services Director Corey Williams explained during prior discussions, Council requested further clarification from the Planning Board. The Planning Board met on 6 October 2014 and added language to the existing ordinance regarding policy and procedures to meet potential safety concerns. The ordinance presented this evening maintains the exemption for governmental sponsor signs and allows not-for-profits/civic organizations to erect signs with permission from the Council or the Zoning Administrator by issuance of a sign permit.

Council Member Rainey asked if the United Way signage would be considered exempt with approval from Council. Mr. Williams responded yes.

Council Member Daeke asked about right-of-way code, if there is a fine for non-compliance and when this ordinance will take effect. Mr. Williams responded there is a right-of-way code and yes, there is a fine already established within code and the ordinance takes effect upon approval by Council.

Council Member Peace-Jenkins asked if there is a fee for the necessary permit. Mr. Williams responded, depending on the situation, there is a fee. Council Member Daeke asked if the fee depends on the amount of the sign exists. Mr. Williams said traditionally the fee is based on square footage. Mr. Daeke encouraged Mr. Williams to consider a fee schedule. Council Member Kearney commented the fees could be based on Council's review.

Council Member Coffey asked Mr. Williams to correct the Planning Board's minutes to show Mr. Coffey making the motion to approve changes to this ordinance, not Ms. Coffey as she is not a member of the Planning Board.

With no further discussion, Mayor O'Geary opened the Public Hearing by asking if anyone was present who wished to speak in favor of this amendment. No one came forward so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to the amendment. No one came forward.

Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure.

Motion was made by Council Member Coffey to approve Ordinance 14-18-A, *Amending Section 408 and 10-33.3 of the City Code and Zoning Ordinance Section 405.3 Relative to Signs.* Motion

seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (*See Ordinance Book 9, p 99-A*)

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that one citizen wished to speak to Council on an agenda matter but would like to hear the DOT presentation first.

With agreement from Council, Mayor O'Geary then asked the City Manager for comments regarding the NCDOT's Update presentation.

Update on North Carolina's DOT Request for Temporary (60-90 days) and long term (5-10 months) Ramp Closures in Conjunction with Improvements to I-85 (I-0914BA).

City Manager Griffin asked Engineering Director Thomas to introduce the DOT's representatives. Mr. Thomas said there have been several meetings with the DOT and introduced Ms. Michelle Ward and Mr. Dennis Journigan who are here this evening to clarify and present the latest information regarding this project.

Mr. Journigan began by saying this is a \$140M project for two 10 mile portions of I-85 stretching from Henderson to the Virginia boarder. This project has been pre-approved for 2015 and he stressed the need to stay on schedule; otherwise, the project will have to go through the approval phase all over again. He and Ms. Ward then specifically explained the need for ramp closures and how the closures will affect traffic. They also discussed the problems associated with this project.

City Manager Griffin asked about the necessity of complete ramp closures and the response was the ramps need to be completely changed mainly due to changes in grade.

Council Member Kearney asked about where the traffic on RT 39 will be detoured and the response was onto Beckford to Garnett and/or Parham Road. Council Member Rainey asked specifically about traffic on Parham Road.

City Manager Griffin asked that the State seriously consider taking over Parham Road saying the City should not be asked to incur resurfacing costs because of the detours from this project. He specifically stated the City has no resurfacing funds and the additional traffic will certainly cause surface problems. Ms. Ward made a note of this request. Mr. Griffin also asked the State to look at the depressions on Beckford Drive in front of the Market Place (in the Operations Center area) and to address the "craters" in the Roanoke Avenue section of Beckford Drive.

Mr. Journigan and Ms. Ward said they would be happy to answer any other questions.

The couple from the DOT did impart good news by saying turn lanes will be placed at the Beckford/Graham Avenue intersections on all four corners. This is something that the City has been requesting for years and Mr. Griffin thanked them for this accomplishment.

There were none so Mayor O'Geary asked if they would look into these problems and report back. It was the consensus of Council for a report to be brought back at the next meeting as follows: YES: Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Mayor O'Geary then asked if the one citizen who wished to address Council would like to make any comments.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

Mr. Roger Cornett, 94 Crawley Road, Henderson As owner of ThermoKing, Mr. Cornett expressed concern regarding the ability of trucks (18 wheelers) to access his location as ThermoKing provides repair service specifically to refrigerated trucks.

There was a brief discuss between Mr. Cornett (and Mrs. Cornett) and the DOT representatives who indicated the detour would be clearly marked for the trucks to still get to their location in a timely manner.

Council Member Coffey empathized with the Cornett's saying she fully understood their concern.

NEW BUSINESS

Authorizing the Execution of Quitclaim Deeds for Several Properties Outside City Limits Recorded in Error as Jointly Owned City/County Properties. (*Reference: CAF 14-106; Resolution 14-77*)

City Manager Griffin explained this as a housekeeping matter as the properties were improperly recorded and after proper review by City Attorney John Zollicoffer, Jr., it is now appropriate for the City to relinquish said deeds for the following properties:

Quitclaim Deed – 1: Map #0303 02005, Home Land, Henderson NC recorded in Book 451 Page 605 in the Vance County Registry

Quitclaim Deed – 2: Parcel I.D. # 0111 03023; off Nicholas St., Henderson NC recorded in Book 395, Page 433 in the Vance County Registry.

Quitclaim Deed – 3: Parcel I.D. # 0066 050003, 181 Ft. St. Matthews St., Henderson recorded in Book 164, Page 46 in the Vance County Registry.

Quitclaim Deed – 4: Parcel I.D. # 0111 01018, Chavasse Land, Henderson NC recorded in Book 805, Page 697 in the Vance County Registry.

Quitclaim Deed – 5: Parcel I.D. # 0068 02052, 412 Bobbitt Street, Henderson NC recorded in Book 631, Page 566 in the Vance County Registry.

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

Motion was made by Council Member Rainey to approve Resolution 14-77, *Authorizing the Execution of Quitclaim Deeds for Several Properties Outside City Limits Recorded in Error as Jointly Owned City/County Properties*. Motion 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. (*See Resolution Book 4, p ***)

Authorizing the Execution of Change Order #5 for the Henderson Water Reclamation Facility Project to Devere Construction Company, Inc. in the Amount of \$22,825.16, and FY15 Budget Amendment #13, Amending the CIP Sewer Fund for Change Order #5 to the Water Reclamation Facility Renovation Project. (*Reference: CAF 14-109; Resolution 14-79, Ordinance 14-49*)

Assistant City Manager Frazier began by saying this change order consists of grading and drainage changes due to revisions in parking and asked Mr. Doug Chapman from McGill Associates to explain further. As Mr. Chapman was coming forward, Mr. Frazier said approximately \$438,087 remains in contingency funds for this project. Mr. Chapman said there is an area near the new maintenance building that can be paved and used for eight (8) parking spaces but will need some grading work. He felt this would add value to the area.

Council Member Inscoe asked if this could wait until further into the project. Mr. Chapman said yes.

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

Motion was made by Council Member Rainey to approve Resolution 14-79, *Authorizing the Execution of Change Order #5 for the Henderson Water Reclamation Facility Project to Devere Construction Company, Inc. in the Amount of \$22,825.16, and Ordinance 14-49, FY15 Budget Amendment #13, Amending the CIP Sewer Fund for Change Order #5 to the Water Reclamation Facility Renovation Project*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Simmons, Daye, and Kearney. NO: Inscoe and Coffey. ABSTAIN: None. ABSENT: None. (*See Resolution Book 4, p 105, Ordinance Book 9, p 45*)

Authorizing a Contract with Locklear, Locklear & Jacobs in Assisting the City with a Grant Application in Conjunction with an EPA Brownfields Assessment Grant. (*Reference: CAF 14-89, Resolution 14-51*)

Engineering Director Thomas said from previous discussions, Council felt that this could have potential benefits to the City in identifying various properties with environmental concerns. An RFP was advertised with Cardno and Locklear, Locklear and Jacobs, PLLC responding. Based

on references and other information submitted staff recommends granting Locklear, Locklear and Jacobs, PLLC the opportunity to work with the City. There is no cost for the service and it may create the possibility of receiving up to \$200,000 in grant funding.

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

Motion was made by Council Member Coffey to approve Resolution 14-51, *Authorizing a Contract with Locklear, Locklear & Jacobs in Assisting the City with a Grant Application in Conjunction with an EPA Brownfields Assessment Grant*. Motion seconded by Council Member Kearney, and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney, Coffey and Inscoc. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 49)

CONSENT AGENDA

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

Authorizing the Execution of a Right of Way Agreement with the North Carolina Department of Transportation in Conjunction with the I-85 Improvement Project I-0914BA. (Reference: CAF 14-111, Resolution 14-80) This action allows the purchase of property adjacent to I-85/Andrews Avenue Right of Way needed by the NCDOT to perform construction in this area. The offer is based on the appraisal of \$2,920 which will be evenly split between the City and County. The Vance County Commissioners will be considering this action at its October Board meeting. (See Resolution Book 4, p 107)

Establishing a Budget for the Lease Purchase Financing Agreement with SunTrust Equipment Finance & Leasing Corp. (Reference: CAF 14-73-A, Ordinance 14-25, FY15 Budget Amendment #14) The purchase of five vehicles (one Ford Interceptor Utility Vehicle and two Dodge Chargers for the Police Department) and (two Ford Interceptor Utility Vehicles for the Fire Department) was approved at Council's 22 September 2014 meeting. This action establishes the budget for the lease purchase proceeds (\$149,712) and the corresponding capital expenditures by the Police/Fire departments. There is a difference between the budgeted lease payment and the actual lease payment of \$2,870 for one year which will be moved to the Non-Departmental Reserve account. (See Ordinance Book 9, p 113)

Removing City Manager A. Ray Griffin, Jr., as Deputy Clerk and as Signatory for the City of Henderson. (Reference: CAF 14-115; Resolution 14-84) City Manager Griffin will retire effective end of day 31 October 2014. It is now appropriate to remove Mr. Griffin as Deputy City Clerk and as a signer on the City accounts at First Citizens Bank. Mr. Griffin will also relinquish the First Citizens Credit Card issued in his name. (See Resolution Book 4, p 115)

Tax Releases and Refunds from Vance County for the Month of September 2014.
(Reference: CAF 14-110) Below are the tax releases and refunds which were found to be in order by the Finance Director for the month of September 2014.

| Sept 2014 Tax Releases & Refunds | | | |
|-------------------------------------|--|----------|------------|
| Name | Reason | Tax Year | Amount |
| Real & Personal Property | | | |
| Releases | | | |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2003 | 22.14 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2003 | 13.85 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2004 | 23.23 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2004 | 36.86 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2004 | 14.53 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2005 | 24.32 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2005 | 38.59 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2005 | 15.21 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2006 | 24.32 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2006 | 38.59 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2006 | 15.21 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2007 | 24.32 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2007 | 38.59 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2007 | 15.21 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2008 | 22.54 |
| Richardson, Hattie M Heirs | Taxes Lost to Foreclosure | 2008 | 107.29 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2008 | 52.09 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2008 | 24.30 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2009 | 23.34 |
| Richardson, Hattie M Heirs | Taxes Lost to Foreclosure | 2009 | 111.09 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2009 | 53.94 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2009 | 25.16 |
| Matthews, Donald | Personal Prop Billed in Error | 2010 | 34.78 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2010 | 23.34 |
| Richardson, Hattie M Heirs | Taxes Lost to Foreclosure | 2010 | 111.09 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2010 | 53.94 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2010 | 25.16 |
| Matthews, Donald | Personal Prop Billed in Error | 2011 | 34.78 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2011 | 23.36 |
| Richardson, Hattie M Heirs | Taxes Lost to Foreclosure | 2011 | 111.11 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2011 | 53.91 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2011 | 25.15 |
| Matthews, Donald | Personal Prop Billed in Error | 2012 | 34.78 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2012 | 23.36 |
| Richardson, Hattie M Heirs | Taxes Lost to Foreclosure | 2012 | 111.11 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2012 | 53.91 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2012 | 25.15 |
| Matthews, Donald | Personal Prop Billed in Error | 2013 | 36.86 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2013 | 24.76 |
| Richardson, Hattie M Heirs | Taxes Lost to Foreclosure | 2013 | 117.76 |
| Richardson, Hattie M Heirs | City Weed Abatement Lien Lost to Foreclosure | 2013 | 200.00 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2013 | 57.14 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2013 | 26.65 |
| Sneed, Mary | Personal Prop Billed in Error | 2013 | 36.86 |
| Cranz, John W | Correct Ownership | 2014 | 355.99 |
| Fisher of Men Church | Religious | 2014 | 174.84 |
| Galarza, Bulmaro Rodriguez | Personal Prop Billed in Error | 2014 | 31.21 |
| Greene, Karen | Correct Ownership | 2014 | (146.10) |
| Inshore Properties, LLC | Correct Ownership | 2014 | (1,127.90) |

September 2014 Tax Release & Refunds Continued

| | | | |
|--|-------------------------------|------|-----------------|
| Julius, Thurston Barber | Personal Prop Billed in Error | 2014 | 6.17 |
| McGregor, Minerva F | Real Prop Billed in Error | 2014 | 86.49 |
| Moran Foods Inc | Correct Ownership | 2014 | (2,727.67) |
| Navarette, Jose Maurice | Correct Ownership | 2014 | (36.86) |
| Navarro, Roberto | Correct Ownership | 2014 | 36.86 |
| Parker, David E. | Correct Ownership | 2014 | 146.10 |
| Pettaway, Hattie Heirs | Taxes Lost to Foreclosure | 2014 | 24.76 |
| Richardson, Arline A | Taxes Lost to Foreclosure | 2014 | (695.46) |
| Richardson, Hattie M Heirs | Taxes Lost to Foreclosure | 2014 | 117.76 |
| Ricks, Mary | Taxes Lost to Foreclosure | 2014 | 57.14 |
| Rogers & Franklin Dev. | Correct Ownership | 2014 | 197.81 |
| Rogers, John Clifton | Correct Ownership | 2014 | 930.09 |
| Rowland, Deborah | Taxes Lost to Foreclosure | 2014 | 26.65 |
| Tarheel Regional Community | Charitable Organization | 2014 | 196.55 |
| Tharrington, Walter De | Correct Ownership | 2014 | 339.47 |
| Vance Granville Comm. College | Education (Government) | 2014 | 28.58 |
| Total R&P Property Releases | | | 32.16 |
| | | | |
| Real & Personal Property | | | |
| Refunds | None reported | | 0.00 |
| Total R & P Property Refunds | | | 0.00 |
| Total R&P Prop. Rel. & Ref. | | | \$ 32.16 |
| | | | |
| Vehicle Releases | | | |
| Harris, Lucille Harris | Correct Situs | 2011 | 34.45 |
| Harris, Lucille Harris | Correct Situs | 2013 | 33.99 |
| Henderson, Henry | Pro-Rate | 2013 | 0.61 |
| Williams, Georgette Marie | Transfer Out | 2013 | 48.07 |
| Total Vehicle Releases | | | 117.12 |
| | | | |
| Vehicle Refunds | None reported | | - |
| Total Vehicle Refunds | | | - |
| Tot. Veh. Rel. & Ref. | | | 117.12 |
| | | | |
| Total All Releases & Refunds | | | 149.28 |

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

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Mr. Gary Morgan, P.O. Box 2301, Henderson Mr. Morgan brought a proposal before Council regarding his thoughts on housing redevelopment and read scripture to encourage Council to fast and pray.

REPORTS

a) Mayor/Mayor Pro-Tem

Mayor Pro-Tem Rainey said he and Council Member Kearney both attended a ribbon cutting ceremony for the new tree houses at the Girl Scouts' Camp Graham

b) City Manager

Mr. Griffin said the KLRW Advisory Board met this morning with C2Hill representatives regarding the IBT project which is now moving forward thanks to the efforts of NCDENR Secretary Scala, Mr. Tom Reeder, Senator Bryant, Representative Baskerville and others. It is anticipated a permit will be issued sometime between March and May of 2015.

Mr. Griffin said the City has met with the County regarding the water extension and a written request from the County is expected in the near future for Council's consideration.

Lastly, Mr. Griffin said although not officially on the payroll, Interim City Manager Wyatt has been busy meeting staff and learning about key issues. Mr. Wyatt said he is delighted to be back.

c) City Attorney (No Report)

d) City Clerk (No Report)

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

CLOSED SESSION

Council Member Daeke moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for two Attorney-Client Privilege Matters, one of which regards the Oxford lawsuit. Motion seconded by Council Member Rainey and unanimously approved.

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

With no further business, Mayor O’Geary asked if Council is prepared to adjourn and go into the Work Session

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Peace-Jenkins and unanimously approved. The meeting adjourned at 8:50 p.m.

James D. O’Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk

City Council Minutes--DRAFT
Work Session
27 October 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 Daeke, Fearldine A. Simmons and George M. Daye.

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Engineering Director Clark Thomas, Development Services Director Corey Williams, Human Resources Director Cathy Brown, Police Chief Marcus Barrow, Fire Chief Danny Wilkerson, Assistant Fire Chief Steve Cordell, Battalion Chief Tim Twisdale and Interim Recreation and Parks Director Steve Osborne.

CALL TO ORDER

The 27 October 2014 Work Session of the Henderson City Council was called to order by Mayor O'Geary at 8:50 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

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

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. The agenda was unanimously approved as presented.

WORK SESSION ITEMS

Adopting the Proposed Employee Personnel Manual. *(Reference: CAF 14-72, Resolution 14-24)*

Human Resources Director Brown explained the last comprehensive Personnel Policy manual was adopted sometime around 1998. Over the last five (5) years some changes have been made as needed but as part of the Pay Classification Study completed by The MAPS Group an updated draft is now being developed. Ms. Brown then pointed out specific areas of change that she wanted Council to note. They were as follows: Article 3, Section 13, 16, and 19; Article 5, Section 2, 12, 13-15, Article 8, Section 7, 8, 13, 14, and 16 and Article 11, Section 1.

When Ms. Brown mentioned changes to the per diem when traveling, Council Member Daeke asked what the change is based on. Mr. Griffin said it is just a more reasonable amount for current conditions.

Council Member Inscoe asked if the new funeral leave portion of the policy was for immediate family and Council Member Coffey asked if this policy includes all the new laws regarding “family.” Ms. Brown said the leave is only for immediate family and if an employee had documentation of a legal spouse, the policy will apply.

Council Member Daeke asked if the policy has been reviewed by the Human Resources Committee. City Manager Griffin responded it was hoped to have this policy prepared for consideration in September which was impossible so in an effort to complete the policy, he consulted with the Human Resources Chairman Rainey and it was felt a decision by the Committee as a Whole would be appropriate. However, Council certainly has the option of asking the Human Resources Committee to approve the policy before final approval by Council.

Mayor O’Geary asked for Council’s pleasure. It was the consensus of Council to move forward with this to the November meeting as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Amending Section 7-64.0 of the City Code Relative to Declaration as to Certain Intersections and Section 7-49, Declaration as to Certain Streets. *(Reference: CAF 14-92, Ordinance 14-41)*

Assistant City Manager Frazier said these issues have been brought before Council earlier. The first portion of this amendment deals with the intersection of Chestnut and Young Street. The City has requested a signal warrant study which will be performed by BHV Consultants of Raleigh and the findings will be brought back to Council. Currently the stop signs seem to be working effectively. Mr. Frazier said there may be funds received from the insurance companies of the parties involved in the accident which could partially cover the cost of removing the traffic signals.

Next Mr. Frazier spoke about the South Park/Beckford Drive intersection where Council has expressed concern about the “pork chop” and traffic in/out of the Farmers Market. After

speaking with the NCDOT, it is anticipated the DOT will prohibit left hand movement from and to South Park Drive and have asked for the City's support in having the local Police Department enforce the change.

Council Member Kearney commented that it seems like North Park Drive should be South Park Drive and South Park Drive should be North Park Drive.

Council Member Inscoc asked about the pork chop at the ABC Liquor Store. Mr. Frazier said he believed that was installed by the property owner. He also asked about the sandbags holding the Stop sign on Corbitt Street. Mr. Frazier said the new signs have just arrived and will be replaced as soon as possible.

Next Mr. Frazier addressed the change from one-way to two-way on Oak Street. This request came from the Fire Department and Fire Chief Wilkerson said this is a major concern of his as people often travel the one-way street the wrong way. He added being able to use two different streets would save wear and tear on the fire truck tires. Chief Wilkerson has spoken to the Superintendent of Schools, Mr. Gregory who has written a letter of support for returning Oak Street to two-way traffic.

Council Member Daeke asked what the original reason was for making Oak Street one way. The response was the school system had concerns about loading/unloading students from vehicles.

Lastly, Mr. Frazier said the citizen who requested handicap parking in downtown was mainly concerned about the parking in the rear of the building near the railroad track which the City has no jurisdiction over. Mr. Frazier does plan to speak to the Downtown Development Commission about the possibility of creating handicap parking on Garnett Street.

