



## **AGENDA**

### **Henderson City Council Regular Meeting**

**Monday 14 December 2015, 6:00 p.m.**

**R. G. (Chick) Young, Jr. Council Chambers, Municipal Building**

**134 Rose Avenue**

**Henderson, North Carolina**

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#### **Mayor and City Council Members**

Mayor James D. O'Geary, Presiding

Mayor-Elect Eddie Ellington

Councilmember James C. Kearney, Sr.  
Councilmember Sara M. Coffey  
Councilmember Michael C. Inscoe  
Councilmember D. Michael Rainey  
Councilmember-Elect Marion Williams

Councilmember Brenda Peace  
Councilmember Garry D. Daeke  
Councilmember Fearldine A. Simmons  
Councilmember George M. Daye  
Councilmember-Elect Melissa Elliott

#### **City Officials**

Frank Frazier, 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 Behavior<sup>1</sup> and Transparency in Governance<sup>2</sup>. 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.

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<sup>1</sup> **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.

<sup>2</sup> **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) 23 November 2015 Short Regular Meeting with Work Session. [See Notebook Tab 1]*

## **VIII. PUBLIC COMMENT ON AGENDA ITEMS**

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

## **IX. OLD BUSINESS**

- a) Consideration of Approval of Resolution 15-04, Approving the Submission of an Application by NRG-eVgo on the City's Behalf to the North Carolina Clean Energy Technology Center for an Electric Vehicle Quick Charge Station. (CAF 15-135) [See Notebook Tab 3]*
  - Resolution 15-04
- b) Consideration of Approval of Resolution 15-03, Authorizing FY15-16 Financing with Citizens Community Bank (CCB) in the Amount of \$678,967.25 for Equipment Needed as Noted Below in the Executive Summary. (CAF 15-118) [See Notebook Tab 4]*
  - Resolution 15-03

## **X. REORGANIZATION OF COUNCIL**

- a) Presentations to and Remarks by Outgoing Council Members*
- b) Swearing in of New Council Members*

## **XI. RECESS FOR RECEPTION (20-30 minute recess)**

## **XIII. NEW BUSINESS**

- a) Appointment of Mayor Pro Tempore. [No materials for this item]*
- b) Appointment of City Manager Frank Frazier, City Attorney D. Rix Edwards and City Clerk Esther J. McCrackin. [No materials for this item]*

- c) Consideration of Approval of Ordinance 15-20, Converting Loading Zone to Two Hour Parking Spaces on Winder Street. (CAF 15-136) [See Notebook Tab 5]
  - Ordinance 15-20
- d) Consideration of Approval of Resolution 15-27, Providing for the Disposition of Two Jointly Held Properties by the City and County Identified as: 1) 715 Chestnut Street, Further Identified in Vance County Register of Deeds Book #01287 Page # 0856; Tax Parcel # 0075-01 010; and 2) 60 Ft Lot on Cherry Street, Behind 661 Charles Street Further Identified in Vance County Register of Deeds Book #01271 Page 0931; Tax Parcel # 0073 01 016, to Vance County to Assist in the Sale of 661 Charles Street Owned Solely by the County. (CAF 15-137) [See Notebook Tab 6]
  - Resolution 15-27
- e) Consideration of Approval of Resolution 15-88, Appointments to the Planning Board and the Henderson-Vance Recreation and Parks Commission. (CAF 15-138) [See Notebook Tab 7]
  - Resolution 15-88

## **XV. 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.<sup>3</sup>

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### <sup>3</sup> **Citizen Comment Guidelines**

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

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

## **XVI. REPORTS**

- a)** Mayor/Mayor Pro-Tem
- b)** City Manager
- c)** City Attorney
- d)** City Clerk
  - i. Calendar Update *[See Notebook Tab 8]*
  - ii. Fire Department Monthly Report

## **XVII. ADJOURNMENT**

# **City Council Minutes**

## **Short Regular Meeting and Work Session**

### **23 November 2015**

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#### **PRESENT**

Mayor James D. O'Geary, Presiding; and Council Members Sara M. Coffey, D. Michael Rainey, Michael C. Inscoe, Brenda Peace, Garry D. Daeke, Fearldine A. Simmons, George M. Daye and Mayor Elect Eddie Ellington, Council Members Elect Marion Williams and Melissa Elliott.

