



AGENDA

Henderson City Council Short Regular Meeting and Work Session

Monday 23 February 2015, 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) 9 February 2015 Regular Meeting *[See Notebook Tab 1]*

VII. PUBLIC HEARING

- a) Consideration of Approval of Ordinance 15-12, Rezoning Certain Property at 456 Spring Valley Road from R-20, Low Density Residential, to RA, Residential/Agricultural Use. (CAF 15-31) *[See Notebook Tab 2]*

- Public Hearing
- Ordinance 15-12

- b) Consideration of Approval of Ordinance 15-13, Amending the City of Henderson, North Carolina (City) Zoning Ordinance to Allow Construction of Greenhouses in City Zoning Districts with Certain Limitations. (CAF 15-32) *[See Notebook Tab 3]*

- Public Hearing
- Ordinance 15-13

- c) Consideration of Approval of Ordinance 15-14, To Allow Administrative Approvals for Certain City of Henderson, North Carolina (City) Zoning Ordinance and Subdivision Regulation Matters. (CAF 15-33) *[See Notebook Tab 4]*

- Public Hearing
- Ordinance 15-14

VIII. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

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.

IX. NEW BUSINESS

- a)** Consideration of Approval of Ordinance 15-11, FY 2014-2015 Budget Amendment #22, to Appropriate Fund Balance Arising from State Asset Forfeitures to Fund the Purchase of a Microception Video Recording Unit and a New Computer Server for the Police Department. (CAF 15-30) [See Notebook Tab 5]

 - Ordinance 15-11
- b)** Consideration of Approval of Resolution 15-18, Providing for the Disposition of Property Jointly Held by the City of Henderson (City) and Vance County (County), North Carolina and Located at 255 Andrews Avenue. (CAF 15-24) [See Notebook Tab 6]

 - Resolution 15-18
- c)** Consideration of Approval of Resolution 15-21, Award of FY15 Audit Contract between the City of Henderson and William L. Stark and Company to Conduct the Annual Audit for Fiscal 2014-2015. (CAF 15-36) [See Notebook Tab 7]

 - Resolution 15-21
- d)** Consideration of Approval of Ordinance 15-15, FY15, Budget Amendment #20, to Budget the Proceeds of an Insurance Reimbursement to Offset the Cost of Purchasing a New Gator for the Recreation Department. (CAF 15-34) [See Notebook Tab 8]

 - Ordinance 15-15
- e)** Consideration of Approval of Ordinance 15-10, FY15, Budget Amendment #21, Amending the Budget for the 2014 BJA Grant. (CAF 15-29) [See Notebook Tab 9]

 - Ordinance 15-10
- f)** Consideration of Approval of Tax Releases and Refunds for January 2015. (CAF 15-35) [See Notebook Tab 10]

X. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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

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;

XI. REPORTS

- a)** Mayor/Mayor Pro-Tem
- b)** City Manager
- c)** City Attorney
- d)** City Clerk
 - i. Meeting and Events Calendar *[See Notebook Tab 11]*
 - ii. Fire Department Monthly Report

XII. CLOSED SESSION

- a)** Pursuant to G.S. §143-318.11 (a)(3) regarding Two (2) Attorney/Client Privilege

XIII. REGULAR WORK SESSION

- a)** Consideration of Approval of Resolution 15-08, Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of an Annexation Petition. (CAF 15-09) *[See Notebook Tab 12]*
 - Resolution 15-08

XIV. ADJOURNMENT

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

City Council Minutes - DRAFT

Regular Meeting

9 February 2015

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoc, D. Michael Rainey, Brenda Peace-Jenkins, Garry D. Daeke, Fearldine A. Simmons, and George M. Daye.

ABSENT

None.

STAFF PRESENT

Interim City Manager Edward A. Wyatt, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Engineering Director Clark Thomas, Finance Director Kathy Brafford, Public Services Director Mike Ross, Recreation and Parks Director Kendrick Vann, and Human Resources Director Cathy Brown.

CALL TO ORDER

The 9 February 2015 Regular Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

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

INVOCATION AND PLEDGE OF ALLEGIANCE

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

OPENING COMMENTS

Mayor O'Geary greeted everyone and said it was good to see all the Council members in attendance.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. Council Member Inscoe moved to accept the Agenda as presented. Motion seconded by Council Member Simmons 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 to approve the 26 January 2015 Short Regular Minutes and the 28 and 29 January 2015 Strategic Planning Retreat Report as presented. Motion seconded by Council Member Coffey and unanimously approved.

(Clerk's Note: Council Member Daeke arrived at 6:08 p.m.)

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that no citizen wished to address Council at this time.

NEW BUSINESS

Amending the Water and Sewer Capital Improvements Plan. *(Reference: CAF 15-01; Resolution 15-01)*

Interim City Manager Wyatt said this was brought before Council during the January Work Session and said this plan speaks well of Council action. Mr. Wyatt reminded Council that this is a "plan" which can certainly be adjusted as needed. He then asked Assistant City Manager Frazier to elaborate. Mr. Frazier highlighted the key sections of the plan which includes the Water, Regional Water and Sewer. He said the plan includes major equipment projections and specifically mentioned the need to replace the Jet Vac which is more than 12 years old.

Council Member Kearney asked Mr. Frazier to review the anticipated rate increases which Mr. Frazier read from the plan.

Council Member Inscoe made note that the sewer rate is approximately two and a half times higher than the water rate which is a significant difference.

Council Member Daeke noted if the customer base increases, the necessary rate increases will be less.

With no other comments, Mayor O'Geary asked for the pleasure of Council.

Council Member Kearney moved the approval of Resolution 15-01, *Amending the Water and Sewer Capital Improvements Plan*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: Daye. (See Resolution Book 4, p 143)

Amending the General, Water and Sewer Funds to Recode Debt Service Payments for the 2011 Revenue Bonds. (Reference: CAF 15-25; Ordinance 15-07; FY 15 Budget Amendment #19)

Interim City Manager Wyatt briefly explained this is a re-occurring issue which has been brought before Council for the same action since refinancing the bonds. He then asked Finance Director Brafford to address Council. Ms. Brafford explained the original 2001 Revenue Bonds were refinanced in 2011. Currently the entire principal bond amount is recorded in the Water Fund. To reconcile with the audit records and financial statements, the General Fund and Sewer Fund portions of bond payment will be transferred to the Water Fund and the debt service payment will now be paid out of the Water Fund. In summary, Ms. Brafford said all that is happening is a re-coding of the payment location.

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

Council Member Rainey moved the approval of Ordinance 15-07, *Amending the General, Water and Sewer Funds to Recode Debt Service Payments for the 2011 Revenue Bonds*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Kearney. NO: None. ABSTAIN: None. ABSENT: Daye. (See Ordinance Book 9, p 207)

Agreement Setting Forth Mayor, City Council and City Manager Roles, Responsibilities and Expectations. (Reference: CAF 15-27; Resolution 15-19)

Interim City Manager Wyatt said as requested by Council during the Retreat, he has reviewed the Manager portion of this agreement and would suggest no changes at this time. Since no changes were suggested by Council during the Retreat, this is a housekeeping matter

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

Council Member Daeke moved the approval of Resolution 15-19, *Agreement Setting Forth Mayor, City Council and City Manager Roles, Responsibilities and Expectations*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: Daye. (See Resolution Book 4, p 179)

(Clerk's Note: Council Member Daye arrived at 6:22 p.m.)

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that one citizen wished to address Council at this time.

Ms. Susan Laws, 460 Tanglewood Circle, Roxboro, NC. Ms. Laws is a Special Project Coordinator representing Aflac as an independent associate. Ms. Laws distributed an Enrollment Overview Report for the City and stated she was present to encourage the City to continue to allow employees to keep existing policies and to continue to allow payroll deductions to pay the policies for employees. *(Clerk's Note: The City is currently in the process of eliminating payroll deductions for various individual insurance policies. Staff is not being asked to change policies, just to make their own policy payments. – See the "Other" section below.)*

Mayor O'Geary thanked Ms. Laws for expressing her concerns.

REPORTS

a) Mayor/Mayor Pro-Tem (No Report)

b) Interim City Manager - Mr. Wyatt commended Mr. Frazier, along with Public Services Director Ross and the entire staff involved in dealing with the water line break on Flemington Road. It was a two-day project to restore the line and expressed how grateful everyone was for a parallel line which allowed water to continue to flow. Mr. Wyatt also thanked Council Member Coffey for her kindness in providing food for the employees as they worked overnight on the break. He added the company that severed the line will be billed by the City.

Mr. Frazier said the severed pipe was installed in 1974 and the necessary part had to come from Mississippi. He said many of the employees had never seen this type of pipe so it was an experience for them.

Council Member Kearney asked if there are any warranties. Mr. Frazier responded the Hanson Pipe Company encased the repaired/replaced section of pipe in concrete.

c) City Attorney (No Report)

d) City Clerk – Ms. McCrackin verified with Council that they would like to hold a Strategic Planning Retreat in 2016. Council was in full agreement to hold another Retreat with a 2016 date to be determined later on in this year. She also extended an invitation to Council to attend the Service Awards Banquet which will be held March 19 at the Henderson Country Club.

OTHER

Council Member Coffey asked that the insurance issue mentioned by Ms. Laws during the Public Comment Period be added to the next Work Session. Council Member Rainey also felt this issue should be further discussed.

Mr. Wyatt said, as explained in his memo to Council on February 5, which is incorporated by reference and hereby made part of these minutes, this is an administrative matter that addresses process improvements. Mr. Wyatt said the changeover is currently in process and he then asked Human Resources Director Cathy Brown to elaborate on the process and how the change came about. Mr. Phillip Burnette, the City's broker was also present and offered input, as did Finance Director Brafford and Engineering Director Clark Thomas.

Council expressed concerns they have heard from employees who do not wish to make their own insurance payments and would like to continue to have payroll act as their bookkeeper.

A lengthy discussion ensued after which the Mayor asked Council for a consensus as to whether the City should proceed with the changeover or if at this time the process should be stopped. The Consensus of Council was as follows to continue the process: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. Both Council Member Coffey and Simmons added they would like existing payroll deductions to be allowed to continue.

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

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Kearney, and unanimously approved. The meeting adjourned at 7:05 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk



Office of the City Manager

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

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

www.ci.henderson.nc.us

February 5, 2015

To: Mayor O'Geary and Members of City Council

From: Ed Wyatt, Interim City Manager

Re: M/CC-38: Voluntary Insurance Deductions

Some of you have been approached concerning the program described below. Currently the City provides payroll deduction for various insurance policies furnished by 4 insurance agencies. Please see enclosed a list of jurisdictions who are Whole Life participants.

The City is planning to switch to an agency endorsed by the North Carolina League of Municipalities (NCLM) which many jurisdictions utilize. (Please see enclosed a list of jurisdictions who are member of Municipal Benefits, Inc.'s Whole Life participants). There are a number of programs included that will save our employees an average of 20% in cost for these policies as opposed to the existing companies and at the very least, provide a higher level of insurance coverage. This agency also provides a service directly to the client/employee, rather than, as has happened in some cases, through our personnel office who had to locate the agent in order for the client/employee to have issues resolved.

The finance department's work, to some degree, will be reduced as they will no longer have to process payments to these current four agencies, but only to the one broker who will in turn, pay the agencies directly. This is part of a process improvement to provide more efficient financial operations in order to better service employees. The city is not paid by these insurance companies to do their bookkeeping. In the past there has been some issues regarding late information provided to the City of changes to employee deductions from these agencies, which has resulted in over/under charging employees for these policies.

This program was presented in the fall of 2014 at a Department Directors meeting with then City Manager Ray Griffin. Each director was directed to communicate to their employees this impending change.

I am very sorry that some of you have had our employees complain of not being aware of this change. Through this whole process, we have been assisted by Mr. Philip Burnette. As you know Mr. Burnette has worked as a representative of the City since 2007 as it related to

negotiations with Blue Cross/Blue Shield. He has no conflict of interest with companies that would be affiliated with NCLM.

Certainly employees can continue to keep their policies with their current agencies if they so choose. However, they would no longer have the advantage of payroll deductions and, in some cases, the pre-tax status that some policies offer.

The staff of Municipal Benefits, Inc. is currently hard at work meeting with each department individual employees, if they so request, to explain these options and the offerings of the new agencies.

Enclosures:

DRAFT

City Council Action Form

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



Council Meeting: 23 Feb 15 Short Reg. Meeting

20 February 2014

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

FR: Ed Wyatt, City Manager

RE: CAF: 15-31

Consideration of Approval of Ordinance 15-12, Rezoning Certain Property at 456 Spring Valley Road from R-20, Low Density Residential, to RA, Residential/Agricultural Use

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **Key Strategic Objective 3:** Revise and align land use and sign ordinance.

Recommendation:

- Approval of Ordinance 15-12, Rezoning Certain Property at 456 Spring Valley Road from R-20, Low Density Residential, to RA, Residential/Agricultural Use.

Executive Summary

A rezoning application concerning 456 Spring Valley Road (Property) in Henderson, North Carolina (City) was submitted on January 12, 2015 by Spring Valley Farm, LLC (Petitioner). The application, as modified during a presentation to the City Planning Board (Board) by the Petitioner's representative, requests approximately 40.60 acres of the Property be rezoned from R-20, Low Density Residential, to RA, Residential/Agriculture Use. The requester seeks the rezoning so it may apply for a special use permit to allow establishment of a solar farm. The 40.60 acres are within the City's extraterritorial jurisdiction.

The Board conducted a February 2, 2015 public hearing on the matter. One person, who lives near the Property, spoke against the rezoning due to concerns as to a solar farm's potential impact on the value of surrounding properties, as well as the potential visual impact. By a four-to-one vote, the Board approved the request subject to final action by the City Council.

Attachments:

1. Ordinance 15-12
2. Planning Board Minutes
3. Aerial Map Detailing Proposed Rezoning & Other information

ORDINANCE 15-12

After receiving the recommendation of the City of Henderson, North Carolina (City) Planning Board, which was made following an advertised public hearing on the proposed rezoning, City Council Member _____ introduced the following Ordinance, which was seconded by City Council Member _____ and reads:

AN ORDINANCE REZONING A PART OF A TRACT OF LAND AT 456 SPRING VALLEY ROAD FROM R-20 (LOW DENSITY RESIDENTIAL) TO RA (RESIDENTIAL / AGRICULTURAL) USE

The City Council ordains:

Section 1: The City zoning map, as referenced in the City Code, be amended by rezoning 40.60 acres of the land located at 456 Spring Valley Road, as noted in the attached survey map, and which is a portion of the land identified by the Vance County, North Carolina Tax Office by Property Identification Numbers 0207 01005, 0207 01008 and 0207 2002A.

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

Ordinance 15-12, upon motion of Council member _____ and seconded by Council Member _____, and having been submitted to a roll call vote and received the following votes and was **APPROVED/DISAPPROVED** on this the ____ day of _____, 2015: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards., City Attorney

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing Ordinance is a true and exact copy of *Ordinance 15-12*, Rezoning a 60.70+/- Acre tract located at 456 Spring Valley Road from R-20 (Low Density Residential) to RA (Residential /Agricultural District, adopted by the Henderson, City Council in Regular Session on ** ** 20** (See *Minute Book 4**, p. **). This Ordinance is recorded in *Ordinance Book # 9* pp. **.

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

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



City of Henderson

Planning and Community Development Department

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

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

DRAFT

MINUTES

HENDERSON PLANNING BOARD
MONDAY, February 2, 2015 – 3:30 P.M.
CITY HALL – COUNCIL CHAMBERS

DRAFT

Members Present – Michael Rainey, Horace Bullock, Arthur Henderson, Jimmie Ayscue, Keith Coffey (Alternative), Phil Walters.

Members Absent – Marguerite Anduze, Arnold Bullock, Rick Easter

Staff Present – Development Service Director: Corey Williams, Robert Harris: Planner, Karen Foster: Zoning Administrator, Jamie Grissom: Administrative Assistant, City Attorney: Rix Edwards

- (1) **CALL TO ORDER** – Meeting was called to order by Chairman Michael Rainey. Roll was called. A quorum was present.
- (2) **APPROVAL OF MINUTES**: Minutes were tabled from January 5, 2015 because Planning Board members did not receive them in their packets. Motion was made by Mr. Jimmie Ayscue and seconded by Mr. Arthur Henderson to table the minutes from January 5, 2015 meeting. It was voted unanimously 6-0.

(3) **BUSINESS – DISCUSSION**

Old Business:

Case (PB 03-15): A recommendation to include Greenhouses in all Residential Districts.

Executive Summary:

There is interest in urban farming practices and the current City Zoning Ordinance does not address the potential use of urban agriculture. The ideal is to allow greenhouses in residential districts especially neighborhoods with blighted conditions. The objective is to review and allow greenhouses in residential districts to provide a livelier and less blighted community. Attached is a letter of support from North Carolina Cooperative Extension Vance County Director, Mr. Morris White, information concerning greenhouses from two other municipalities in North Carolina and photos of urban greenhouses. This petition to amend the City Zoning Ordinance is a staff recommendation.

Staff Recommendation for Greenhouses / Hoop-Houses

Greenhouses / Hoop-houses allowed in all districts as an accessory structure that does not exceed 20% of the primary structure (Shall comply with section 624B).

Greenhouses / Hoop-houses as a primary use or exceeds the 20% of the primary dwelling is allowed with a Special Use Permit in the following districts: B-2, B-2A, B-4, O-I, O-IA, R-6, R-8, R-8M, R-11, R-15M, R-20, R-40, R-A, I-1, and I-2.

Corey Williams, Development Services Director, introduced the item. Mr. Williams handed out the information pertaining to the text amendment. Mr. Rainey opened the public hearing for all parties of interest to comment. Marian Williams and Ardis Crews, citizens for community gardens, provided a presentation to the Planning Board in reference to having the “community gardens” in residential neighborhoods.

Motion was made by Mr. Horace Bullock and seconded by Mr. Jimmie Ayscue to approve the text amendment. It was voted unanimously 6-0.

This recommendation now goes before the City Council for final decision on February 23, 2015.

New Business:

- 1. Case (PB04-15): Public Hearing: Recommendation to rezone properties from R-20 (Low Density Residential) to R-A (Residential/Agricultural Use) Zoning District located at 456 Spring Valley Road, 60.70+/- acres, (PIN #'s: 0207 01008, 0207 01005, 0207 02002A).**

Corey Williams, Development Services Director, introduced the item. Mr. Williams reviewed the packet of information pertaining to the rezoning request. Mr. Rainey opened the public hearing for all parties of interest to comment. Mr. David Neill (an attorney for Smith Moore Leatherwood, LLP at 434 Fayetteville Street, Suite 2800, Raleigh NC 27601) spoke in favor of the rezoning and provided details on solar farms. Solar Farms are allowed in the R-A district with a special use permit. He answered all the Board’s questions concerning this matter. Mr. Bill Edwards (550 Spring Valley Lake Road Henderson, NC 27536) spoke in opposition of solar farms. His concerns were: Solar farms will provide no jobs or revenue for the City of Henderson or Vance County. His second concern is a solar farm would be an eyesore within the community and possibly devalue the surrounding land. He made reference to the 2030 Comprehensive Plan which discusses the integrity of the land being rural density.

The public hearing was then closed by Mr. Rainey.

Motion was made by Mr. Keith Coffey and seconded by Mr. Jimmie Ayscue to approve the rezoning. Mr. Michael Rainey, Mr. Jimmie Ayscue, Mr. Arthur Henderson and Mr. Keith Coffey all voted for the rezoning. Mr. Bullock was against the motion. Mr. Phil Walters abstained. It was approved 4 to 1.

This recommendation goes before the City Council for final decision on February 23, 2015.

2. Carey Chapel Crossing Preliminary Plat original approval. (Handout will be providing during meeting).

This item was tabled by planning staff to a later date.

3. Subdivision / Zoning Interpretation

Corey Williams, Development Services Director, introduced the item. Mr. Williams asked for some guidance on what exempt subdivision maps go to Planning Board and what can be accomplished administratively. He requested permission of the Planning Board to sign plats that are exempt from both the Subdivision and Zoning Ordinance.

Motion was made by Mr. Phil Walters and seconded by Mr. Arthur Henderson to approve the subdivision request. It was voted unanimously 6-0.