Council Member Coffey asked about the hole on Belle Street. Mr. Frazier said the needed pipe has been ordered and it will be replaced just as soon as the pipe arrives.

Mayor O'Geary asked for a consensus to move forward with these four issues and Council responded as follows: YES: Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Adopting the 2015 City Council Meeting Schedule. (*Reference: CAF 14-113, Resolution 14-82*)

City Manager Griffin explained this is a routine matter of scheduling the 2015 meeting dates so the City Clerk can post the information.

There was no discussion and when Mayor O'Geary asked for a consensus to adopt the 2015 meeting schedule as present. Council's response was affirmative as follows: YES: Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Authorizing the Implementation of an “Adopt a Park” Policy for the Henderson-Vance Recreation and Parks Department. *(Reference: CAF 14-112, Resolution 14-81)*

Interim Recreation and Parks Director Osborne said he was approached by a civic organization/church about adopting a park – specifically Owen Davis Park. He would like to see this policy (which has been reviewed and approved by the City Attorney) approved so others can partner with the department to help with maintenance, cleanliness, etc. of additional parks.

Council Member Inscoe asked about set guidelines and Council Member Rainey asked about insurance/liability. City Manager Griffin said the policy and program has been reviewed and approved by City Attorney D. Rix Edwards.

Council Member Kearney said Ms. Sheila Simmons who keeps a close eye on Kings Kids Park has had some health issues and that park may need additional supervision.

Council Member Daeke asked if consideration would be given to the possibility of these groups wanting to put up signage and Council Member Inscoe asked Mr. Osborne to find ways to publicize this policy once it is approved so other groups can become involved.

Mayor O’Geary asked for a consensus and Council’s response to move forward with this was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Verifying the Ethics Policies for the City of Henderson’s Elected Officials. *(Reference: CAF 14-09, Ordinance 14-52)*

City Manager Griffin said the State of North Carolina now requires local elected officials to adopt an ethics policy. The School of Government created a model which was used in drafting this policy which puts Council in full compliance with the State law.

There were no questions and it was the consensus of Council to move forward with this issue as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Youth Protection Ordinance Report *(No References)*

Police Chief Barrow reviewed the statistics of juvenile activity in 2013-2014 and said there were only four (4) juveniles that truly violated the ordinance. He said this ordinance was created for the protection of juveniles rather than to be a punitive ordinance. He said the ordinance was created to help parents be parents.

Council Member Peace-Jenkins asked if the ordinance is as effective now as it was when it was created. Chief Barrow responded he was not finding the issues as bad now as when the ordinance was created. He referenced a time when kids were bouncing from place to place without a purpose which does not seem to occur now. He did say anti-graffiti paint has helped

and plans to revisit issues of overgrown vegetation in certain areas which could create the same type of problems in the future since kids used the overgrowth as places to hide.

Council Member Rainey asked what citizens should do when kids are walking down the middle of the road. Chief Barrow said citizens should call the police. He added this does not seem to be a repeat offender issue.

Council Member Peace-Jenkins asked about the 17 and older segment. Chief Barrow said that is another issue and said he is more than willing to work with those who want help to stay off the wrong path. Ms. Peace-Jenkins thanked the Chief for the update.

No action will be taken at this time.

Installation of Water Spray Park (CM 14-28-B)

Interim Recreation and Parks Director Osborne said the Henderson/Vance Recreation and Parks Commission have discussed this possibility and expressed three main concerns: 1) it is not a high priority in the Master Plan; 2) due to possible vandalism, the spray park should not be located anywhere other than at the Aycock Center and 3) the spray park should be constructed at Aycock where it could be easily monitored and the staff at Aycock is certified as pool operators.

Council Member Daeke said this defeats his purpose of providing a park where kids could go that do not have the ability to travel to the Aycock Center. He was disappointed with the Commission's decision and also disappointed with the newspaper report saying the article was very negative. He then challenged Mr. Osborne and the Commission to think outside the box and come up with a transportation plan to get kids to the Aycock Center.

Council Member Simmons said Aycock Center is nice but she was at a soccer game recently and found the bathrooms embarrassing. She said anyone from out of town (teams, etc.) would certainly be offended by what she saw.

No action will be taken at this time.

Chavasse Avenue and Beckford Drive Widening Projects Update. (CM 14-34)

Assistant City Manager Frazier said there has been a setback on the Chavasse Avenue project in that there has been a modification in the State plans which now require one right-of-way to be re-signed. He added it was anticipated the project would begin this October/November; however, the DOT does not want to start this project now due to winter weather so they anticipate taking bids in early 2015, subject to funding approval by both the DOT and the City.

Regarding the Beckford Drive project, Mr. Frazier said papers have been filed with the Court to proceed with the condemnation process necessary before the project can proceed.

No action is needed at this time.

LED Street Light Change Out (CM 14-35)

Mr. Frazier said Duke Energy Progress has started converting the mercury vapor street lights as well as other lights that have been in place for 20 years or more with LED lights. There is a \$50 fee to change out lights less than 20 years old and Mr. Frazier advised there are approximately 200 of these newer lights. According to Duke Energy Progress the cost of changing these lights can be recouped within a relatively short span and staff recommends going forward with the change out. The anticipated total cost to change out street lights less than 20 years is \$10,000 and the City Manager said this could be handled administratively is Council approves.

Council Members Inscoe and Kearney said this should be approved.

Mayor O'Geary asked for a consensus of Council to approve changing out street lights less than 20 years old and that this would be handled administratively. Council's response was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

City Manager Griffin now asked for permission to address Council since this is his last meeting. He again thanked Council so very much for the opportunity to work with each of them. He said he has enjoyed serving the City of Henderson and is glad his career as City Manager is ending in Henderson.

There were no other questions or comments so Mayor O'Geary asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Peace-Jenkins and unanimously approved. The meeting adjourned at 9:50 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov 14 Regular Meeting

6 November 2014

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

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

RE: CAF: 14-123

Consideration of Approval of Resolution 14-91, Approving the Settlement Agreement between the City of Oxford, Granville County, Warren County and the City of Henderson.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **CV 7: Teamwork and Collaborative Efforts:** *We value teamwork and collaborative efforts with our fellow workers, stakeholders, and partners and believe that through such efforts we will be able to achieve our goals and objectives.*

Recommendation:

- Approval of Resolution 14-91, Approving the Settlement Agreement between the City of Oxford, Granville County, Warren County and the City of Henderson.

Executive Summary:

The City of Henderson entered into an agreement with Granville County on 29 December 2011, known as the Utility Sales Agreement, to sell drinking water to Granville County for the purpose of allowing Granville County to re-sell that water to future tenants of the Triangle North Industrial Park. On 27 August 2013, the City of Oxford filed suit stating the Utility Sales Agreement represented a breach of the Kerr Lake Regional Water System's 4th Amendment which expressly provides that the City of Oxford is entitled to control the taps and collect all revenue for drinking water that originates from the System and is consumed in Granville County.

This Settlement Agreement has been reviewed by City Attorney Zollicoffer and states the City of Henderson, City of Oxford and Warren County will execute a KLRWS 5th Amendment and that Granville County and the City of Henderson shall execute a Termination of Utilities Sales Agreement. The agreement has been discussed by Council in Closed Session and the consensus of Council was to accept the Settlement Agreement.

This action formally accepts the Settlement Agreement, which will become effective as of execution date by all parties.

Enclosure:

1. Resolution 14-91
2. Settlement Agreement
3. Fifth Amendment to Agreement

RESOLUTION 14-91

A RESOLUTION TERMINATING THE UTILITIES SALE AGREEMENT BETWEEN CITY OF HENDERSON AND GRANVILLE COUNTY

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 as well as twelve Core Values (CV); *and*

WHEREAS, this Resolution addresses **CV 7: Teamwork and Collaborative Efforts**: We value teamwork and collaborative efforts with our fellow workers, stakeholders, and partners and believe that through such efforts we will be able to achieve our goals and objectives.

WHEREAS the City of Henderson entered into an agreement with Granville County on 29 December 2011, known as the Utility Sales Agreement in which Henderson agreed to sell drinking water to Granville County for the purpose of allowing Granville County to re-sell that water to future tenants of the Triangle North Industrial Park, *and*

WHEREAS the City of Henderson and Granville County were named defendants in litigation filed by the City of Oxford on 27 August 2013; *and*

WHEREAS, a proposed Settlement Agreement has been reviewed by the Henderson City Attorney and brought before Council in Closed Session; *and*

WHEREAS, the Settlement Agreement states a Fifth Amendment to the Kerr Lake Regional Water System Agreement shall be executed by Oxford, Henderson and Warren County, and Granville County and Henderson shall execute a Termination of Utilities Sales Agreement.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the terms of the Settlement Agreement as presented and being more fully articulated in “Attachment A” to this Resolution; *and*

BE IT FURTHER RESOLVED Council authorizes the Mayor to sign the Settlement Agreement subject to the approval of Granville County, Warren County and the City of Oxford.

BE IT FURTHER RESOLVED Council authorizes the City Attorney to make any minor, non-substantive changes; contingent upon all parties approving the same agreement and effective upon execution of the Agreement by all parties.

The foregoing Resolution 14-91, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of ***** 2013: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 43, pp. **, CAF 14-123*

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov 14 Regular Meeting

4 November 2014

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 14-119

Consideration of Approval of Resolution 14-86, Authorizing the NC Wildlife Resources Commission to Apply for Permits for a Public Fishing Pier Construction Project at Fox Pond Park

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 7: To Expand Leisure and Cultural Services, Programs and Facilities
- KSO 8: Provide Financial Resourcing

Recommendation:

- Approval of Resolution 14-86, Authorizing the NC Wildlife Resources Commission to Apply for Permits for a Public Fishing Pier Construction Project at Fox Pond Park

Executive Summary

The NC Wildlife Resources Commission approached the Henderson-Vance Recreation and Parks Commission with an offer to construct a public fishing pier, handicapped parking spaces and an ADA walkway at Fox Pond Park.

This fishing pier, parking spaces, and walkway will greatly enhance the aesthetics of Fox Pond Park and will allow citizens the ability to enjoy fishing from a pier that juts out into the pond. The construction of this pier will be 100% funded by the NC Wildlife Resources Commission, however, the yearly maintenance and stocking of the fish feeding stations will be approximately \$4800, of which \$3,600 will also be funded by the NC Wildlife Resources Commission or 75% of this annual fee.

Attachments:

1. Resolution 14-86
2. Design Plans
3. Recreation and Parks Commission Minutes Feb 9, 2011
4. NC Wildlife Resources Commission email

RESOLUTION 14-86

SUPPORT THE NC WILDLIFE RESOURCES COMMISSION APPLYING FOR PERMITS FOR A PUBLIC FISHING PIER CONSTRUCTION PROJECT AT FOX POND PARK

WHEREAS, the Henderson City 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 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 NC Wildlife Resources Commission has offered to construct a public fishing pier, handicapped parking spaces and an ADA walkway at Fox Pond Park; *and*

WHEREAS, the Henderson-Vance Recreation and Parks Commission supports this plan; *and*

WHEREAS, funding for this project will be supplied by the NC Wildlife Resources Commission.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY approve the NC Wildlife Commission applying for permits in order to construct said public fishing pier, handicapped parking spaces and an ADA walkway from the parking spaces to the fishing pier.

The foregoing Resolution 14-86, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of ***** 2014: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

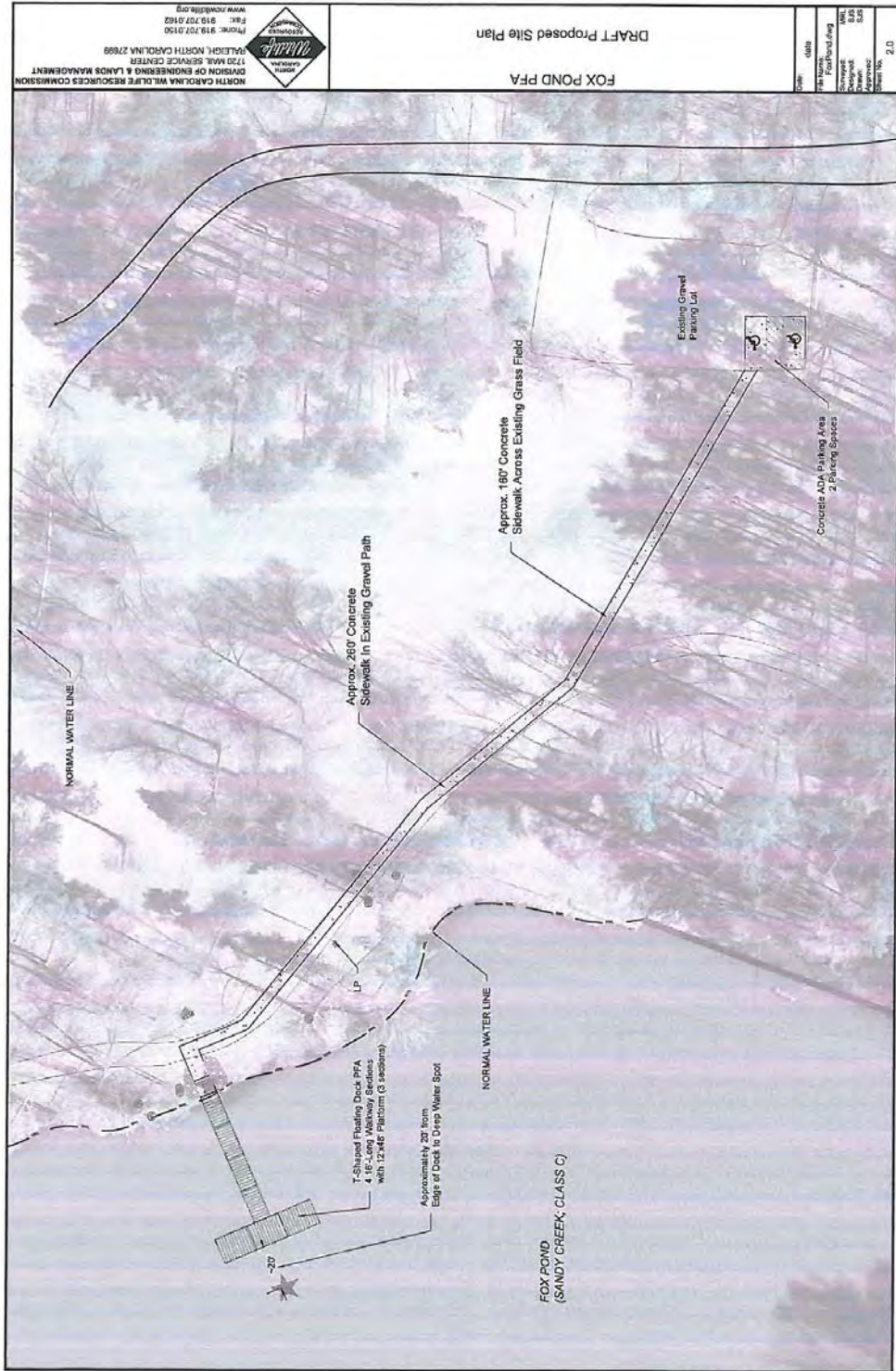
ATTEST:

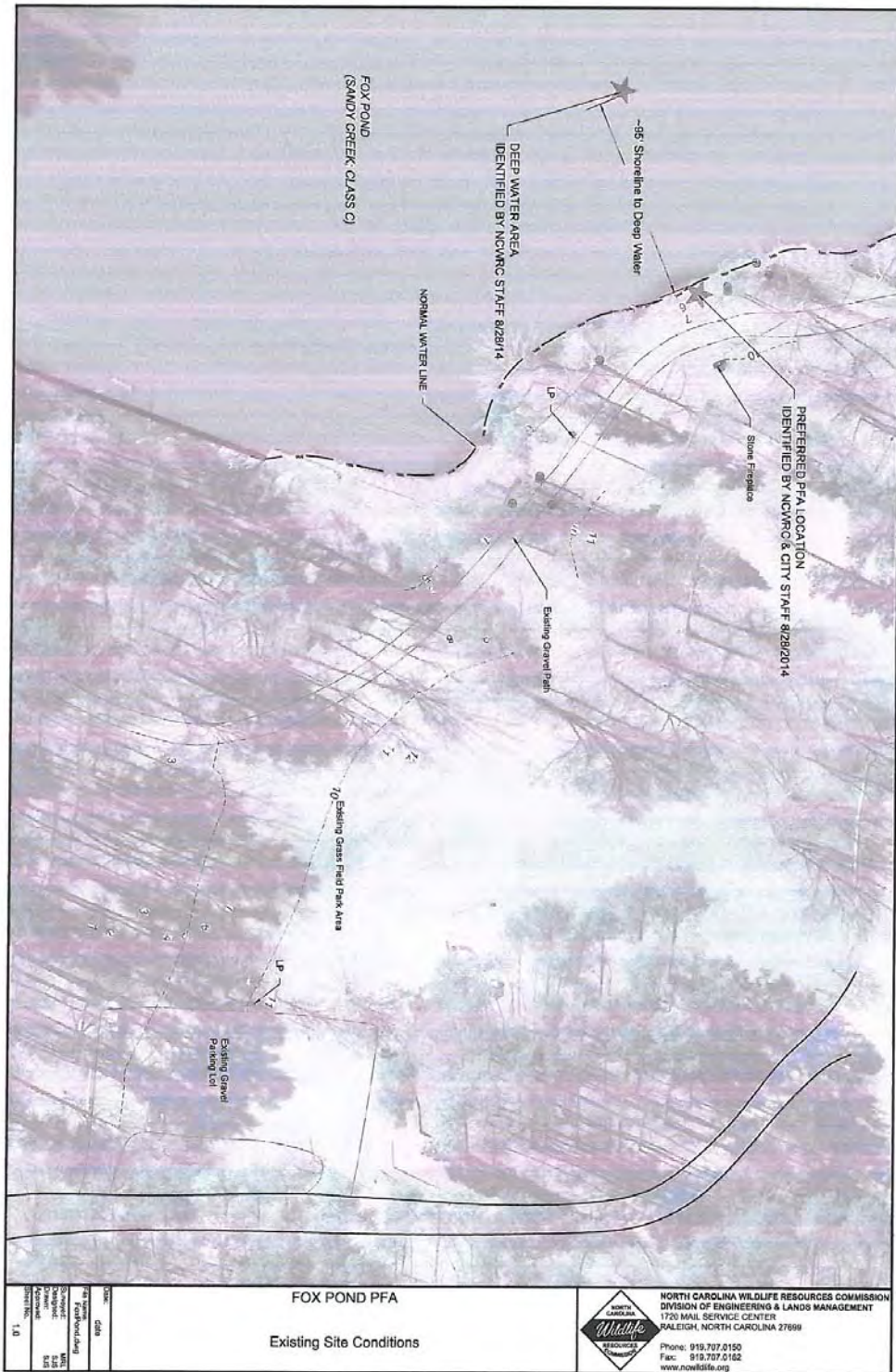
Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney


*Reference: Minute Book 44, pp. **, CAF _____*





| | |
|----------|---------------|
| DATE | 02/18 |
| BY | Eastwood King |
| PROJECT | MALE |
| NO. | 118 |
| APPROVAL | 1.0 |

FOX POND PFA
Existing Site Conditions


NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
 DIVISION OF ENGINEERING & LANDS MANAGEMENT
 1720 MAIL SERVICE CENTER
 RALEIGH, NORTH CAROLINA 27699
 Phone: 919.707.0150
 Fax: 919.707.0162
 www.nowildlife.org

**Henderson/Vance
Recreation and Parks Commission**

*** Minutes *
February 9, 2011
Aycock Recreation Center**

Present

Randy Oxendine, Chair
George Watkins
Vernon Brown
James Kearney
Melvin Gray
Nancy Ormond
Jeff Tate
Scott Fuller
Kevin Collins

Absent

Kevin Boone
Melissa Jones
Zachary Ayscue

Staff

Alan Gill
Pam Stevenson
Gene King
Lauren Harris
Steve Osborne

Randy Oxendine, Chairman, called the meeting to order.

November minutes were approved (Dec. cancelled - Jan. no quorum)

New Business:

Program Up-Dates:

Lauren reported for Julie on the up-coming Senior Games. On April 3rd, Shuffleboard will be played at the Aycock Rec. Center. Other games such as Badminton, Croquet and Table Tennis will be played on April 26th at the Aycock Rec. Center as well.

The Henderson Rec. Players planning committee is in the process of deciding what plays to perform this year.

Steve Osborne said that the basketball season will finish on Feb 25th or March 3rd. Baseball/softball sign-ups will start on March 5th and end on March 10th. The season will begin around mid-April. The cost of registration is \$40.00.