#### **ABSENT**

Council Member James C. Kearney, Sr.

#### **STAFF PRESENT**

City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Fire Chief Steve Cordell, Police Capt. Perry Twisdale, Police Lt. C. D. Ball, Police Sgt. Tony Pendergrass, Engineering Director Clark Thomas, Public Services Director Mike Ross, Recreation and Parks Director Kendrick Vann, Human Resources Director Cathy Brown, Development Services Director Corey Williams, Kerr Lake Regional Water Director Christy Lipscomb and Customer Service Supervisor Shay Bennett.

#### **CALL TO ORDER**

The 23 November Short Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:01 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

#### **ROLL CALL**

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

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

#### **WELCOME**

Mayor O'Geary welcomed everyone and wished the attendees a Happy Thanksgiving.

## **ADJUSTMENTS TO/APPROVAL OF AGENDA**

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

## **APPROVAL OF MINUTES**

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Coffey moved the approval of the 9 November 2015 Regular Meeting minutes, as presented. Motion seconded by Council Member Daeke, and unanimously approved.

## **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**

**Authorizing a Contract with Point & Pay to Provide On-line Credit/Debit & E-check Payment Service to Water and Sewer Customers.** (*Reference: CAF 15-124-A; Resolution 15-89*)

City Manager Frazier said citizens have requested an option of paying their water bills on-line. Shay Bennett, Customer Service Supervisor, reviewed a number of vendors and found Point & Pay will work with existing software. The City has the option of absorbing the transaction costs or those costs can be absorbed by the customer at a minimum cost of \$2.50 or 2.5% of the transaction. Mr. Frazier said if approved the system should be up and running in 6-8 weeks. He added the system will accept Visa, MasterCard, Discover and American Express.

Council Member Rainey asked about the length of time for payments to be accepted and if drafts will be still be accepted. The response was drafts will be accepted, the approval information will be immediate and Mr. Frazier added there would be no fee if customers pay in person with a credit card.

Council Member Inscoe asked about the agreement with First Citizens. Mr. Frazier said there would be no need to continue this agreement.

Council Member Coffey asked for verification that the \$2.50 minimum charge will be added to the customer's credit card charge. Mr. Frazier said that is correct.

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

Motion was made by Council Member Rainey to approve Resolution 15-89, *Authorizing a Contract with Point & Pay to Provide On-line Credit/Debit & E-check Payment Service to Water and Sewer Customers*. Motion seconded by Council Member Peace, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 4, p 319)

**Amending the Ordinance Relating to Water Cross Connections and Backflow Prevention.**  
(Reference: CAF 15-87-A; Ordinance 15-34)

City Manager Frazier reminded Council that this was a Work Session item at the last meeting. He then asked Public Services Director Mike Ross, to explain more about this change.

Mr. Ross explained this ordinance brings the existing 2003 ordinance up to date with current standards required by State and Federal laws. The purpose of this ordinance is to protect public health. The only changes between the existing 2003 ordinance and the one presented this evening are: 1) The new Application Fee will increase from \$50.00 to \$75.00; 2) The Annual Renewal Application Fee will increase from \$25.00 to \$50.00; 3) All new installations must use a RPZ backflow Preventer and must be above ground; and 4) Any upgraded backflow preventers must be brought above ground and be a RPZ Backflow Preventer. By law, backflow testing must be performed on an annual basis by a certified tester using calibrated equipment.

Council Member Inscoe asked who would do the inspections, how does the City know who has existing cross connections and does this apply to all residential, commercial and industrial owners? Mr. Ross responded by saying there is a list of certified testers that can be provided to owners, as it is the owner's responsibility to schedule and pay for the test. The test results are then reported to the Kerr Lake Regional Water Director Christy Lipscomb. Mr. Inscoe also asked if an existing system with double-check valves needs to be converted to RPZ. Mr. Ross said if minor repairs are needed such as replacement of a gasket, there would be no need to convert to RPZ.

Council Member Coffey asked if the inspections are all done at the same time and what about a residence with an existing irrigation system that will not be used. Mr. Ross said no; it depends on when the backflow preventer is installed. Mr. Ross said the meter will be removed if the irrigation system is separate from the house; however, if it is not and the certification is not approved, water to the house will be turned off to protect the public's health.