(4) ADJOURNMENT:

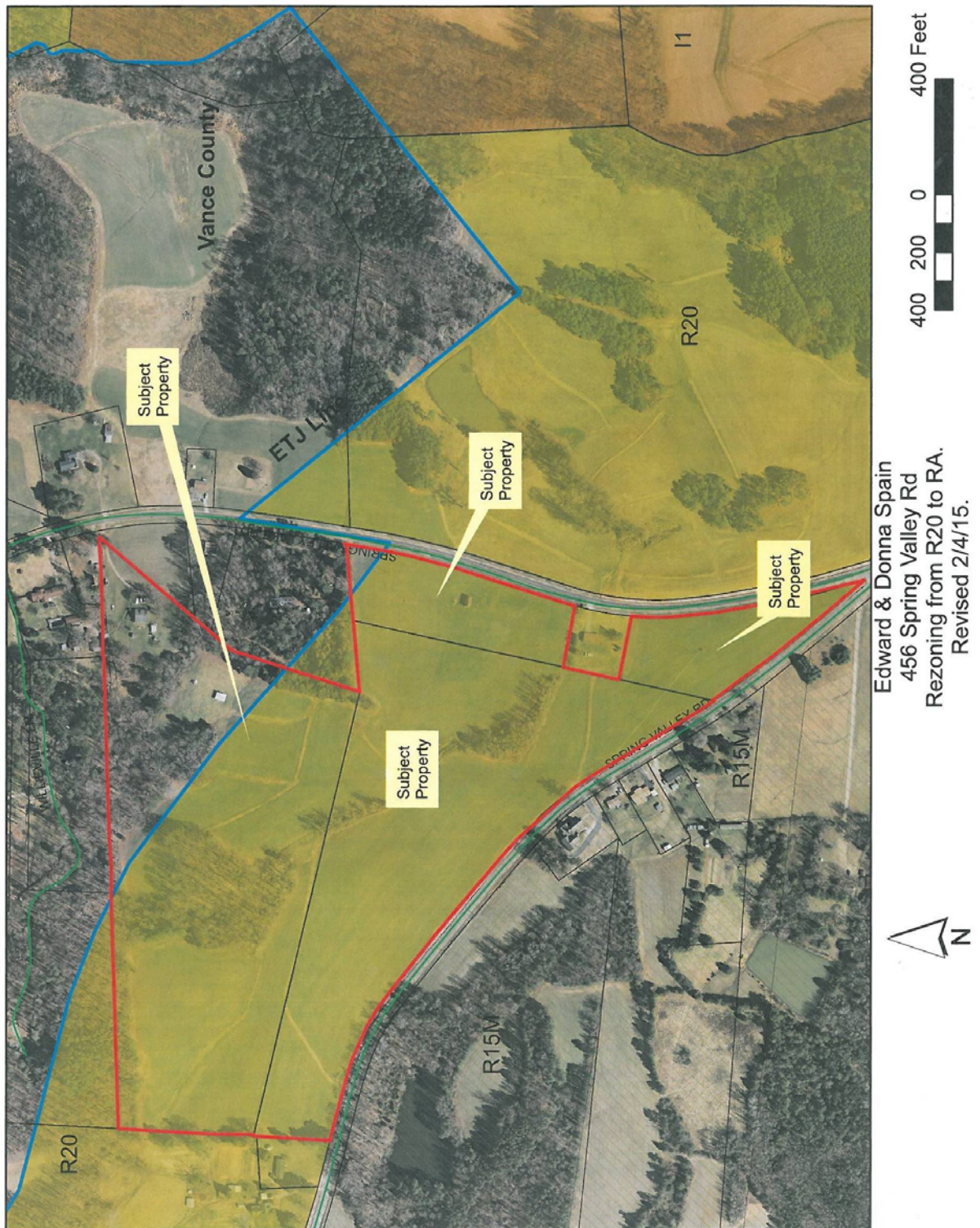
At 4:35 PM a motion to adjourn the meeting was made by Mr. Horace Bullock and seconded by Mr. Jimmie Ayscue. The motion carried.

NEXT MEETING: March 2, 2015 @ 3:30 PM

Minutes respectfully submitted by

DRAFT

Corey K. Williams
Development Service Director





CITY OF HENDERSON

PLANNING & COMMUNITY DEVELOPMENT

P.O. Box 1434 / 134 Rose Avenue • Henderson, NC 27536 • Phone: (252) 430-5723 • Fax: (252) 492-7935



REZONING APPLICATION

*Fee: Zoning Map Amendment to Residential District:	\$350.00, plus \$50.00 acre, or part thereof
Zoning Map Amendment, other:	\$350.00, plus \$100.00 acre, or part thereof

Date Jan. 13, 2015

Case # _____

Site Address: Intersection of Spring Valley Road and Spring Valley Lake Road

APPLICANT / OWNER INFORMATION

Applicant Name: <u>Spring Valley Farm, LLC</u>	Property Owner Name: <u>Edward & Donna Spain</u>
Mailing Address: <u>c/o Beth Trahos, Smith Moore Leatherwood, LLP</u>	Street Address: <u>456 Spring Valley Road</u>
City, State Zip: <u>434 Fayetteville St., Suite 2800, Raleigh, NC</u>	City, State Zip: <u>Henderson, NC 27537</u>
Contact phone #: <u>(919) 755-8760</u>	Contact phone #: _____
Email Address: <u>beth.trahos@smithmoorelaw.com</u>	Email Address: _____

PROPERTY INFORMATION

The undersigned hereby submits the following information including a map (Tax Map or Survey) showing the area/parcels to be rezoned to demonstrate that the proposed rezoning is in accord with the parcels requested in the petition.

	PIN #	Existing Zone	Proposed Zone	Acres
1	0207 01008	R-20	RA	25.33
2	0207 01005	R-20	RA	19.02
3	0207 02002A	R-20	RA	16.35
4				
5				
				Total: 60.70

Total acres to be rezoned 40.60 +/-

Have any of the parcels proposed to be rezoned been the subject of a rezoning proposal within the past year? YES_ NO

Explain why the proposed change is needed or desirable. *(Please attach additional sheets if necessary.)*

Please see attached.

APPLICANT'S JUSTIFICATION FOR REZONING

In reviewing a proposal for a change, the Planning Board and the City Council will consider the character of the area to be rezoned, the peculiar suitability of the land, the effect that the rezoning might have on the public facilities and services, and the general health, safety, and welfare. The specific text considered in a rezoning is, considering all the uses and development standards in each zone, what zone best achieves or is most in harmony with the comprehensive plan.

Procedure: Petitions to amend the zoning ordinance or subdivision regulations are reviewed by the Planning Director and/or Zoning Administrator. When he/she determines that a petition is complete, he/she will submit it to the Planning Board for a recommendation. The recommendation is referred to the City Council and a public hearing will be held before the City Council. Public Notices will be printed in the newspaper. Once the application is filed and accepted as complete, it is the responsibility of the petitioners to keep apprised of meeting dates and attend the meetings.

City of Henderson: Zoning Ordinance-Section 905.1. Form of Petitions. Petitions to amend the text of the Zoning Ordinance or the Zoning Map shall be on such form as the Zoning Administrator and/or Planning Director shall specify and shall include all the information necessary for full review and consideration by the City Council, including but not limited to the text of the proposed Ordinance, a map of the area to be rezoned (where applicable), and a statement explaining the nature of the proposed change, the reasons for the change and the effects anticipated from the change.

Any petition to rezone land shall be signed by all owners of the land proposed to be rezoned, or by their authorized agents. All petitions shall be accompanied by a fee as set out above and which shall be sufficient to defray the administrative costs incurred in processing the application, notifying adjacent property owners (if and when required), and publishing notices of public hearing as required herein. The Zoning Administrator and/or Planning Director shall determine if petition is complete.

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I certify on this date 1/12/15 that all the information presented to me in this petition/application is accurate to the best of my knowledge, information, and belief. Further, I understand that, should this petition/application be approved, no site activity can take place until a site plan and/or any other land development permits are issued.

Jackson NAFTEL
Applicant Print Name

[Signature]
Applicant Signature

Donna Spain
Edward Spain
Owner Print Name

Donna Spain
Edward Spain
Owner Signature

OFFICE USE ONLY

OFFICE USE ONLY

OFFICE USE ONLY

Fee: _____ How Paid: _____ Rec'd By: _____ Date Paid: _____ Check#: _____ Receipt#: _____

PB Date: _____ PB Decision: Approved / Denied CC Date: _____ CC Decision: Approved / Denied

Comments _____

Zoning Administrator

Date



City of Henderson

Planning and Community Development Department

Post Office Box 1434
134 Rose Avenue
Henderson, NC 27536-1434
Phone: (252) 430-5725 FAX: (252) 492-7935

January 23, 2015

Dear Property Owner:

You have property located near or adjacent to the property highlighted below.

Notice is hereby given that the Henderson Planning Board will hold a public hearing on Monday, February 2, 2015 at 3:30 p.m. in the City Hall Council Chambers located at 134 Rose Avenue.

Business to be discussed as follows:

Case (PB04-15): Public Hearing: Recommendation to rezone properties from R-20 (Low Density Residential) to R-A (Residential/Agricultural Use) Zoning District located at 456 Spring Valley Road, 60.70+/- acres, (PIN #'s: 0207 01008, 0207 01005, 0207 02002A).

Sincerely,

Robert Harris
Planner

PB 04-15: Adjacent Property Owners from R20 to RA

OWNNAME	OWNNAME2	OWNADD1	OWNCITY	ST	ZIP	DEEDACRE	PIN
BAILEY ANNE BASKETT		609 SPRING VALLEY RD.	HENDERSON	NC	27536	32.00	0207 03008
BUCHANAN NATHANIEL THOMAS		879 SPRING VALLEY RD.	HENDERSON	NC	27536	2.69	0207 03024
EDWARDS W H JR	EDWARDS BETTIE N	550 SPRING VALLEY LAKE RD	HENDERSON	NC	27537	2.37	0207 02002
FARMER CAROLYN B		122 PINEVIEW RD	HENDERSON	NC	27537	28.18	0207 03009
JMFMF LLC		PO BOX 1208	HENDERSON	NC	27536	42.01	0207 03010
JOHNSON LYNNA A.		551 SPRING VALLEY LAKE RD	HENDERSON	NC	27536	0.69	0202 02001E
JOURNIGAN WILLIE HERBERT		585 SPRING VALLEY LAKE RD	HENDERSON	NC	27537	16.75	0202 02064
LAWSON MARY		195 SPRING VALLEY LAKE RD	HENDERSON	NC	27537	0.92	0207 01006
ROBERSON TALTON P.		1195 NEWTON DAIRY RD.	HENDERSON	NC	27537	5.54	0207 01007
SPAIN EDWARD F	SPAIN DONNA C	456 SPRING VALLEY ROAD	HENDERSON	NC	27537	35.36	0207 01005
SPRING VALLEY METHODIST CHURCH		955 SPRING VALLEY RD	HENDERSON	NC	27537	0.00	0207 03010A
STEVENSON JOHN BRYAN		476 SPRING VALLEY LAKE ROAD	HENDERSON	NC	27537	0.46	0207 02005
VAN ZANDT JOHN E		901 SPRING VALLEY ROAD	HENDERSON	NC	27536	0.69	0207 03025
WALTERS JAMES N.		1260 SPRING VALLEY ROAD	HENDERSON	NC	27536	0.89	0207 01004A

STATE OF NORTH CAROLINA
CITY OF HENDERSON

BEFORE THE
CITY COUNCIL

IN RE: Rezoning to RA to allow a Solar Farm
Parcel ID#: 0207 01008; 0207 01005; and 0207 02002A
Address: Intersection of Spring Valley Road and Spring Valley Lake
Road, North Carolina

**STATEMENT OF JUSTIFICATION IN SUPPORT OF THE
REZONING APPLICATION**

NOW COMES THE PETITIONER, Spring Valley Farm, LLC, by and through counsel of record, and respectfully requests approval of its application to rezone 40.60± acres of the property described above to RA. In support of this request, Petitioner provides the following information:

I. Introduction

The applicant proposes to construct a solar farm on approximately 40.60± acres of the 60.70± acre site. The property is currently owned by Mr. and Mrs. Edward Spain. The property is located at the intersection of Spring Valley and Spring Valley Lake Roads. The property is currently bisected by the City of Henderson's Extra-territorial Jurisdiction (ETJ) boundary with the majority of the site being within the City of Henderson's ETJ and currently zoned Residential-20 (R-20). (The remainder of the subject property, which is not proposed for rezoning, is located in Vance County and currently zoned Agricultural-Residential. A legal description specifically identifying the property subject to rezoning is attached.) The applicant proposes to rezone the subject property to Residential and Agricultural (RA) and to request a special use permit for the solar farm use. The RA zoning district allows a solar farm as a Special Use in addition to homes and other uses similar to the existing R-20 zoning district.

The proposed solar farm will be maintained and will promote the public health, safety, or general welfare. Solar farms are regularly located in residential and agricultural areas. Solar farms are good neighbors. Solar panels mounted on racks are less than 10 feet tall at their highest point, much lower than the average home or barn.

Solar farms consume practically no city or county services: they require no seats in schools or on school buses, no special police protection, and no sewage disposal. They produce virtually no refuse or recycling needs, no demand for water, no light pollution, and no emissions of any kind.

The power generated from the solar farm will be sold to the power company for use by consumers in place of power produced by non-sustainable means. Solar energy is a clean, cheap, unlimited resource with little environmental impact. The demand for power will not decline.

II. Statement in Support of Application

The proposed RA zoning is consistent with the area to be rezoned. The subject property is located at the edge of City of Henderson's ETJ with a small portion of the site being located in Vance County. (The property within Vance County is not included within this application. Please see the attached legal description of the area subject to the proposed rezoning for more detail.) The RA zoning is most consistent with the Vance County zoning in the area A-R, which also permits solar farms subject to a special use permit, in addition to homes.

The proposed solar farm conforms with the general plans for physical development of the city's planning jurisdiction in this area. The subject property is located within the Rural Density Area under the City of Henderson 2030 Comprehensive Plan. The Rural Density area is not contemplated for urban-style development until utilities are extended. The plan recommends that these outlying areas should retain their rural character. Solar farms make good transitional land uses. They allow property owners to maintain large lots while generating income for themselves. Solar farms preserve rural character.

We respectfully request that the City Council approve the proposed rezoning to RA as requested.

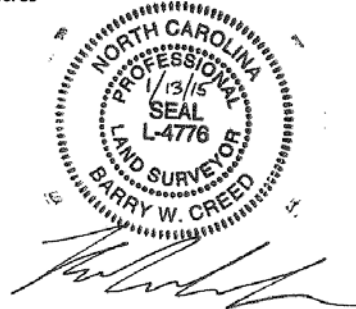
LEGAL DESCRIPTION FOR BATTING LINE

STRATA SOLAR, LLC - SPRING VALLEY SITE

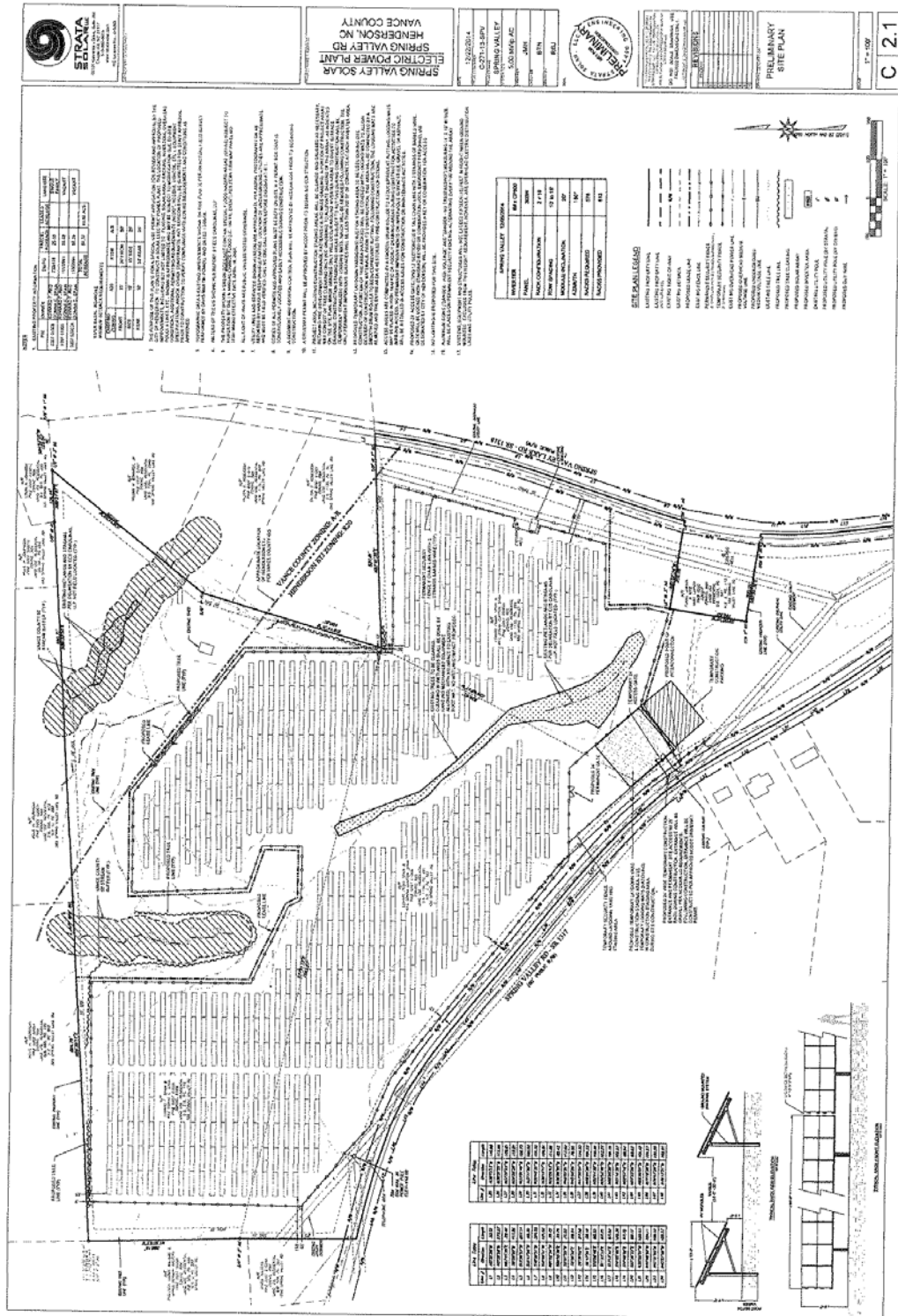
BEGINNING at an existing 3/4" iron pipe, said iron having North Carolina grid coordinate Nad 83(2011)North = 952,403.609, East = 2,177,757.067, said iron being the southwest corner of Willie H. Journigan (D.B. 666, Pg. 473) and in the eastern property line of Philemon Harris Walters & James Norman Walters (D.B. 525, Pg. 660); thence along said property line of said Willie H. Journigan the following two (2) courses and distances: 1) North 86°35'17" East 884.75 feet to an existing 3/4" iron pipe, 2) North 86°33'50" East 46.90 feet to the intersection of the batting line; thence leaving said Journigan property line and along said batting line the following seven (7) courses and distances: 1) South 57°22'28" East 167.16 feet to a point, 2) South 52°57'18" East 154.06 feet to a point, 3) South 51°14'39" East 124.86 feet to a point, 4) South 50°28'32" East 104.47 feet to a point, 5) South 50°52'46" East 100.86 feet to a point, 6) South 50°44'39" East 114.11 feet to a point, 7) South 49°24'39" East 122.19 feet to a point, said point being on the western property line of Talton P. Roberson (D.B. 1130, Pg. 28); thence leaving said batting line and along said Talton P. Roberson (D.B. 1130, Pg. 28) the following three (3) courses and distances: 1) South 16°14'31" West 272.57 feet to an existing 1/2" iron rod, 2) North 87°41'35" East 527.81 feet to an existing 1/2" iron rod, 3) North 87°41'35" East 29.40 feet to a point in the centerline of Spring Valley Lake Road (NCSR 1318); thence along said Spring Valley Lake Road (NCSR 1318) centerline the following six (6) courses and distances: 1) South 8°59'00" West 117.22 feet to a point, 2) South 12°26'57" West 117.35 feet to a point, 3) South 12°26'57" West 89.79 feet to a point, 4) South 16°47'55" West 98.30 feet to a point, 5) South 18°09'51" West 301.05 feet to a point, 6) South 16°49'41" West 121.52 feet to a point, said point being the northeast corner of Furnie Lawson & Mary Lawson (D.B. 1074, Pg. 561); thence leaving said Spring Valley Lake Road (NCSR 1318) centerline and along said Furnie Lawson & Mary Lawson property lines the following five (5) courses and distances: 1) North 81°02'34" West 30.72 feet to an existing concrete monument, 2) North 81°02'34" West 200.05 feet to an existing 5/8" iron rod, 3) South 9°00'18" West 199.60 feet to an existing concrete monument, 4) South 80°55'39" East 200.09 feet to an existing concrete monument, 5) South 80°55'39" East 30.76 feet to a point in the centerline of said Spring Valley Lake Road (NCSR 1318); thence leaving said Lawson property and along said Spring Valley Lake Road (NCSR 1318) centerline the following ten (10) courses and distances: 1) South 2°07'55" West 71.55 feet to a point, 2) South 2°56'52" East 99.94 feet to a point, 3) South 6°36'02" East 97.58 feet to a point, 4) South 6°47'51" East 96.19 feet to a point, 5) South 10°08'46" East 98.55 feet to a point, 6) South 11°33'33" East 97.25 feet to a point, 7) South 13°12'44" East 97.50 feet to a point, 8) South 16°05'40" East 100.38 feet to a point, 9) South 19°49'02" East 97.75 feet to a point, 10) South 22°36'22" East 99.17 feet to the intersection of Spring Valley Road (NCSR 1317); thence leaving said Spring Valley Lake Road (NCSR 1318) and along said Spring Valley Road (NCSR 1317) the following twenty eight (28) courses and distances: 1) North 38°59'01" West 100.03 feet to a point, 2) North 40°48'50" West 104.11 feet to a point, 3) North 41°01'00" West 106.02 feet to a point, 4) North 40°27'49" West 109.37 feet to a point, 5) North 39°15'13" West 110.69 feet to a point, 6) North 38°31'55" West 113.28 feet to a point, 7) North 37°37'23" West 109.81 feet to a point, 8) North 34°56'39" West 112.21 feet to a point,