Melvin Gray asked Steve if there were plans to have an end of season tournament this year and Steve responded that funds for end of season tournaments were cut from the current budget. Discussion ensued on the

impact these cuts are having on the Youth Athletic Programs. Some commissioners have heard of parents taking their kids to play in neighboring counties because these offer more games, end of season tournaments, or they offer fall baseball. Staff explained that previous budget cuts have forced the staff to initially reduce end of season tournaments from double elimination, to eliminate them entirely. Also, regular season game schedules have been structured to play a minimum number of games in order to help reduce costs. Fall ball has not been offered due to a lack of budgeted funds needed to pay for the leagues. Also discussed was the issue of fees increasing, first from \$15 to \$20 and then to \$30 this current year, while the program service has decreased. Some have heard that parents do not feel they are getting what they should for their kids. Staff will be including requests in the up-coming budget to reinstate end of season tournaments, expand regular season tournaments, reinstate adult programs, and add in new requested athletic programs.

Old Business:

Alan Gill gave an up-date on the improvements at Fox Pond Park. Finishing the connector trail from Fox Pond to Aycock Complex, and placing an information sign with directions on where to go, will complete Phase I. Also, a few signs need to be placed at the park. The Henderson Appearance Commission was asked by the Mayor to plant some shrubs, flowers, trees and mulch at the entrance to Fox Pond Park. The Commission agreed to maintain the area for 1 year.

The Four River RC&D is planning to submit an application for another \$75,000 Recreational Trails Grant to finish the park improvements. This phase will include improvements to the day use campground including restrooms, installing a bridge at the headwater to replace the current one, placing benches within the park and having a boat/canoe/kayak launch pad.

Alan re-capped the information that was given out at an earlier meeting pertaining to the Community Fishing Program, sponsored by the NC Wildlife Resources Commission. The program will include a floating fishing dock, fish feeder stations and stocking of cat fish. The cost of the food for the feeders will be approximately \$1,200. The start-up fee is \$5,000 and George Watkins said that he would raise that. A motion was made by Vernon Brown to endorse participating in the Community Fishing Program. Alan will contact the Wildlife Biologist to get the paperwork started on the process for this project. This will then need to be submitted to the City Council for their approval. The motion was seconded by George Watkins.

There being no further business, the meeting was adjourned.

NOTE: The next meeting will be held at noon on Thursday March 8, 2012 in the MPR at Aycock Recreation Center.

Pearson, Patricia

From: Osborne, Steve
Sent: Thursday, November 06, 2014 2:43 PM
To: Pearson, Patricia
Subject: Fox Pond Parks

This is the response I got back from the NC Wildlife Resources Commission.

Hi Steve,

The feeder would need to be filled throughout the warmer months, normally April through September, and if you buy the feed at a local feed store the total costs for one 6 month season is approximately \$350 to \$400 per feeder. You would be responsible for filling the feeder, yet no other costs, the feeder, dock, etc. are all supplied by us. I think one feeder would be sufficient, somewhat close to the new pier. If you decide you don't want to fool with filling the fish feeder (normally every month) then we could place artificial structure in the lake adjacent to the pier and not have a feeder. That would mean no costs at all to the city. We would still stock Channel Catfish in that case, yet just a lower overall number. It is your call on the feeder. If you anticipate a lot of fishing pressure and people harvesting catfish, you may want to go with the feeder, yet if you tend to think it may only get moderate fishing pressure then you could go without the feeder. Let me know if you need more details or have any specific questions.

Thanks,
Kirk Rundle
Fisheries Biologist
NC Wildlife Resources Commission

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov. 14 Regular Meeting

30 October 2014

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 14-102-A

Consideration of Approval of Resolution 14-73-A, Relaying Concerns on the Impact of I-85 Ramp Closures on Local Businesses and Public Safety and Requests for Certain Actions be Taken by the North Carolina Department of Transportation (NCDOT)

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- KSO 5: Provide Reliable, Dependable Infrastructure.

Recommendation:

- Approval of Resolution 14-73-A, Relaying Concerns on the Impact of I-85 Ramp Closures on Local Businesses and Public Safety and Requests for Certain Actions be Taken by the North Carolina Department of Transportation (NCDOT)

Executive Summary:

The North Carolina Department of Transportation (NCDOT) is completing the plans and design for major improvements to the north and south bound lanes of I-85, starting from just west of Andrews Avenue, for a distance of approximately ten (10) miles. Included in this project will be replacement of the bridge at Andrews Avenue and I-85, as well as other bridge rehabilitation work at Parham Road, Spring Valley and Satterwhite Point Road.

Several meetings have been held to discuss potential impacts to the Henderson area and a meeting was held on 28 August 2014 with City of Henderson personnel as well as Jordan McMillan with the County, to discuss the project. But particularly to discuss the potential closing of the ramps on the I-0914BA project for the entire phase of construction rather than maintaining

exit ramp access via crossover alignments. If ramp access is maintained during the construction period each ramp closure will only last 60 to 90 days to construct the ramp itself.

An additional meeting was held on 14 October 2014 with the Mayor, County, City and NCDOT staff, its engineers and emergency management personnel including the State Highway Patrol. The phases of the project were gone through step by step to insure everyone had a good understanding of the project and the challenges faced to minimize negative impacts to businesses, while maintaining a safe construction corridor and providing access to the emergency personnel. Several recommendations were devised as a result of the meeting and were discussed at the City council meeting on 27 October 2014,

Some of the key considerations requested by Henderson were **1)** protected left turns at Beckford and Dabney; **2)** Parham Road from US 1 Business to the I-85 bridge, which the City took control of in 1989, be returned to the NCDOT system (.20 miles); **3)** possible reversal of traffic at the northbound ramp from Hwy 158 to a southbound ramp during phase 3 of the project; and **4)** message boards displayed during the construction as well as emergency turn-outs; and **5)** Repair of dip in the road on Hwy 158 south bound off ramp towards Lowes Home Improvement.

Enclosure:

1. Resolution 14-73-A

R E S O L U T I O N 14-73-A

RELAYING CONCERNS ON THE IMPACT OF I-85 RAMP CLOSURES ON LOCAL BUSINESSES AND PUBLIC SAFETY AND REQUESTS FOR CERTAINS ACTIONS TO BE TAKEN BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT)

WHEREAS, the City Council (Council) for the City of Henderson, North Carolina (City) 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: Provide Reliable, Dependable Infrastructure; *and*

WHEREAS, NCDOT is completing the planning and design for major improvements to all lanes of I-85, as well as bridges, starting from a location near to and west of Andrews Avenue and extending approximately ten miles, these improvements denominated as Project I-0914BA (Project); *and*

WHEREAS, NCDOT staff, including its engineers, previously asked the Council for input on use of ramp closures rather than maintaining access by crossover alignments; *and*

WHEREAS, NCDOT believes multiple ramp closures would reduce problems that could be caused by traffic merging with I-85 during the Project; *and*

WHEREAS, the Council is concerned about impact of the proposed ramp closures on the local economy, specifically businesses relying on customer access at I-85 interchanges with City roads, including Andrews Avenue and Parham Road; *and*

WHEREAS, pursuant to Council's request, NCDOT personnel met with the staff of the City and the County of Vance, North Carolina (County), including local emergency management personnel; *and*

WHEREAS, City and County staff developed additional recommendations as a result of this meeting; *and*

WHEREAS, NCDOT personnel, as well as the Project engineer, gave Council a detailed briefing that included the Project' phasing and anticipated closures; *and*

WHEREAS, the Council believes it is in the City's best interest for the Project be designed to ensure the safety of the traveling public and to minimize impact on businesses relying on customer access at I-85 interchanges with City roads; *and*

WHEREAS, the Council appreciates NCDOT personnel providing additional information on the Project and recognizes the need for the improvements to I-85.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL THAT IT DOES HEREBY:

- 1) Supports the Project, understanding the need for the improvements;
- 2) Requests Parham Road, from US 1 Business North to the I-85 Bridge and consisting of approximately .20 miles of roadway, be returned to NCDOT for maintenance.

- 3) Requests protective left turns be installed, with dedicated left-turn signals, at the intersection of Dabney and Beckford Drives.
- 4) Requests emergency message boards, detailing any detours, be provided and operated during the Project, as well as emergency turn-outs be installed for use during the Project.
- 5) Requests elimination of the dip in the road on Hwy 158 South, located near I-85 Exit 213 and the Henderson, North Carolina branch of Lowes Home Improvement.

The foregoing Resolution 14-73-A, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of ***** 2014: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 44, pp. **, CAF 14-102-A*

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov 14 Regular Meeting

4 November 2014

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

FR: Ed Wyatt, Interim City Manager

RE: **CAF: 14-118**

Consideration of Approval of Resolution 14-87, Ratifying and Approving the Mayor's Signature on Amendment #6 for the North Carolina Rural Economic Development Center Contract 2010-266-40101-112 Relative to the Replacement of the UV Disinfection System at Henderson Water Reclamation Facility.

Ladies and Gentlemen:

KSO's Addressed by this Item:

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

Recommendation:

- Approval of Resolution 14-87, Ratifying and Approving the Mayor's Signature on Amendment #6 for the North Carolina Rural Economic Development Center Contract 2010-266-40101-112 Relative to the Replacement of the UV Disinfection System at Henderson Water Reclamation Facility.

Executive Summary

The UV Project is complete. The remaining funds were allowed to be used on the Sanitary Sewer Rehab Project, even though both projects have been completed for some time, this amendment allows more time for the completion of the final report and audit report.

The grant amendment has the effect of extending the completion deadline to 31 January 2015 for the submission of the final report. The Mayor executed the amendment on 4 Nov 2014 in order to expedite the grant revision process. The attached resolution has the effect of ratifying his signature on the document.

For informational purpose, the Rural Center became a part of the North Carolina Department of Commerce, Rural Economic Development Division.

Attachment:

1. Resolution 14-87

RESOLUTION 14-87

**RATIFYING THE SIGNING BY THE MAYOR, CITY OF HENDERSON,
NORTH CAROLINA (CITY), OF AN AMENDMENT TO THE NORTH
CAROLINA DEPARTMENT OF COMMERCE (COMMERCE) GRANT
CONTRACT NUMBER 2010-266-40101-112 (GRANT)**

WHEREAS, the City Council (Council) conducted its Annual Planning Retreat in 2014, and during the retreat identified eight Key Strategic Objectives (KSO) and Goals and twelve Core Values; *and*

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

WHEREAS, the replacement of the UV Disinfection System at the City Water Reclamation Facility was completed and the balance of the funds approved by Commerce for allocation to the Sanitary Sewer Rehabilitation project (Project); *and*

WHEREAS, Commerce agreed to amend the grant and extend until 31 January 2015 the time in which the City will complete the Project and submit a final report; *and*

WHEREAS, to facilitate finalization of the extension, the Mayor executed the amendment on 4 November 2014.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY RATIFY AND APPROVE the Mayor's signature of the amendment to the Grant, entitled Amendment Number 6, which is attached to this Resolution.

The foregoing Resolution, 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:

D. Rix Edwards, City Attorney

(Reference: Minute Book 44, p. **.)



**North Carolina Department of Commerce
Rural Economic Development Division
Rural Grants/Programs**

RECEIVED
OCT 31 2014
cm6

AMENDMENT

Contract #: 2010-266-40101-112
Date: October 14, 2014

6
Number

GRANTEE:

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

Contact: The Honorable James D. O'Geary

THE DEPARTMENT:

North Carolina Department of Commerce
Rural Economic Development Division
301 North Wilmington Street
4346 Mail Service Center
Raleigh, NC 27699-4346

Project Manager: Marquis Crews

Project Title: Replacement of UV Disinfection System at Henderson Water Reclamation Facility

This Contract Amendment is hereby entered into by and between the North Carolina Department of Commerce (the "Department") and the City of Henderson (the "Grantee") (referred to collectively as the "Parties"). By this Contract Amendment, the Parties amend their Grant #2010-266-40101-112, respectively (the "Agreement"), as outlined below.

Except as set forth in this Contract Amendment, all other terms and conditions of the Agreement shall remain unaltered and in full force and effect. Should there arise any conflict, discrepancy or ambiguity between the terms and conditions contained in the Agreement and the terms and conditions of this Contract Amendment, the terms and conditions contained in this Contract Amendment shall govern and prevail.

Exhibit A
Scope of Services - Replaced with a revised Scope of Services dated: October 10, 2014

Paragraph 3 (Term of Agreement)
DELETE: "terminate on 9/30/2013."
ADD: "terminate on 10/30/2014."

| Due Date | Report Due |
|-----------|----------------------------|
| 3/31/2016 | Audit Report FYE 6/30/2015 |

Exhibit C (Revised Reporting Schedule)

| Due Date | Report Due | Reporting Period |
|----------|-----------------|---------------------|
| 01/15/14 | Progress Report | 10/01/13 - 12/31/13 |
| 07/15/14 | Progress Report | 01/01/14 - 06/30/14 |
| 01/31/15 | Final Report | 07/01/14 - 10/30/14 |

Authorized Signature Warranty: The undersigned represent and warrant that they are authorized to bind their principles to the terms of this Contract Amendment.

In Witness Whereof, the Grantee and the Department have executed this Contract Amendment in duplicate originals, with one original being retained by each party.

GRANTEE:

James D. O'Geary
Signature

JAMES D. O'Geary 11/4/14
Printed Name Date

Mayor
Title

THE DEPARTMENT:

Patricia Mitchell
Signature

Dr. Patricia Mitchell, CEcD 10-23-14
Printed Name Date

Assistant Secretary, Rural Economic Development Division
Title

If you agree with the amendment as proposed, please sign both enclosed copies. **Retain one original for your files and return the second original to the attention of Marquis Crews at the NC Department of Commerce.**

City of Henderson

Replacement of UV Disinfection System at Henderson Water Reclamation Facility

PHYSICAL INFRASTRUCTURE

Water & Sewer Critical Needs

(Amended October 10, 2014)

The City of Henderson will carry out the terms of this contract as follows:

1. General Project Description and Justification:

The city of Henderson has a poverty rate of 28.3% and is located in a Tier 1 economically distressed county.

The UV disinfection system at the city of Henderson WWTP cannot reliably treat the wastewater that it receives. Spare parts are no longer available and the electrical system is not fully functional. In June, 2007 one-half of the UV system overheated and caught fire resulting in damages of over \$17,000. The city operated with only one-half disinfection capacity from June through November, 2007. During this time, the city was only capable of disinfecting a maximum of 5.0 mgd. Fortunately extreme drought conditions prevented the WWTP from receiving the normal 8-12 mgd peaks. Adequate disinfection is especially critical at this facility since the effluent discharges into a tributary of Kerr Lake which is a water supply source for the region.

This project will replace the current UV disinfection system with a new state of the art system utilizing proven technology. Because the new equipment will not fit inside the existing concrete channel structure, a new channel will be constructed. The existing system will be bypassed during construction and disinfection will be provided by chlorination/dechlorination. Once installed, the old channel will be demolished.

Amended June 21, 2011: The project budget is amended to reflect a reduction in the local share. The original budget included a rebate from the UV equipment vendor in the amount of \$75,000 as part of the local match. This amendment more accurately reflects a reduction in the equipment cost and local contribution.

Amended July 25, 2012: The UV project has been completed under budget. The city has requested that the remaining \$110,334.11 in Rural Center grant funds be utilized to expand the scope of a sewer rehab project to reduce documented sewer overflows. Therefore, the project scope is being adjusted to partner with the CWSRF program to replace approximately 5,747 lf of 8" sewer line and 28 manholes in the Sandy Creek Sewershed.

Amended October 10, 2014: This modification is to reduce the scope of the project to only include the portion of the Sandy Creek Sewershed rehabilitation that is being paid for with these underrun funds. This adjustment is being made to allow for reimbursement of funds to the City without it being tied to the completion of the larger project which has faced numerous delays and the City has already expended the funds from this grant.

EXHIBIT A
Scope of Project

2010-266-40101-112

Per Section 7 of this Contract Agreement:

“Obligation of Funds: Funds provided by the NC Department of Commerce may not be obligated by the GRANTEE prior to the effective date or subsequent to the termination date of this Agreement.”

2. Project Cost and Funds:

| | | Amended 6/21/2011 | Amended 7/25/2012 | Amended 10/10/2014 |
|--|---------------------|----------------------|----------------------|-----------------------|
| Construction | \$ 1,275,000 | 1,200,000 | 1,027,925.80 | 1,029,725.80 |
| Contingency | 127,500 | 127,500 | | |
| Design & Permitting | 109,100 | 109,100 | 104,442.80 | 104,442.80 |
| Construction Admin / Inspection | 150,000 | 150,000 | 95,468.77 | 95,468.77 |
| Grant Administration | 4,000 | 4,000 | | |
| Legal | 2,000 | 2,000 | 250.00 | 250.00 |
| Total Project Cost -- UV | \$ 1,667,600 | 1,592,600 | 1,228,087.37 | 1,229,887.37 |
| Construction | | | 887,229.00 | |
| Contingency | | | 44,345.11 | |
| Design & Permitting * | | | 88,060.00 | |
| Construction Admin / Inspection* | | | 88,000.00 | |
| Legal | | | 2,700.00 | |
| Sewer Rehab | | | | 109,327.08 |
| Total Project Cost -- Rehab | | | 1,110,334.11 | |
| Total Project Cost -- Both Phases | \$ | | 2,338,421.48 | 1,339,214.45 |

Funds

| | | Amended 6/21/2011 | Amended 7/25/2012 | Amended 10/10/2014 |
|---|------------------|----------------------|----------------------|-----------------------|
| Local | \$ 100,000 | 25,000 | 29,088.60 | 27,402.32 |
| NC CWMIF | 1,067,600 | 1,067,600 | 809,332.88 | 811,812.13 |
| Rural Center Grant | 500,000 | 500,000 | 389,665.89 | 390,672.92 |
| Total Project Funds -- UV | 1,667,600 | 1,592,600 | 1,228,087.37 | 1,229,887.37 |
| CWSRF | | | 1,000,000.00 | |
| Commerce REDD (<i>Underrun funds</i>) | | | 110,334.11 | 109,327.08 |
| Total Project Funds -- Rehab | | | 1,110,334.11 | |
| Total Project Funds-Both Phases | \$ | | 2,338,421.48 | 1,339,214.45 |

3. Project Reporting:

The Grantee City of Henderson will adhere to the conditions and regulations outlined in this Grant Agreement and file reports on the dates set forth in Exhibit C of this contract.

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov 14 Regular Meeting

4 November 2014

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

FR: Edward A. Wyatt, City Manager

RE: **CAF: 14-120**

Consideration of Approval of Resolution 14-88, Authorizing the Execution of a Construction Contract for the Lakeview Drive Storm Sewer Replacement Project in the Amount of \$15,844 with M. T. Murphy, Inc.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

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

Recommendation:

- Approval of Resolution 14-88, Authorizing the Execution of a Construction Contract for the Lakeview Drive Storm Sewer Replacement Project in the Amount of \$15,844 with M. T. Murphy, Inc.

Executive Summary

There is a 30-inch corrugated metal pipe (CMP) under Lakeview Drive just upstream of the upper lake. This storm sewer located in that area has failed leading the necessity of closing the road until the storm sewer and road is repaired. The City has received 3 informal bids for this work, which includes removing the old pipe, installing 45 linear feet of new 30-inch high density polyethylene (HDPE) double wall pipe (this is an approved NCDOT material), placing rip rap on the inlet and outlet of the storm sewer and patching the asphalt road. Staff has requested that the contractors include a cost for repair of the water and sewer lines if they require modifications during construction. This cost is included in the project cost and will be deducted if it is not used during construction.

Staff has reviewed the three bids

1. Chris Gupton (\$10,200, Labor and Equipment Only No material, No Asphalt Patch)
2. HG Reynolds (\$12,858 plus \$1,900 for rip rap placement at the inlet, plus \$1,350 for asphalt total \$16,108)
3. MT Murphy (\$15,844)

Henderson Street Department will purchase the rip for \$2,000 and haul to the site for the contractor to place.

Due to the limited scope, cost and duration of the project staff utilized an informal bidding process and excluded performance and payment bonds, which are not required by State Statutes. Staff anticipates construction duration of approximately one week once the contractor has mobilized to the site. Based on the bids received, it is recommended to award the contract to MT Murphy in the amount of \$15,844.

Attachments:

1. Resolution 14-88
2. MT Murphy Bid, HG Reynolds Bid, G&S Contractors Bid

RESOLUTION 14-88

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN CONJUNCTION WITH THE LAKEVIEW DRIVE STORM SEWER REPLACEMENT PROJECT IN THE AMOUNT OF \$15,844 WITH M. T. MURPHY, INC

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2014 Strategic Planning Retreat; *and*

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

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

WHEREAS, the City has secured a new storm sewer right of way and has recorded it with the Register of Deeds in Deed Book 1282 Page 0042-0043; *and*

WHEREAS, after receiving three bids for the project, M.T. Murphy, Inc. was the lowest, responsible, responsive bidder; *and*

WHEREAS, a 30" storm sewer main was found to be in disrepair and causing subsidence in Lake View Road, leading to the road closure ; *and*

WHEREAS, the contractor has given a price of \$15,844 to complete the work; *and*

WHEREAS, there are available funds in the amount of \$15,844 in the storm drain improvement account, (10-570-5033-08).