Council Member Daeke asked how a person will know this is required. Mr. Ross said the Engineering Department staff will inform an individual of the requirements when that a person applies for an irrigation meter or opens a new account.

Mr. Frazier stated most systems already have backflow preventers in place due to the existing ordinance.

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

Motion was made by Council Member Daeke to approve Ordinance 15-87-A, *Amending the Ordinance Relating to Water Cross Connections and Backflow Prevention*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Coffey, Inscoc, Rainey, Peace, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Ordinance Book 9, p 261)

**Authorizing Execution of a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) in Conjunction with the I-85 Improvements.** (Reference: CAF 15-133; Resolution 15-02)

City Manager Frazier reminded Council of the ongoing major improvements to the north and south bound lanes of I-85, starting from just west of Andrews Avenue for approximately 10 miles north. During this construction, Parham Road (currently a city street) will be used as a detour route between Southbound I-85 access/egress ramps to US 158 (Garnett Street). This agreement with the NCDOT is for the State to assume maintenance of the road while being used as a detour. Mr. Frazier has requested the State to resurface the road when it is no longer used as a detour but the State is still considering this request. After the project is completed, maintenance responsibilities for this road will return to the City and another Resolution to this effect will be brought to Council for consideration.

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

Motion was made by Council Member Rainey to approve Resolution 15-02, *Authorizing Execution of a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) in Conjunction with the I-85 Improvements*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Inscoc, Rainey, Peace, Daeke, Simmons, Daye, and Coffey. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 4, p 145)

**Authorizing the Acceptance of North Carolina Governor's Crime Commission Grant for the Purchase of Upgraded Computer Workstations for the Henderson Police Department.** (Reference: CAF 15-23-A; Resolution 15-17-A)

City Manager said this is self-explanatory in that Council approved applying for this grant at the January 26, 2015 meeting and as of November 20, 2015, the grant has been awarded.

Council Member Daeke asked for the balance in the Asset Forfeiture account. Mr. Frazier said it is approximately \$95,000 and asked Police Captain Twisdale to respond. Mr. Daeke commented that at one time the Asset Forfeiture account was over \$1M and noted for future budget consideration these dwindling funds will no longer support the purchase of capital items such as police cruisers.



Capt. Twisdale said the use of the asset forfeiture funds was included in the budget for this year. He said due to research completed by Lt. Ball and Sgt. Pendergrass, this grant will purchase more than the five (5) originally requested workstations. Capt. Twisdale also said the department is cognizant of these limited dollars and they are constantly striving to combine these funds with other funding (grants) to be good stewards.

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

Motion was made by Council Member Coffey to approve Resolution 15-17-A, *Authorizing the Acceptance of North Carolina Governor's Crime Commission Grant for the Purchase of Upgraded Computer Workstations for the Henderson Police Department*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Rainey, Peace, Daeke, Simmons, Daye, Coffey and Inscoc. NO: None. ABSTAIN: None. ABSENT: Kearney. (*See Resolution Book 4, p 175-A*)

**Authorizing the Transfer of Police Asset Forfeiture Funds to: 1) Upgrade Communications Services at the Police Department; and 2) Purchase Two APX Mobile Radios for New Vehicles.** (*Reference: CAF 15-134; Ordinance 15-51; Budget Amendment #14*)

City Manager Frazier asked Lt. Ball and Sgt. Pendergrass to come forward to explain this request.

Lt. Ball said in February he and Sgt. Pendergrass began looking for ways to make improvements to the department's existing internet capacity. They found the 10MB provided through NCOL was actually only providing the Police Department with 2-5MB (compared to a normal household that has 15MB). The voice-over/phone equipment which is now approximately 12 years old, was purchased as refurbished equipment. The department is experiencing issues in communicating with each other and citizens, and feel a critical stage has been reached where something needs to be done. After reviewing several options, it is believed CenturyLink will provide the best internet service; they offer a credit on unused lines and is site specific. CenturyLink will provide administrator training and the equipment will be leased. If approved, this system upgrade will allow officers to spend more time performing police work rather than on administrative/IT duties. Federal Asset Forfeiture funds will be used for the upgrade cost of \$8,500.