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9) North 33°01'49" West 102.75 feet to a point, 10) North 31°11'59" West 100.52 feet to a point, 11) North 30°42'30" West 101.32 feet to a point, 12) North 30°19'17" West 100.81 feet to a point, 13) North 32°06'13" West 111.85 feet to a point, 14) North 36°26'55" West 82.43 feet to a point, 15) North 42°07'21" West 117.60 feet to a point, 16) North 45°50'26" West 78.00 feet to a point, 17) North 47°30'04" West 124.33 feet to a point, 18) North 49°24'39" West 101.33 feet to a point, 19) North 50°44'39" West 100.91 feet to a point, 20) North 50°52'46" West 103.27 feet to a point, 21) North 50°28'32" West 101.19 feet to a point, 22) North 51°14'39" West 102.57 feet to a point, 23) North 52°57'18" West 98.94 feet to a point, 24) North 57°22'28" West 98.63 feet to a point, 25) North 65°20'01" West 101.42 feet to a point, 26) North 71°12'38" West 101.27 feet to a point, 27) North 74°47'20" West 100.55 feet to a point, 28) North 76°17'21" West 102.91 feet to a point, said point being the southwest corner of Edward Frank & Donna C. Spain (D.B. 1150, Pg. 991); thence leaving said centerline of said Spring Valley Road (NCSR 1317) and along said Edward Frank & Donna C. Spain the following three courses and distances: 1) North 0°32'28" West 30.52 feet to an existing 1/2" iron pipe, 2) North 0°32' 28" West 273.27 feet to an existing 3/4" iron pipe, 3) North 1°35'03" West 398.19 feet to the point and place of **BEGINNING**. Containing 54.155± acres



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THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR CONFORMANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

Line Table		
Line #	Direction	Length
L1	N08°13'50"E	46.50
L2	S57°22'28"E	167.16
L3	S53°57'10"E	154.06
L4	S31°4'38"E	124.66
L5	S50°20'32"E	104.47
L6	S50°35'46"E	100.68
L7	S50°44'39"E	114.11
L8	S49°24'38"E	122.19
L9	S16°4'31"E	272.57
L10	N87°41'55"E	527.81
L11	N89°41'35"E	26.40
L12	S9°59'00"E	117.22
L13	S12°55'37"E	117.15
L14	S12°28'37"E	88.78
L15	S16°47'55"E	94.30
L16	S18°09'51"E	307.05
L17	S16°49'41"E	121.52
L18	N01°02'54"E	30.72
L19	N01°02'54"E	200.05
L20	S93°01'18"E	196.60
L21	S80°55'39"E	200.09

Line Table		
Line #	Direction	Length
L22	S80°54'39"E	30.76
L23	S70°55'5"E	71.55
L24	S2°56'32"E	89.64
L25	S5°36'10"E	97.58
L26	S6°47'51"E	96.19
L27	S10°03'46"E	98.55
L28	S17°31'33"E	97.23
L29	S17°24'44"E	97.50
L30	S16°05'40"E	100.38
L31	S19°49'02"E	97.75
L32	S22°36'22"E	98.17
L33	N38°59'01"E	106.03
L34	N40°48'30"E	104.11
L35	N41°01'00"E	106.02
L36	N40°27'49"E	109.37
L37	N38°51'33"E	110.69
L38	N36°31'55"E	111.28
L39	N17°37'21"E	109.81
L40	N34°56'38"E	112.27
L41	N33°01'49"E	102.75
L42	N37°11'59"E	106.52

Line Table		
Line #	Direction	Length
L43	N50°42'30"E	101.32
L44	N50°19'17"E	103.81
L45	N38°08'13"E	111.85
L46	N36°26'55"E	82.43
L47	N42°07'21"E	117.60
L48	N49°50'28"E	78.00
L49	N47°30'04"E	124.33
L50	N49°24'39"E	101.33
L51	N50°44'39"E	103.91
L52	N49°33'46"E	103.27
L53	N50°28'32"E	101.19
L54	N51°4'39"E	102.57
L55	N33°57'18"E	98.94
L56	N57°22'38"E	98.63
L57	N63°20'01"E	101.42
L58	N71°2'38"E	101.27
L59	N24°47'20"E	103.55
L60	N38°17'21"E	102.91
L61	N02°32'28"E	30.52
L62	N02°28'28"E	271.27

SHEET 2 OF 2

DAVIS • MARTIN • POWELL
ENGINEERS & SURVEYORS
6415 OLD PLANK RD., HIGH POINT, NC 27265
(336) 886-4821 | WWW.DMP-NC.COM | LICENSE: F-0215

EXHIBIT MAP FOR
STRATA SOLAR, LLC -
SPRING VALLEY SITE
RE-ZONING MAP

PROPERTY OF
EDWARD FRANK SPAIN &
WIFE DONNA CLAYTON SPAIN

Spring Valley Road
Henderson, North Carolina
Henderson Township, Vance County

DRAWING NAME: P:\2014\140399\Survey\140399_BATTING-C2015.dwg - sht 2 - 1/13/2015 4:43 PM

City Council Action Form

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



Agenda Item: _____

Council Meeting: 23 Feb 15 Short Reg. Meeting

17 February 2015

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

FR: Ed Wyatt, City Manager

RE: CAF: 15-32

Consideration of Approval of Ordinance 15-13, Amending the City of Henderson, North Carolina (City) Zoning Ordinance to Allow Construction of Greenhouses in City Zoning Districts with Certain Limitations.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **Key Strategic Objective 3:** Revise and align land use and sign ordinance

Recommendation:

- Approval of Ordinance 15-13, Amending the City of Henderson, North Carolina (City) Zoning Ordinance to Allow Construction of Greenhouses in City Zoning Districts with Certain Limitations.

Executive Summary:

The proposed change is a City Planning Board (Board)/ staff recommendation due to interest expressed in urban farming. Urban farming currently is not addressed in City ordinances.

This ordinance would allow construction of greenhouses (Houses) in all City residential districts. The staff believes construction of Houses could impact positively blighted neighborhoods. The houses would be allowed as accessory structures so long as they do not exceed 20% of the size of the primary structure on the property concerned.

Houses which either are to be the primary use of the property or which exceed the 20% limitation would require a special use permit if located in following districts: Office Institutional; Office Institutional "A"; High Density Residential; Moderate to High Density Residential-HUD Code Home District; Moderate to Low Density Residential – HUD Code Home District; Low Density Residential; and Very Low Density Residential.

Attached is a letter from Mr. Morris White, the Vance County Extension Director for the North Carolina Cooperative Extension as well information from two other North Carolina municipalities regarding urban farming.

The Board unanimously approved this recommendation during its February 2, 2015 regular meeting.

Attachments:

1. Ordinance 15-13
2. Planning Board Minutes
3. NC Co-op Extension Vance County Dir. Mr. Morris White Correspondence
4. Information from other cities

ORDINANCE 15-13

After receiving the recommendation of the City of Henderson, North Carolina (City) Planning Board, and after an advertised public hearing, Councilperson_____ introduced the following Ordinance which was seconded by Councilperson____and reads:

AMENDMENT TO THE CITY ZONING ORDINANCE TO ALLOW CONSTRUCTION OF GREENHOUSES IN CITY ZONING DISTRICTS WITH CERTAIN LIMITATIONS.

The City Council ordains:

Section 1. Greenhouses that are twenty percent or less in size than the primary structure on a parcel are allowed by right under the City Zoning Ordinance (Ordinance). Greenhouses which either are to be the primary use of a property or which exceed the twenty percent limitation may be allowed if the City Board of Adjustment grants a special use permit and if the greenhouses will be constructed in the following City zoning districts: Office Institutional; Office Institutional "A"; High Density Residential; Moderate to High Density Residential-HUD Code Home District; Moderate to Low Density Residential – HUD Code Home District; Low Density Residential; and Very Low Density Residential.

Section 2. City staff will submit any required revisions of the Ordinance for review of the City Attorney, approval of the City Manager and publication by the City Clerk.

Section 3. The Ordinance is in full force and effect from its date of passage.

Ordinance 15-12, upon motion of Council member _____ and seconded by Council Member _____, and having been submitted to a roll call vote and received the following votes and was **APPROVED/DISAPPROVED** on this the ____ day of _____, 2015: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards., City Attorney

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing Ordinance is a true and exact copy of *Ordinance 15-13*, Amending the City Zoning Ordinance to allow Construction of Greenhouses in City Zoning Districts with Certain Limitations adopted by the Henderson, City Council in Regular Session on ** ** 20** (See *Minute Book 4**, p. **). This Ordinance is recorded in *Ordinance Book # 9* pp. **.

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

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



City of Henderson

Planning and Community Development Department

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

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

DRAFT

MINUTES

**HENDERSON PLANNING BOARD
MONDAY, February 2, 2015 – 3:30 P.M.
CITY HALL – COUNCIL CHAMBERS**

DRAFT

Members Present – Michael Rainey, Horace Bullock, Arthur Henderson, Jimmie Ayscue, Keith Coffey (Alternative), Phil Walters.

Members Absent – Marguerite Anduze, Arnold Bullock, Rick Easter

Staff Present – Development Service Director: Corey Williams, Robert Harris: Planner, Karen Foster: Zoning Administrator, Jamie Grissom: Administrative Assistant, City Attorney: Rix Edwards

- (1) **CALL TO ORDER** – Meeting was called to order by Chairman Michael Rainey. Roll was called. A quorum was present.
- (2) **APPROVAL OF MINUTES**: Minutes were tabled from January 5, 2015 because Planning Board members did not receive them in their packets. Motion was made by Mr. Jimmie Ayscue and seconded by Mr. Arthur Henderson to table the minutes from January 5, 2015 meeting. It was voted unanimously 6-0.
- (3) **BUSINESS – DISCUSSION**

Old Business:

Case (PB 03-15): A recommendation to include Greenhouses in all Residential Districts.

Executive Summary:

There is interest in urban farming practices and the current City Zoning Ordinance does not address the potential use of urban agriculture. The ideal is to allow greenhouses in residential districts especially neighborhoods with blighted conditions. The objective is to review and allow greenhouses in residential districts to provide a livelier and less blighted community. Attached is a letter of support from North Carolina Cooperative Extension Vance County Director, Mr. Morris White, information concerning greenhouses from two other municipalities in North Carolina and photos of urban greenhouses. This petition to amend the City Zoning Ordinance is a staff recommendation.

Staff Recommendation for Greenhouses / Hoop-Houses

Greenhouses / Hoop-houses allowed in all districts as an accessory structure that does not exceed 20% of the primary structure (Shall comply with section 624B).

Greenhouses / Hoop-houses as a primary use or exceeds the 20% of the primary dwelling is allowed with a Special Use Permit in the following districts: B-2, B-2A, B-4, O-I, O-IA, R-6, R-8, R-8M, R-11, R-15M, R-20, R-40, R-A, I-1, and I-2.

Corey Williams, Development Services Director, introduced the item. Mr. Williams handed out the information pertaining to the text amendment. Mr. Rainey opened the public hearing for all parties of interest to comment. Marian Williams and Ardis Crews, citizens for community gardens, provided a presentation to the Planning Board in reference to having the “community gardens” in residential neighborhoods.

Motion was made by Mr. Horace Bullock and seconded by Mr. Jimmie Ayscue to approve the text amendment. It was voted unanimously 6-0.

This recommendation now goes before the City Council for final decision on February 23, 2015.

New Business:

- 1. Case (PB04-15): Public Hearing: Recommendation to rezone properties from R-20 (Low Density Residential) to R-A (Residential/Agricultural Use) Zoning District located at 456 Spring Valley Road, 60.70+/- acres, (PIN #'s: 0207 01008, 0207 01005, 0207 02002A).**

Corey Williams, Development Services Director, introduced the item. Mr. Williams reviewed the packet of information pertaining to the rezoning request. Mr. Rainey opened the public hearing for all parties of interest to comment. Mr. David Neill (an attorney for Smith Moore Leatherwood, LLP at 434 Fayetteville Street, Suite 2800, Raleigh NC 27601) spoke in favor of the rezoning and provided details on solar farms. Solar Farms are allowed in the R-A district with a special use permit. He answered all the Board’s questions concerning this matter. Mr. Bill Edwards (550 Spring Valley Lake Road Henderson, NC 27536) spoke in opposition of solar farms. His concerns were: Solar farms will provide no jobs or revenue for the City of Henderson or Vance County. His second concern is a solar farm would be an eyesore within the community and possibly devalue the surrounding land. He made reference to the 2030 Comprehensive Plan which discusses the integrity of the land being rural density.

The public hearing was then closed by Mr. Rainey.

Motion was made by Mr. Keith Coffey and seconded by Mr. Jimmie Ayscue to approve the rezoning. Mr. Michael Rainey, Mr. Jimmie Ayscue, Mr. Arthur Henderson and Mr. Keith Coffey all voted for the rezoning. Mr. Bullock was against the motion. Mr. Phil Walters abstained. It was approved 4 to 1.

This recommendation goes before the City Council for final decision on February 23, 2015.

2. Carey Chapel Crossing Preliminary Plat original approval. (Handout will be providing during meeting).

This item was tabled by planning staff to a later date.

3. Subdivision / Zoning Interpretation

Corey Williams, Development Services Director, introduced the item. Mr. Williams asked for some guidance on what exempt subdivision maps go to Planning Board and what can be accomplished administratively. He requested permission of the Planning Board to sign plats that are exempt from both the Subdivision and Zoning Ordinance.

Motion was made by Mr. Phil Walters and seconded by Mr. Arthur Henderson to approve the subdivision request. It was voted unanimously 6-0.

(4) ADJOURNMENT:

At 4:35 PM a motion to adjourn the meeting was made by Mr. Horace Bullock and seconded by Mr. Jimmie Ayscue. The motion carried.

NEXT MEETING: March 2, 2015 @ 3:30 PM

Minutes respectfully submitted by

DRAFT

Corey K. Williams
Development Service Director

NC STATE UNIVERSITY

Vance County Center
North Carolina Cooperative Extension
305 Young St.
Henderson, NC 27536
Phone: 252-438-8188
Fax: 252-492-3830

Corey Williams
Director of Code Compliance
City of Henderson
134 Rose Avenue
P. O. Box 1434
Henderson, NC 27536

December 12, 2014

Dear Mr. Williams,

Across the nation, cities and small towns are implementing urban agriculture practices to help create more vibrant communities. Backyard chickens, beekeeping, community gardens, rooftop gardens, farmers markets, green houses, and community supported agriculture programs are gaining popularity, as local food continues to find its place on the tables and homes of urban residents.

Research has show that urban agriculture has made the following major impacts in social, health, and economic issues in communities:

Social Impacts

- Creating safe places/reducing blight
- Access to land
- Community development/building social capital
- Education and youth development opportunities
- Cross - generations and cultural integration

Health Impacts

- Food access and security
- Increased fruit and vegetable consumption
- Food and health literacy
- General well - being (mental and physical activity)

Economic Impacts

- Job creation, training, and business incubation
- Market expansion for farmers
- Economic savings on food
- Savings for municipal agencies
- Increased home values

Please accept this letter of support in favor of Urban Agriculture within the city limits of the City of Henderson, NC. Cooperative Extension looks forward to providing technical assistance and education to any citizens interested in exploring opportunities in Urban Agriculture.

Sincerely,



Morris White
County Extension Director

North Carolina State University and North Carolina A&T State University commit themselves to positive action to secure equal opportunity regardless of race, color, creed, national origin, religion, sex, age, veteran status, or disability. In addition, the two Universities welcome all persons without regard to sexual orientation. North Carolina State University, North Carolina A&T State University, U.S. Department of Agriculture, and local governments cooperating

Proposed Section 310 A

CITY OF HENDERSON ZONING ORDINANCE

Table of Permitted Uses

Permitted Use	Special Regulations	I1	I2	I3	B-A	B1	B2	B2A	B3	B4	OI	OIA	R40	R20	R15	R11	R8	R6	RA	R15M	R8M
17.18 Metal Works	510.17.18		X	X		S															
17.19 Ice	510.17.19		X																		
17.2 Slaughterhouse	510.17.20		S	X																	
17.3 Other	510.17.30		S	S																	
18 AGRICULTURAL																					
18.1 AGRICULTURAL AND FARMING USES	1002.3B																				
18.11 Agriculture farming, including processing		X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
18.12 Housing for farm workers		S	S	S		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
18.13 Hog Operations			S	S																	
18.14 Composting Operation			S	S																	
18.15 Chicken Operations			S	S																	
18.2 AUCTION																					
18.21 Tobacco Auction	510.18.21		X			S	X	X		X									S		
18.22 Other Auction Sales	510.18.22		X			S	X	X		X									S		
18.3 HATCHERIES																					
18.31 Chicken	510.18.31		X																		
18.32 Fish	510.18.32		X																		
18.4 EQUIPMENT																					
18.41 Farm Equipment Sales	510.18.41						X	X		X									S		
18.42 Farm Equipment Repair	510.18.42	X	X				X	X											S		
18.5 Tobacco Processing	510.18.50		X																S		
18.6 Greenhouses	510.18.60	X	X			S	X	X		X	S	S	S	S		S	S	S	X	S	S
18.7 Other	510.18.70	X	X			X	X	X													
18.8 Seed and Grain Storage	510.18.80	X	X				X	X		X									X		
18.9 Farm Equipment Storage	510.18.90	X	X	X			X	X		X									X		

Section 624B: Accessory/ Storage Structures including metal cubicle buildings (PODS)

1. Permit Required: A zoning permit will be required for all accessory structures regardless of the use or duration of use (this includes prefabricated structures, metal cubicles, PODS, and any other type of accessory structure).
2. Metal Cubicle Buildings, also known as PODS, that are built for storage purposes purchases/leases for storage purposes and used for storage purposes shall be limited to the Highway Commercial (B-2 & B-2A) and Industrial districts.
3. The only exception for metal cubicles (PODS) to be located in any other districts than the Highway Commercial (B-2 & B-2A) or Industrial is for use during construction or repair of a primary structure. The metal cubicle (POD) shall be permitted on a temporary basis and shall be removed within 30 days of the issuance of the Certificate of Occupancy for the primary structure.
4. Location: No metal Cubicle (POD) shall be located in the front yard of primary structure and shall not block or obstruct parking or drives. Any accessory structure that is 12'x 12' or smaller shall be set-in a minimum of five (5') feet from any rear or side property line. If the structure exceeds 12' x 12', then it shall comply with the minimum set-in requirement for the district.
5. Size: the aggregate square footage of all accessory structure (excluding that portion of garages used solely for motor vehicle parking, but no more than two bays) shall not exceed 20% of the square footage of the primary structure. If the aggregate square footage of the accessory structure(s) exceeds 20%, a Special Use Permit will be required for any additional square footage.
6. Height: No accessory structure incidental to a residential use shall exceed 20' in height
7. No accessory building, structure, or metal cubicle (POD) may be used for residential purposes.

[Uses Often Allowed in Neighborhood Commercial Situations]

City Council Action Form

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



Council Meeting: 23 Feb15 Short Reg. Meeting

17 February 2015

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 15-33

Consideration of Approval of Ordinance 15-14, To Allow Administrative Approvals for Certain City of Henderson, North Carolina (City) Zoning Ordinance and Subdivision Regulation Matters.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **Key Strategic Objection 3:** Revise and align land use and sign ordinance

Recommendation:

- Approval of Ordinance 15-14, To Allow Administrative Approvals for Certain City of Henderson, North Carolina (City) Zoning Ordinance and Subdivision Regulation Matters.

Executive Summary:

City Zoning Ordinance Section 703.4 allows multiple non-conforming dwelling units on one lot to be subdivided into parcels for each dwelling as does Section 2.1 of the City Subdivision Regulation. The ordinance and regulation, however, are silent on whether such divisions must be approved by the City Planning Board (Board).

The staff recommended, and the Board unanimously approved during its February 2, 2015 meeting, the concept that this ordinance and regulation be amended to permit approval to be made by staff.