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the execution of a Construction Contract in Conjunction with the Lakeview Drive Storm Sewer Replacement Project in the Amount of \$15,844 to M. T. Murphy, Inc, being more fully articulated in *Attachment A* to this Resolution; *and*

BE IT FURTHER RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY AUTHORIZE the Mayor and/or City Manager to sign all agreements and documents necessary to effect said agreement.

The foregoing Resolution 14-80, 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:

D. Rix Edwards , City Attorney
(Reference: Minute Book 43, p. **.)

Lakeview Drive Storm Sewer
Replacement Project
Project # COH 14-010

CONTRACT

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

WITNESSETH

THAT, WHEREAS, a Contract for:

_____ Lakeview Drive Storm sewer Replacement Project _____

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

Total Bid Accepted: \$ 15,844

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

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

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

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

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

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

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

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

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

ANTI-DISCRIMINATION AND EQUAL OPPORTUNITY

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

HISTORICALLY UNDERUTILIZED BUSINESS

Please check the following:

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

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

Yes _____ No _____

FURTHER AGREEMENTS

The City of Henderson will supply the 30-inch double walled HDPE storm pipe and the rip rap.



Attn: Clark Thomas, P.E.
City of Henderson Engineering
P.O. Box 1434
Henderson, NC 27536

11/6/2014
Re: Lakeview Drive

Dear Clark,

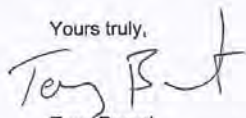
We offer the following proposal to remove the existing CMP and replace it with 30" HDPE provided by the City, an optional 15" CMP along the ditch line, and repair the banks with rip rap provided by the City. We will provide the stone bedding and screenings necessary.

| <u>DESCRIPTION</u> | <u>QTY</u> | <u>UNIT</u> | <u>UNIT PRICE</u> | <u>TOTAL</u> |
|---------------------------------|------------|-------------|-------------------|---------------------|
| <u>STORM REPLACEMENT</u> | | | | |
| - REM. CMP/INSTALL 30" HDPE | 45 | LF | \$ 88.80 | \$ 3,996.00 |
| - REPLACE 15" CMP | 40 | LF | \$ 38.30 | \$ 1,532.00 |
| - SCREENING BACKFILL | 150 | TONS | \$ 20.00 | \$ 3,000.00 |
| - PLACE RIP RAP ON BANKS | 80 | TONS | \$ 35.00 | \$ 2,800.00 |
| - 6" ASPHALT | 18 | SY | \$ 75.00 | \$ 1,350.00 |
| - 8" DIP SEWER | 20 | LF | \$ 66.20 | \$ 1,324.00 |
| | | | | <u>\$ 14,002.00</u> |

If the existing waterline is AC Pipe, we will have to install a joint of DI pipe over the storm pipe. Assuming it is a 6" water line, the cost will be:

| | | | | |
|----------------|----|----|----------|-------------|
| - 6" DIP WATER | 20 | LF | \$ 92.10 | \$ 1,842.00 |
|----------------|----|----|----------|-------------|

Please contact me if you have any questions or need to discuss this project further.

Yours truly,

Tony Bryant
MT Murphy Construction

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov 2014 Regular Meeting

5 November 2014

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

FR: Edward A. Wyatt Interim City Manager

RE: CAF: 14-121, Consideration of Approval of Resolution 14-89, Respectfully Declining an Offer to Accept the Donation of Four Parcels of Land within City Limits.

Ladies and Gentlemen:

Recommendation:

- Approval of Resolution 14-89, Respectfully Declining an Offer to Accept the Donation of Four Parcels of Land within City Limits.

Executive Summary

An offer to donate to four (4) parcels of land within City limits to the City has been made. The parcel descriptions are as follows: 1) Parcel ID No. 0069-04001 Rockspring Street; 2) Parcel ID No. 0069-05003 Water Street; 3) Parcel ID No. 0097-03001C Rear Ramsey Street and 4) Parcel ID No. 0097-03007 Young Property.

The Henderson City Council Land Planning Commission met on November 5, 2014 to review and discuss the offer. After discussion, it was the unanimous decision of the Commission was that accepting this offer would be of no benefit to the City. Therefore, it is the recommendation of the Commission to respectfully decline the offer.

Attachments:

1. Resolution 14-89
2. Maps
3. 5 November 2014 Land Planning

RESOLUTION 14-89

A RESOLUTION RESPECTFULLY DECLINING AN OFFER TO ACCEPT THE DONATION OF FOUR PARCELS OF LAND WITHIN CITY LIMITS.

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, an offer to donate four parcels of land to the City of Henderson has been received; *and*

WHEREAS, the parcels of land being offered to the City are as follows: **1)** Parcel ID Number. 0069-04001 Rockspring Street; **2)** Parcel ID Number 0069-05003 Water Street; **3)** Parcel ID Number. 0097-03001C Rear Ramsey Street and **4)** Parcel ID No. 0097-03007 Young Property.

WHEREAS the City Council's Land Planning Commission met to discuss the offer on 5 November 2014; *and*

WHEREAS, it is recommended that the City respectfully decline the offer.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE respectfully declining the offer of four donated parcels of land to the City of Henderson.

The foregoing Resolution 14-89, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was APPROVED on this the 10th day of November 2014: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

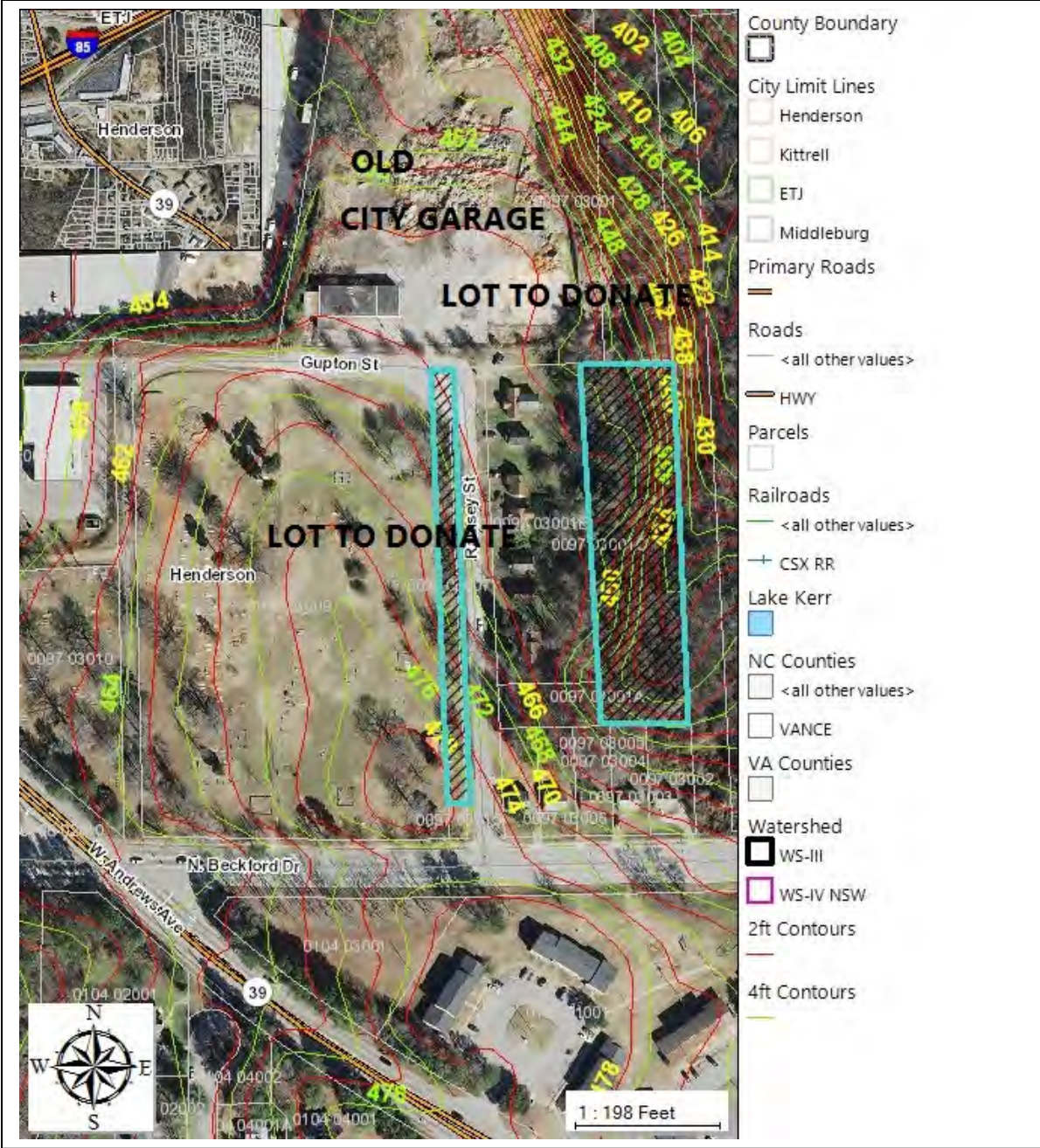
ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 43, p. **, CAF 14-121*





Minutes
Land Planning Committee
5 November 2014

CAF 14-121
Attachment #3

Members Present:

Mayor O'Geary, Council Members Inscoe, Rainey and Simmons.

Others Present:

City Clerk Esther McCrackin

Call to Order

Chairperson Inscoe called the meeting to order at 9:00 a.m. Mr. Inscoe then turned the meeting over to Development Services Director Corey Williams.

Offer to Donate Land to City

Mr. Williams stated a citizen has offered to donate four tracts of land to the City. He said two lots are in the old Beacon Light area and two lots are in the Ramsey Street, Blacknall Cemetery area. Mr. Williams explain the lot near the Blacknall Cemetery could well have unmarked graves on the site. He said the others are in a watershed area, swampy areas and wooded areas.

Council Member Rainey asked who owns Blacknall Cemetery. Mr. Inscoe responded former City Attorney has researched this and has found no clear title to the cemetery. Mr. Rainey then commented that one lot is landlocked and saw no value to the City

Council Member Simmons said if the land is unusable, there is no point in the City acquiring the land.

Chairperson Inscoe saw no value to the City. He said the timber on the wooded lots could be sold but that would only create an additional expense for the City as the Code says if land is clear cut it must be replanted. He also mentioned various properties currently owned by the City such as the old bank building and did not see the need for the City to take on more liabilities.

Chairperson Inscoe then asked for a recommendation. Council Member Rainey made a motion to recommend to Council that this offer be respectfully decline. Council Member Simmons seconded the motion. Motion was unanimously approved.

Other

Chairperson Inscoe asked Mr. Williams if there is a realtor actively marketing the old bank building. Mr. Williams responded that he is unaware of any active realtor. Mr. Inscoe recommended a RFP be brought before Council for local realtors interested in marketing the building.

Council Member Simmons asked about the status of the Perry House. There was a brief discussion which included Mr. Williams sharing the property has been broken into several times. He said Assistant City Manager Frazier has had a team working around the property to remove overgrowth and an alarm system is being installed. Mr. Inscoe said a group of citizens is currently working on this project and he expects further information by the first of the year.

Ms. Simmons then asked about what City owned properties without structures might be available for consideration as a water spray park. Mayor O'Geary said in addition to property, cost factors, management and other issues on the Recreation and Parks Master Plan need to be considered. Overall, the discussion boiled down to not having the funds available at this time.

Adjournment

With no further discussion, Chairperson Insoe asked if the Commission was prepared to adjourn. Motion was made by Mr. Rainey to adjourn. Motion was seconded by Ms. Simmons and the meeting adjourned at 9:15 a.m.

Respectfully submitted,
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: 10 Nov 14 Regular Meeting

6 November 2014

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 14-78
Consideration of Approval of Resolution 14-60, Endorsing the Concept of the Formation of the Henderson NC Preservation Committee in Relation to the Bennett Perry Memorial Museum

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- *KSO 3: Enhanced Economic Development.* Action Plan 3-5: Redevelop Downtown: To form strategies that result in the redevelopment of downtown.

Recommendation:

- Approval of Resolution 14-60, Endorsing the Concept of the Formation of the Henderson NC Preservation Committee in Relation to the Bennett Perry Memorial Museum

Executive Summary

City Council accepted the Bennett Perry Home located at the corner of Church and North Chestnut Streets and committed to maintain it as a museum on 8 August 2011 via Resolution 11-80. Unfortunately, there were not significant funds in the donation to make the needed renovations or to maintain it.

Tommy Roberson has met with former City Manager Griffin as well others to ask the City Council to support the formation of the "Henderson NC Preservation Committee" so they can seek funding for the necessary renovations, upkeep and day to day functions to establish this home as a central facility located in Downtown Henderson, surrounded by the Courthouse, the Perry Library and the Performing Arts Center.

Upon advice of legal counsel, it is recommended that further information be submitted regarding the purpose and scope, of this Committee. Once this information is received it will be brought before Council for final approval

Attachments:

1. Resolution 11—60
2. Concept of the Formation of the Henderson NC Preservation Committee
3. Resolution 11-80

RESOLUTION 14-60

ENDORISING THE CONCEPT OF THE FORMATION OF THE HENDERSON NC PRESERVATION COMMITTEE IN RELATION TO THE BENNETT PERRY MEMORIAL MUSEUM

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 one KSO as follows: KSO 7: To expand Leisure and Cultural Services, Programs and Facilities, *and*

WHEREAS, Council approved the acceptance of Mr. Bennett Perry's home located at the corner of Church and North Chestnut streets and agreed to maintain same as a museum; *and*

WHEREAS, funding has not been sufficient for the renovations and upkeep needed; *and*

WHEREAS, Council has been requested to endorse the concept of the formation of the Henderson NC Preservation Committee (Committee) in hopes they can raise funds to provide said renovations and upkeep; *and*

WHEREAS, Council will request further information regarding the scope of the Foundation's plans prior to entering into an agreement with the Henderson NC Preservation Committee.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY endorse the *concept* of the formation of the Henderson NC Preservation Committee.

The foregoing Resolution 14—60 , upon motion of Council Member _____ and second by Council Member _____ and having been submitted to a roll call vote received the following votes and was _____ on this the ____th day of _____ 2014: YES: . NO: . ABSENT: ABSTAIN:

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 44, pp. ***.*

Concept of the formation of the Henderson, NC Preservation Committee

INTRODUCTION: The formation of the Henderson NC Preservation Committee is to provide a non-profit organization which is dedicated to renovate existing structures or facilities located in Henderson NC and Vance County. The funding would come primarily from private sources. The main focus of this committee is to preserve historical properties so that future generations can and will recognize community heritage.

PURPOSE: The initial need for this committee is to renovate the Bennett Perry House located on the corner of Chestnut and Church Streets in Henderson NC. Mr. Perry donated the house to the city for use as a museum. There were not significant funds in the donation to renovate the proposed museum. Unfortunately the economic climate, as far as taxpayer funding, is not favorable in the current budget or foreseeable future budgets.

Therefore, local citizens have recognized the need to form this committee to raise private funds to preserve the Bennett Perry Museum. It will be a facility for historic artifacts from our community. This committee is not limited to the museum should other interests develop.

PROJECT DESCRIPTION: The Bennett Perry house is located on the corner of Church St. and Chestnut St. It faces Church St. It is a two story Brick House with a slate roof. It was the home of Bennett Perry, a deceased lawyer, whose family was very generous to the Henderson NC community.

There is not another facility serving our community as a museum. It is proposed that the City of Henderson maintain ownership of the property and lease the Perry house to the committee for a nominal fee of One Dollar per year.

The committee will form and attempt to raise funds to renovate the facility serving as a museum. A budget has been estimated and renovations could run up to \$100,000.

A plan of action, if this committee is approved, will be to organize the committee consisting of a Chairman and a Vice-chairman and committee members. They would form as a group and form

a fund raising campaign plan. Suggestions have been bake sale ,raffle sale and fish plate sales. Also we will be asking for straight out donations with annual pledges for continuing operations.

BENEFITS: The benefit of this museum will be a central facility located among City Hall, The Courthouse, Perry Library and the Performing Arts Center. The museum will be another gem in the Henderson NC downtown revitalization efforts.

Dated November 6, 2014

CONTACT INFORMATION:

M. Thomas (Tommy) Roberson

1760 Parker Lane

Henderson, NC 27536

Cell 252-430-9045

President: Robco Manufacturing Inc.

In business for 32 years

Chairman Henderson Vance Chamber of Commerce 1988

Previous accomplishments include the adoption of the Hotel Motel Tax which sponsors Vance County Tourism and The Shop Henderson First Campaign.

RESOLUTION 11—80

A RESOLUTION AUTHORIZING THE ACCEPTANCE BY THE CITY OF HENDERSON OF THE BENNETT PERRY HOME AS A MUSEUM

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2010, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses one KSO as follows: KSO 7: To expand Leisure and Cultural Services, Programs and Facilities, *and*

WHEREAS, Mr. Bennett Perry has provided, in his Will, for the donation of his home located at the corner of Church and North Chestnut streets to the City of Henderson provided the City maintains same as a museum; *and*

WHEREAS, the Mayor and Council Members have toured the home and are in agreement the home should be accepted and preserved and maintained as a museum; *and*

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY accept the Bennett Perry Home located at the corner of Church and North Chestnut Streets and commits to maintain it as a museum; *and*

BE IT FURTHER RESOLVED the City Attorney is authorized to prepare the necessary papers to effect the transfer of Title from the Bennett Perry Estate to the City and the Mayor is authorized to sign any such papers and documents as approved by the City Attorney for the purposes of effect transfer of said property to the City.

The foregoing Resolution 11—80 , upon motion of Council Member Rainey and second by Council Member Peace-Jenkins and having been submitted to a roll call vote received the following votes and was APPROVED on this the 8th day of August 2011: YES: Peace-Jenkins, Daeke, Daye, Kearney, Coffey, Inscoe and Rainey. NO: None. ABSENT: Davis.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

Reference: Minute Book 42, pp. 245.

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov 14 Short Reg. Meeting

4 November 2014

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

FR: Ed Wyatt, Interim City Manager

RE: **CAF: 14-09**

Consideration of Approval of Ordinance 14-52, Verifying the Ethics Policies for the City of Henderson's Elected Officials

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- CV 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.

Recommendation:

- Approval of Ordinance 14-52, Verifying the Ethics Policies for the City of Henderson's Elected Officials

Executive Summary:

The State of North Carolina now requires local elected officials to take mandatory ethics training as well as adopt an ethics policy. The attached ordinance is an attempt to incorporate the requirements of State Statutes as well as borrowing from other cities' ethics and conflicts of interest policies. The Ordinance is provided in draft form for Council's review and comments and adjustments as it deems appropriate.

Ethics and conflicts of interests policy development for employees is provided in the revisions to the City's Personnel Policy and will be presented in that format.

Enclosures

1. Ordinance 14-52

ORDINANCE 14-52

VERIFYING THE ETHICS POLICIES FOR THE CITY OF HENDERSON'S ELECTED OFFICIALS

WHEREAS, the North Carolina General Assembly, through the enactment of General Statutes, has established certain standards and criteria relative to conflicts of interest and other ethical matters;

WHEREAS, the City Council of the City of Henderson desires to reiterate and verify said standards and to remind all public officials of the City of Henderson of their obligations concerning the same and further to reassure the general public that the City of Henderson will maintain good and open government untainted by the appearance of undue influence over decision makings and in compliance with the open meetings law.

NOW THEREFORE, the City of Henderson doth ordain that Section 2-14 of the City Code be amended to read as follows:

Section 1. That Section 2-14 of the City Code be amended to read as follows:

“Sec. 2-14. Ethics.

(a) The City of Henderson hereby commits on behalf of its public officials to comply with the standards set forth in the following General Statutes (as the same may be hereafter amended) and in any other statutes or ethics which may be applicable to actions of the City Council and City Government:

(b) **General Principles**

(1) The City of Henderson operates pursuant to the Council-Manager form of government as set forth in North Carolina General Statute 160A-147 and the Henderson City Charter. The stability and proper operation of democratic representative government depends upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.

(2) Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.

(3) The Mayor and Council members must be able to act in a manner that maintains their integrity and independence, yet be responsive to the interests and needs of those they represent.

- (4) The Mayor and Council members must remain aware of the multiple functions they serve as elected officials:
- a. Advocates who strive to advance the legitimate needs of the citizens they serve, and who appear before them.
 - b. Legislators, who balance the public interest and private rights in considering and enacting ordinances and resolutions.
 - c. Decision-makers, who arrive at fair and administrative determinations.
 - d. The Mayor and Council must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
 - e. The Mayor and Council must be aware of their obligation to conform their behavior to standards of ethical conduct that warrants the trust of their constituents. To this end, the Mayor and Council must determine what conduct is appropriate in the performance of these obligations, and in carrying out the business of the City of Henderson.

(c) **Code of Ethics**

The purpose of a Code of Ethics is to establish guidelines for ethical standards of conduct for the Mayor and Council members, and to help determine what conduct is appropriate. It should not be considered a substitute for the law.