Council Member Inscoc asked if the City has multiple vendors for this service. Mr. Frazier said currently NCOL and Time Warner are vendors of the City but he is looking into one, citywide vendor. Mr. Inscoc asked about contracts and Mr. Frazier said there is a contract with Time Warner but no contract exists with NCOL. Sgt. Pendergrass said the contract with CenturyLink is for three (3) years. Mr. Inscoc asked what service other divisions use. Lt. Ball said Fire Station 2 uses the same internet system as City Hall; however, Fire Station 1 has the same speed as the Police Department.

Council Member Rainey asked if CenturyLink provided better service. Lt. Ball said NCOL subleases from CenturyLink and another vendor, Vonage, is out of New Jersey so having CenturyLink literally across the street would provide better service.

Mr. Frazier thanked the department for their research and said he may use them in the future as the City looks to upgrade the other existing systems.

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

Motion was made by Council Member Inscoe to approve Ordinance 15-51, *Authorizing the Transfer of Police Asset Forfeiture Funds to: 1) Upgrade Communications Services at the Police Department; and 2) Purchase Two APX Mobile Radios for New Vehicles*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Peace, Daeke, Simmons, Daye, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Ordinance Book 9, p 295)

**Approval of Official Results for Municipal Elections Held October 6, 2015 and Subsequent Run-Off Election Held on November 3, 2015.** (Reference: CAF 15-114, Resolution 15-74)

City Manager Frazier said this is a routine matter of accepting the official results of the 2015 elections.

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

Motion was made by Council Member Rainey to approve Resolution 15-74, *Approval of Official Results for Municipal Elections Held October 6, 2015 and Subsequent Run-Off Election Held on November 3, 2015*. Motion seconded by Council Member Peace, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Coffey, Inscoe, Rainey and Peace. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 4, p 289)

**Directing the Clerk for the City of Henderson, North Carolina (City) to investigate the Sufficiency of an Annexation Petition.** (Reference: CAF 15-85; Resolution 15-57)

City Manager Frazier explained Henderson Collegiate School has submitted a petition for annexation. The parcel is 38.7 acres on Old Epsom Road. The School currently pays outside rates for water/sewer and is now asking to be annexed. The first step in annexation as stated in NCGS 160A-31 is for the City Clerk to investigate the sufficiency of the petition and to certify to the Council the result of the investigation

Council Member Daeke asked if the school was taxable. Mr. Frazier said no and their water/sewer rates would decrease as they presently pay outside rates.

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

Motion was made by Council Member Peace to approve Resolution 15-57, *Directing the Clerk for the City of Henderson, North Carolina (City) to investigate the Sufficiency of an Annexation Petition*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Simmons, Daye, Coffey, Inscoe, Rainey, Peace and Daeke. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 4, p 255)

## **PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS**

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

**Boller Lewis, 1010 S. Garnett Street, Henderson** Mr. Lewis continues to have a very high water bill due to a leak which he and his plumber have been unable to locate. He believes the leak will eventually cause the City problems.

Mayor O'Geary asked if Mr. Lewis and/or his plumber can crawl under the restaurant. He responded you can get under the hotel but not the restaurant.

Council Member Coffey said she was aware City Manager Frazier is working with Mr. Lewis but asked if there could be a problem with the new meter. Mr. Frazier said the meter seems to be reading true and said he had offered to shut off the water to see if that would help locate the leak.

Then discussion turned to the meter readings and the data logger which indicate water is running from somewhere. A new tap was installed from the main to the meter so that area is not leaking. It is possible the leak is under the sidewalk after the meter which is private property. Council Member Inscoe asked if Mr. Lewis needed any special permission to begin digging. The Manager responded there is no special permission needed but the owner and/or plumber would need to call 811 before beginning.

The City Manager said he will do what he can to help but until the leak is located, no credit can be considered.

Council Member Peace thanked Council for their input and is hoping for a mutual agreement.