Attachments:

1. Ordinance 15-14
2. Planning Board Minutes
3. Zoning Ordinance Section 703-4 & Subdivision Regulation 2.1

ORDINANCE 15-14

After receiving the recommendation of the City of Henderson, North Carolina (City) Planning Board, and after an advertised public hearing, Council member____ introduced the following Ordinance which was seconded by Council member_____and reads:

**AMENDMENT TO CITY ZONING ORDINANCE AND SUBDIVISION REGULATION
TO ALLOW CITY PLANNING BOARD STAFF (STAFF) TO APPROVE
SUBDIVISION OF A LOT CONTAINING MULTIPLE NON-CONFORMING
DWELLING UNITS**

The City Council ordains:

Section 1. City Zoning Ordinance Section 703.4, “Nonconformities Involving Several Structures on One Lot” and City Subdivision Regulation 2.1, “Subdivision”, may be amended to permit Staff approval for exercise of the powers under these sections.

Section 2. Staff will submit a revision of the sections for review of the City Attorney, approval of the City Manager and publication by the City Clerk.

Section 2. The Ordinance is in full force and effect from its date of passage.

Ordinance 15-14, upon motion of Council Member _____ and seconded by Council Member _____ and having been submitted to a roll call vote and received the following votes and was _____ on this the **th day of _____ 2015: 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 15-33*



City of Henderson

Planning and Community Development Department

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

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

DRAFT

MINUTES

**HENDERSON PLANNING BOARD
MONDAY, February 2, 2015 – 3:30 P.M.
CITY HALL – COUNCIL CHAMBERS**

DRAFT

Members Present – Michael Rainey, Horace Bullock, Arthur Henderson, Jimmie Ayscue, Keith Coffey (Alternative), Phil Walters.

Members Absent – Marguerite Anduze, Arnold Bullock, Rick Easter

Staff Present – Development Service Director: Corey Williams, Robert Harris: Planner, Karen Foster: Zoning Administrator, Jamie Grissom: Administrative Assistant, City Attorney: Rix Edwards

- (1) **CALL TO ORDER** – Meeting was called to order by Chairman Michael Rainey. Roll was called. A quorum was present.
- (2) **APPROVAL OF MINUTES**: Minutes were tabled from January 5, 2015 because Planning Board members did not receive them in their packets. Motion was made by Mr. Jimmie Ayscue and seconded by Mr. Arthur Henderson to table the minutes from January 5, 2015 meeting. It was voted unanimously 6-0.
- (3) **BUSINESS – DISCUSSION**

Old Business:

Case (PB 03-15): A recommendation to include Greenhouses in all Residential Districts.

Executive Summary:

There is interest in urban farming practices and the current City Zoning Ordinance does not address the potential use of urban agriculture. The ideal is to allow greenhouses in residential districts especially neighborhoods with blighted conditions. The objective is to review and allow greenhouses in residential districts to provide a livelier and less blighted community. Attached is a letter of support from North Carolina Cooperative Extension Vance County Director, Mr. Morris White, information concerning greenhouses from two other municipalities in North Carolina and photos of urban greenhouses. This petition to amend the City Zoning Ordinance is a staff recommendation.

Staff Recommendation for Greenhouses / Hoop-Houses

Greenhouses / Hoop-houses allowed in all districts as an accessory structure that does not exceed 20% of the primary structure (Shall comply with section 624B).

Greenhouses / Hoop-houses as a primary use or exceeds the 20% of the primary dwelling is allowed with a Special Use Permit in the following districts: B-2, B-2A, B-4, O-I, O-IA, R-6, R-8, R-8M, R-11, R-15M, R-20, R-40, R-A, I-1, and I-2.

Corey Williams, Development Services Director, introduced the item. Mr. Williams handed out the information pertaining to the text amendment. Mr. Rainey opened the public hearing for all parties of interest to comment. Marian Williams and Ardis Crews, citizens for community gardens, provided a presentation to the Planning Board in reference to having the "community gardens" in residential neighborhoods.

Motion was made by Mr. Horace Bullock and seconded by Mr. Jimmie Ayscue to approve the text amendment. It was voted unanimously 6-0.

This recommendation now goes before the City Council for final decision on February 23, 2015.

New Business:

- 1. Case (PB04-15): Public Hearing: Recommendation to rezone properties from R-20 (Low Density Residential) to R-A (Residential/Agricultural Use) Zoning District located at 456 Spring Valley Road, 60.70+/- acres, (PIN #'s: 0207 01008, 0207 01005, 0207 02002A).**

Corey Williams, Development Services Director, introduced the item. Mr. Williams reviewed the packet of information pertaining to the rezoning request. Mr. Rainey opened the public hearing for all parties of interest to comment. Mr. David Neill (an attorney for Smith Moore Leatherwood, LLP at 434 Fayetteville Street, Suite 2800, Raleigh NC 27601) spoke in favor of the rezoning and provided details on solar farms. Solar Farms are allowed in the R-A district with a special use permit. He answered all the Board's questions concerning this matter. Mr. Bill Edwards (550 Spring Valley Lake Road Henderson, NC 27536) spoke in opposition of solar farms. His concerns were: Solar farms will provide no jobs or revenue for the City of Henderson or Vance County. His second concern is a solar farm would be an eyesore within the community and possibly devalue the surrounding land. He made reference to the 2030 Comprehensive Plan which discusses the integrity of the land being rural density.

The public hearing was then closed by Mr. Rainey.

Motion was made by Mr. Keith Coffey and seconded by Mr. Jimmie Ayscue to approve the rezoning. Mr. Michael Rainey, Mr. Jimmie Ayscue, Mr. Arthur Henderson and Mr. Keith Coffey all voted for the rezoning. Mr. Bullock was against the motion. Mr. Phil Walters abstained. It was approved 4 to 1.

This recommendation goes before the City Council for final decision on February 23, 2015.

2. Carey Chapel Crossing Preliminary Plat original approval. (Handout will be providing during meeting).

This item was tabled by planning staff to a later date.

3. Subdivision / Zoning Interpretation

Corey Williams, Development Services Director, introduced the item. Mr. Williams asked for some guidance on what exempt subdivision maps go to Planning Board and what can be accomplished administratively. He requested permission of the Planning Board to sign plats that are exempt from both the Subdivision and Zoning Ordinance.

Motion was made by Mr. Phil Walters and seconded by Mr. Arthur Henderson to approve the subdivision request. It was voted unanimously 6-0.

(4) ADJOURNMENT:

At 4:35 PM a motion to adjourn the meeting was made by Mr. Horace Bullock and seconded by Mr. Jimmie Ayscue. The motion carried.

NEXT MEETING: March 2, 2015 @ 3:30 PM

Minutes respectfully submitted by

DRAFT

Corey K. Williams
Development Service Director

City of Henderson **Zoning Ordinance**

703.4: Nonconformities Involving Several Structures on One Lot.

Whenever two or more single family dwelling units were erected on a lot prior to the effective date of this ordinance, and where a subdivision of the lot will not result in a conforming lot for each dwelling unit, then nothing in this ordinance shall prevent the uses or sale of any house on the tract provided each dwelling unit is provided its own lot and, either, as many conforming lots as possible are created, or, the degree of nonconforming for all lots created in minimized.

City of Henderson **Subdivision Regulation** **Adopted December 22, 1987**

2 Definitions

2.1 Subdivision

For purposes of this ordinance, “subdivision” means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in the existing streets; but the following shall not be included within this definition not be subject to any regulations enacted pursuant to this ordinance:

- A. The combination or recombination or portions or previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the City as shown by the regulations presented in this ordinance;
- B. The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved.
- C. The public acquisition by purchase or otherwise of strips of land for the widening or opening of streets, and
- D. The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the City as shown by the subdivision regulations presented in this ordinance.
- E. Utility tracts and easements. (Amended 9/13/2010)

All subdivisions are developments.

City Council Action Form

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



Council Meeting: 23 Feb 15 Short Reg. Meeting

18 February 2015

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 15-30

Consideration of Approval of: Ordinance 15-11, FY 2014-2015 Budget Amendment #22, to Appropriate Fund Balance Arising from State Asset Forfeitures to Fund the Purchase of a Microception Video Recording Unit and a New Computer Server for the Police Department

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

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

Recommendation:

- Approval of Ordinance 15-11 FY 2014-2015 Budget Amendment #22, to Appropriate Fund Balance Arising from State Asset Forfeitures to Fund the Purchase of a Microception Video Recording Unit and a New Computer Server for the Police Department

- **Executive Summary**

The Henderson Police Department is requesting to use funds from the agency's State Asset Cash Account (10-000100123) to purchase a Microception Video Recording Unit replacement and a new computer server for the for the Police Department's Records Management System (RMS).

The Video Recording Unit is needed to bring back in service the Police Department's Video/Audio Recording system which is installed in two (2) interview rooms on the first floor of the Police Department. North Carolina's General Statute 15A-211 requires law enforcement agencies to record interviews and interrogations in many investigations and these interview videos must be included in the information provided to the District Attorney and in Defense "discovery" of case. At this time the DVR component of this system is broken and in need of replacement.

The Records Management System server is needed to upgrade the current Police Department Records Management System to the vendor's most current software version. Due to upgrades to the software functions and improvements in the RMS programs the current RMS Server does not have sufficient "space" or server management software to run the upgraded RMS system. The new server will also be more secure as it will be a system that allows the RMS to back up on a redundant drive, ensuring that if the primary program has problems, a backup is immediately available. Funds are also being requested to have the RMS vendor, Tri-Tech, perform the software upgrade and data transfer from the current server to the new server. The current server will be reused by the Police Department for storage of video data.

Attachments:

1. Ordinance 15-11

O R D I N A N C E 15-11

FY 2014-2015 BUDGET AMENDMENT # 22

TO THE GENERAL FUND TO APPROPRIATE FUND BALANCE ARISING FROM STATE ASSET FORFEITURES TO FUND THE PURCHASE OF A MICROCEPTION VIDEO RECORDING UNIT AND A NEW COMPUTER SERVER FOR THE POLICE DEPARTMENT

WHEREAS, the City Council of the City of Henderson on 11 June 2014 adopted the FY14-15 Annual Operating Budget; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements budgets from time-to-time;

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

			Ordinance 15-11			
			FY 14-15 Budget Amendment #22			
FUNDS: 10: General Fund and 55: Grants Fund						
10: GENERAL FUND REVENUES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	1-Jul-14	Budget	Amendment	Revised
	Fund Balance Appropriated	10-990-990999	\$ -	\$ 6,000	\$ 13,150	\$ 19,150
			\$ -	\$ -	\$ -	\$ -
	Total		\$ -	\$ 6,000	\$ 13,150	\$ 19,150
						\$ 19,150
10: GENERAL FUND EXPENDITURES			Approved	Current		
<i>Department</i>	<i>Line Item</i>	<i>Code</i>	1-Jul-14	Budget	Amendment	Revised
Police	Capital Outlay < \$5,000	10-510-507400	\$ -	\$ -	\$ 13,150	\$ 13,150
			\$ -	\$ -	\$ -	\$ -
	Total		\$ -	\$ -	\$ 13,150	\$ 13,150
						\$ 13,150
	Variance				\$ -	
Reference:			Notes:			
CAF# 15-30; Ordinance #15-11; BA# 22 23 Feb 2015 Council Meeting			To appropriate funds from that portion of the General Fund fund balance arising from State Asset Forfeitures to be used to purchase 1) a Microception Video Recording Unit replacement (\$2,499) and a new computer server for the Police Department's Records Management System (\$10,647).			

The foregoing Ordinance 15-11, upon motion of Council Member *** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was **** on this the 23rd day of February 2015: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

*Reference: Minute Book 42, p.**; CAF 15-30*

STATE OF NORTH CAROLINA - CITY OF HENDERSON

I, Esther McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 15-30 adopted by the Henderson, City Council in Regular Session on _____ 2015. This Ordinance is recorded in *Ordinance Book 9*, p.***.

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

Esther McCrackin
City Clerk
City of Henderson, North Carolina

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

Reviewed by: _____ Date: _____
Edward A. Wyatt, Interim City Manager

City Council Action Form

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



Council Meeting: 23 Feb 15 Short Reg. Meeting

28 January 2015

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

FR: Edward A Wyatt, Interim City Manager

RE: CAF: 15-24

Consideration of Approval of Resolution 15-18, Providing for the Disposition of Property Jointly Held by the City of Henderson (City) and Vance County (County), North Carolina and Located at 255 Andrews Avenue

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- Core Value 9: We value a good working relationship with the County of Vance and believe that by working together in a cooperative effort we can better address the strategic challenges and opportunities facing our community.

Recommendation:

- Approval of Resolution 15-18, Providing for the Disposition of Property Jointly Held by the City of Henderson (City) and Vance County (County), North Carolina and Located at 255 Andrews Avenue

Executive Summary:

Vance County Tax Department received interest from a private buyer to bid on and purchase the property located at 255 Andrews Avenue. The offer to purchase is for \$5,000. The property assessed tax value for this property is \$92,981. Prior to tax foreclosure the unpaid County taxes totaled \$10,852 and the unpaid City taxes totaled \$8,028 for a grand total of \$18,880.

At the tax foreclosure sale of the property, which is noted on Page 0287 of County Tax Book 1288, the property was sold to the County and City for \$18,550.00.

The City has no liens against this property for weed abatement, therefore it is requested Council approve the transfer of 255 Andrews Avenue to Vance County with the understanding upon the sale, the proceeds will be shared on a pro-rata basis.

Attachments:

1. Resolution 15-18
2. Vance County Tax Record
3. Notice of Foreclosure and Deed

RESOLUTION 15-18

PROVIDING FOR THE DISPOSITION OF A PROPERTY JOINTLY HELD BY THE CITY OF HENDERSON (CITY) AND THE COUNTY OF VANCE (COUNTY), NORTH CAROLINA AND LOCATED AT 255 ANDREWS AVENUE

WHEREAS, the City Council (Council) conducted its Annual Planning Retreat in 2015, identifying eight Key Strategic Objectives (KSOs) and Goals; *and*

WHEREAS, this Resolution addresses Core Value 9: maintain a good working relationship with the County; *and*

WHEREAS, the City and County jointly own the property located at 255 Andrews Avenue (Property), purchased at a tax foreclosure sale noted and identified on Page 0287 of Book 1288 in the County Office of the Register of Deeds and as County Tax Parcel Number 0078 01012;

WHEREAS, a person has offered to purchase the Property, and both the City and County staffs recommend sale of the Property; *and*

WHEREAS, the City and County determined the sale could best be accomplished by transfer of the City's interest in the Property to the County, with the County finalizing the sale and the County and City sharing the proceeds of the sale on a pro rata basis.

NOW THEREFORE BE IT RESOLVED by the Council that it does hereby authorize the following:

1. The City Attorney to work with the County Attorney to prepare the necessary agreements and documents to effect the transfer of City's share of the Property to the County, with the County agreeing to provide the City with its pro rata share of the proceeds once the sale is completed.
2. The Mayor or his appointee to sign agreements and documentation prepared and approved by the City Attorney to effect the transfer of the Property to the County.

The foregoing Resolution 15-18, 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 ** day of -----2015: YES:. NO:. ABSTAIN: ABSENT:

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

NORTH CAROLINA

VANCE COUNTY

OFFER TO PURCHASE
COUNTY OWNED PROPERTY

Helene Jones, (hereafter referred to as "Buyer"), hereby offers to purchase from Vance County, North Carolina (hereafter referred to as the "Seller"), in accordance with the following terms and conditions, all that tract, lot or parcel of land together with any improvements located thereon, in Vance County, North Carolina, being known as and more particularly described as follows:

Vance County Register of Deeds Book 564 Page 603 :

Street Address: 255 Andrews Ave, Henderson, NC

1. **The Purchase Price:** The purchase price is \$ 5,000.00, plus the cost of publication as required by NCGS 160A-269, and shall be paid as follows:

a. \$ 750.00, (the greater of \$750 or 5% of the purchase price) in cash, cashier's check or certified funds as a deposit, with the delivery of this offer, to be held by the Vance County Attorney until the sale is closed at which time it will be credited to Buyer, or this agreement is otherwise terminated as herein provided.

b. \$ 4,250.00, plus the cost of publication, the balance of the purchase price, in cash, cashier's check or certified funds upon delivery of the Deed and the closing of this transaction.

2. **Conditions.**

a. Title will be delivered at closing by **Non- Warranty Deed**. Title to the property hereinabove described is subject to the following exceptions: liens, encumbrances, ad valorem taxes, assessments, zoning regulations, restrictive covenants, access, utility and or conservation easements, rights of others in possession, and other matters of record.

b. This offer is conditioned upon there being no proper upset bid submitted within a ten (10) day period after notice of Buyer's offer has been published in a local newspaper in accordance with N.C.G.S. § 106A-269, and final acceptance of this offer by the Board of Commissioners following the upset bid period.

c. Other Conditions: The buyer represents that all Ad Valorem Property Taxes owed by the buyer, or any business entity the buyer or the buyer's shareholders or members have an ownership interest in have been paid in full. The Board of County Commissioners, may reserve the right to reject all bids, including yours, in the resolution.

3. **Closing.** Each party hereby agrees to execute any and all documents or papers that may be necessary in connections with the transfer of title. Final settlement shall be made on or before thirty (30) days following the resolution approving the final bid at a place designated by Seller with the Non Warranty Deed made out to
Helene Jones.
4. **Possession.** Buyer takes the property subject to all then existing leases and rights of others in possession, if any, or other matters or exceptions to title.
5. **Deposit.** In the event this offer is not accepted, or in the event that any of the conditions hereby are not satisfied, or in the event of a breach of this contract by Seller, then the deposit shall be returned to the Buyer, and such return shall be the extent of Buyers remedies. In the event that Buyer withdraws this offer and fails to proceed with the execution of this agreement according to its terms for any reason, the Buyer hereby agrees to forfeit the deposit held by the County in Section 1 of this agreement. Said forfeiture shall not affect any other remedies available to Seller for such breach.
6. **New Loan.** Buyer shall be responsible for all charges made to Buyer with respect to any new loan obtained by Buyer, and Seller shall have no obligation to pay any discount fee or other charge in connection therewith unless specifically set forth in this contract.
7. **Closing Expenses.** Buyer shall pay for the first required legal advertisement for upset bids. At closing, Buyer shall pay for the preparation and recording of a deed, and for preparation and recording of all instruments required to secure the balance of the purchase price unpaid at closing. In addition, Buyer may have prepared, at Buyer's option and sole expense, an appraisal, a survey of the property, the title examination and title opinion, or a termite inspection. The property shall be made available at reasonable times for Buyer to perform or to have performed the above-mentioned inspections.
8. **Assignments.** This offer may not be assigned without the written consent of all parties, but if the same is assigned by agreement, then the same shall be binding on the assignee and his/her heirs.
9. **Termination of Offer.** This offer shall be terminated if not acted upon by the Board of County Commissioners within ninety (90) days of the date of this offer or upon being upset by a proper bid in accordance with N.C.G.S. § 160A-269. Seller reserves the right to reject this offer at any time.
10. **Condition of Improvements and Premises:** Seller makes no warranties or guarantees regarding the condition of the improvements on the property. Buyer takes the premises in "**AS IS**" condition without warranty from the Seller. Buyer stipulates that Buyer has had full opportunity to inspect the premises and Buyer stipulates that Buyer is accepting the improvements in "as is" condition. After title has been conveyed to Buyer, Buyer shall hold Seller harmless for any claims, suits, damages or causes of action resulting from an occurring on the property as a result of the condition of any of the improvements.

11. **Environmental:** Seller makes no representation of the presence or disposal, except as in accordance with applicable law, within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including, but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR Part 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 311 of the Clean Water Act of 1977 (33 U.S.C. §1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. §1317), (v) defined as hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601). Seller has not actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts. The purchaser shall be responsible for all environmental issues that may arise after the consummation of this contract, and further agrees to indemnify the Seller for all expenses arising out of any attempts by others to enforce any requirements of remediation or clean upon this seller. This duty shall survive the closing.
12. **Parties:** This contract shall be binding and shall inure to the benefit of the parties and their heirs, successors and assigns. As used herein, words in the singular shall include the plural.
12. **Terminology.** As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
13. **Entire Agreement.** Buyer hereby acknowledges that he has inspected the above-described property, that no representation or inducements have been made other than those expressed herein, and that this contract contains the entire agreement between all parties hereto. All charges, additions, or deletions hereby must be in writing and signed by all parties.
14. **Counterparts.** This offer may be executed in two counterparts with an executed counterpart being retained by each party hereto.
15. **Governing Law & Forum.** This Agreement shall be deemed to have been made in the State of North Carolina, and its validity, construction and effect shall be governed by the laws of the State of North Carolina. The parties hereto agree that any action brought by either party to enforce the terms of this Agreement shall be filed in the Superior Court of Vance County, State of North Carolina.

Date of Offer: January 27, 20 15.