- (1) **Definition.** As used in this policy, the following terms shall have the meanings indicated unless the context clearly requires otherwise:
- a. **Business Entity** means any business, proprietorship, firm, partnership, person in a representative or fiduciary capacity, association, venture, trust or corporation which is organized for financial gain or for-profit.
 - b. **Council or Council member** means the Mayor, Mayor-Pro Tem, Vice-Mayor and members of the Henderson City Council.
 - c. **Immediate household** means the elected Council member, his/her spouse (or significant other) and all dependent children of the Council member.
 - d. **Interest** means direct or indirect pecuniary or material benefit accruing to a Council member as a result of a contract or transaction which is or may be the subject of an official act or action by or with the City of Henderson.

The fact that an interest, as defined herein, exists with respect to a particular matter does not necessarily mean that a conflict exists or that a Council member may not participate or vote in the consideration of that specific matter. The following descriptions are provided for purposes of heightening awareness of potential conflicts and encouraging consultation and disclosure. For the purpose of this policy, Council members shall be deemed to have an interest in the affairs of:

1. Any person in his or her immediate household, including family members;
2. Any business entity in which the elected City official is an officer, partner, or director;
3. Any business entity in which excess of ten (10) percent of the stock of, or legal or beneficial ownership of, is controlled or owned by the Council member, provided that such interest shall not disqualify that business entity from contracting with the City, except as provided in North Carolina General Statute 14-234;
4. Interest of employer

a. A Council member who is an employee of an entity involved in a contract or undertaking with the City, or which seeks the benefit of an official action of the City, may have an interest if the Council member's participation in or vote on the matter would affect or have the potential to affect the Council member financially or result in the award or deprivation of a material benefit. The existence of an employee-employee relationship does not automatically create a conflict of interest in the matter under consideration.

b. The definition of employer shall include contractual and professional relationships where the Council member is employed or engaged in connection with the matter before the Council, or is generally employed or engaged by the business entity that has the matter before Council.

Official Act of Action means any legislative, administrative, appointive or discretionary act of any Council member.

- (2) **Duty to Know the Law.** Council members should obey all laws applicable to their official actions as members of the Council. However, the law does not address every situation where ethics and ethical conduct are important. Council members should be guided by the spirit as well as the letter of the law in whatever they do.

a. Council members should endeavor to keep up-to-date, through the City Attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the Council may receive concerning specific situations that arise.

b. Council members should endeavor to keep up-to-date, through the City Attorney and other sources, about the most pertinent constitutional, statutory, and other legal requirements with which they must be familiar in order to meet their legal responsibilities.

c. Council members shall receive ethics training as required by North Carolina General Statute 160A-86.

d. Consistent with North Carolina General Statute 160A-75, a Council member shall be mindful of when he or she has an interest in a matter that may affect his or her ability to vote or participate in the consideration of the matter before Council.

e. Consistent with North Carolina General Statute 14-234, a Council member shall be mindful of when he or she may become involved in the making or administration of a contract.

f. Consistent with North Carolina General Statute 160a-388(e1), applicable to quasi-judicial land use matters, Council members shall refrain from engaging in conduct that will or may affect the member's ability to give fair consideration to the matter, and shall make decisions on the basis of information in the record before Council.

(3) **Respect for Office, Council, Public:** Council members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- a. Adhering to a code of sound values
- b. Behaving consistently and with respect toward everyone with whom they interact
- c. Exhibiting trustworthiness
- d. Living as if on duty as elected officials regardless of the circumstances
- e. Using best independent judgment to pursue the common good, presenting opinions to all in a reasonable, forthright, consistent manner
- f. Preserving integrity and not being affected by improper influence
- g. Keeping an open mind and being able to consider the opinions and ideas of others

h. Treating other Council members and the public with respect and honoring the opinions of others, even when the Council member disagrees with those opinions.

i. Not reaching firm conclusions on issues until all interested parties have had an opportunity to express their position.

j. Showing respect for their offices and not acting in ways that reflect badly on those offices

k. Recognizing that Council members are part of a larger group and acting accordingly

l. Recognizing that individual board members are not generally allowed to act on behalf of the Council, but may only do so if specifically authorized by Council and that the Council may only take official action as a body.

m. At the same time, Council members should be able to assert policy positions and opinions without fear of reprisal from fellow Council members or citizens. Council members should not question the ethics of another Council member merely because they disagree with that Council member on a question of policy.

(4) **Avoid Appearance of Impropriety.**

a. Council members should avoid impropriety in the exercise of their official duties. Actions as Council members should be above reproach. Although opinions may vary about what behavior is inappropriate, this Council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding the Council member's action would conclude that the action was inappropriate.

b. If a Council member believes that his or her actions, while legal and ethical, may be misunderstood, the Council member should seek the advice of the City Attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

(5) **Respect for Process.**

a. Council members should faithfully perform the duties of their offices.

b. Council members should faithfully attend and prepare for meetings.

c. Council members should carefully analyze all substantial information properly submitted to them.

d. Council members should expect full and complete information and appropriate analysis from the City staff.

e. Council members should be willing to bear their fair share of the Council's workload.

f. No Council Member shall be excused from voting except upon matters involving the consideration of his/her own financial interest or official conduct or on matters on which the Council member is prohibited from voting under North Carolina General Statute 14-234, 160A-381(d) or 160A-388(e1). In all other cases, a failure to vote by a member who is physically present in the council chamber, or who has withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.

(6) **Openness in Council Processes.** Council members should conduct the affairs of the Council in an open and public manner. They should remember when they meet that they are conducting the public's business.

a. Council members should comply with all applicable laws governing open meetings and public records, and observe due process, recognizing that doing so is an important way to be worthy of the public's trust.

b. In order to ensure compliance with the spirit and letter of the law concerning openness, Council members should stress transparency and candor be maintained at all times in the governmental unit including but not limited to the following: 1) City policy should prohibit unwarranted delay in fulfilling public records requests; and 2) Any closed sessions held by Council should have proper legal justification and should not stray from the purpose(s) for which they are called.

(7) **Awareness of Council-Manager Form of Government.** Except for minor requests Council members should deal with City staff only through the City Manager or his/her designee. Council members should not direct the City Manager as to City personnel matters. Council may expect regular reports from the City Manager as to operational matters affecting the City.

The Mayor, Council members and City Manager should be familiar with the Roles, Responsibilities and Expectations established each year during the strategic planning session and in the laws relating to Council-Manager forms of Municipal Government.

(8) **Managing Conflicts of Interest.**

a. If a Council member believes a matter on the Council's meeting agenda may affect his or her ability to participate or vote on the matter, he or she shall consult with the City Attorney prior to the meeting if possible.

b. In all other cases, when a Council member believes that he or she may have an interest in a matter of City business, he or she should consult with the City Attorney.

In cases where a Council member has business before the Council or has some other reason to appear before Council as an advocate for or against some action by the Council, he or she should consult with the City Attorney prior to the Council meeting as to the procedure for being excused from Council and making such appearance before Council.

(9) **Applicable Statutes.** Applicable statutes include (but are not limited to) the following (as the same may be hereafter amended):

a. **“G.S. § 160A-75. Voting**

No [City Council] member shall be excused from voting except upon matters involving the consideration of his own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. § 14-234, 160A-381(d), or 160A-388(e1). In all other cases, a failure to vote by a member who is physically present in the council chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. The question of the compensation and allowances of members of the council is not a matter involving a member's own financial interest or official conduct.

...”

b. **“G.S. § 160A-381(d). [Votes Affecting Zoning Maps or Zoning Text Amendments]**

A city council member shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Members of appointed boards [the Planning Board] providing advice to the city council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.”

(Therefore, the following will be written above that portion of any agenda of a City Council meeting or of a Planning Board meeting in which a vote is to be taken concerning any zoning map or text amendment:

“No member shall vote regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. If any member of this body knows of any such disqualifying impact, they should declare the same before discussions proceed on the respective matter and said

member shall refrain from voting on the matter where any such impact is present.”)

c. **“G.S. § 160A-388(e1). [Voting by Board of Adjustment]**

A member of the board or any other body exercising quasi-judicial functions shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.”

(Therefore, the following will be written above that portion of any agenda of a Board of Adjustment meeting in which a vote is to be taken on any zoning or quasi-judicial matter:

“No member shall participate or vote regarding any zoning or quasi-judicial matter that would violate any affected person’s constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If any member of this body knows of any such impermissible conflict, they should declare the same before discussions proceed on the respective matter. Moreover, any ex parte communications (occurring outside of the public hearing herein conducted) by any member should be disclosed at this time.”)

d. **“G.S. § 14-234. Public officers or employees benefiting from public contracts; exceptions.**

(a)(1) No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law.

(2) A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract.

(3) No public officer or employee may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.

(a1) For purposes of this section:

- (1) As used in this section, the term “public officer” means an individual who is elected or appointed to serve or represent a public agency, other than an employee or independent contract of a public agency.
- (2) A public officer or employee is involved in administering a contract if he or she oversees the performance of the contract or has authority to make decisions regarding the contract or to interpret the contract.
- (3) A public officer or employee is involved in making a contract if he or she participates in the development of specifications or terms or in the preparation or award of the contract. A public officer is also involved in making a contract if the board, commission, or other body of which he or she is a member takes actions on the contract, whether or not the public officer actually participates in that action, unless the contract is approved under an exception to this section under which the public office is allowed to benefit and is prohibited from voting.
- (4) A public officer or employee derives a direct benefit from a contract if the person or his or her spouse: (i) has more than a ten percent (10%) ownership or other interest in an entity that is a party to the contract; (ii) derives any income or commission directly from the contract; or (iii) acquires property under the contract.
- (5) A public officer or employee is not involved in making or administering a contract solely because of the performance of ministerial duties related to the contract.

(b) Subdivision (a)(1) of this section does not apply to any of the following:

- (1) Any contract between a public agency and a bank, banking institution, savings and loan association, or with a public utility regulated under the provisions of Chapter 62 of the General Statutes.
- (2) An interest in property conveyed by an officer or employee of a public agency under a judgment, including a consent judgment, entered by a superior court judge in a condemnation proceeding initiated by the public agency.
- (3) Any employment relationship between a public agency and the spouse of a public officer of the agency.
- (4) Remuneration from a public agency for services, facilities, or supplies furnished directly to needy individuals by a public officer or employee of the agency under any program of direct public assistance being rendered under the laws of this State or the United States to needy persons administered in whole or in part by the agency if: (i) the programs of public assistance to needy person are open to general participation on a nondiscriminatory basis to the practitioners of any given profession, professions or occupation; (ii) neither the agency nor any of its employees or agents, have control over who, among licensed or qualified providers, shall be selected by the beneficiaries of the assistance; (iii) the remuneration for the services, facilities or supplies are in the same amount as would be paid to any other provider; and (iv) although the public officer or employee may participate in

making determinations of eligibility of needy persons to receive the assistance, he or she takes no part in approving his or her own bill or claim for remuneration.

(b1) No public officer who will derive a direct benefit from a contract entered into under subsection (b) of this section may deliberate or vote on the contract or attempt to influence any other person who is involved in making or administering the contract.”

...”

e. **“G.S. § 14-234.1. Misuse of confidential information.**

(a) It is unlawful for any officer or employee of the State or an officer or an employee of any of its political subdivisions, in contemplation of official action by himself or by a governmental unit with which he is associated, or in reliance on information which was made known to him in his official capacity and which has not been made public, to commit any of the following acts:

- (1) Acquire a pecuniary interest in any property, transaction, or enterprise or gain any pecuniary benefit which may be affected by such information or official action; or
- (2) Intentionally aid another to do any of the above acts.

(b) Violation of this section is a Class 1 misdemeanor.”

f. **“G.S. § 133-32. Gifts and favors regulated [with “governmental agency” being specifically defined in G.S. § 133-23 to include “municipal corporation”].**

(a) It shall be unlawful for any contractor, subcontractor, or supplier who:

- (1) Has a contract with a governmental agency; or
- (2) Has performed under such a contract within the past year; or
- (3) Anticipates bidding on such a contract in the future to make gifts; or

to give favors to any officer or employee of a governmental agency who is charged with the duty of:

- (1) Preparing plans, specifications, or estimates for public contract; or
- (2) Awarding or administering public contracts; or
- (3) Inspecting or supervising construction.

It shall also be unlawful for any officer or employee of a governmental agency who is charged with the duty of:

- (1) Preparing plans, specifications, or estimates for public contract; or
- (2) Awarding or administering public contracts; or
- (3) Inspecting or supervising construction.

It shall be unlawful for any officer or employee of a governmental agency who is charged with the duty of:

- (1) Preparing plans, specifications, or estimates for public contracts; or
- (2) Awarding or administering public contracts; or
- (3) Inspecting or supervising construction willfully to receive or accept any such gift or favor.

(b) A violation of subsection (a) shall be a Class 1 misdemeanor.

(c) Gifts or favors made unlawful by this section shall not be allowed as a deduction for North Carolina tax purposes by any contractor, subcontractor or supplier or officers or employees thereof.

(d) This section is not intended to prevent the gift and receipt of honorariums for participating in meetings, advertising items or souvenirs of nominal value, or meals furnished at banquets. This section is not intended to prevent any contractor, subcontractor, or supplier from making donations to professional organizations to defray meeting expenses where governmental employees are members of such professional organizations, nor is it intended to prevent governmental employees who are members of professional organizations from participation in all scheduled meeting functions available to all members of the professional organization attending the meeting. This section is also not intended to prohibit customary gifts or favors between employees or officers and their friends and relatives or the friends and relatives of their spouses, minor children, or members of their household where it is clear that it is that relationship rather than the business of the individual concerned which is the motivating factor for the gift or favor. However, all such gifts knowingly made or received are required to be reported by the donee to the agency head if the gifts are made by a contractor, subcontractor, or supplier doing business directly or indirectly with the governmental agency employing the recipient of such a gift.”

g. **“§ 160A-168. Privacy of employee personnel records.**

(a) Notwithstanding the provisions of G.S. 132-6 or any other general law or local act concerning access to public records, personnel files of employees, former employees, or applicants for employment maintained by a city are subject to inspection and may be disclosed only as provided by this section. For purposes of this section, an employee's personnel file consists of any information in any form gathered by the city with respect to that employee and, by way of illustration but not limitation, relating to his application, selection or nonselection, performance, promotions, demotions, transfers, suspension and other disciplinary actions, evaluation forms, leave, salary, and termination of employment. As used in this section, "employee" includes former employees of the city.

(b) The following information with respect to each city employee is a matter of public record:

- (1) Name.
- (2) Age.

- (3) Date of original employment or appointment to the service.
- (4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the city has the written contract or a record of the oral contract in its possession.
- (5) Current position.
- (6) Title.
- (7) Current salary.
- (8) Date and amount of each increase or decrease in salary with that municipality.
- (9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.
- (10) Date and general description of the reasons for each promotion with that municipality.
- (11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.
- (12) The office to which the employee is currently assigned.

(b1) For the purposes of this subsection, the term "salary" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity.

(b2) The city council shall determine in what form and by whom this information will be maintained. Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the city council may have adopted. Any person denied access to this information may apply to the appropriate division of the General Court of Justice for an order compelling disclosure, and the court shall have jurisdiction to issue such orders.

(c) All information contained in a city employee's personnel file, other than the information made public by subsection (b) of this section, is confidential and shall be open to inspection only in the following instances:

- (1) The employee or his duly authorized agent may examine all portions of his personnel file except (i) letters of reference solicited prior to employment, and (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.
- (2) A licensed physician designated in writing by the employee may examine the employee's medical record.
- (3) A city employee having supervisory authority over the employee may examine all material in the employee's personnel file.

(4) By order of a court of competent jurisdiction, any person may examine such portion of an employee's personnel file as may be ordered by the court.

(5) An official of an agency of the State or federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the official having custody of such records to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution (of the employee), or for the purpose of assisting in an investigation of (the employee's) tax liability. However, the official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.

(6) An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.

(7) The city manager, with concurrence of the council, or, in cities not having a manager, the council may inform any person of the employment or nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of a city employee and the reasons for that personnel action. Before releasing the information, the manager or council shall determine in writing that the release is essential to maintaining public confidence in the administration of city services or to maintaining the level and quality of city services. This written determination shall be retained in the office of the manager or the city clerk, and is a record available for public inspection and shall become part of the employee's personnel file.

(c1) Even if considered part of an employee's personnel file, the following information need not be disclosed to an employee nor to any other person:

(1) Testing or examination material used solely to determine individual qualifications for appointment, employment, or promotion in the city's service, when disclosure would compromise the objectivity or the fairness of the testing or examination process.

(2) Investigative reports or memoranda and other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded.

(3) Information that might identify an undercover law enforcement officer or a law enforcement informer.

(4) Notes, preliminary drafts and internal communications concerning an employee. In the event such materials are used for any official personnel

decision, then the employee or his duly authorized agent shall have a right to inspect such materials.

(c2) The city council may permit access, subject to limitations they may impose, to selected personnel files by a professional representative of a training, research, or academic institution if that person certifies that he will not release information identifying the employees whose files are opened and that the information will be used solely for statistical, research, or teaching purposes. This certification shall be retained by the city as long as each personnel file examined is retained.

(c3) Notwithstanding any provision of this section to the contrary, the Retirement Systems Division of the Department of State Treasurer may disclose the name and mailing address of former local governmental employees to domiciled, nonprofit organizations representing 2,000 or more active or retired State government, local government, or public school employees.

(d) The city council of a city that maintains personnel files containing information other than the information mentioned in subsection (b) of this section shall establish procedures whereby an employee who objects to material in his file on grounds that it is inaccurate or misleading may seek to have the material removed from the file or may place in the file a statement relating to the material.

(e) A public official or employee who knowingly, willfully, and with malice permits any person to have access to information contained in a personnel file, except as is permitted by this section, is guilty of a Class 3 misdemeanor and upon conviction shall only be fined an amount not more than five hundred dollars (\$500.00).

(f) Any person, not specifically authorized by this section to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a Class 3 misdemeanor and upon conviction shall only be fined in the discretion of the court but not in excess of five hundred dollars (\$500.00).”

h. “G.S. § 160A-169. City employee political activity.

(a) Purpose. The purpose of this section is to ensure that city employees are not subjected to political or partisan coercion while performing their job duties, to ensure that employees are not restricted from political activities while off duty, and to ensure that public funds are not used for political or partisan activities.

It is not the purpose of this section to allow infringement upon the rights of employees to engage in free speech and free association. Every city employee has a civic responsibility to support good government by every available means and in every

appropriate manner. Employees shall not be restricted from affiliating with civic organizations of a partisan or political nature, nor shall employees, while off duty, be restricted from attending political meetings, or advocating and supporting the principles or policies of civic or political organizations, or supporting partisan or nonpartisan candidates of their choice in accordance with the Constitution and laws of the State and the Constitution and laws of the United States of America.

(b) Definitions. For the purposes of this section:

- (1) "City employee" or "employee" means any person employed by a city or any department or program thereof that is supported, in whole or in part, by city funds;
- (2) "On duty" means that time period when an employee is engaged in the duties of his or her employment; and
- (3) "Workplace" means any place where an employee engages in his or her job duties.

(c) No employee while on duty or in the workplace may:

- (1) Use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for political office; or
- (2) Coerce, solicit, or compel contributions for political or partisan purposes by another employee.

(d) No employee may be required as a duty or condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes.

(e) No employee may use city funds, supplies, or equipment for partisan purposes, or for political purposes except where such political uses are otherwise permitted by law.

(f) To the extent that this section conflicts with the provisions of any local act, city charter, local ordinance, resolution, or policy, this section prevails to the extent of the conflict."

(10) **Confidential Information.** Consistent with North Carolina General Statute 14-234.a, no Council member may, without prior formal authorization of the full Council, disclose any confidential information concerning any other official or employee, or any other person, or any property or governmental affairs of the City. Whether or not it shall involve disclosure, no Council member may use or permit the use of any such confidential information to advance the financial or personal interest of him/herself or any other person.

(11) **Censure Procedures.** If a majority of the Council has reason to believe that one of its members has violated a provision of this Code of Ethics, Council may cause an investigation into the matter to determine whether probable cause exists to initiate censure proceedings against the member. To the extent permitted by law, all information compiled, including the grounds for any finding of probable cause, shall be shared with the affected member when it is received. The North Carolina Public Records Statutes shall be applicable to any such proceedings. In connection with any such official action, the affected Council Member shall have notice and an opportunity to be heard. If upon

investigation the Council concludes that a violation of a criminal law may have occurred, Council shall direct the City Attorney to refer the matter to an appropriate law enforcement agency or official.”