## **REPORTS**

a) Mayor/Mayor Pro-Tem – Mayor Pro-Tem Rainey praised the Police and Fire departments for the Fundraiser they did for Officer Wormley. He also wished everyone a Happy Thanksgiving

b) City Manager – Mr. Frazier:

- i. Reminded Council of the Holiday luncheon on December 3 at the Aycock Center;
- ii. Mentioned the change in trash/garbage pickup due to the holiday;
- iii. Said loose leaves will continue to be picked up from the curb until January 15; *and*
- iv. Asked for input from Council regarding whether the part-time DDC employee should be a City or a contract employee. Council Member Inscoe said he had no problem with the part-timer being a contract employee as long as the DDC has proper insurance and this was the consensus of Council.

c) City Attorney (no report)

- d) City Clerk – Reminded Council United Way donations are due no later than November 30, 2015.

## OTHER

Council Member Simmons expressed her concern regarding the youth of Henderson and the ever increasing crime that is taking place. She asked citizens to be vigilant and not to be afraid of working with the police; to call 911 as they need to pay for their actions. Council Member Daye said he recently had a run-in with several young girls. Council Member Coffey said with all due respect to the police, juveniles are being released back into the same situation without any consequences.

## WORK SESSION

**Approving the Submission of an Application by NRG-eVgo on the City's Behalf to the North Carolina Clean Energy Technology Center for an Electric Vehicle Quick Charge Station.** *(Reference: CAF 15-135; Resolution 15-04)*

City Manager Frazier explained this request comes from information gleaned at a recent conference attended by the Public Services Director. He then asked Engineering Director Clark Thomas to provide an overview of this project.

Mr. Thomas said NRG is searching for a site between Raleigh/Durham and Richmond, Virginia to place an electric vehicle charging station. NRG is willing to submit a grant application which would lump one charging station in Henderson with other areas. If awarded, NRG will install and maintain the station. There is a \$5,000 portion of the grant that the City would be responsible for; however, in-kind services can reduce this amount. Mr. Thomas added that the City would be reimbursed for the electricity used and it is hoped that people will visit restaurants/shops in the area while waiting for their vehicle to charge.

Council Member Rainey asked where the station would be located. Mr. Thomas said the Operations Center due to its close proximity to I-85 and shops/restaurants. Mr. Rainey also asked if the in-kind services would include man hours that would include supervision time.

Council Member Inscoe asked if the City would receive any kind of discount if the City purchases electric vehicles. Mr. Thomas advised that he was unaware of any discounts but said he would look into this further. He also asked staff to look into placing solar panels on the Operations Center.

There were no further questions so Mayor O'Geary asked for the pleasure of Council. It was the consensus of Council to move forward with this project as follows: YES: Coffey, Inscoe, Rainey, Peace, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney.

Mayor O'Geary now asked if Council was prepared to adjourn.

## **ADJOURNMENT**

Council Member Rainey moved for adjournment. Motion seconded by Council Member Inscoe and unanimously approved. The meeting adjourned at 7:50 p.m.

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James D. O'Geary  
Mayor

***ATTEST:***

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Esther J. McCrackin  
City Clerk

## City Council Memo

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



**Council Meeting:** 14 December 2015

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10 December 2015

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

**FR:** Frank Frazier, City Manager

**RE:** **CAF: 15-135**

**Consideration of Approval of Resolution 15-04, Approving the Submission of an Application by NRG-eVgo on the City's Behalf to the North Carolina Clean Energy Technology Center for an Electric Vehicle Quick Charge Station**

**Ladies and Gentlemen:**

### **Council Retreat Goals Addressed By This Item:**

- KSO 5: Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.
- KSO 8: Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities.

### **Recommendation:**

- Approval for NRG-eVgo to submit an application to the North Carolina Clean Energy Technology Center for an electric vehicle DC fast charging station at the Operations Center at 900 S. Beckford Drive.

### **Executive Summary**

The City of Henderson is strategically positioned between the Raleigh-Durham Area and Richmond with two converging major interstate highways (I-85 and US #1) passing through Henderson. Currently there are no electric vehicle quick charge stations located between the RDU and Richmond. Therefore a quick charge station would be a vital link in the clean transportation corridor and would draw traffic into our city as a destination/via point and produce an economic boost to businesses. While travelers are waiting for their vehicles to charge they could take the opportunity to visit restaurants and local businesses. A DC quick charge station requires a 480 volt power supply and can charge a vehicle in 30 minutes.