Helene Jones
Buyer
116 Ingle Drive
Louisburg, NC 27549
(919) 497-0412

Buyer

2/13/2015

Vance County Tax Record Application - Account Information



Vance County Government
TAX ADMINISTRATION RECORD SEARCH

Select Search:
[Real Property Record Search](#)
[Tax Bill Search](#)
[County Homepage](#)
[Vance Homepage](#)

[Account](#) | [Buildings](#) | [Land](#) | [Sketch](#) | [Tax Card](#) | [Photos](#) | [Deeds](#) | [Sales](#) | [Tax Bill](#) | [Map](#)

Account Details for **TERRY ERNEST C**

[New Search](#)

Property Owner TERRY ERNEST C	Owner's Mailing Address 1341 W ANDREWS AVE HENDERSON, NC 27536	Property Location Address 255 ANDREWS AVE.			
Administrative Data Parcel ID No. 0078 01012 PIN 0078 01 012 Owner ID 31286 Tax District 102 - HENDERSON Township 2 - HENDERSON Land Use Code Land Use Desc Neighborhood 167	Administrative Data Legal Desc 255 ANDREWS AVE. Deed Year 1982 Deed Bk/Pg 0564 / 0603 Plat Bk/Pg Sales Information Grantor Sold Date 0-0 //0 Sold Amount 0 \$	Valuation Information Market Value \$ Market Value - Land and all permanent improvements, if any, effective valuation date January 1, 2008, date of County's most recent General Reappraisal Assessed 92,981 Value \$ If Assessed Value not equal Market Value then subject parcel designated as a special class -agricultural, horticultural, or forestland and thereby eligible for taxation on basis of Present- Use.			
Sales History - 1 Previous Sales Found for Parcel number 0078 01012					
Parcel ID No	Date Sold	Name	Stamps	Book / Page	Sale Price
1	01/01/2005		.00	/	\$0.00

[Back to Results](#)

[Print This Property Record Card](#)

[New Search](#)

Data Disclaimer: All data shown here is from other primary data sources and is public information. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information contained on this website. While efforts have been made to use the most current and accurate data, Vance County, NC and Data Providers assume no legal responsibility for the use of the information contained herein.

Please direct any questions or comments about the data displayed here to taxoffice@vancecounty.org

This application was developed for Vance County by NexGen
Digital Document Solutions
www.ustaxdata.com

ustaxdata® OneSEARCH

<http://vance.ustaxdata.com/account.cfm?ownerID=31286&parcelID=0078%2001012&groupParcel=>

1/1

1288
0287

BK 1288 PG0287

CAF 15-24
Attachment #3

FILED Dec 29, 2014 12:09 pm
BOOK 01288
PAGE 0287 THRU 0288
INSTRUMENT # 04660
RECORDING \$26.00
EXCISE TAX \$40.00

FILED
VANCE
COUNTY NC
CAROLYN R. PECORA
REGISTER
OF DEEDS
CRP

Prepared by and return to: N. Kyle Hicks, a North Carolina Licensed Attorney,
P.O. Box 247, Oxford NC 27565

Delinquent taxes, if any, to be paid by the closing attorney to the Vance
County Tax Collector upon disbursement of closing proceeds.

STATE OF NORTH CAROLINA

COMMISSIONER'S DEED

COUNTY OF VANCE

THIS DEED, made and entered into this the 29th day of December, 2014, by
and between N. KYLE HICKS, acting as Commissioner as hereinafter stated, Party
of the First Part, and the CITY OF HENDERSON (42.79%) and VANCE COUNTY
(57.21%), Parties of the Second Part, whose mailing address is 122 Young St.,
Suite E, Henderson NC 27536;

W I T N E S S E T H:

THAT WHEREAS, in that certain Tax Foreclosure Proceeding entitled "Vance
County and City of Henderson, Plaintiffs vs. Ernest Carlton Terry and wife,
Costelle B. Terry, Defendants", File No. 14-CVD-82, in the office of the Clerk
of Superior Court of Vance County, brought and pending before the District
Court of Vance County, North Carolina, a Judgment was made by said Court
appointing N. Kyle Hicks as Commissioner to sell at public sale, subject to
the confirmation of the Court, hereinafter described lands; and,

WHEREAS, said N. Kyle Hicks, acting as Commissioner as aforesaid, after
due advertisement as required by law and said order of the Court, offered said
lands for sale at public auction at the Courthouse door on November 6, 2014,
at which time no bidders were present; and

WHEREAS, said N. Kyle Hicks filed a Notice of Postponement of Sale
postponing said sale until November 12, 2014, at which time Vance County
(57.21%) and City of Henderson (42.79%) became the last and highest bidders,
bidding the sum of \$18,550.00; and,

WHEREAS, said N. Kyle Hicks reported said sale to the Court on November
12, 2014; and,

WHEREAS, the bid remained open for ten (10) days and no upset bids were
placed; and,

WHEREAS, on December 4, 2014, said Court entered an Order approving and
confirming said sale and directing said N. Kyle Hicks as Commissioner to make,
execute and deliver to said City of Henderson (42.79%) and Vance County
(57.21%) a good and sufficient deed for said lands upon the payment to him of
the said purchase price; and

WHEREAS, said purchase price has been fully paid;

{A0111036.DOC}

HOPPER, HICKS & WRENN, PLLC, 111 GILLIAM ST., OXFORD NC 27565

NOW, THEREFORE, said N. Kyle Hicks, acting as Commissioner as aforesaid, and under authority of said Order of Court and in consideration of the purchase price of \$18,550.00, has bargained and sold and by these presents, does hereby bargain, sell and convey unto the Parties of the Second Part, its successors and/or assigns, all of that certain tracts or parcels of land lying and being situate in the City of Henderson, Henderson Township, Vance County, North Carolina, and more particularly described as follows:

BEGINNING at the intersection of Andrews Avenue and Rowland Street, Henderson, N.C., the inner edges of the sidewalks of Andrews Avenue and Roland Street; thence N 60° 39' 24" W. 105.64 ft. along Andrews Avenue to an iron pipe; thence N 34° 17' 32" E 160.28 ft. along Charles R. West property line; thence S 54° 49' 54" E 94.00 ft. along Annie Bowers property line to an iron pipe; thence S 30° 00' 06" W. 150.42 ft. along the North side of Rowland Street to an iron pipe, being the point of Beginning, and known as 255 East Andrews Avenue, as shown on map of Cawthorne and Bobbitt, RLS, and entitled "Property of Earnest Carlton Terry" and dated February 16, 1982.

This is the identical lot transferred at Book 554, Page 82 of the Vance County Registry.

For further reference, see Deeds of record in Book 564, Page 603, and Book 243, Page 336, Vance County Registry.

(Parcel I.D. Number 0078 01012; 255 Andrews Ave., Henderson, NC)

TO HAVE AND TO HOLD the aforesaid tracts or parcels of land and all privileges and appurtenances thereunto belonging unto it, the said Parties of the Second Part, its successors and/or assigns, in as full and ample a manner as said N. Kyle Hicks, acting as Commissioner as aforesaid, is authorized and empowered to convey the same.

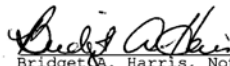
IN TESTIMONY WHEREOF, the said Party of the First Part, N. Kyle Hicks acting as Commissioner as aforesaid, has hereunto set his hand and seal, this the day and year first above written.


N. Kyle Hicks, Commissioner (SEAL)

STATE OF NORTH CAROLINA; COUNTY OF GRANVILLE

I, the undersigned Notary Public for the County of Granville and State of North Carolina, do hereby certify that N. Kyle Hicks, acting as Commissioner herein, personally known to me, personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by him for the purposes stated therein. Witness my hand and notarial seal, this the 29th day of December, 2014.




Bridget A. Harris, Notary Public
My Commission Expires: 11/28/2015

{A0111036.DOC}

1288
0289

BK 1288 PG 0289

FILED Dec 29, 2014 12:11 pm	FILED
BOOK 01288	VANCE
PAGE 0289 THRU 0289	COUNTY NC
INSTRUMENT # 04661	CAROLYN R. PECORA
RECORDING \$26.00	REGISTER
EXCISE TAX (None)	OF DEEDS
	CRP

Prepared by and return to: N. Kyle Hicks, P.O. Box 247, Oxford, NC 27565

STATE OF NORTH CAROLINA

NOTICE OF FORECLOSURE

COUNTY OF VANCE

NOW COMES the undersigned Commissioner, and gives notice that the property belonging to Ernest Carlton Terry and wife, Costelle B. Terry (Deed Book 564, Page 603, Vance County Registry) has been foreclosed on by tax sale in File No. 14-CVD-82, Office of the Clerk of Superior Court of Vance County, on November 12, 2014, and Deed made to Vance County (57.21%) and City of Henderson (42.79%), the purchasers, by reason thereof, on December 29, 2014. See Commissioner's Deed of record in Book 1288, Page 287, Vance County Registry.

This the 29th day of December, 2014.

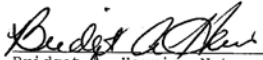

N. Kyle Hicks, Commissioner

STATE OF NORTH CAROLINA; COUNTY OF GRANVILLE

I, the undersigned Notary Public for the County of Granville and State of North Carolina, do hereby certify that N. Kyle Hicks, acting as commissioner herein, personally known to me, personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by him for the purposes state therein. Witness my hand and notarial seal this the 29th day of December, 2014.

(SEAL)




Bridget A. Harris, Notary Public

My commission expires: 11/28/2015

(A0111038.DOC)

HOPPER, HICKS & WRENN, PLLC, 111 GILLIAM ST., OXFORD, NC 27565

VANCE COUNTY, N. C.
FILED FOR RECORD

FEB 24 11 40 AM '82

SARAH H. HALE
REGISTER OF DEEDS

Excise Tax

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
 Verified by County on the day of 19
 by

Mail after recording to

This instrument was prepared by J. HENRY BANKS

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 24th day of February, 19 82, by and between

GRANTOR

BILL G. HINSON and wife, SHIRLEY S. HINSON

GRANTEE

ERNEST CARLTON TERRY and wife,
COSTELLE B. TERRY

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Henderson, Henderson Township, Vance

County, North Carolina and more particularly described as follows:

BEGINNING at the intersection of Andrews Avenue and Rowland Street, Henderson, N. C., the inner edges of the sidewalks of Andrews Avenue and Roland Street; thence N 60° 39' 24" W 105.64 ft. along Andrews Avenue to an iron pipe; thence N 34° 17' 32" E 160.28 ft. along Charles R. West property line; thence S 54° 59' 54" E 94.00 ft. along Annie Bowers property line to an iron pipe; thence S 30° 00' 06" W 150.42 ft. along the North side of Rowland Street to an iron pipe, begin the point of Beginning, and known as 255 East Andrews Avenue, as shown on map of Cawthorne and Bobbitt, RLS, and entitled "Property of Earnest Carlton Terry" and dated February 16, 1982.

This is the identical lot transferred at Book 554, Page 82 of the Vance County Registry.

For further reference in chain of title see Book 243, Page 336 of the Vance County Registry.

BOOK 564 PAGE 604

The property hereinabove described was acquired by Grantor by instrument recorded in Book 554, Page 82
Vance County Registry

A map showing the above described property is recorded in Plat Book page
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.
Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)
By: _____
President
ATTEST:
Secretary (Corporate Seal)

USE BLACK INK ONLY

Bill G. Hinson (SEAL)
BILL G. HINSON
Shirley S. Hinson (SEAL)
SHIRLEY S. HINSON

SEAL-STAMP
DOLLIE A. BURWELL
NOTARY
PUBLIC

NORTH CAROLINA, Warren County.
I, a Notary Public of the County and State aforesaid, certify that BILL G. HINSON and wife, SHIRLEY S. HINSON Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 24th day of February, 1982.
My commission expires: 10/20/84
Dollie A. Burwell Notary Public

SEAL-STAMP
NORTH CAROLINA, _____ County.
I, a Notary Public of the County and State aforesaid, certify that _____ Secretary of _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by _____ as its Secretary. Witness my hand and official stamp or seal, this _____ day of _____, 19____.
My commission expires: _____ Notary Public

The foregoing Certificate of Dollie A. Burwell, Notary Public of Warren County, N. C.,

is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

SARAH H. HALE
By *Carol Parkinson* REGISTER OF DEEDS FOR Vance COUNTY
Deputy/Assistant - Register of Deeds

City Council Action Form

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



Council Meeting: 23 Feb 15 Short Regular Mtg

18 February 2015

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

FR: Edward A. Wyatt, Interim City Manager

RE: **CAF 15-36**

Consideration of Approval of Resolution 15-21, Award of FY 15 Audit Contract between the City of Henderson and William L. Stark and Company to Conduct the Annual Audit for Fiscal Year 2014-2015.

Ladies and Gentlemen:

Recommendation:

- Approval of Resolution 15-21, Award of FY 15 Audit Contract between the City of Henderson and William L. Stark and Company to conduct the annual audit for fiscal year 2014-2015.

Executive Summary

Attached is a copy of the proposed contract to audit accounts for the City of Henderson from William L. Stark and Company. It is recommended that this contract be approved and this local auditing firm be allowed to conduct the audit for the 4th consecutive year. This represents year one of a three year proposal submitted by William L. Stark and Company. The fee for the fiscal year 2015 audit will not exceed \$45,833 and the fee will not increase more than 5% in each of the subsequent two years. William L. Stark and Company agrees to try and complete each fiscal year's audit by October 31st, following the close of the fiscal year on June 30th.

Attachments:

1. Resolution 15-21

RESOLUTION 15-21

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF HENDERSON AND WILLIAM L. STARK AND COMPANY TO CONDUCT THE ANNUAL AUDIT FOR FISCAL YEAR 2014-2015

WHEREAS, the City of Henderson (City) is required to have an independent audit of its financial records performed on an annual basis; *and*

WHEREAS, the City has utilized the services of William L. Stark and Company (Company) for the fiscal years 2012, 2013 and 2014 audits and has found the Company's services to be beneficial to the City and its financial staff, *and*

WHEREAS, the Company has provided a proposal for the FY15 Audit, said services not to exceed the amount of \$45,833.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HENDERSON THAT it does hereby authorize the Mayor to sign a contract, being more fully articulated in **Attachment A** to this Resolution, for services with the Company for the FY 15 Audit in an amount not to exceed \$45,833.

BE IT FURTHER RESOLVED THAT IT IS THE STRONG WISH AND DESIRE OF THE CITY COUNCIL THAT the City Finance Staff and William L. Stark and Company staff work together in a diligent and time sensitive manner to ensure the FY 15 Audit will be submitted to the Local Government Commission by 31 October 2015 as stipulated in paragraph 6 of said contract.

The foregoing Resolution 15-21, introduced by Council Member ** and seconded by Council Member ** on this the 23rd day of February 2015, and having been submitted to a roll call vote, was ** by the following votes: Yes: . No: . Absent: . Abstain: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 43, p. ***; CAF 15-36*

LGC-205 (Rev. 2014)

CONTRACT TO AUDIT ACCOUNTS

Of CITY OF HENDERSON, NORTH CAROLINA

Governmental Unit and Discretely Presented Component Unit (DPCU) if applicable

On this 18TH day of FEBRUARY, 2015,

Auditor: WILLIAM L. STARK AND COMPANY

Auditor Mailing Address: PO BOX 911, HENDERSON NC 27536

Hereinafter referred to as The Auditor

and CITY COUNCIL

(Governing Board (s)) of CITY OF HENDERSON, NORTH CAROLINA

: hereinafter referred to as the Governmental Unit (s), agree as follows:

Governmental Unit (s)

1. The Auditor shall audit all statements and disclosures required by generally accepted accounting principles (GAAP) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit (s) for the period beginning JULY 1, 2014, and ending JUNE 30, 2015. The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion will be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCU's, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with generally accepted auditing standards. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB Circular A-133 Audits of States, Local Governments, and Non-Profit Organizations and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated workpapers may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit and/or workpapers are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC CPA Board).

County and Multi-County Health Departments: The Office of State Auditor will designate certain programs that have eligibility requirements to be considered major programs in accordance with OMB Circular A-133 for the State of North Carolina. The LGC will notify the auditor and the County and Multi-Health Department of these programs. A County or a Multi-County Health Department may be selected to audit any of these programs as major.

3. If an entity is determined to be a component of another government as defined by the group audit standards - the entity's auditor will make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unqualified opinion being rendered. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2011 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of their most recent peer review report regardless of the date of the prior peer review report to the Governmental Unit and the Secretary of the LGC prior to the execution of the audit contract (See Item 22). **If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.**

If the audit engagement is not subject to Government Accounting Standards or if financial statements are not prepared in accordance with GAAP and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to the State and Local Government Finance Division (SLGFD) within four months of fiscal year end. Audit report is due on: OCTOBER 31, 2015. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay must be submitted to the Secretary of the LGC for approval.

Contract to Audit Accounts (cont.) CITY OF HENDERSON, NORTH CAROLINA

Name of Governmental Unit and Discretely Presented Component Unit's (DPCU) if applicable

7. It is agreed that generally accepted auditing standards include a review of the Governmental Unit's systems of internal control and accounting as same relates to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor will make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his findings, together with his recommendations for improvement. That written report must include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. **Invoices for services rendered under these contracts shall not be paid by the Governmental Unit until the invoice has been approved by the Secretary of the LGC.** (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work must be submitted by email in PDF format to the Secretary of the LGC for approval. The invoices must be sent to: lgc.invoice@nctreasurer.com. Subject line should read "Invoice – [Unit Name]". The PDF invoice marked 'approved' with approval date will be returned by email to the Auditor to present to the Governmental Unit for payment. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit shall pay to the Auditor, upon approval by the Secretary of the LGC, the following fee, which includes any cost the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (Federal and State grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts:

Year-end bookkeeping assistance – [For audits subject to Government Auditing Standards, this is limited to bookkeeping services permitted by revised Independence Standards] _____

Audit **\$36,833**

Preparation of the annual financial statements **\$9,000**

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees above. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee. The 75% cap for interim invoice approval for this audit contract is **\$ 34,374** **** NA if no interim billing**

10. If the Governmental Unit has outstanding revenue bonds, the Auditor shall include documentation either in the notes to the audited financial statements or as a separate report submitted to the SLGFD along with the audit report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor should be aware that any other bond compliance statements or additional reports required in the authorizing bond documents need to be submitted to the SLGFD simultaneously with the Governmental Unit's audited financial statements unless otherwise specified in the bond documents.
11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include but not be limited to the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the client or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board as soon as practical after the close of the accounting period.
12. If the audit firm is required by the NC CPA Board or the Secretary of the LGC to have a pre-issuance review of their audit work, there must be a statement added to the engagement letter specifying the pre-issuance review including a statement that the Governmental Unit will not be billed for the pre-issuance review. The pre-issuance review must be performed **prior** to the completed audit being submitted to the LGC. The pre-issuance report must accompany the audit report upon submission to the LGC.
13. The Auditor shall electronically submit the report of audit to the LGC when (or prior to) submitting the invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the SLGFD by any interested parties. Any subsequent revisions to these reports must be sent to the Secretary of the LGC. These audited financial statements are used in the preparation of official statements for debt offerings (the Auditors' opinion is not included) by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and other lawful purposes of the Governmental Unit without subsequent consent of the

CITY OF HENDERSON, NORTH CAROLINA

Contract to Audit Accounts (cont.)

Name of Governmental Unit and Discretely Presented Component Unit's (DPCU) if applicable

Auditor. If it is determined by the LGC that corrections need to be made to the Governmental Unit's financial statements, they should be provided within three days of notification unless, another time frame is agreed to by the LGC.

If the OSA designates certain programs to be audited as major programs, as discussed in item #2, a turnaround document and a representation letter addressed to the OSA shall be submitted to the LGC.

The LGC's process for submitting contracts, audit reports and Invoices is subject to change. Auditors should use the submission process in effect at the time of submission. The most current instructions will be found on our website: <https://www.nctreasurer.com/slg/lfm/forms-instructions/Pages/Annual-Audit-Forms-and-Resources.aspx>

14. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be varied or changed to include the increased time and/or compensation as may be agreed upon by the Governing Board and the Auditor
15. If an approved contract needs to be varied or changed for any reason, the change must be made in writing, signed and dated by all parties and pre-audited if the change includes a change in audit fee. This document and a written explanation of the change must be submitted by email in PDF format to the Secretary of the LGC for approval. The portal address to upload your amended contract and letter of explanation documents is <http://nctreasurer.slgfd.leapfile.net> No change shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.
16. Whenever the Auditor uses an engagement letter with the Governmental Unit, Item #17 is to be completed by referencing the engagement letter and attaching a copy of the engagement letter to the contract to incorporate the engagement letter into the contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract will control. Engagement letter terms are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item #23 of this contract. Engagement letters containing indemnification clauses will not be approved by the LGC.
17. Special provisions should be limited. Please list any special provisions in an attachment.
18. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not issued and the DPCU is included in the primary government audit, the DPCU must be named along with the parent government on this audit contract. Signatures from the DPCU Board chairman and finance officer also must be included on this contract.
19. The contract must be executed, pre-audited, physically signed by all parties including Governmental Unit and Auditor signatures and submitted in PDF format to the Secretary of the LGC. The current portal address to upload your contractual documents is <http://nctreasurer.slgfd.leapfile.net> Electronic signatures are not accepted at this time. Included with this contract are instructions to submit contracts and invoices for approval as of April, 2014. These instructions are subject to change. Please check the NC Treasurer's web site at www.nctreasurer.com for the most recent instructions.
20. The contract is not valid until it is approved by the LGC Secretary. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.
21. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.
22. Municipal & County Contracts: The Auditor acknowledges that any private employer transacting business in this State who employs 25 or more employees in this State must, when hiring an employee to work in the United States, use E Verify to verify the work authorization of the employee in accordance with N.C.G.S. §64 26(a). The Auditor acknowledges further that any such private employer and its subcontractors must comply with all of the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (North Carolina's E-verify law), and that such private employer has a duty under the law to ensure compliance by its subcontractors. The Auditor further acknowledges that this contract is of the type governed by S.L. 2013-418, which makes it unlawful for a local government to enter into certain types of contracts unless the contractor and its subcontractors comply with North Carolina's E-verify law, and that failure to comply with such law could render this contract void. The Auditor hereby covenants, warrants and represents for itself and its subcontractors that with respect to this contract the Auditor and its subcontractors shall comply with the provisions of North Carolina's E-verify law and that failure to comply with such law shall be deemed a breach of this contract and may render this contract void.
23. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted: (See Item 16 for clarification).