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

The foregoing Ordinance 14—52, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of ***** 2014: 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, pp. **: CAF 14-09*

City Council Action Form

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



Agenda Item: _____

Council Meeting: 27 Oct. 14 Work Session

26 September, 2014

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

FR: Ed Wyatt, Interim City Manager

**RE: CAF: 14-112:
Consideration of Approval of Resolution 14-81 Authorizing the Implementation of an "Adopt a Park" Policy for the Henderson-Vance Recreation and Parks Department**

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 7: To Expand Leisure and Cultural Services, Programs and Facilities

Recommendation:

- Consideration of approval of Resolution 14-81 Authorizing the Implementation of an "Adopt a Park" Policy for the Henderson-Vance Recreation and Parks Department

Executive Summary

The "Adopt a Park" Policy Plan has been received by the Henderson/Vance Recreation Commission. This policy plan will allow the Henderson/Vance Recreation and Parks Department the ability to partner with civic clubs, churches, businesses and interested individuals to adopt a park or certain aspects of a park. This will assist the Henderson/Vance Recreation and Parks Department with inspections, maintenance and upkeep of the adopted park.

Enclosures:

1. Resolution 14-81

RESOLUTION 14-81

ESTABLISHMENT OF AN ADOPT-A-PARK PROGRAM

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

WHEREAS, this Resolution addresses one **KSO 7**: To Expand Leisure and Cultural Services, Programs, and Facilities; *and*

WHEREAS, the Henderson-Vance Recreation and Parks Department (HVRPD), a department of the City of Henderson (City), is responsible for the operation and maintenance of parks under the purview of the City and the County of Vance, North Carolina (County); *and*

WHEREAS, individuals and organizations have expressed interest in assisting HVRPD in park maintenance and improvements; *and*

WHEREAS, the HVRPD has determined volunteer services would permit more efficient and effective park maintenance and assist in the development and implementation of improvements; *and*

WHEREAS, the HVRPD has the resources to develop and administer a volunteer program; *and*

WHEREAS, the HVRPD recommends establishment of a volunteer program to assist the department in park maintenance and improvements, such program to be named “The HVRPD Adopt-a-Park Program”.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY establish the HVRPD Adopt-a-Park Program (Program), to be implemented by the City Mayor once policies and procedures regarding the purpose and scope of and responsibilities under the Program are developed by the HVRPD, reviewed by the City Attorney and approved by the City Manager.

The foregoing Resolution 14-81, upon motion by Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was *** on this the *** day of *****, 2014: YES: NO: ABSTAIN: ABSENT:

James D. O’Geary, Mayor

Attest:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney



*Henderson-Vance
Recreation & Parks
Department*

ADOPT A PARK PROGRAM

POLICY

AND

APPLICATION

PACKET

This Application packet includes guidelines and forms for your records. You will find these forms helpful during your adoption period. Thank you so much for your commitment; Henderson/Vance Recreation and Parks looks forward to assisting and working with your organization.

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Philosophy

This program presents a great opportunity for interaction between HVRPD and the rest of the communities in Vance County and the City of Henderson.

HVRPD wishes to encourage a cooperative effort to enhance and improve areas throughout the community. This is a very positive approach to beautification in the parks. Recreation and Parks can supply knowledge and experience and the possibly the flexibility of financially helping the neighborhoods enhance their parks. This program will have long-term effects and participants will be encouraged to plan accordingly.

This policy focuses on the Adopt a Park program of the Henderson/Vance Recreation and Parks Department.

The Henderson/Vance offers a variety of volunteer opportunities:

- Athletic Coaching, Coaching Assistants
- Henderson Rec. Players
- Sponsorships of Athletic Teams
- Sponsorships of Special Olympics
- Sponsorships of Henderson Rec. Players
- Special event volunteers

Scout Projects: The HVRPD offers opportunities for Scouts to complete their projects for scouting awards.

Corporate and Service Club Volunteers: Corporations and Service Clubs can give back to the community through giving time. Time can be just as valuable as dollars. We can accommodate groups of all sizes and tailor a volunteer project to your needs. Please contact us directly to discuss opportunities.

Adopt-a Park Guidelines

Responsibilities of Agency:

- Conduct at least 3 seasonal cleanups per year for each of your chosen sites
- Arrange cleanup after special events
- Complete Event Notification Form a Liability form preceding each cleanup
- Complete Clean up Reporting form following each cleanup

Report major maintenance problems to respective division

- Large trash items
- Toxic or hazardous materials
- Large Sharp metal objects
- Medical waste
- Dead animals

Monitor and report vandalism to the HVRPD

Recommendations:

- Keep trail surface free of sticks, rocks, and other debris
- Prune small limbs from the trail corridor
- Clean/remove debris from drainage ditches
- Collect any litter
- Clear debris from benches, bridges, stairs, and other surfaces
- Report major maintenance problems such as: trees across trail, erosion problems, suspicious or illegal activities, vandalism, and safety issues to the HVRPD.
- Stay within right of way boundaries

Limitations:

- Use of power tools such as chainsaws are not permitted unless approved by the HVPRD
- Organizations must not alter the existing trail route unless approved by the HVPRD

Responsibilities of the Recreation and Parks Department

- Provide supplies and materials for cleanups
- Provide required forms
- Supply recognition signs for adoption sites
- Provide technical help or a tailored maintenance plan, upon request only

Program Safety Guidelines

- Volunteers under 18 years of age may participate with proper supervision by an adult and parental/guardian signature.
- Cleanups should only be done during daylight hours.
- Wear light-colored clothing that covers arms and legs, in addition wear rubber boots or waders, gloves, hat and safety glasses.
- Wear clothing that will not impair vision or movement during cleanup activities.
- Work in small groups. Do not work alone!
- Stay clear of any construction.
- Do not work in inclement weather.
- During warm months, drink plenty of fluids, take breaks and avoid overexertion.
- During cold weather months, dress warmly with layered clothing.
- Be alert for snakes, stinging insects, and poisonous plants.
- Carpool to the site to reduce the number of vehicles.
- Use proper bending and lifting techniques.
- Be aware of wet rocks, hills, and slopes. Watch your steps!
- Do not use or possess illegal drugs or alcohol during cleanup.
- Do not pick up what appears to be hazardous material (notify your respective coordinator if you encounter hazardous objects or holes, guy wires and other hidden obstacles in the ground.)
- Do not attempt to squeeze bags to make room for more trash; injuries from broken or jagged objects can result from this practice.

In case of Emergency:

- Have an adequate first aid kit available.
- Select an emergency room/hospital and know the route from the work area to the designated treatment facility.
- If possible, have one member bring a cell phone for emergencies.

Bag Pickup Procedure:

- Notify the designated coordinator with location of bags from clean ups.
- Group the trash bags together and where practical place them at least 8 feet from the side of the road to make the job of collecting bags easier and safer.

Contact Information

➤ Name of Organization: _____

Primary Contact Information

➤ Name: _____

➤ Mailing Address: _____

➤ Phone Number: _____

➤ Email: _____

Secondary Contact Information

➤ Name: _____

➤ Mailing Address: _____

➤ Phone Number: _____

➤ Email: _____

Adoption Site Descriptions

➤ Name of Site: _____

➤ Location/Address: _____

I agree to provide services to maintain _____ (name of adopted location) in Vance County/City of Henderson as part of the Adopt-A Park program. If I represent a group or organization, I state that I duly authorize to enter this agreement by said group or organization. The terms of this agreement shall be in effect for two years, from _____ until _____.

I and all members of my group/organization hereby release the HVRPD , its officers, employees, and agents from all claims, demands, and actions which we may have against the HVRPD for any property damage, personal injury, or death by or arising out of our participation in the Adopt-A Park program.

I acknowledge the risks associated with cleanup and maintenance activities, including but not limited to: the risk of injury from equipment, chemicals, exposure to the elements, street, strain,, and the acts of omissions of other persons, and I expressly agree to defend, indemnity and hold harmless from and against any claims, demands, and actions on account of or resulting from my organization's participation in the program.

Name of Represented Organization/Group

Print Name of HVRPD Representative

Print Name of Organization/Group Representative

Signature of HVRPD Representative

Signature of Representative

Date

Date

This form must be submitted at least three business days prior to a cleanup

This form is to inform our staff of your cleanup date and to provide a date and location for garbage collection and disposal. Please complete and return prior to cleanup.

Name of Organization_____

Name of Group Representative_____

Cleanup Date and Time_____

Number of Participants_____(Adults)_____(Youth-18 or under)

If you will be coming to our office to pick up bags, please give us the date you plan to arrive so material will be ready for pickup_____

Location of Collected Garbage

Properly secure and completely tie all bags. Group the bags together, and if safe and practical, place them at least 8 feet from the road. Indicate below the location that you have chosen to place your bags.

Before participating in park cleanup, all volunteer must sign this liability release form. A parent/guardian is required to sign for volunteers under 18 years. This form must be received by our office prior to cleanups.

The following persons will participate in one or more cleanups. By our signatures we agree to abide by the HVRPD policies and safety guidelines. We will not hold the HVRPD responsible for injuries or damages that may occur as a result of participation in the Adopt-A Park program.

| Name | Check if Minor | Signature |
|------|----------------|-----------|
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*Note: If more spaces are needed please make copies of this Liability Release Form

Form must be submitted within two weeks of cleanup date

Date of Cleanup _____
Name of Group/Organization _____
Name of Representative _____
Name of Cleanup Site _____
Debris removed _____

List type removed, such as tire, paper, plastic, etc.

Number of bags collected _____
Please indicate the actual amount of time spent doing the cleanup (i.e. 1.5 Hrs.)
Actual number of Participants _____

Area assessment: Rating Scale – 1-10 (1 needs immediate attention – 10 excellent)
Please explain in the Improvements/comments box if anything looked unnatural or out of the ordinary during your visual inspection. Write “n/a” if the category does not apply to your adopted site.

| Categories | 1-10 | Improvements/Comments |
|---|------|-----------------------|
| General Items (Benches, tables,, signage, graffiti) | | |
| Playground equipment, basketball courts | | |
| Shelters/Rooms, (restrooms, sidewalks, roofing, etc.) | | |
| Environmental (creeks, creek banks, poisonous plants, bees/hornets, insects, wildlife, etc. | | |
| Additional Warning/caution signs needed? | | |
| Trail markings, signage, etc. (Trails only) | | |

For all cleanups always be aware of your surroundings. Please report any unknown substances or possible hazardous materials to 911. Give a brief description of the problem and include the following: nearest physical address to the problem (street name). Do Not attempt to clean unknown substances; they can be hazardous to your health.

Please complete and return to: HVRPD, 307 Carey Chapel Road, Henderson, NC 27537

Attachment D: Sign Release Form

Each volunteer organization/group is entitled to a HVRPD Adopt-A Park sign along a street that crosses the stream or other designated location. Sign will not be installed until two cleanups have been completed and all necessary documents are returned.

Please include only the name of your group or organization. Phrases such as “In Memory of” or “in Honor of” will not be allowed on the Adopt-A Park signs. The HVRPD must approve all signs.

Desired Verbiage on Sign:

Please complete and return to HVRPD at:

Henderson/Vance Recreation and Parks Department
307 Carey Chapel Road
Henderson, NC 27537

City Council Action Form

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



Agenda Item: _____

Council Meeting: 10 Nov 14 Regular Meeting

6 November 2014

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 14-113
Consideration of Approval of Resolution 14-82, Adopting the 2015 City Council Meeting Schedule.

Ladies and Gentlemen:

Recommendation:

- Approval of Resolution 14-82, Adopting the 2015 City Council Meeting Schedule.

Executive Summary

As part of the annual meeting planning efforts, a schedule for all regular council meetings and work sessions has been prepared for Council's consideration. The second meeting in May is recommended for cancellation since it conflicts with the Memorial Day holiday, as well as the first meeting in October which conflicts with the Annual NCLM Conference. It is also recommended that the second meeting in December be cancelled due to its close proximity to the Christmas holidays.

The Strategic Planning Retreat is recommended to follow the same format as last year with part one to be held on the evening of January 28th followed by an all-day retreat on January 29, 2014. The location will be determined and announced prior to these meetings.

The budget work sessions will be scheduled at a later date and special meetings will be noticed as needed during the year.

Enclosures:

1. Resolution 14-82

RESOLUTION 14-82

APPROVING 2015 CITY COUNCIL MEETING SCHEDULE

WHEREAS, regular council meetings for 2015 have been scheduled as required by Section 12 of Part 1, The Charter, of the Code of Ordinances of the City of Henderson, North Carolina (Supplement 21 (June 21, 2014)) for its Council meetings ; *and*

WHEREAS, the second meeting in May 2015 and the first meeting in October are recommended for cancellation as they conflict, respectively with Memorial Day holiday and attendance of the City personnel and Council at the North Carolina League of Municipalities Annual Conference; *and*

WHEREAS, the second meeting in December 2015 is recommended to be cancelled as it adversely impacts the Christmas season holiday; *and*

WHEREAS, the Strategic Planning Retreat is recommended to follow the same format as last year with part one to be held on the evening of January 28 2015 and part two to be held on January 29 2015; *and*

WHEREAS, special meetings will be noticed as needed during the year.

NOW, THEREFORE, BE IT RESOLVED, by the Henderson City Council that the Official 2015 Henderson City Council Meeting Schedule, as set forth in **Attachment A** to this Resolution, be approved by Council and filed with the City Clerk.

The foregoing Resolution 14-82, upon motion of Council Member _____ and second by Council Member _____, and having been submitted to a roll call vote received the following votes and was _____ on this the __th day of _____ 2014:
YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 44, pp. ***; CAF 14-113*

*City Council Meetings are held in the City Council Chambers at the
City Municipal Building, 134 Rose Avenue, Henderson NC*

| City Council Meeting | 2015 Schedule | | Special Notes |
|----------------------------|---------------|---|--|
| Regular Meeting | Jan. 12, 2015 | 6:00 PM | |
| Short Business Meeting | Jan. 26, 2015 | 6:00 PM | |
| Workshop Session | Jan. 26, 2015 | Immediately Following Short Business Meeting | |
| Strategic Planning Retreat | 28 Jan 2015 | 6:00 PM | Location to be Announced at future meeting |
| Strategic Planning Retreat | 29 Jan 2015 | 8:00 AM | Location to be Announced at future meeting |
| Regular Meeting | Feb. 09, 2015 | 6:00 PM | |
| Short Business Meeting | Feb. 23, 2015 | 6:00 PM | |
| Workshop Session | Feb. 23, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Mar. 09, 2015 | 6:00 PM | |
| Short Business Meeting | Mar. 23, 2015 | 6:00 PM | |
| Workshop Session | Mar. 23, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Apr. 13, 2015 | 6:00 PM | |
| Short Business Meeting | Apr. 27, 2015 | 6:00 PM | |
| Workshop Session | Apr. 27, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | May 11, 2015 | 6:00 PM | |
| Short Business Meeting | May 25 2015 | *****Cancelled due to Holiday***** | Memorial Day May 25 |
| Workshop Session | May 25, 2015 | *****Cancelled due to Holiday***** | Memorial Day May 25 |
| Regular Meeting | Jun. 08, 2015 | 6:00 PM | |
| Short Business Meeting | Jun. 22, 2015 | 6:00 PM | |
| Workshop Session | Jun. 22, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Jul. 13, 2015 | 6:00 PM | |
| Short Business Meeting | Jul. 27, 2015 | 6:00 PM | |
| Workshop Session | Jul. 27, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Aug. 10, 2015 | 6:00 PM | |
| Short Business Meeting | Aug. 24, 2015 | 6:00 PM | |
| Workshop Session | Aug. 24, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Sep. 14, 2015 | 6:00 PM | |
| Short Business Meeting | Sep. 28, 2015 | 6:00 PM | |
| Workshop Session | Sep. 28, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Oct. 12, 2015 | ***Cancelled due to NCLM Annual Conference*** | NCLM Conf. Oct 11-13 Winston-Salem |
| Short Business Meeting | Oct. 26, 2015 | 6:00 PM | |
| Workshop Session | Oct. 26, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Nov. 09, 2015 | 6:00 PM | |
| Short Business Meeting | Nov. 23, 2015 | 6:00 PM | |
| Workshop Session | Nov. 23, 2015 | Immediately Following Short Business Meeting | |
| Regular Meeting | Dec. 14, 2015 | 6:00 PM | |
| Short Business Meeting | Dec. 28, 2015 | *****Cancelled due to Holiday***** | Christmas Holidays |
| Workshop Session | Dec. 28, 2015 | *****Cancelled due to Holiday***** | Christmas Holidays |

Please note that the City Council may schedule special meetings in addition to the ones listed above and/or cancel meetings as circumstances warrant.

Meetings and Events Calendar

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

| Date | Time | Event | Location |
|---|---|---|--|
| Nov 13 th | 12:00 PM | Henderson-Vance Parks & Recreation Commission | Aycock Recreation Center |
| Nov 20 th | 7:00 PM | Human Relations Commission | City Council Chambers |
| Nov 24 th | 6:00 PM | City Council Meeting Work Session to Follow | City Council Chambers |
| Nov 27 th & Nov 28 th | CITY HALL CLOSED |  HAPPY THANKSGIVING  | CITY HALL CLOSED |
| Dec 1 st | 3:30 PM | Henderson Planning Board | City Council Chambers |
| Dec 2 nd | 3:30 PM | Henderson Zoning Board of Adjustments | City Council Chambers |
| Dec 8 th | 9:30 AM | KLRWS Advisory Board Meeting | City Hall Large Conference Room |
| Dec 8 th | 6:00 PM | City Council Regular Meeting | City Council Chambers |
| Dec 11 th | 12:00 PM | Henderson-Vance Parks & Recreation Commission | Aycock Recreation Center |
| Dec 18 th | 7:00 PM | Human Relations Commission | City Council Chambers |
| Dec 22nd | Meeting Cancelled | City Council Meeting CANCELLED DUE TO HOLIDAYS | Meeting Cancelled |
| Dec 24th | CITY HALL CLOSED | MERRY CHRISTMAS TO ALL  | CITY HALL CLOSED FOR |
| Dec 25th | FOR THE HOLIDAYS | | THE HOLIDAYS |
| Dec 26th | DEC 24TH THRU 26TH | | DEC 24TH - 26TH |
| Jan 1st | CITY HALL CLOSED | HAPPY NEW YEAR!!!! | CITY HALL CLOSED |
| Jan 5 th | 3:30 PM | Henderson Planning Board | City Council Chambers |
| Jan 6 th | 3:30 PM | Henderson Zoning Board of Adjustments | City Council Chambers |
| Jan 8 th | 12:00 PM | Henderson-Vance Parks & Recreation Commission | Aycock Recreation Center |
| Jan 12 th | 5:00 PM | Perry Memorial Library Board of Trustees | Perry Memorial Library |
| Jan 12 th | 6:00 PM | City Council Regular Meeting | City Council Chambers |
| Jan 13 th | 3:00 PM | Henderson Community Appearance Commission | City Council Chambers |
| Jan 15 th | 7:00 PM | Human Relations Commission | City Council Chambers |

Last Updated 30 October 2014

HENDERSON-VANCE COUNTY 911

NUMBER OF CALLS REPORT BY COMPLAINT (ALL UNITS)

TOTAL

5,459

TIME PERIOD:09/21/2014 09:00:00 Through 10/20/2014 23:59:59

| DEPARTMENT | COMMENT | TOTAL | COUNTY | CITY | STATE | OTHER |
|---|-------------------------------|--------------|--------------|--------------|-----------|------------|
| DATA WITH NO DEPARTMENT | | 175 | | | | 175 |
| AFTON VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 1 | 1 | | | |
| AMERICAN RED CROSS | Other Dispatch | 0 | | | | 0 |
| BEARPOND VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 33 | 33 | | | |
| BERTIE AMUBLANCE SERVICE | City & County Dispatch-actual | 8 | 8 | | | |
| COKEBURY VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 17 | 17 | | | |
| CSX RAILROAD | Other Dispatch | 0 | | | | 0 |
| DREWRY VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 12 | 12 | | | |
| EMBARQ | Other Dispatch | 1 | | | | 1 |
| EPSOM VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 8 | 8 | | | |
| HENDERSON FIRE DEPARTMENT-STATION 1 | City Dispatch | 244 | | 244 | | |
| HENDERSON FIRE DEPARTMENT-STATION 2 | City Dispatch | 229 | | 229 | | |
| HENDERSON POLICE DEPARTMENT | City Dispatch | 2,483 | | 2,483 | | |
| HENDERSON STREET DEPT | City Dispatch | 3 | | 3 | | |
| HENDERSON WATER DEPARTMENT | City Dispatch | 18 | | 18 | | |
| HICKSBORO VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 22 | 22 | | | |
| KITTRELL VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 14 | 14 | | | |
| NORTH CAROLINA DEPT OF PARKS | State Dispatch | 4 | | | 4 | |
| NORTH CAROLINA DEPT OF TRANSPORTATION | State Dispatch | 4 | | | 4 | |
| NORTH CAROLINA DIVISION OF MOTOR VEHICLES | State Dispatch | 0 | | | 0 | |
| NORTH CAROLINA FORESTRY SERVICE | State Dispatch | 2 | | | 2 | |
| NORTH CAROLINA MAGISTRATE OFFICE | State Dispatch | 0 | | | 0 | |
| NORTH CAROLINA MEDICAL EXAMINER | State Dispatch | 1 | | | 1 | |
| NORTH CAROLINA PROBATION & PAROLE | State Dispatch | 1 | | | 1 | |
| NORTH CAROLINA STATE HIGHWAY PATROL | State Dispatch | 50 | | | 50 | |
| NORTH CAROLINA UNDERWATER RECOVERY | Other Dispatch | 0 | | | 0 | |
| NORTH CAROLINA WILDLIFE | State Dispatch | 0 | | | 0 | |
| PROGRESS ENERGY | Other Dispatch | 4 | | | | 4 |
| PUBLIC SERVICE GAS | Other Dispatch | 1 | | | | 1 |
| RIDGEWAY VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 0 | 0 | | | |
| TOWNSVILLE VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 30 | 30 | | | |
| VANCE COUNTY AMBULANCE SERVICE (EMS) | City & County Dispatch-actual | 510 | 222 | 286 | | 2 |
| VANCE COUNTY ANIMAL CONTROL | County Dispatch | 94 | 94 | | | |
| VANCE CO DEPT OF SOCIAL SERVICES | County Dispatch | 0 | 0 | | | |
| VANCE COUNTY EMERGENCY MANAGEMENT | City & County Dispatch | 2 | 2 | | | |
| VANCE COUNTY FIRE DEPARTMENT | County Dispatch/FIRE | 105 | 105 | | | |
| VANCE COUNTY RESCUE SQUAD | County Dispatch | 40 | 40 | | | |
| VANCE COUNTY SHERIFF DEPARTMENT | County Dispatch | 2,242 | 2,242 | | | |
| WAKE ELECTRIC COOPERATIVE | Other Dispatch | 0 | | | | 0 |
| WATKINS VOLUNTEER FIRE DEPARTMENT | County VFD Dispatch | 21 | 21 | | | |
| TOTALS | | 6,379 | 2,871 | 3,263 | 62 | 183 |

Signature: 
 Prepared by: Carey T. Baker, 911 Database Coordinator

Signature: 
 Reviewed by Brian K. Short, Director
 10/30/2014

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 09/21/2014

Last Date: 10/20/2014

| <i>Complaint</i> | | <i>Number</i> |
|-------------------------|-----------------------------------|----------------------|
| 911HU | 911 HANG UP CALL | 51 |
| ABAND | ABANDONED OR JUNKED CARS | 3 |
| ABDOM-EMD | ABDOMINAL PAIN OR PROBLEMS | 18 |
| ABNV | ABANDONED VEHICLE | 1 |
| ACC-PD | ACCIDENT PROPERTY DAMAGE | 86 |
| ACC-PI | ACCIDENT PERSONAL INJURY | 33 |
| ALARM | ALARM RESIDENCE OR BUSINESS | 266 |
| ALARMFALSE | ALARM FALSE | 90 |
| ALARMMED | ALARM MEDICAL | 7 |
| ALLERG-EMD | ALLERGIC REACTION / ENVENOMATIC | 4 |
| ANIMAL-EMD | ANIMAL BITE / ATTACK | 1 |
| ANIM | ANIMAL COMPLAINT/VISCIOUS ANIMAL | 80 |
| ARMED SUSP | ARMED SUSPECT (MAN WITH A GUN) | 10 |
| ASAG | ASSIST OTHER AGENCY | 22 |
| ASMO | ASSIST MOTORIST | 53 |
| ASSAULIP-EMD | ASSAULT OR SEXUAL ASSAULT - IN PI | 2 |
| ASSAULT-EMD | ASSAULT OR SEXUAL ASSAULT | 38 |
| BACKPAIN-EMD | BACK PAIN (NON-TRAUMATIC) | 4 |
| BE MV | BREAKING AND ENTERING TO A MOTC | 9 |
| BON | BONDING | 3 |
| BREATH-EMD | BREATHING PROBLEMS | 75 |
| BURG-IP | BURGULARY/B&E IN PROGRESS | 5 |
| BURGLARY | BURGLARY | 66 |
| BURNS-EMD | BURNS (SCALDS) OR EXPLOSIONS (E) | 1 |
| CAR | CARELESS AND RECKLESS DRIVER | 33 |
| CARDIAC-EMD | CARDIAC/RESPIRATORY ARREST OR I | 6 |
| CHASE | CHASE | 7 |
| CHESTPAI-EMD | CHEST PAIN | 52 |
| CHOKING-EMD | CHOKING | 3 |
| CIVDIS | CIVIL DISPUTE | 84 |
| COMTHR | COMMUNICATING THREATS | 6 |
| CONVULS-EMD | CONVULSIONS / SEIZURES | 22 |
| DIABETIC-EMD | DIABETIC PROBLEMS | 14 |
| DIRTRF | DIRECTING TRAFFIC/TRAFFIC CONTRI | 1 |
| DISO | DISORDERLY PERSON | 87 |
| DOMEIP/W | DOMESTICE DISPUTE - IN PROGRESS, | 3 |
| DOM-PROB | DOMESTIC PROBLEM | 73 |
| DRUGALC | DRUG OR ALCOHOL COMPLAINT | 37 |
| DRUNKDRIV | DRUNK DRIVER | 5 |
| DVO | DOMESTIC VIOLENCE ORDER | 1 |
| EMERG TRANS | EMERGENCY TRANSPORT | 3 |
| ESCO | ESCORT | 195 |
| EVICTION | EVICTION CARRIED OUT | 29 |
| FALLS-EMD | FALLS (SUBJECT FALLEN) | 50 |
| FIGHT | FIGHT | 26 |
| FIGHT-IP/W | FIGHT IN PROGRESS/W-WEAPONS | 2 |
| FIRE AL | FIRE ALARM | 35 |
| FIRE BRU | BRUSH/GRASS FIRE | 5 |
| FIRE DUMP | DUMPSTER FIRE | 1 |
| FIRE ELEC | ELECTRICAL FIRE | 5 |
| FIRE GRE | GREASE FIRE | 1 |
| FIRE SMOKE | SMOKE REPORT | 4 |

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 09/21/2014

Last Date: 10/20/2014

| <i>Complaint</i> | | <i>Number</i> |
|-------------------------|----------------------------------|----------------------|
| FIRE STRUC | STRUCTURE FIRE | 10 |
| FIRE VEHI | VEHICLE FIRE | 4 |
| FRAUD | FRAUD/FORGERY | 32 |
| GASLEA | GAS LEAK | 2 |
| HARR | HARRASSMENT/THREATS | 47 |
| HEADACHE-EMD | HEADACHE | 7 |
| HEART-EMD | HEART PROBLEMS - AICD | 9 |
| HEMORR-EMD | HEMORRHAGE / LACERATION | 21 |
| HOMEINV | HOME INVASION | 2 |
| HRPD | HIT & RUN PD | 22 |
| HRPI | HIT & RUN PI | 1 |
| ILL-DUMP | ILLEGAL DUMPING | 6 |
| INSPECTION | FIRE INSPECTION | 44 |
| INTPERS | INTOXICATED PERSON | 16 |
| INVE | INVESTIGATE ----- AT | 922 |
| IPV | IMPROPERLY PARKED VEHICLE | 67 |
| JUV | JUVENILE PROBLEMS | 33 |
| KIDN | KIDNAPPING/FELONIOUS RESTRAINT | 1 |
| LARCIP | LARCENY IN PROGRESS | 3 |
| LARC | LARCENY - ALREADY OCCURRED | 138 |
| LIVEST | LIVESTOCK IN ROADWAY | 4 |
| LOIT | LOITERING COMPLAIN | 14 |
| LOST | LOST PROPERTY | 5 |
| LOUD | LOUD MUSIC | 89 |
| MEDICAL | MEDICAL | 3 |
| MEN | MENTAL SUBJECT | 59 |
| MISS | MISSING PERSON | 9 |
| OPEN | OPEN DOOR/WINDOW | 7 |
| OVERDOSE-EMD | OVERDOSE / POISONING (INGESTION) | 5 |
| PDAMG | PROPERTY DAMAGE ALREADY OCCUI | 91 |
| PDMGIP | PROPERTY DAMAGE IN PROGRESS | 1 |
| PREGNANT-EMD | PREGNANCY/CHILDBIRTH/MISCARRIA | 2 |
| PROW | PROWLER | 36 |
| RAPE | RAPE | 1 |
| RECFPI | RECOVERED/FOUND PROPERTY | 18 |
| ROBARM | ROBBERY ARMED | 2 |
| RUN | RUNAWAY | 6 |
| SEVWEA | SEVERE WEATHER | 1 |
| SHOP | SHOPLIFTER | 20 |
| SHOTS | SHOTS FIRED | 63 |
| SICK-EMD | SICK PERSON | 101 |
| STABBING-EMD | STABBING / GUNSHOT / PENETRATING | 7 |
| STOLV | STOLEN VEHICLE | 10 |
| STROKE-EMD | STROKE (CVA) | 16 |
| SUBINCUS | SUBJECT IN CUSTODY | 24 |
| SUMMONS | CIVIL / CRIMINAL SUMMONS | 234 |
| SUPSUB | SUSPICIOUS SUBJECT | 70 |
| SURR | SURRENDER | 12 |
| SUSVEH | SUSPICIOUS VEHICLE | 89 |
| TEST | TEST CALL | 92 |
| TRAFFIC STOP | VEHICLE STOP | 432 |
| TRANSPORT | TRANSPORT | 5 |

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 09/21/2014

Last Date: 10/20/2014

| <i>Complaint</i> | | <i>Number</i> |
|-------------------------|-----------------------------------|----------------------|
| TRAUMA-EMD | TRAUMATIC INJURY (SPECIFY IN NARI | 2 |
| TREEDWN | TREE DOWN | 6 |
| TRES | TRESPASSING SUSPECT | 76 |
| UNAUTHVEH | UNAUTHORIZED USE VEHICLE | 11 |
| UNCONC-EMD | UNCONCIOUS / FAINTING OR NEAR | 31 |
| UNKNOWN-EMD | UNKNOWN PROBLEM (MAN DOWN) | 2 |
| WARRANT | WARRANT | 678 |
| WATER | WATER RELATED PROBLEM | 18 |
| WRIT | WRIT OF EXECUTION | 2 |

Report Total: 5459

HENDERSON-VANCE CO 911

Number Of Calls Report by Department (All Units)

First Date: 09/21/2014

Jurisdiction: HEN-VAN

Last Date: 10/20/2014

| | <i>Department</i> | <i>Number</i> |
|----|---------------------------------|---------------|
| 1 | Data with no Department. | 175 |
| 2 | data error, blank in Department | 4 |
| 3 | AFTO | 1 |
| 4 | BERT | 8 |
| 5 | BVFD | 33 |
| 6 | CVFD | 17 |
| 7 | DOT | 4 |
| 8 | DVFD | 12 |
| 9 | EM | 2 |
| 10 | EMBQ | 1 |
| 11 | EMS | 510 |
| 12 | EVFD | 8 |
| 13 | FOR | 2 |
| 14 | GAS | 1 |
| 15 | HFD1 | 244 |
| 16 | HFD2 | 229 |
| 17 | HPD | 2483 |
| 18 | HVFD | 22 |
| 19 | KVFD | 14 |
| 20 | ME | 1 |
| 21 | PARK | 4 |
| 22 | PE | 4 |
| 23 | PROB | 1 |
| 24 | SHP | 50 |
| 25 | STRE | 3 |
| 26 | TVFD | 30 |
| 27 | VCAC | 94 |
| 28 | VCFD | 105 |
| 29 | VCR | 40 |
| 30 | VCSO | 2242 |
| 31 | WATE | 18 |
| 32 | WVFD | 21 |

***Total:* 5459**

A call with multiple Departments assigned will be counted in the group total for each of these Departments, therefore such calls will be counted more than once. For this reason, the total number of calls may not equal the sum of the group totals



HENDERSON FIRE DEPARTMENT

211 Dabnet Dr
 Henderson North Carolina 27536
 Phone (252)438-7315
 Fax (252)438-1460

TO: ED WYATT, INTERIM CITY MANAGER
FROM: DANIEL E. WILKERSON, FIRE CHIEF
DATE: NOVEMBER 3, 2014

FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: OCTOBER 2014

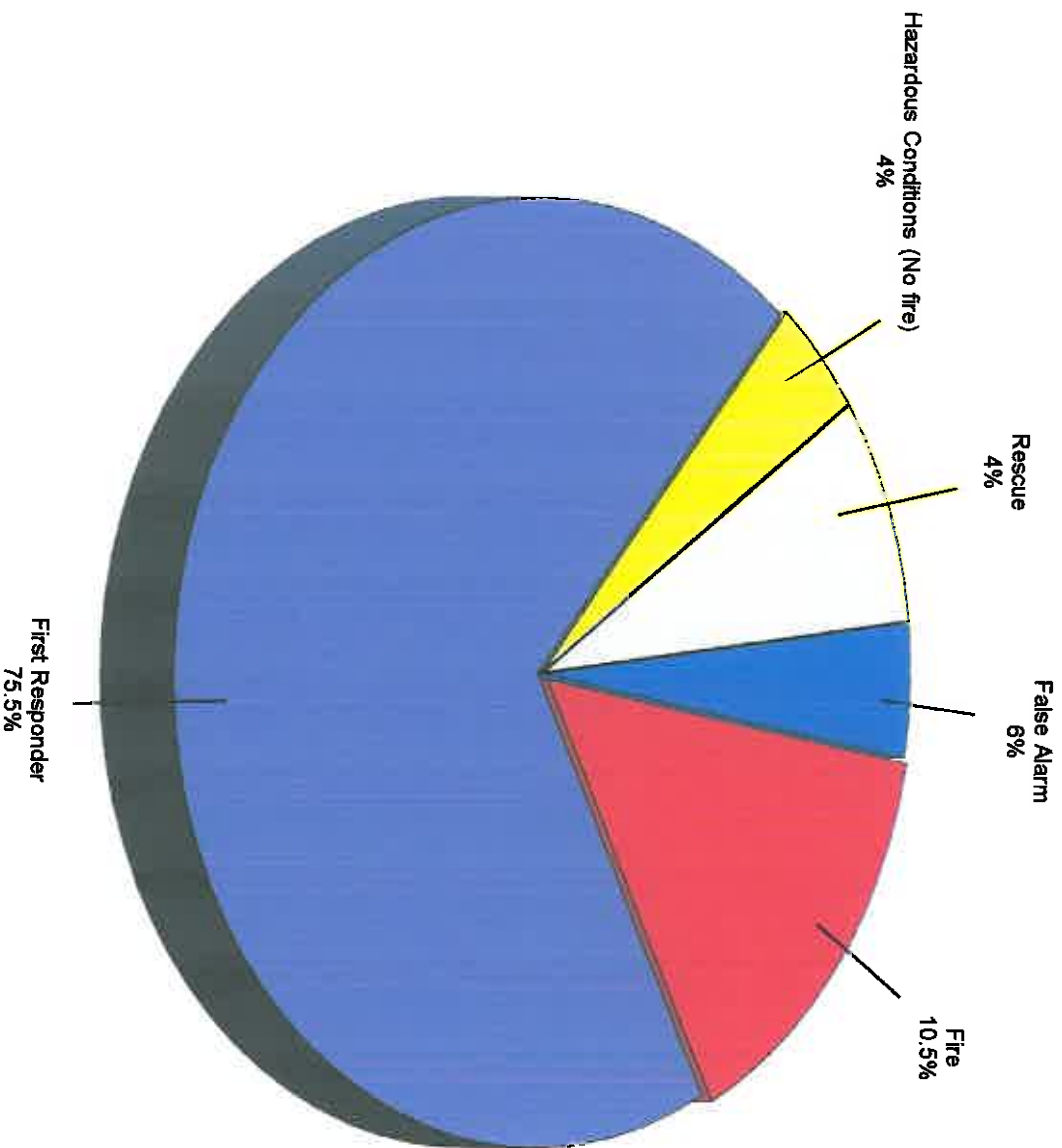
| TYPE OF CALL | PRESENT MONTH | PREVIOUS MONTH | YEAR-TO-DATE |
|--|---------------|----------------|--------------|
| PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes | 11 | 15 | 196 |
| APARTMENTS (3 or More Families) | 0 | 4 | 20 |
| HOTELS AND MOTELS | 0 | 1 | 3 |
| ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.) | 0 | 0 | 2 |
| PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.) | 0 | 0 | 11 |
| SCHOOLS AND COLLEGES | 0 | 2 | 4 |
| HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.) | 0 | 1 | 13 |
| STORES AND OFFICES | 1 | 1 | 23 |
| INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING | 0 | 0 | 8 |
| STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.) | 0 | 0 | 7 |
| OTHER STRUCTURES (Outbuildings, Bridges, etc.) | 0 | 0 | 0 |
| WORKING STRUCTURE FIRE | 4 | 3 | 27 |
| FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.) | 1 | 0 | 13 |
| FIRES IN OTHER VEHICLES (Planes, Trains, Ships, Construction or Farm Vehicles) | 0 | 0 | 1 |

| | | | |
|---|------------|------------|-------------|
| FIRE OUTSIDE OF STRUCTURES WITH VALUE INVOLVED, BUT NOT VEHICLES (Outside Storage, Crops, Timber, etc.) | 1 | 0 | 4 |
| FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved | 3 | 0 | 24 |
| FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved | 0 | 0 | 31 |
| ALL OTHER FIRES | 8 | 0 | 28 |
| RESCUE | 8 | 17 | 184 |
| FIRST RESPONDER | 151 | 151 | 1421 |
| FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares) | 12 | 10 | 129 |
| MUTUAL AID OR ASSISTANCE RESPONSES | 0 | 3 | 32 |
| HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.) | 0 | 4 | 19 |
| OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.) | 0 | 5 | 47 |
| ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.) | 0 | 2 | 38 |
| TOTALS | 200 | 219 | 2285 |

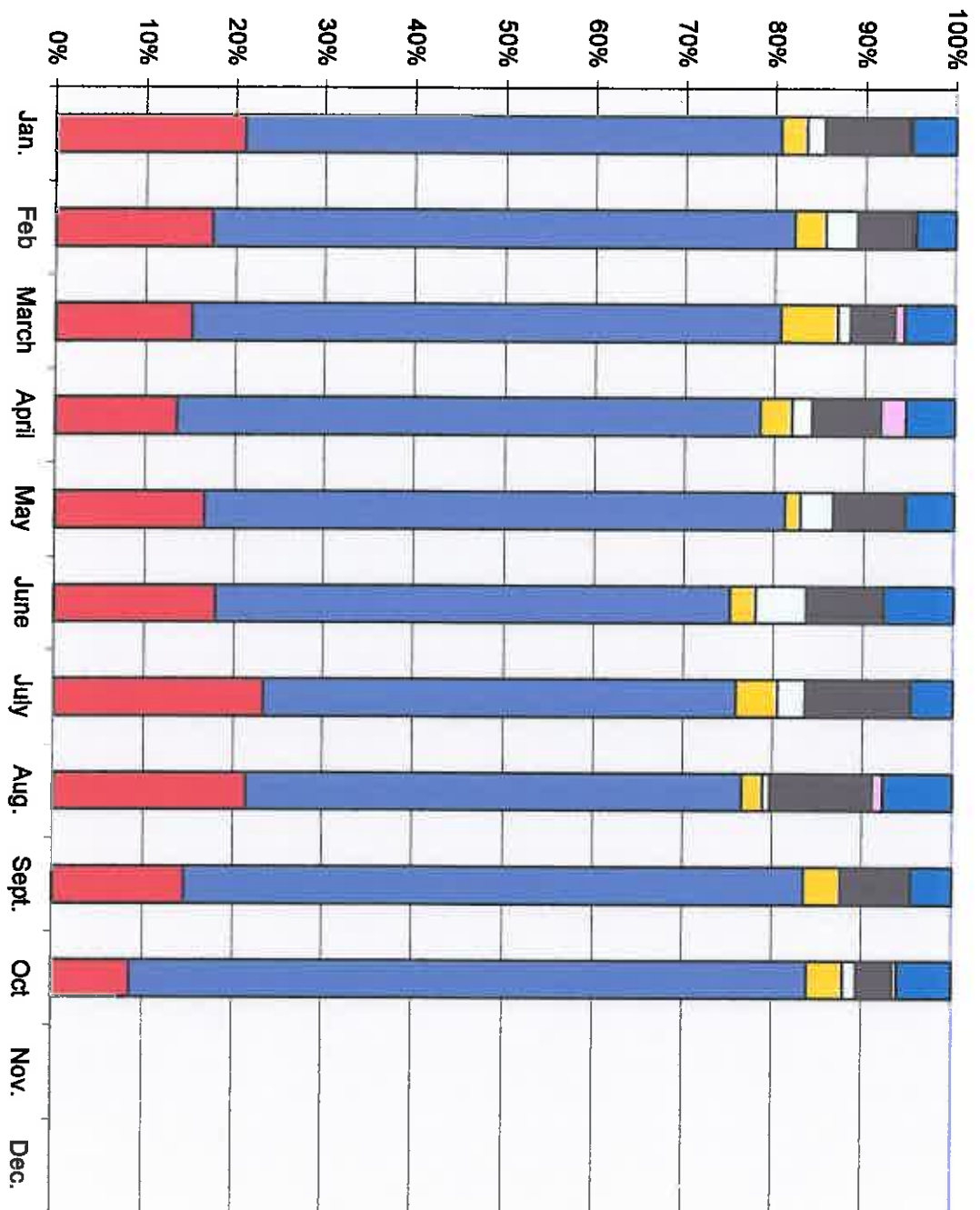
| | PRESENT MONTH | PREVIOUS MONTH | YEAR-TO-DATE |
|--|------------------------|---------------------|------------------------|
| Total Fire Incidents With Property and/or Contents Loss | 5 | 2 | 58 |
| Total of Property and Contents Value Saved | \$ 1,235,733.00 | \$ 11,000.00 | \$ 4,828,628.00 |