Contract to Audit Accounts (cont.) CITY OF HENDERSON, NORTH CAROLINA

Name of Governmental Unit and Discretely Presented Component Unit's (DPCU) if applicable

Communication regarding audit contract requests for modification or official approvals will be sent to the email addresses provided in the spaces below.

Audit Firm Signature:

WILLIAM L. STARK AND COMPANY

Name of Audit Firm

By M. CURTIS AVERETTE, JR, CPA

Authorized Audit firm representative name: Type or print

Signature of authorized audit firm representative

CURTIS@WLSTARKCO.COM

Email Address of Audit Firm:

Date _____

Governmental Unit Signatures:

By JAMES D O'GEARY, MAYOR

Mayor / Chairperson: Type or print name and title

Signature of Mayor/Chairperson of governing board

Date _____

By N/A

DPCU Chairperson: Type or print name and title

Signature of Chairperson of DPCU if applicable

Date _____

Unit Signatures (continued):

By N/A

Chair of Audit Committee - Type or print name

Signature of Audit Committee Chairperson

Date _____

*** If Governmental Unit has no audit committee, this section should be marked "N/A."*

PRE-AUDIT CERTIFICATE: Required by G.S. 159-28 (a)

This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act. Additionally, the following date is the date this audit contract was approved by the governing body.

By KATHERINE C. BRAFFORD

Governmental Unit Finance Officer: Type or print name

Finance Officer Signature

KBRAFFORD@CI.HENDERSON.NC.US

Email Address of Finance Officer

Date _____

(Pre-audit Certificate must be dated.)

Date Governing Body Approved Audit Contract - G.S. 159-34(a)

Board Approval Date – Primary Government

Board Approval Date - DPCU

City Council Action Form

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



Council Meeting: 23 Feb. 15 Short Reg. Meeting

13 February 2015

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 15-34

Consideration of Approval of Ordinance 15-15, FY 15 Budget Amendment #20, to Budget the Proceeds of an Insurance Reimbursement to Offset the Cost of Purchasing a New Gator for the Recreation Department.

Ladies and Gentlemen:

Recommendation:

- Approve Ordinance 15-15, FY 15 Budget Amendment #20, to budget the proceeds of an insurance reimbursement to offset the cost of purchasing a new gator for the Recreation Department.

Executive Summary

One of the John Deere gators stored in the Recreation and Parks maintenance facility at Fox Pond Park was reported stolen on Wednesday October 1, 2014. An insurance claim was filed and insurance proceeds in the amount of \$5,741.50 were received in November. We are requesting to appropriate those funds to offset the cost of purchasing a new gator. The estimated cost to replace the gator is \$10,500. An additional \$4,800 has been transferred to the capital outlay account via a Departmental Budget Transfer to cover the remaining costs.

Enclosures

1. Ordinance 15-15

O R D I N A N C E 15-15

FY 2014—2015 Budget Amendment # 20
AN AMENDMENT TO THE GENERAL FUND
TO BUDGET THE PROCEEDS OF AN INSURANCE REIMBURSEMENT TO OFFSET
THE COST OF PURCHASING A NEW GATOR FOR THE RECREATION DEPT

WHEREAS, the City Council of the City of Henderson on 11 June 2014 adopted the FY14-15 Annual Operating Budget; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating budgets from time-to-time;

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

Fund: 10: General			Ordinance 15-15			
			FY 14-15 Budget Amendment #20			
REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-14	Budget	Amendment	Revised
	Insurance Proceeds	10-100-456000	\$ 5,000	\$ 5,000	\$ 5,700	\$ 10,700
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 5,000	\$ 5,000	\$ 5,700	\$ 10,700
						\$ 10,700
EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-14	Budget	Amendment	Revised
Recreation	Cap Outlay>\$5,000	10-620-507405	\$ -	\$ 4,800	\$ 5,700	\$ 10,500
			\$ -	\$ -	\$ -	
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ 4,800	\$ 5,700	\$ 10,500
						\$ 10,500
		<i>variance</i>			\$ -	
Reference:		Notes:				
CAF 15-34; Ord 15-15; BA #20 Council Meeting 23 February 2015		This amendment serves to increase the Capital Outlay > \$5,000 line item of the Recreation Department's budget. A gator was reported stolen from the maintenance facility at Fox Pond Park on October 1, 2014. An insurance claim was filed and net proceeds received for the claim totaled \$5,741.50. An additional \$4,800 has been transferred into the capital outlay account via a Departmental Budget Transfer. Estimated replacement cost of the gator is approximately \$10,500.				

The foregoing Ordinance 15-15, upon motion of Council Member *** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was ***** on this the 23rd day of February 2015: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

*Reference: Minute Book 42, p.**; CAF 15-34*

STATE OF NORTH CAROLINA - CITY OF HENDERSON

I, Esther McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 15-15 adopted by the Henderson, City Council in Regular Session on _____ 2013. This Ordinance is recorded in *Ordinance Book 8*, p.***.

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

Esther McCrackin
City Clerk
City of Henderson, North Carolina

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

Reviewed by: _____ Date: _____
Edward A. Wyatt, Interim City Manager

City Council Action Form

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



Council Meeting: 23 Feb 15 Short Reg. Meeting

18 February 2015

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 15-29:
Consideration of Approval of Ordinance 15-10 FY 15 BA #21 Amending the Budget for the 2014 BJA Grant

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

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

Recommendation:

- Approval of Ordinance 15-10 FY 15 BA #21 Amending the Budget for the 2014 BJA Grant

On 8 August 2014 the City Council approved Resolution 14-39-A which accepted BJA JAG Grant 2014 in the amount of \$16,935.00. A Grants Project Account 55-209-458218 was established for this grant. This amount was divided between the Henderson Police Department (\$10,161.00) and the Vance County Sheriff's Office (\$6,774). The funds allocated to the Henderson Police Department were designated to purchase in-car video cameras to replace old, non-functioning cameras. The total cost for three (3) in-car cameras is \$14,460. The Henderson Police Department is requesting to transfer \$4,299 from the Department's Asset Forfeiture Grant Match Funds Account (10-512-509901) to the BJA JAG 2014 Grant account so that a purchase of three (3) cameras can be made due to the number of old and non-functioning cameras that need to be replaced.

Attachments:

1. Ordinance 15-10

O R D I N A N C E 15-10

FY 14-15 BUDGET AMENDMENT # 21 AMENDING THE BUDGET FOR THE 2014 BJA GRANT

WHEREAS, the City Council of the City of Henderson (Council), on 11 June 2014, adopted its FY 14-15 Operating Budget; *and*

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

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

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

			Ordinance 15-10			
			FY14-15 Budget Amendment # 21			
			Amendment #1 to the Grant Project Budget			
FUNDS: 55: Grants Project Fund						
GRANT PROJECTS FUND REVENUES: 55			Approved 1-Jul-14	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
209: 2014 BJA Grant	BJA Grant	55-209-458218	\$ -	\$ 16,935	\$ -	\$ 16,935
	Trans Fr: 10 General Fund	55-209-461010	\$ -	\$ -	\$ 4,299	\$ 4,299
Total			\$ -	\$ 16,935	\$ 4,299	\$ 21,234
						\$ 21,234
GRANT PROJECTS FUND EXPENDITURES: 55			Approved 1-Jul-14	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
209: 2014 BJA Grant	Capital Outlay < \$5,000	55-209-507400	\$ -	\$ 10,161	\$ 4,299	\$ 14,460
	VC Sheriff Dept Share	55-209-509031	\$ -	\$ 6,774	\$ -	\$ 6,774
			\$ -	\$ -	\$ -	\$ -
Total			\$ -	\$ 16,935	\$ 4,299	\$ 21,234
						\$ 21,234
Variance					\$ -	
GENERAL FUND REVENUES: 10			Approved 1-Jul-14	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
Total			\$ -	\$ -	\$ -	\$ -
						\$ -
GENERAL FUND EXPENDITURES: 10			Approved 1-Jul-14	Current Budget	Amendment	Revised
<i>Department</i>	<i>Line Item</i>	<i>Code</i>				
512: Asset Forfeitures	Grant Match	10-512-509901	\$ 20,000	\$ 13,578	\$ (4,299)	\$ 9,279
	Trans To: 55 Grants Project	10-512-561055	\$ -	\$ -	\$ 4,299	\$ 4,299
			\$ -	\$ -	\$ -	\$ -
Total			\$ 20,000	\$ 13,578	\$ -	\$ 13,578
						\$ 13,578
Variance					\$ -	
Reference:			Notes:			
CAF 14-61-A; Resolution 14-39-A; Ord 14-39; BA #3; 8 Nov 2014 Council Meeting			This ordinance serves to establish the grant project for the 2014 BJA Grant. These funds are to be shared with Vance County on a 60/40 split, City/County respectively. The City's portion will be used to purchase replacement in-car cameras and the County's portion will be used to purchase law enforcement equipment.			
CAF 15-29; Ord 15-10; BA #21; 23 Feb 2015 Council Meeting			This amendment serves to amend the project budget with the transfer of \$4,299 of Grant Match Funds from the Asset Forfeitures budget. These funds, along with the funds awarded through the NC Governor's Highway Safety Program, will allow the HPD to equip all four (4) new Patrol Vehicles that they purchased at the end of 2014 with new in-car cameras.			

The foregoing Ordinance 15-10, upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the ____ day of ____ 2015: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 15-29*

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 15-10 adopted by the Henderson, City Council in Regular Session on ____ 2015 (*Minute Book 42 p.***). This Ordinance is recorded in *Ordinance Book 8*, p. ***.

Witness my hand and corporate seal of the City, this *** day of ____ 2015.

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

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

Reviewed by: _____ Date: _____
Edward A. Wyatt, Interim City Manager

City Council Action Form

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



Council Meeting: 23 Feb 15 Short Reg. Meeting

16 February 2015

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

FR: Ed Wyatt, Interim City Manager

RE: CAF 15-35

Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of January 2015.

Ladies and Gentlemen:

Recommendation:

- Approval of tax releases and refunds from Vance County for the month of January 2015.

Executive Summary

The Vance County Tax office submitted the following tax releases and refunds to the Finance Department for the month of January 2015. These releases and refunds are found to be in order and are being recommended for approval.

The large amount of tax releases due to "Mass Abatement" is referring to taxes that are being written off because they are over 10 years old and Vance County can no longer enforce collection.

January 2015 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
A Colored Strand, Inc	Mass Abatement	2004	\$ 181.54
Alston, D. Bernard	Mass Abatement	2004	\$ 60.42
Brame, James A. Sr. Heirs	Mass Abatement	2004	\$ 41.54
Brown, Rosa E. Heirs	Mass Abatement	2004	\$ 1,976.94
CitiFinancial, Inc.	Mass Abatement	2004	\$ 315.36
Creative Real Estate	Mass Abatement	2004	\$ 320.00
Evans, Wallace	Mass Abatement	2004	\$ 11.94
Gerber, Ralph W.	Mass Abatement	2004	\$ 483.90
Gray, Mary F. Heirs	Mass Abatement	2004	\$ 114.75
Green, James P. Jr. Attorney	Mass Abatement	2004	\$ 8.32
Gupton, Harvey T. Jr.	Mass Abatement	2004	\$ 43.26

January 2015 Tax Release & Refunds Continued

Hendley, Billy Sr.	Mass Abatement	2004	\$ 21.89
Howard, L. T. Jr. Heirs	Mass Abatement	2004	\$ 3.39
Immosquyen T. O.D.P.A.	Mass Abatement	2004	\$ 8.13
Jones, Earnestine	Mass Abatement	2004	\$ 8.13
King, Joseph S.	Mass Abatement	2004	\$ 284.29
Marrow, Alice & Vandergriftj.	Mass Abatement	2004	\$ 8.32
Norwood, Roy J.	Mass Abatement	2004	\$ 4.70
Ramsey, Charles R.	Mass Abatement	2004	\$ 938.75
RDS Corporation T/A CMC	Mass Abatement	2004	\$ 5.38
Riggan, Mattie	Mass Abatement	2004	\$ 84.42
Royster, John Heirs	Mass Abatement	2004	\$ 27.26
Southerland, M. A. Children	Mass Abatement	2004	\$ 7.74
Southerland, Rosa	Mass Abatement	2004	\$ 7.30
Steed, Pauline	Mass Abatement	2004	\$ 10.37
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2004	\$ 3,396.18
Williams, Derylvon	Mass Abatement	2004	\$ 453.57
Zuma, LLC	Mass Abatement	2004	\$ 19.26
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2005	\$ 102.58
Terry, Ernest C	Lost to Foreclosure	2005	\$ 586.85
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2006	\$ 102.58
Terry, Ernest C	Lost to Foreclosure	2006	\$ 586.85
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2007	\$ 102.58
Terry, Ernest C	Lost to Foreclosure	2007	\$ 586.85
Stewardardson, Parks M	Lost to Foreclosure	2008	\$ 22.60
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2008	\$ 102.27
Terry, Ernest C	Lost to Foreclosure	2008	\$ 525.34
Stewardardson, Parks M	Lost to Foreclosure	2009	\$ 23.40
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2009	\$ 105.89
Terry, Ernest C	Lost to Foreclosure	2009	\$ 543.93
Stewardardson, Parks M	Lost to Foreclosure	2010	\$ 23.40
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2010	\$ 105.89
Terry, Ernest C	Lost to Foreclosure	2010	\$ 543.93
Stewardardson, Parks M	Lost to Foreclosure	2011	\$ 58.50
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2011	\$ 105.86
Terry, Ernest C	Lost to Foreclosure	2011	\$ 543.94
Stewardardson, Parks M	Lost to Foreclosure	2012	\$ 58.50
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2012	\$ 224.64
Terry, Ernest C	Lost to Foreclosure	2012	\$ 543.94

January 2015 Tax Release & Refunds Continued

Arias, Gabriela	Correct Ownership	2013	\$ 45.35
Modesto, Mariano Garci	Correct Ownership	2013	\$ (45.35)
Stewardardson, Parks M	Lost to Foreclosure	2013	\$ 62.00
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2013	\$ 238.08
Terry, Ernest C	Lost to Foreclosure	2013	\$ 576.48
Valdeolibar, Ivan	Personal Prop Billed in Error	2013	\$ 50.60
Vaughan, Thomas Jackson	Remove Sr. Exemption	2013	\$ (133.02)
Arias, Gabriela	Correct Ownership	2014	\$ 45.35
Baldie's Barbershop	Personal Prop Billed in Error	2014	\$ 54.61
Lotus Lounge	Correct Value	2014	\$ 2,357.69
Modesto, Mariano Garci	Correct Ownership	2014	\$ (45.35)
Ramirez, Jose	Personal Prop Billed in Error	2014	\$ 50.60
Stewardardson, Parks M	Lost to Foreclosure	2014	\$ 62.00
Terry E. C. Funeral Service, Inc.	Lost to Foreclosure	2014	\$ 238.08
Terry, Ernest C	Lost to Foreclosure	2014	\$ 576.48
Vaughan, Thomas Jackson	Remove Sr. Exemption	2014	\$ (133.02)
Total Releases/R & P Property			\$ 18,447.95
Real & Personal Property Refunds			
None			\$ -
Total Refunds/ R & P Property			\$ -
Total Refunds & Releases RP			\$ 18,447.95
Registered Vehicle			
Releases			
Allen, Mary Jones	Mass Abatement	2004	\$ 82.48
Allen, Mary Terry	Mass Abatement	2004	\$ 18.85
Almuwallad, Abdullah A	Mass Abatement	2004	\$ 18.05
Alston, Carolyn Hargrove	Mass Abatement	2004	\$ 14.21
Alston, Cynthia Annette	Mass Abatement	2004	\$ 18.78
Alston, Dorothy Ann	Mass Abatement	2004	\$ 22.57
Alston, James Aaron	Mass Abatement	2004	\$ 21.46
Alston, Jerry	Mass Abatement	2004	\$ 20.82
Alston, Jr. Willie	Mass Abatement	2004	\$ 15.00
Alston, Masonry Service	Mass Abatement	2004	\$ 10.83
Alvarez, Daniel Martin	Mass Abatement	2004	\$ 27.39
Alwardi, Abdo A	Mass Abatement	2004	\$ 34.13
Anderson, Sherrell Ken	Mass Abatement	2004	\$ 34.90
Andrews, Barnett Omari	Mass Abatement	2004	\$ 99.56
Applewhite, Hazelann	Mass Abatement	2004	\$ 197.52

January 2015 Tax Release & Refunds Continued

Aquino, Guillermo Leon	Mass Abatement	2004	\$ 20.69
Arakachi, Yayoiti Yoshi	Mass Abatement	2004	\$ 45.38
Arias, Karetina Martin	Mass Abatement	2004	\$ 33.91
Associates Leasing, Inc	Mass Abatement	2004	\$ 91.34
Ayscue, James Reuben	Mass Abatement	2004	\$ 15.70
Ayscue, Sharon Ellington	Mass Abatement	2004	\$ 22.82
Azez, Mohamed Abdu	Mass Abatement	2004	\$ 72.72
Bailey, Haile Richards	Mass Abatement	2004	\$ 24.34
Barham, Charles Robert	Mass Abatement	2004	\$ 29.26
Barrera Gabino Ramirez	Mass Abatement	2004	\$ 21.65
Baskett, Ieshia Marlin	Mass Abatement	2004	\$ 24.14
Bean, Felicitas Webeck	Mass Abatement	2004	\$ 22.61
Benedict, Hilda Mireya	Mass Abatement	2004	\$ 17.44
BLT School of the Performing Arts	Mass Abatement	2004	\$ 21.97
Blue, Riceardi	Mass Abatement	2004	\$ 85.52
Bodi, Francis	Mass Abatement	2004	\$ 70.50
Bobbitt, Onzaria Marcel	Mass Abatement	2004	\$ 62.40
Bolanos-Salazar Arturo	Mass Abatement	2004	\$ 18.06
Bowen, Jr. David Wayne	Mass Abatement	2004	\$ 24.27
Brame, James Arthur	Mass Abatement	2004	\$ 14.48
Branch, Sharonda Lenice	Mass Abatement	2004	\$ 29.71
Brown, Craig Antonio	Mass Abatement	2004	\$ 14.54
Brown, Robert Donnell	Mass Abatement	2004	\$ 19.28
Bullock, Michael Leon	Mass Abatement	2004	\$ 22.57
Bullock, Pamela Crudup	Mass Abatement	2004	\$ 54.48
Bullock, Willie	Mass Abatement	2004	\$ 13.14
Burchette, Antonia Person	Mass Abatement	2004	\$ 29.39
Burwell, Elliott	Mass Abatement	2004	\$ 14.42
Canty III, David	Mass Abatement	2004	\$ 77.65
Cardenas, Ezequiel	Mass Abatement	2004	\$ 20.74
Carpenter, Jr. Jerry Lee	Mass Abatement	2004	\$ 85.28
Carpenter, Lesel	Mass Abatement	2004	\$ 16.08
Carroll, Tracey Sheneé	Mass Abatement	2004	\$ 50.83
Caudill, Deborah Tillotson	Mass Abatement	2004	\$ 13.14
Celia, Gerardo Maria	Mass Abatement	2004	\$ 44.74
Champion, Cora Jones	Mass Abatement	2004	\$ 76.88
Champion, Jr. Leamon	Mass Abatement	2004	\$ 14.64
Champion, Mary Jones	Mass Abatement	2004	\$ 15.18