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

Incident Summary For OCTOBER



YEAR TO DATE SUMMARY BY MONTH FOR 2014



- Office Alarm & Entry Calls
- Diversion Fees
- Rescue
- Search Fees
- Hazardous Conditions (No fire)
- Office Responders
- Other

INSPECTION ACTIVITIES REPORT FOR: October, 2014

| INSPECTIONS | PRESENT MONTH | PREVIOUS MONTH | YEAR-TO-DATE |
|--------------------|----------------------|-----------------------|---------------------|
| ASSEMBLY | 2 | 5 | 69 |
| BUSINESS | 10 | 15 | 185 |
| EDUCATIONAL | 0 | 0 | 0 |
| HAZARDOUS | 0 | 0 | 0 |
| INDUSTRIAL | 0 | 0 | 3 |
| INSTITUTIONAL | 4 | 4 | 30 |
| MERCANTILE | 4 | 4 | 55 |
| RESIDENTIAL | 6 | 3 | 47 |
| STORAGE | 0 | 0 | 14 |
| DAY CARE | 0 | 0 | 0 |
| HOME CARE | 0 | 0 | 0 |
| FOSTER CARE | 0 | 0 | 0 |
| VACANT | 0 | 0 | 2 |
| | | | |
| TOTALS | 26 | 31 | 405 |

| | PRESENT MONTH | PREVIOUS MONTH | YEAR-TO-DATE |
|-----------------------|----------------------|-----------------------|---------------------|
| CODE VIOLATIONS | 53 | 4 | 277 |
| FOLLOW UP INSPECTIONS | 4 | 3 | 93 |

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 | 300 | 450 | 640 | 1,100 | 1,300 | 3,010 | | | 6,834 |
| Home Inspections / Door Hanger Follow Ups | 2 | 4 | 0 | 0 | 6 | 15 | 10 | 10 | 30 | 47 | | | 124 |
| Smoke Alarms Installed | 5 | 6 | 2 | 2 | 9 | 20 | 15 | 21 | 25 | 15 | | | 156 |
| Batteries Installed in Smoke Alarms | 5 | 9 | 3 | 2 | 15 | 30 | 20 | 30 | 50 | 42 | | | 206 |
| Fire Extinguisher Classes | 2 | 0 | 3 | 4 | 3 | 1 | 2 | 1 | 3 | 4 | | | 23 |
| School / Daycare Presentations | 0 | 3 | 1 | 3 | 2 | 1 | 0 | 1 | 4 | 6 | | | 21 |
| Community / Civic Group Presentations | 1 | 3 | 1 | 0 | 4 | 0 | 1 | 2 | 3 | 5 | | | 20 |
| Station Tours | 2 | 1 | 3 | 1 | 0 | 2 | 1 | 0 | 2 | 3 | | | 15 |
| Total Participants in Fire & Life Safety Programs | 500 | 600 | 300 | 450 | 1,000 | 1800 | 1000 | 2000 | 2,400 | 4,000 | | | 14,050 |
| Community / Business Displays | 0 | 1 | 2 | 1 | 4 | 3 | 1 | 2 | 1 | 1 | | | 16 |
| Child Safety Seat Clinics | 0 | 0 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | | | 4 |
| Child Safety Seats Inspected | 1 | 4 | 3 | 5 | 3 | 6 | 3 | 5 | 8 | 3 | | | 41 |
| Child Safety Seats Distributed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 |
| Shift Coverage Hours | 8 | 8 | 0 | 16 | 16 | 32 | 8 | 32 | 8 | 0 | | | 120 |
| Fire Inspections | 15 | 47 | 43 | 23 | 18 | 16 | 40 | 25 | 8 | 8 | | | 243 |

MONTHLY CITATION REPORT FOR THE MONTH OF: OCTOBER 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 | 0 | 0 | 0 | 0 | 2 |
| 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 | 1 | 0 | 0 | 2 |
| Walgreens | | | | | 0 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| TOTALS | 0 | 1 | 0 | 0 | 5 |

TRAINING DIVISION PRODUCTIVITY - OCTOBER 2014

Henderson Fire Department

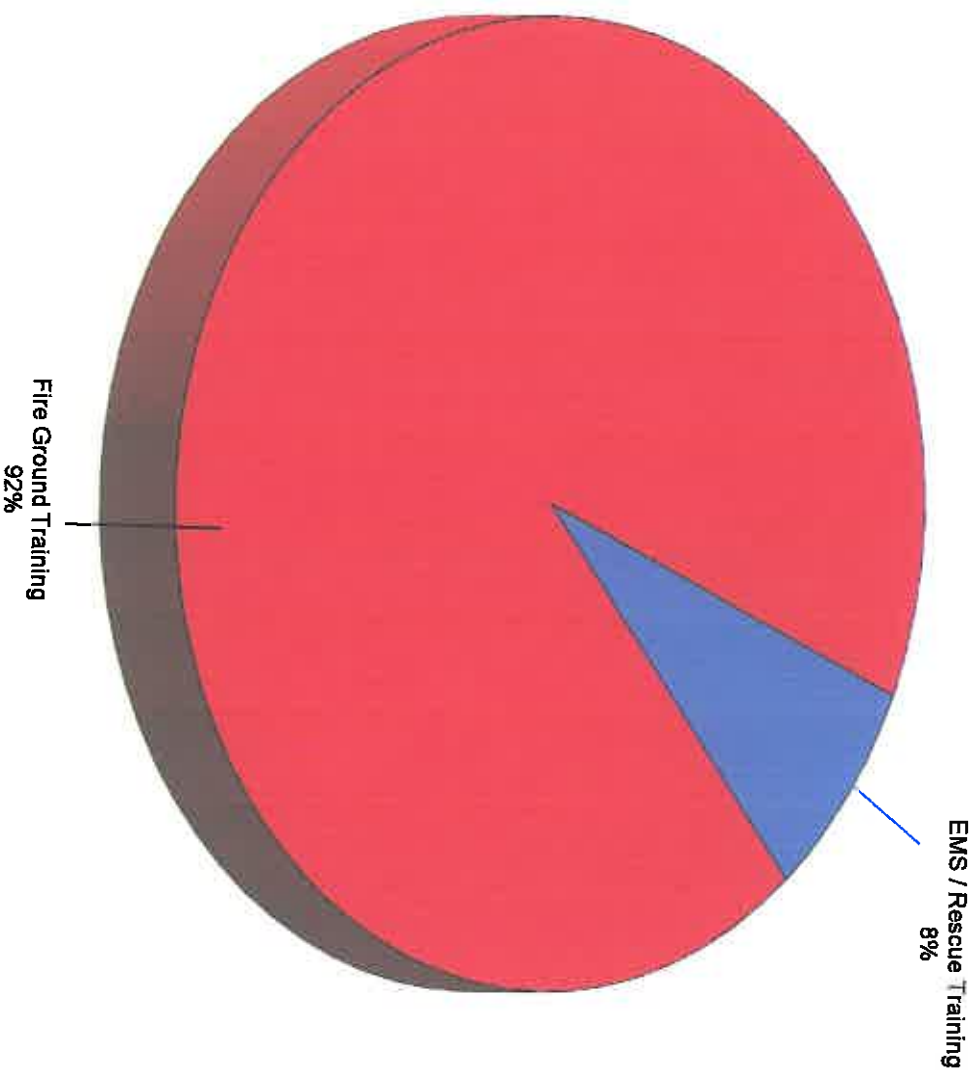
| Types of Courses Taught | Course Hours Taught | Man-hours of Training |
|--------------------------------|----------------------------|------------------------------|
| Fire Ground Training | 147 | 874 |
| EMS / Rescue Training | 12 | 108 |
| Special Training | 0 | 0 |

| | | |
|---------------|------------|------------|
| Totals | 159 | 982 |
|---------------|------------|------------|

| | Course Hours Taught | Man-hours of Training |
|-----------------------------|----------------------------|------------------------------|
| PREVIOUS MONTH TOTAL | 141.5 | 948.5 |

| | | |
|-------------------------------|----------------|--------------|
| YEAR - TO - DATE TOTAL | 1885.25 | 10923 |
|-------------------------------|----------------|--------------|

Training Hours by Category - October 2014



Fire Department Regulatory Compliance

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

CITY OF HENDERSON
MAJOR FUND FINANCIAL SUMMARY REPORT
3 MONTHS ENDING September 30, 2014



| GENERAL FUND | | | | |
|--|----------------------|----------------------|-----------------------|------------------|
| | Actual | Annual Budget | Actual to Date | YTD % |
| | FY '13-14 | FY '14-15 | FY '14-15 | Collected |
| Revenues | | | | |
| Current Year Levy Property Taxes | \$ 5,648,569 | \$ 5,700,000 | \$ 819,950 | 14.39% |
| Other Property Taxes, Penalties & Interest | 411,644 | 332,900 | 123,803 | 37.19% |
| DMV Taxes, Penalties & Interest | 371,334 | - | 79,268 | - |
| Sales Taxes | 2,456,998 | 2,331,000 | 234,733 | 10.07% |
| Privilege Licenses | 256,642 | 211,000 | 87,384 | 41.41% |
| Motor Vehicle Licenses | 142,678 | 300,000 | 21,183 | 7.06% |
| Beer & Wine Tax | 66,551 | 60,000 | - | 0.00% |
| Utility Franchise Tax | 848,528 | 850,000 | - | 0.00% |
| Other Taxes | 32,281 | 20,600 | 4,341 | 21.07% |
| Garage Sales | 607,204 | 783,500 | 143,069 | 18.26% |
| Recreation Revenues | 124,560 | 122,000 | 42,137 | 34.54% |
| Donations | 12,148 | - | 1,293 | - |
| Asset Forfeitures | 27,564 | - | 8,931 | - |
| Sanitation Revenue | 1,840,264 | 1,830,000 | 464,977 | 25.41% |
| Insurance Proceeds | 12,532 | 5,000 | 1,495 | 29.90% |
| County Contracts (Rec/Aycock/Youth) | 761,628 | 819,800 | 93,462 | 11.40% |
| Transfers from Powell Bill | 309,347 | 440,000 | 85,848 | 19.51% |
| Transfers from Other Funds | 460 | - | - | - |
| Cost Allocations | 989,100 | 989,100 | 247,275 | 25.00% |
| All Other Revenues | 135,619 | 78,600 | 35,623 | 45.32% |
| Fund Bal Appropriated | - | 6,000 | - | 0.00% |
| Fund Bal Appropriated (Asset Forf) | - | 325,000 | - | 0.00% |
| Total | \$ 15,055,651 | \$ 15,204,500 | \$ 2,494,773 | 16.41% |
| Expenditures | | | | |
| Governing Body | \$ 164,634 | \$ 175,000 | \$ 49,967 | 28.55% |
| Admin - City Attorney | 59,595 | 69,000 | 12,225 | 17.72% |
| Administration | 328,363 | 301,740 | 70,983 | 23.52% |
| Code Compliance | 140,567 | 164,000 | 31,657 | 19.30% |
| Human Resources | 175,486 | 201,240 | 47,776 | 23.74% |
| Finance | 377,702 | 441,000 | 105,052 | 23.82% |
| Information Services | 19,872 | 43,000 | 14,144 | 32.89% |
| Planning & Comm Dev | 101,472 | 144,000 | 13,681 | 9.50% |
| Henderson-Vance DDC | 61,479 | 10,000 | 1,404 | 14.04% |
| Public Buildings & Grounds | 62,652 | 73,000 | 13,127 | 17.98% |
| Bennett Perry House | 1,236 | 500 | 435 | 86.92% |
| Police | 3,762,093 | 4,049,340 | 968,147 | 23.91% |
| Police - Asset Forfeiture | 233,425 | 325,000 | 1,716 | 0.53% |
| Fire | 2,084,447 | 2,174,340 | 520,927 | 23.96% |
| Public Services - Admin | 119,015 | 140,000 | 28,443 | 20.32% |
| Garage | 763,855 | 944,000 | 157,684 | 16.70% |
| Cemetery | 70,485 | 76,000 | 18,043 | 23.74% |
| Street | 1,039,478 | 1,182,000 | 236,726 | 20.03% |
| Sanitation | 853,140 | 921,000 | 169,974 | 18.46% |
| Recreation | 829,598 | 891,000 | 181,520 | 0.00% |
| Youth Services | 145,960 | 163,740 | 38,594 | 23.57% |
| Aycock Aquatics Center | 322,129 | 347,740 | 77,090 | 22.17% |
| Vance County Shared Programs | 931,787 | 976,000 | 179,063 | 18.35% |
| Non-Departmental | 556,236 | 485,560 | 95,512 | 19.67% |
| Contributions - Local Agencies | 35,050 | 30,800 | 8,588 | 27.88% |
| Debt Service | 842,409 | 875,500 | 21,009 | 2.40% |
| Total | \$ 14,082,168 | \$ 15,204,500 | \$ 3,063,486 | 20.15% |
| YTD Fund Balance Increase (Decrease) | 973,483 | | (568,713) | |

| CASH AND INVESTMENTS | | | | |
|-----------------------------|----------------------|---------------------|---------------|---------------|
| | | | | |
| General Fund | 4,729,951 | | | Interest Rate |
| Powell Bill | 550,565 | First Citizens Chkg | 7,126,218 | 0.25% |
| Water Fund | 3,631,988 | NCCMT Savings | 11,124,837 | 0.01% |
| Sewer Fund | 2,181,696 | Union Bank CD | 951,000 | 0.59% |
| Regional Water Fund | 2,056,226 | CCB 12 mths CD | 1,000,000 | 0.50% |
| Capital Project Funds | 418,405 | CCB 24 mths CD | 1,000,000 | 0.60% |
| LEO Separation Allowance | 115,094 | Petty Cash | 2,140 | 0.00% |
| Elmwood Cemetery Fund | 431,022 | | \$ 21,204,196 | |
| Grants Fund | 41,120 | | | |
| Capital Reserve - Utilities | 206,542 | | | |
| Capital Reserve - General | 56,432 | | | |
| Capital Reserve - Econ Dev | 15,828 | | | |
| Regional Water Reserve | 3,026,436 | | | |
| Rate Stabilization Fund | 789,751 | | | |
| Total | \$ 18,251,056 | | | |

| WATER FUND | | | | |
|---------------------------------------|---------------------|----------------------|-----------------------|------------------|
| | Actual | Annual Budget | Actual to Date | YTD % |
| | FY '13-14 | FY '14-15 | FY '14-15 | Collected |
| Revenues | | | | |
| Water Revenue | \$ 2,442,664 | \$ 2,590,700 | \$ 642,403 | 24.80% |
| Water Sales - Franklin County | 2,830,785 | 2,800,000 | 743,013 | 26.54% |
| Water Sales - Town of Kittrell | 69,380 | 73,000 | 20,339 | 27.86% |
| Water Sales - Vance County 1A | 49,066 | 45,000 | 17,880 | 39.73% |
| Water Reservation Fees: Granville | 951,138 | 951,100 | - | 0.00% |
| Water Reservation Fees: Vance 1A | 9,125 | 9,100 | - | 0.00% |
| Water Reservation Fees: Vance 2A & 2B | 43,750 | 43,700 | - | 0.00% |
| Revenue Sprinkler/Hydrant | 118,222 | 100,000 | 30,803 | 30.80% |
| Water Taps | 39,714 | 35,000 | 8,848 | 25.28% |
| Account Setup Fees | 11,356 | 12,000 | 2,975 | 24.80% |
| Late Fees | 68,510 | 71,000 | 18,773 | 26.44% |
| Reconnect Fees | 21,616 | 20,000 | 6,275 | 31.37% |
| Sprint PCS Agreement | 25,905 | 25,000 | 6,574 | 26.30% |
| T-Mobile Agreement | 26,265 | 25,000 | 6,624 | 26.50% |
| Cost Allocations | 224,900 | 285,400 | 71,350 | 25.00% |
| Transfers from Other Funds | 516,840 | 16,000 | 4,000 | 25.00% |
| All Other Revenues | 33,970 | 24,900 | 8,322 | 33.42% |
| Fund Balance Appropriated | - | 2,000 | - | 0.00% |
| Total | \$ 7,483,204 | \$ 7,128,900 | \$ 1,588,179 | 22.28% |
| Expenditures | | | | |
| Non-Departmental | \$ 2,452,530 | \$ 1,575,860 | \$ 354,701 | 22.51% |
| Administration | - | 110,100 | 154 | 0.14% |
| Admin - Engineering | 239,800 | 266,540 | 59,047 | 22.15% |
| Customer Service | 448,954 | 527,500 | 129,637 | 24.58% |
| Water Distribution | 3,556,443 | 4,030,100 | 943,874 | 23.42% |
| Debt Service | 1,127,202 | 618,800 | - | 0.00% |
| Total | \$ 7,824,929 | \$ 7,128,900 | \$ 1,487,413 | 20.86% |
| YTD Fund Balance Increase (Decrease) | \$ (341,725) | \$ - | \$ 100,766 | |

| SEWER FUND | | | | |
|--------------------------------------|---------------------|----------------------|-----------------------|------------------|
| | Actual | Annual Budget | Actual to Date | YTD % |
| | FY '13-14 | FY '14-15 | FY '14-15 | Collected |
| Revenues | | | | |
| Sewer Revenue | \$ 4,186,539 | \$ 4,389,000 | \$ 1,088,613 | 24.80% |
| Account Setup Fees | 26,496 | 25,000 | 6,943 | 27.77% |
| Late Fees | 159,856 | 165,000 | 43,803 | 26.55% |
| Reconnect Fees | 50,436 | 51,000 | 14,641 | 28.71% |
| Sewer Taps | 7,533 | 5,000 | - | 0.00% |
| Sewer Surcharges | 15,793 | 16,000 | 5,219 | 32.62% |
| Transfers from Other Funds | 200,000 | - | - | - |
| Vance County Debt Service Payments | 144,218 | 155,600 | - | 0.00% |
| All Other Revenues | 44,455 | 35,400 | 6,757 | 19.09% |
| Fund Balance Appropriated | - | - | - | - |
| Total | \$ 4,835,326 | \$ 4,842,000 | \$ 1,165,976 | 24.08% |
| Expenditures | | | | |
| Non-Departmental | \$ 1,438,976 | \$ 1,298,960 | \$ 284,704 | 21.92% |
| Water Reclamation Facility (HWRF) | 2,099,107 | 2,212,040 | 464,099 | 20.98% |
| Sewer Collection | 380,144 | 431,300 | 74,559 | 17.29% |
| Sewer Collection I & I | 179,882 | 194,200 | 43,352 | 22.32% |
| Debt Service | 426,617 | 705,500 | - | 0.00% |
| Total | \$ 4,524,727 | \$ 4,842,000 | \$ 866,713 | 17.90% |
| YTD Fund Balance Increase (Decrease) | \$ 310,599 | \$ - | \$ 299,262 | |

| REGIONAL WATER FUND | | | | |
|--------------------------------------|---------------------|----------------------|-----------------------|------------------|
| | Actual | Annual Budget | Actual to Date | YTD % |
| | FY '13-14 | FY '14-15 | FY '14-15 | Collected |
| Revenues | | | | |
| Sale of Water | \$ 4,209,096 | \$ 4,270,000 | \$ 1,200,313 | 28.11% |
| All Other Revenues | \$ 16,609 | \$ 10,000 | \$ 5,775 | 57.75% |
| Fund Balance Appropriated | - | - | - | - |
| Total | \$ 4,225,705 | \$ 4,280,000 | \$ 1,206,088 | 28.18% |
| Expenditures | | | | |
| Non-Departmental | \$ 1,145,980 | \$ 1,194,960 | \$ 314,896 | 26.35% |
| Regional Water System | 2,064,551 | 2,319,540 | 506,833 | 21.85% |
| Debt Service | 709,019 | 765,500 | 355,127 | 46.39% |
| Total | \$ 3,919,550 | \$ 4,280,000 | \$ 1,176,855 | 27.50% |
| YTD Fund Balance Increase (Decrease) | \$ 306,155 | \$ - | \$ 29,232 | |