January 2015 Tax Release & Refunds Continued

Chan, Stephanie Elizabeth	Mass Abatement	2004	\$ 17.26
Chanchava, Joel Lopez	Mass Abatement	2004	\$ 26.00
Chavez, Victor Ramos	Mass Abatement	2004	\$ 17.55
Chavis, Cynthia Elaine	Mass Abatement	2004	\$ 16.66
Chavis, Ervin	Mass Abatement	2004	\$ 12.73
Cheek, Harry Lee	Mass Abatement	2004	\$ 20.13
Cheek, Sophia Louise	Mass Abatement	2004	\$ 19.54
Cisneros, Julio Prieto	Mass Abatement	2004	\$ 17.36
Clark, Waynette Buoshea	Mass Abatement	2004	\$ 12.88
Cooper, Anthony Thomas	Mass Abatement	2004	\$ 15.89
Cooper, Darnell	Mass Abatement	2004	\$ 18.51
Cordoba, Fidel	Mass Abatement	2004	\$ 39.89
Cousins, Earl Sylvester	Mass Abatement	2004	\$ 20.07
Cross, Jr. Stanley McCoy	Mass Abatement	2004	\$ 33.68
Crosson, Georgianna Woodard	Mass Abatement	2004	\$ 16.53
Crudup, Barbara Smithwick	Mass Abatement	2004	\$ 63.49
Cruz, Peter Martin	Mass Abatement	2004	\$ 95.31
Cruz, Rigoberto Moreno	Mass Abatement	2004	\$ 25.42
Curtis-Desouza Lashawn Cheree	Mass Abatement	2004	\$ 22.48
Davis, Louis Henderson	Mass Abatement	2004	\$ 19.15
Davis, Robin Laverne	Mass Abatement	2004	\$ 17.50
De Lara Margarita Fernandez	Mass Abatement	2004	\$ 16.28
Debnam, Michael Anthony	Mass Abatement	2004	\$ 54.74
Dillard, Shirley Mae	Mass Abatement	2004	\$ 11.92
Diraz, Nahed Taha Moha	Mass Abatement	2004	\$ 5.54
Dorsey, Robert Sherwood	Mass Abatement	2004	\$ 15.61
Dunston, John Beford	Mass Abatement	2004	\$ 14.22
Dupree, Steve E	Mass Abatement	2004	\$ 14.48
Edwards, Anthony Garland	Mass Abatement	2004	\$ 15.44
Epps, Humberto Jesus	Mass Abatement	2004	\$ 45.71
Epps, Robert Louis	Mass Abatement	2004	\$ 15.49
Escamilla, Maria Rafaela Rodri	Mass Abatement	2004	\$ 33.91
Etchegoyen, Watler	Mass Abatement	2004	\$ 29.33
Everette, Joan Harris	Mass Abatement	2004	\$ 6.52
Fells, Marcia Ann	Mass Abatement	2004	\$ 25.74
Ferrusca, Jose Garcia	Mass Abatement	2004	\$ 27.02
Finch, Joseph Eugene	Mass Abatement	2004	\$ 72.46
Flora, Allen Randolph	Mass Abatement	2004	\$ 70.42
Flores, Ruben Jeovany	Mass Abatement	2004	\$ 24.09

January 2015 Tax Release & Refunds Continued

Ford, Amy Darlene	Mass Abatement	2004	\$ 31.25
Foster, Geraldean Renee	Mass Abatement	2004	\$ 26.84
Francis, Dustin Ike	Mass Abatement	2004	\$ 144.02
Fuentes, Miguel Angel Reyes	Mass Abatement	2004	\$ 23.82
Fuentes-Martinez Santiago	Mass Abatement	2004	\$ 19.54
Future Communications	Mass Abatement	2004	\$ 57.82
Galindo, Charro Lei Madden	Mass Abatement	2004	\$ 22.20
Glamich-S Baudel	Mass Abatement	2004	\$ 20.30
Garcia, Felipe De Jesu	Mass Abatement	2004	\$ 16.47
Gay, Brenda	Mass Abatement	2004	\$ 19.15
General Motors Acceptance Corp	Mass Abatement	2004	\$ 157.74
Glasco, Otis Nathaniel	Mass Abatement	2004	\$ 36.96
Gooch, James Edward	Mass Abatement	2004	\$ 30.43
Gregory, Jr. Preston	Mass Abatement	2004	\$ 17.81
Grissom, Sr. Mitchael David	Mass Abatement	2004	\$ 40.38
Hallums, Jocilan Nichol	Mass Abatement	2004	\$ 26.51
Hargrove, Diane Mitchell	Mass Abatement	2004	\$ 16.08
Hargrove-Amer, Tammy	Mass Abatement	2004	\$ 15.37
Harris, Tederal Monroe	Mass Abatement	2004	\$ 17.04
Harris, Vonya Lynette	Mass Abatement	2004	\$ 133.40
Harrison, Patricia Eaddy	Mass Abatement	2004	\$ 17.62
Hatcher, Ralph	Mass Abatement	2004	\$ 22.93
Hathorn, Jeffrey Davis	Mass Abatement	2004	\$ 241.81
Hau Mui Fong	Mass Abatement	2004	\$ 40.56
Henderson, Alex White	Mass Abatement	2004	\$ 4.72
Hernandez, Eleno Guadalupe Uscang	Mass Abatement	2004	\$ 45.38
Hernandez, Jose Juan Hernandez	Mass Abatement	2004	\$ 20.88
Hernandez, Julio Silva	Mass Abatement	2004	\$ 16.85
Hernandez, Manuel	Mass Abatement	2004	\$ 27.69
Hester, Gabriel Antonio	Mass Abatement	2004	\$ 13.97
Hewitt, Hesron Luke	Mass Abatement	2004	\$ 35.22
Hicks, Kacey	Mass Abatement	2004	\$ 34.90
Hill, Darrell Judson	Mass Abatement	2004	\$ 14.93
Holder, Jr. Leroy John	Mass Abatement	2004	\$ 36.69
Houston, Clifford Darnell	Mass Abatement	2004	\$ 21.83
Howard-Fritz Joyce Ann	Mass Abatement	2004	\$ 23.10
Hunt, George Lee	Mass Abatement	2004	\$ 78.54

January 2015 Tax Release & Refunds Continued

Jackson Enterprises Inc.	Mass Abatement	2004	\$ 67.66
Jacome, Sanquino Tinoco	Mass Abatement	2004	\$ 27.41
Jiggetts, Michael	Mass Abatement	2004	\$ 36.84
Jimenez, Roman Franco	Mass Abatement	2004	\$ 44.85
Johnson, Helen Watson	Mass Abatement	2004	\$ 19.21
Jones, Earnest	Mass Abatement	2004	\$ 23.73
Jones, James Clemon	Mass Abatement	2004	\$ 199.28
Jones, Kevin Demill	Mass Abatement	2004	\$ 25.87
Jones, Lisa Michele	Mass Abatement	2004	\$ 16.21
Jones, Priscilla Sneed	Mass Abatement	2004	\$ 17.78
Jorge, Eseban Bernabe	Mass Abatement	2004	\$ 66.36
Juarez, Gumerindo Galvan	Mass Abatement	2004	\$ 29.07
Juliano, Anthony Harry	Mass Abatement	2004	\$ 100.28
Kearney, Jr. John Henry	Mass Abatement	2004	\$ 3.66
Kenneth, Twan Rhodezia	Mass Abatement	2004	\$ 23.50
King, Ritchie Hamilton	Mass Abatement	2004	\$ 26.51
Laboy, Frank Reyes	Mass Abatement	2004	\$ 19.14
Lemay, Pamela	Mass Abatement	2004	\$ 84.24
Lewis, Annie Perry	Mass Abatement	2004	\$ 20.86
Lilley, Karen Gregg	Mass Abatement	2004	\$ 15.25
Little, Stanley	Mass Abatement	2004	\$ 22.07
Lopez, Rafael De La Paz	Mass Abatement	2004	\$ 37.20
Lopez, Roberto Medardo Niz	Mass Abatement	2004	\$ 19.60
Luna, Leonel Antonio	Mass Abatement	2004	\$ 19.73
Lyons, Stanford Demoris	Mass Abatement	2004	\$ 13.90
Lyons, Teresa Victoria	Mass Abatement	2004	\$ 18.64
Maldonado, Angel Manuel	Mass Abatement	2004	\$ 80.46
Maldonado, Sonia Rosales	Mass Abatement	2004	\$ 18.38
Maple, Joe Lewis	Mass Abatement	2004	\$ 13.90
Marchena Manuel Villa	Mass Abatement	2004	\$ 99.79
Marshall, Plummer Edward	Mass Abatement	2004	\$ 26.00
Martin, Gonzalez Seferino Mart	Mass Abatement	2004	\$ 19.52
Martinez, Paco	Mass Abatement	2004	\$ 34.45
Massenburg, Christopher Marcus	Mass Abatement	2004	\$ 55.84
Mayo, David	Mass Abatement	2004	\$ 13.58
McFaddin, James Roosevelt	Mass Abatement	2004	\$ 42.26
McGillicuddy & Company	Mass Abatement	2004	\$ 41.88

January 2015 Tax Release & Refunds Continued

McKnight, Deborah Lyon	Mass Abatement	2004	\$ 96.68
McKnight, Leticia Michelle	Mass Abatement	2004	\$ 98.63
McKnight, Nathaniel Junious	Mass Abatement	2004	\$ 37.73
Mederos, Juan Carlos Paredes	Mass Abatement	2004	\$ 90.39
Medlin, Peggy Elaine Neal	Mass Abatement	2004	\$ 23.31
Mendoza-Gegorio Gumaro	Mass Abatement	2004	\$ 19.94
Midkiff, Michael Scott	Mass Abatement	2004	\$ 107.54
Milargo, Domingo Morales	Mass Abatement	2004	\$ 25.81
Miller, James Lee	Mass Abatement	2004	\$ 79.72
Mireles, Silverio	Mass Abatement	2004	\$ 41.81
Montiel, Rivera Miguel Angel	Mass Abatement	2004	\$ 36.85
Moore, Garry Brendell	Mass Abatement	2004	\$ 39.12
Morales, Alducin Jorge	Mass Abatement	2004	\$ 74.68
Morales, Edgar Reyes	Mass Abatement	2004	\$ 18.36
Morales, Jose	Mass Abatement	2004	\$ 25.74
Moreno, Ruben Saturnino	Mass Abatement	2004	\$ 119.71
Muffler Express	Mass Abatement	2004	\$ 22.03
Muffler Express, Inc.	Mass Abatement	2004	\$ 138.77
Neals, Dorothy Lee	Mass Abatement	2004	\$ 23.64
Nelson, Tonia Katrice	Mass Abatement	2004	\$ 28.37
Newcomb, Jay Bradley	Mass Abatement	2004	\$ 52.37
Niniz, Juan Gembe	Mass Abatement	2004	\$ 14.21
Obery, Pamela Denise	Mass Abatement	2004	\$ 19.15
Ocampo, Humberto Abarca	Mass Abatement	2004	\$ 30.56
Ortiz, Juan Martinez	Mass Abatement	2004	\$ 84.25
Palacios, Roberto	Mass Abatement	2004	\$ 68.30
Palmer, Faydrea Denise	Mass Abatement	2004	\$ 52.53
Parker, Leon Hayes	Mass Abatement	2004	\$ 13.01
Parks, Barney Lee	Mass Abatement	2004	\$ 38.92
Parra Lopez Jose Juan	Mass Abatement	2004	\$ 34.13
Patterson, Linda Edwards	Mass Abatement	2004	\$ 19.22
Patton, Jr. Jesse Calvin	Mass Abatement	2004	\$ 12.44
Perez, Abiran	Mass Abatement	2004	\$ 115.10
Perry, Delvon Donnell	Mass Abatement	2004	\$ 17.30
Piper, Kristen Danelle	Mass Abatement	2004	\$ 15.12
Plummer, Lewis Faulkner	Mass Abatement	2004	\$ 14.99
Powell, Tyrone Douglas	Mass Abatement	2004	\$ 158.76
Powell, Victoria Maria	Mass Abatement	2004	\$ 35.32
Price, Elroy	Mass Abatement	2004	\$ 1.98

January 2015 Tax Release & Refunds Continued

Quarles, William	Mass Abatement	2004	\$ 16.08
Ragland, Alice Gill	Mass Abatement	2004	\$ 28.37
Ragland, Vivian Renee	Mass Abatement	2004	\$ 15.76
Rainey, Mary Denise	Mass Abatement	2004	\$ 29.58
Ramey, Jenaya Sophia	Mass Abatement	2004	\$ 75.70
Ramirez, Rolando Sanchez	Mass Abatement	2004	\$ 21.20
Reyes Auturo Ortiz	Mass Abatement	2004	\$ 24.46
Reyes-Jaine Edmundo	Mass Abatement	2004	\$ 15.31
Riggan, Michael Scott	Mass Abatement	2004	\$ 14.54
Ritzie, Rita Verlene	Mass Abatement	2004	\$ 17.36
Rivera Onorato, Pena	Mass Abatement	2004	\$ 29.33
Rivera, Rogelio Munoz	Mass Abatement	2004	\$ 22.20
Roberts, Quincy Jamar	Mass Abatement	2004	\$ 17.75
Roberts, Timothy Wayne	Mass Abatement	2004	\$ 40.62
Robets, Ricky T	Mass Abatement	2004	\$ 11.92
Roblero, Samuel Ortiz	Mass Abatement	2004	\$ 27.66
Robles, Jonathan River	Mass Abatement	2004	\$ 25.86
Rockwell, Rocky	Mass Abatement	2004	\$ 37.88
Rodrigues, Vedison Timbo	Mass Abatement	2004	\$ 22.80
Rodriguez, Alfonso Tejeda	Mass Abatement	2004	\$ 17.87
Rodriguez, Juan Olmos	Mass Abatement	2004	\$ 17.69
Rosenblook, Jonas	Mass Abatement	2004	\$ 69.78
Royster, Joseph Nathaniel	Mass Abatement	2004	\$ 106.87
Royster, Mary Frances	Mass Abatement	2004	\$ 14.67
Rubio, Oralia Ponce	Mass Abatement	2004	\$ 19.02
Russell, John Henry	Mass Abatement	2004	\$ 16.16
Russell, Richard Carol	Mass Abatement	2004	\$ 32.14
Saiz, Fidencio Verdinez	Mass Abatement	2004	\$ 17.08
Salazar, Felipe Bolanos	Mass Abatement	2004	\$ 19.36
Salazar, Vazquez Eleazar	Mass Abatement	2004	\$ 23.18
Sales, Fatimah Maytisha	Mass Abatement	2004	\$ 29.58
Salinas, Francisco Reyes	Mass Abatement	2004	\$ 25.68
Salmon, Harold	Mass Abatement	2004	\$ 12.18
Sanchez, Hector Manuel Alicea	Mass Abatement	2004	\$ 18.38
Sanchez, Herminio Vasquez	Mass Abatement	2004	\$ 15.55
Sanchez, Israel Robles	Mass Abatement	2004	\$ 41.79
Sanchez, Jose Antonio	Mass Abatement	2004	\$ 15.70

January 2015 Tax Release & Refunds Continued

Sanders, Gladys Johnson	Mass Abatement	2004	\$ 64.72
Santiago, German Mora	Mass Abatement	2004	\$ 52.88
Santillan, Jr. Federico	Mass Abatement	2004	\$ 25.23
Santos, Mario Hernandez	Mass Abatement	2004	\$ 30.98
Santos, Saul Vasconcelos	Mass Abatement	2004	\$ 23.91
Sawyer, George Russell	Mass Abatement	2004	\$ 231.12
Scipio, Yolanda Renee	Mass Abatement	2004	\$ 144.18
Scraps Is Us	Mass Abatement	2004	\$ 95.03
Serafin, Fernando Tellez	Mass Abatement	2004	\$ 49.22
Shearin, Denis Duke	Mass Abatement	2004	\$ 13.88
Short, Eddie Stokes	Mass Abatement	2004	\$ 33.49
Short, Joseph Preston	Mass Abatement	2004	\$ 44.53
Short, Jr. Jesse	Mass Abatement	2004	\$ 46.42
Small, Rhonda Ann	Mass Abatement	2004	\$ 40.21
Smith, Emma Jean	Mass Abatement	2004	\$ 33.55
Smith, Tina Delores	Mass Abatement	2004	\$ 16.66
Taylor, Joan Stallings	Mass Abatement	2004	\$ 22.16
Terry, Marie	Mass Abatement	2004	\$ 18.00
Terry, May Lizzie Taylor	Mass Abatement	2004	\$ 22.80
Thompson, Angela Jones	Mass Abatement	2004	\$ 31.76
Thorpe, Tracy Tarrell	Mass Abatement	2004	\$ 26.58
Tomas, J Jesus Garcia	Mass Abatement	2004	\$ 25.04
Tomas, Sanchez Fidel	Mass Abatement	2004	\$ 27.54
Torres, Martin	Mass Abatement	2004	\$ 33.17
Torress, Othon Rodriguez	Mass Abatement	2004	\$ 61.39
Turner, Darian Jermaine	Mass Abatement	2004	\$ 17.99
Urps, Dianne Glover	Mass Abatement	2004	\$ 32.41
Vasconcelos, Ruben Cruz	Mass Abatement	2004	\$ 120.31
Vasanai, Chandra Khemchand	Mass Abatement	2004	\$ 68.56
Vazquez, jr. Ismael Rivera	Mass Abatement	2004	\$ 50.70
Vazquez-Castillo Maria Guadal	Mass Abatement	2004	\$ 15.80
Velazques-Elias Miguel Angel	Mass Abatement	2004	\$ 20.55
Vidal, Primitivo Martinez	Mass Abatement	2004	\$ 17.30
Ward, III James Fedie	Mass Abatement	2004	\$ 36.88
Warren, Janet Marie	Mass Abatement	2004	\$ 13.78
Warren, Ronald Keith	Mass Abatement	2004	\$ 16.66
Watkins, Nathaniel	Mass Abatement	2004	\$ 67.09

January 2015 Tax Release & Refunds Continued

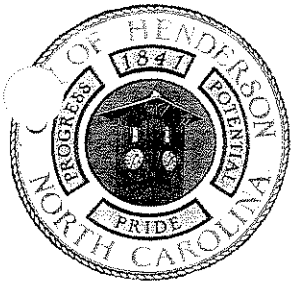
Webb, Jason Carmicheal	Mass Abatement	2004	\$ 13.73
White, Lynn Roxana	Mass Abatement	2004	\$ 94.67
White, Margaret Katherine	Mass Abatement	2004	\$ 15.67
Williams, Alonzo Junius	Mass Abatement	2004	\$ 58.85
Williams, Anthony Miracal	Mass Abatement	2004	\$ 20.50
Williams Funeral Home	Mass Abatement	2004	\$ 55.99
Williams, Joyce Brown	Mass Abatement	2004	\$ 37.48
Williams, Lillie Richards	Mass Abatement	2004	\$ 104.66
Williams, Marcus Antwan	Mass Abatement	2004	\$ 16.10
Williams, Royce Isabel	Mass Abatement	2004	\$ 44.05
Williams, Thomas Lee	Mass Abatement	2004	\$ 80.27
Williamson, Donald Way	Mass Abatement	2004	\$ 10.07
Wilson, Yolanda Rochel	Mass Abatement	2004	\$ 15.38
Wimbush, Sidney Rochel	Mass Abatement	2004	\$ 15.73
Winston, Artelia Hendricks	Mass Abatement	2004	\$ 47.43
Wrangler Plumber & Heat LLC	Mass Abatement	2004	\$ 40.26
Wright, Troy Robert	Mass Abatement	2004	\$ 16.89
Young, Jr. Boyd F.	Mass Abatement	2004	\$ 28.50
Zuno, Jose Ramon Velazco	Mass Abatement	2004	\$ 41.60
			\$ 11,454.91
Registered Vehicle			
Refunds			
Hill, Genelle Aleece	Pro-Rate	2012	\$ 7.29
Total Reg Veh Releases			\$ 7.29
Total Reg Veh Releases			
& Refunds			\$ 11,462.20
Total All Release & Refunds			\$ 29,910.15

Meetings and Events Calendar

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

Date	Time	Event	Location
Mar 2 nd	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
Mar 3 rd	3:30 PM	Henderson Zoning Advisory Board Meeting	City Council Chambers
Mar 9 th	5:00 PM	Perry Memorial Library Advisory Board Meeting	Perry Memorial Library
Mar 9 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Mar 12 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
Mar 19 th	7:00 PM	Human Relations Commission Meeting	City Council Chambers
Mar 23 rd	6:00 PM	City Council Short Reg. Meeting Work Session to Immediately Follow	City Council Chambers
Mar 27 th	10:00 AM	Henderson-Vance 911 Advisory Board Meeting	E-911 Operations Center
Apr 3 rd	City Hall Closed	 Good Friday 	City Hall Closed
Apr 6 th	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
Apr 7 th	3:30 PM	Henderson Zoning Advisory Board Meeting	City Council Chambers
Apr 9 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
Apr 13 th	9:30 AM	KLRWS Advisory Board Meeting	City Hall Large Conference Room
Apr 13 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Apr 14 th	3:00 PM	Henderson Appearance Committee Meeting	City Council Chambers
Apr 27 th	6:00 PM	City Council Short Reg. Meeting Work Session to Immediately Follow	City Council Chambers
May 4 th	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
May 5 th	3:30 PM	Henderson Zoning Advisory Board Meeting	City Council Chambers
May 11 th	5:00 PM	Perry Memorial Library Advisory Board Meeting	Perry Memorial Library
May 11 th	6:00 PM	City Council Regular Meeting	City Council Chambers
May 14 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
May 21	7:00 PM	Human Relations Commission Meeting	City Council Chambers

Last Updated 19 February 2015



Henderson Fire Department

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

Daniel E. Wilkerson
Fire Chief

TO: ED WYATT, INTERIM CITY MANAGER
FROM: DANIEL E. WILKERSON, FIRE CHIEF
DATE: FEBRUARY 5, 2015

A handwritten signature in black ink, appearing to be "DW", is written over the name "DANIEL E. WILKERSON" in the distribution list.

FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: January 2015

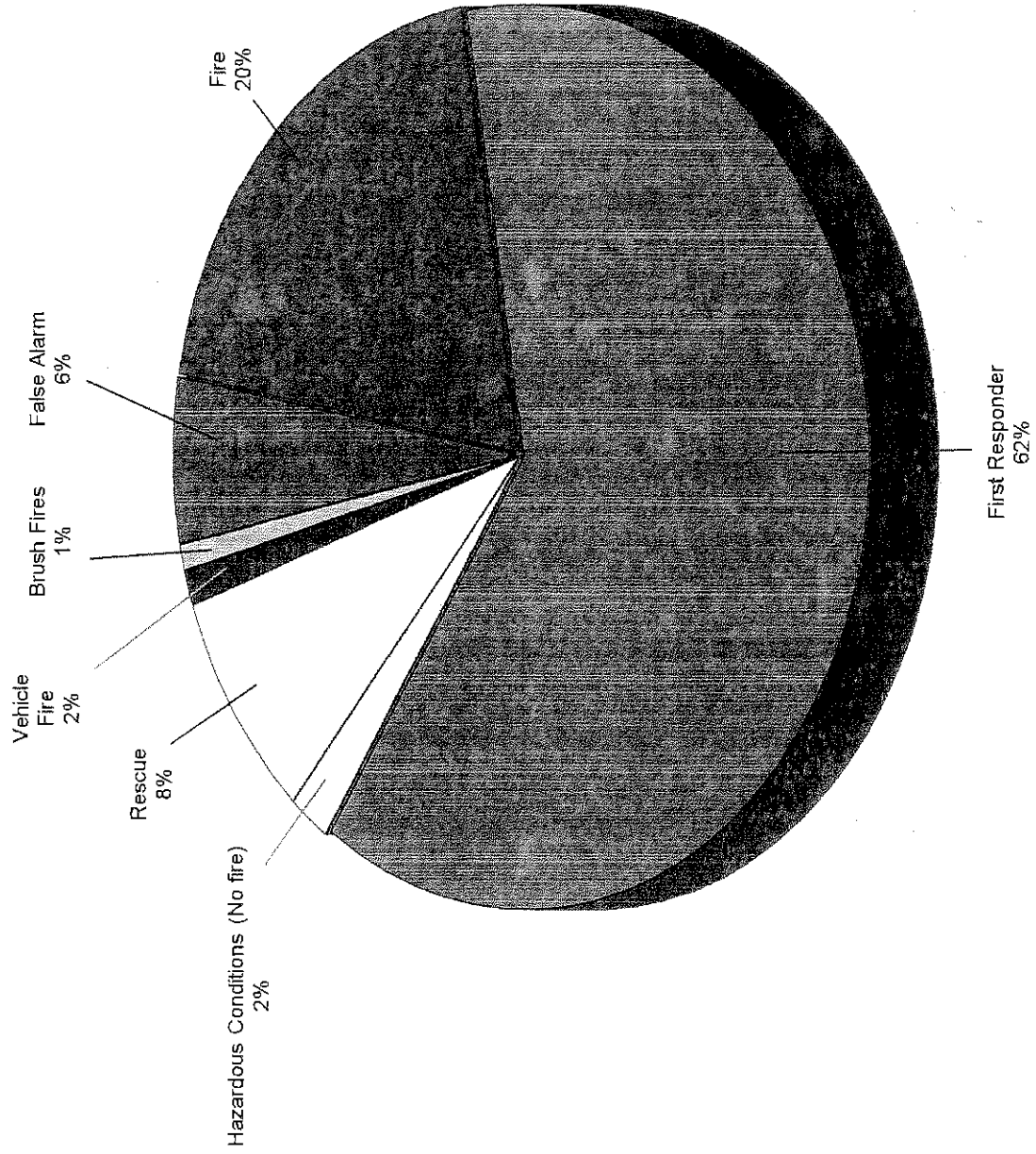
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	23	0	23
APARTMENTS (3 or More Families)	12	0	12
HOTELS AND MOTELS	0	0	0
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	0	0	0
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	4	0	4
SCHOOLS AND COLLEGES	0	0	0
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	2	0	2
STORES AND OFFICES	2	0	2
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	2	0	2
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	0	0	0
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	0	0	0
WORKING STRUCTURE FIRE	2	0	2
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	3	0	3
FIRES IN OTHER VEHICLES (Planes, Trains, Ships, Construction or Farm Vehicles)	0	0	0

FIRE OUTSIDE OF STRUCTURES WITH VALUE INVOLVED, BUT NOT VEHICLES (Outside Storage, Crops, Timber, etc.)	0	0	0
FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved	1	0	1
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	3	0	3
ALL OTHER FIRES	3	0	3
RESCUE	27	0	27
FIRST RESPONDER	200	0	200
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	19	0	19
MUTUAL AID OR ASSISTANCE RESPONSES	6	0	6
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	1	0	1
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	5	0	5
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	7	0	7
TOTALS	322	0	322

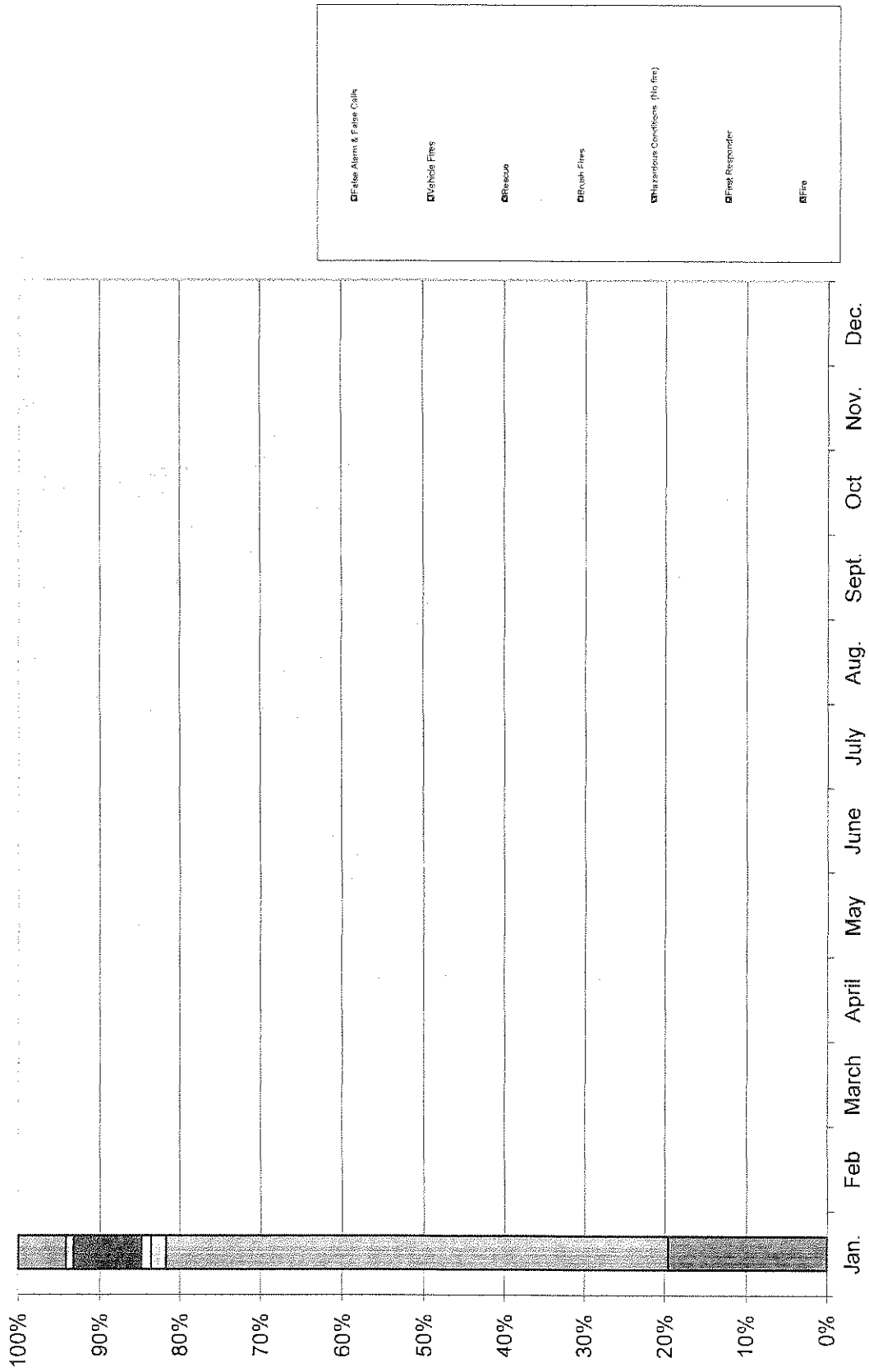
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property and/or Contents Loss	9		9
Total of Property and Contents Value Saved	\$ 1,332,455.00		\$ 1,332,455.00

	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 January



YEAR TO DATE SUMMARY BY MONTH FOR 2015



INSPECTION ACTIVITIES REPORT FOR:

January, 2015

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	6	0	6
BUSINESS	11	0	11
EDUCATIONAL	0	0	0
HAZARDOUS	0	0	0
INDUSTRIAL	0	0	0
INSTITUTIONAL	1	0	1
MERCANTILE	11	0	11
RESIDENTIAL	5	0	5
STORAGE	0	0	0
DAY CARE	0	0	0
HOME CARE	0	0	0
FOSTER CARE	0	0	0
VACANT	0	0	0
		0	0
TOTALS	34	0	34

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
CODE VIOLATIONS	24	0	24
FOLLOW UP INSPECTIONS	6	0	6

FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2015

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	20												20
Home Inspections / Door Hanger Follow Ups	2												2
Smoke Alarms Installed	11												11
Batteries Installed in Smoke Alarms	9												9
Fire Extinguisher Classes	0												0
School / Daycare Presentations	1												1
Community / Civic Group Presentations	0												0
Station Tours	1												1
Total Participants in Fire & Life Safety Programs	200												200
Community / Business Displays	1												1
Child Safety Seat Clinics	0												0
Child Safety Seats Inspected	6												6
Child Safety Seats Distributed	0												0
Shift Coverage Hours	48												48
Fire Inspections	24												24

MONTHLY CITATION REPORT FOR THE MONTH OF: JANUARY 2015

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
Maria Parham Hospital					0
Market Place					0
Northside Plaza					0
Oak St					0
Rose's Norlina Rd					0
Staples					0
Vance County Courthouse					0
Vance Medical Arts Bldg					0
Vance Square					0
Village Square					0
Wal Mart					0
Walgreens					0
TOTALS	0	0	0	0	0

TRAINING DIVISION PRODUCTIVITY - JANUARY 2015

Henderson Fire Department

Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire Ground Training	92.5	586
EMS / Rescue Training	15	136
Special Training	0	0

Totals	107.5	722
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	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	0	0

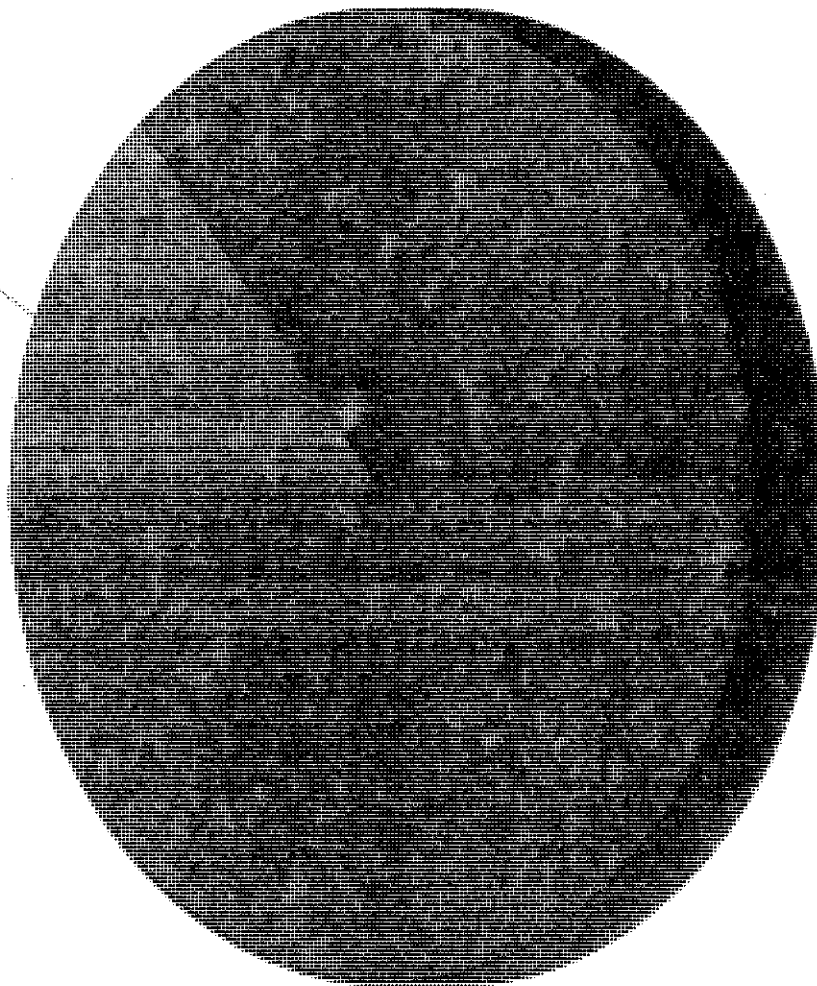
YEAR - TO - DATE TOTAL	107.5	722
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Fire Department Regulatory Compliance

The Fire Department has met all regulatory compliance items for the month of January 2015

Training Hours by Category - January 2015

EMS / Rescue Training
14%



Fire Ground Training
86%

City Council Action Form

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



Council Meeting: 23 Feb 15 Work Session

19 February 2015

TO: The Honorable Mayor James D. O'Geary and Members of City Council
FR: Ed Wyatt, Interim City Manager
RE: **CAF: 15-09**
Consideration of Approval of Resolution 15-08, Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of an Annexation Petition

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **Key Strategic Objective 3:** Enhance Economic Development - AP: 3-7- Develop Annexation Plan

Recommendation:

- Approval of Resolution 15-08

Executive Summary:

A dialysis center is being constructed on Toyota Lane and currently is outside the City limit. This property is in the process of being annexed by the City. A new sanitary sewer main was installed to the site on the condition a voluntary annexation petition was submitted. In accord with the requirements of North Carolina General Statute §160A-31, "Annexation by Petition", this resolution directs the City Clerk to investigate the sufficiency of the petition and to certify to the Council the result of her investigation.

This action is one of several steps that will be taken during this annexation process.

Attachments:

1. Resolution 15-08

RESOLUTION 15-08

DIRECTING THE CLERK TO INVESTIGATE AN ANNEXATION PETITION RECEIVED UNDER N.C.G.S. § 160A-31

WHEREAS, the City Council (Council) conducted its Annual Planning Retreat in 2015 and identified eight Key Strategic Objectives (KSOs) and Goals; *and*

WHEREAS, this Resolution addresses KSO-3: Enhanced Economic Development; *and*

WHEREAS, a petition requesting annexation, which is attached, was received by the Council on 1 October 2014; *and*

WHEREAS, North Carolina General Statute §160A-31 requires the City Clerk to investigate the sufficiency of the petition and certify the results of her investigation

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL that the City Clerk is directed to investigate the sufficiency of the attached petition (**Attachment A**) and certify the result of her investigation to the Council.

Resolution 15-08, 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 _____ 2015:
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 15-09

**PETITION FOR VOLUNTARY ANNEXATION TO THE CITY OF HENDERSON
OF A NONCONTIGUOUS AREA (SATELLITE)**

To the Mayor and Members of the City Council of the City of Henderson, N.C.:

The undersigned respectfully petition the City Council of the City of Henderson to annex the hereinafter described property to the City of Henderson, such annexation to be pursuant to Part 4, Article 4A, Chapter 160A of the North Carolina General Statutes (G.S. 160A-58-et seq.) In support of this petition and pursuant to G.S. 160A-58-1, the undersigned do hereby respectfully submit the following information:

1. The undersigned whose names are signed to this petition own all real estate in the area described herein, with the exception of the following: Owners of real property that is wholly exempt from property taxation under the Constitution and laws of North Carolina; Railroad Companies; Public Utility as defined in G.S. 62-3(23); Electric Membership Corporation; and Telephone Membership Corporations.
2. The nearest point of the area described herein to the primary corporate limits of the City of Henderson is not more than three (3) miles.
3. No part of the area described herein is closer to the primary corporate limits of another city than to the primary corporate limits of the City of Henderson.
4. If any part of the area described herein is a part of a subdivision as defined in G.S. 160A-376, then all of said Subdivision is included within the area described.
5. This area proposed for annexation under this petition is described by metes and bounds as follows:

(ATTACH A METES AND BOUNDS DESCRIPTION FOR THE AREA TO BE ANNEXED)

Respectfully submitted this 1 day of October, 2014.

Type or Print Name of Property Owner(s)	Address and Phone Number:	Property PIN# Parcel ID#
1) <u>Ruin Creek Investments LLC</u>	<u>PO Box 706</u>	<u>411 04006</u>
2) _____	<u>Henderson NC</u>	<u>411 04007</u>
3) _____	<u>919-610-1033</u>	_____
4) _____	_____	_____
5) _____	_____	_____

Please sign and complete the requested information on the Signature page of this petition

(For City Use Only)

Date Received: _____	Total Land Mass: _____
Received By: _____	% Satellite _____ If > 10% return

ALL SIGNATURES MUST BE NOTARIZED!!!

ANNEXATION PETITION SIGNATURE PAGE - Continued -

CORPORATION: Affix Seal:
Ruin Creek Investments LLC
Name of Corporation (Type or Print)
By: Samuel M Watkins III M Manager
Signature and Title
Samuel M Watkins III
(Type or Print Name)

Attested By: _____
Signature and Title

(Type or Print Name)

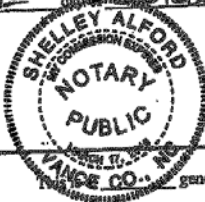
NOTARIZATION

NORTH CAROLINA

Vance COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that Samuel M Watkins III
personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 1st day of October, 20 14.



Shelley Alford
Notary Public
My commission expires 3-17-16

PARTNERSHIP

Name of Partnership (Type or Print)

By: _____
Signature and Title

(Type or Print Name)

_____ general partnership

_____ limited partnership

Attested By: _____
Witness, Signature and Title

(Type or Print Name)

NOTARIZATION

NORTH CAROLINA

_____ COUNTY

I, the undersigned Notary Public in and for the aforesaid County and State, certify that _____
personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the _____ day of _____, 20 _____

Notary Public

My commission expires _____

Parcel Description:

A New Lot being all of Parcel II and a portion of Parcel III in P.B. X, Pg. 545, containing 2.20 acres as further described below:

Beginning at a point in the Northwestern corner of the Intersection of Toyota Lane (Private) and Ruin Creek Road (S.R. 1128), being the Southeastern most corner of the New Lot. From the Point of Beginning run thence along the Northern right-of-way of Ruin Creek Road $S74^{\circ}05'17''W$ 244.40' to an existing concrete monument, $S70^{\circ}47'58''W$ 107.83' to an existing concrete monument, $S85^{\circ}55'29''W$ 1.24' to an existing iron pipe being the Southeastern corner of the tract of Henderson United Church of Christ. Thence along the line with Henderson United Church of Christ $N01^{\circ}26'31''W$ 210.07' to an existing metal rebar, $N01^{\circ}26'31''W$ 210.22' to a new point being the Northwest corner of the New Lot. Thence $N88^{\circ}33'29''E$ 190.01' along the proposed New Lot line to a point in the Western right-of-way of Toyota Lane. Thence along the Western right-of-way of Toyota Lane $S01^{\circ}26'31''E$ 14.07' to a point, continuing along the Western right-of-way of Toyota Lane on a curve with a chord of $S17^{\circ}49'32''E$ 143.94', a radius of 255.00', and an arc length of 145.92' to an iron pipe, $S34^{\circ}13'10''E$ 97.22' to an iron pipe, $S33^{\circ}16'28''E$ 108.72' to an existing concrete monument, being the Point of Beginning.