The NC Clean Energy Technology Center was founded in 1987 and has become one of the premier clean energy centers for knowledge in the United States. Their mission has three main thrusts; to support clean transportation, clean power/efficiency and renewable energy. The NC

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Clean Energy Technology Center receives its funding as a direct appropriation from NC legislature along with federal, public and private donations. As an incentive program the North Carolina Clean Energy Technology Center has been issuing grants for the installation of quick charge stations. The grants typically cover 80% of the cost for a station and the criteria are based on strategic need, promotion of clean power within a community.

NRG eVgo is a corporation whose mission statement is to provide an electric vehicle ecosystem and has offered to write the grant that includes the City of Henderson. The funding agency is seeking applications that expend the maximum dollar value of the grant (approximately \$200,000). Since Henderson does not currently own an electric fleet the city would only qualify for one quick charging station, which typically costs \$50,000 per station. Henderson would not score as well as an industry that is looking to site 4 stations therefore it is in the City's best interest to team with a company like NRG in the application process. The grant covers 80% of the cost and eVgo has stated they would participate in the balance of the cost share, which would be a \$5,000 match from the City of Henderson. Henderson has the opportunity to provide "in-kind" services as part of the cost share. NRG would own and operate the quick charge station and would pay Henderson for the power consumed, so there is no cost to the city after the initial installation. NRG would collect the revenues generated from the facility and cover all the maintenance costs associated with equipment. It is anticipated that several parking spaces of the Operation Center parking lot along Beckford Drive may serve as a good location for a quick charge station.

The benefits to the City having an electric vehicle quick charge station are:

- Henderson will become a via point to I-85 and US-1 traffic,
  - The additional traffic will infuse local businesses with retail sales: dinner, snacks, shopping etc.
- This will illustrate that Henderson is a progressive City that is willing to embark on new technology and embrace clean energy.

#### **Attachments:**

1. Resolution 15-04

## RESOLUTION 15-04

### APPROVING THE SUBMISSION OF AN APPLICATION BY NRG-EVGO ON THE CITY'S BEHALF TO THE NORTH CAROLINA CLEAN ENERGY TECHNOLOGY CENTER FOR AN ELECTRIC VEHICLE QUICK CHARGE STATION.

**WHEREAS**, the Henderson City Council identified eight Key Strategic Objectives (KSO) at its 2015 Strategic Planning Retreat; *and*

**WHEREAS**, the Key Strategic Objectives are addressed by this Resolution as follows:

KSO 5: To Provide Reliable, Dependable and Environmental Compliant Infrastructure Systems; *and*

KSO 5: Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; *and*

**WHEREAS**, the NC Clean Energy Technology Center that was established in 1987 is authorized to make grants to aid eligible units of government in the cost of construction of clean transportation systems; *and*

**WHEREAS**, the City of Henderson has identified the need along Raleigh-Durham Corridor to Richmond for electric vehicles via I-85 and US-#1; *and*

**WHEREAS**, the City of Henderson intends to request grant assistance for the project; *and*

**WHEREAS**, funding that is available is an 80% grant with a required match of 20% that can be cost shared with NRG eVgo; *and*

**WHEREAS**, the estimated project cost is approximately \$50,000 with the final cost estimate to be determined upon completion of the grant application, and the estimated local match would be \$5,000 which could be an "in-kind" match.

**NOW THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF HENDERSON, NORTH CAROLINA THAT:**

- 1) The City will arrange financing for all remaining costs of the project, if approved for a grant award.
- 2) The City will provide the queuing of electric vehicles at the Operations Center at the project completion of construction thereof.
- 3) The Mayor is hereby authorized to execute and file an application, on behalf of the City in the construction of the project described above.



- 4) The Mayor is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
- 5) The City has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

The foregoing Resolution 15-04, upon motion of Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, and having been submitted to a roll call vote received the following votes and was \_\_\_\_\_ on this the \*\*\* day of \_\_\_\_\_ 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 pp. \*\*\**

## City Council Action Form

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



**Council Meeting:** 14 Dec 15 Regular Meeting

---

25 November 2015

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

**FR:** Frank Frazier, City Manager

**RE:** CAF 15-118

**Consideration of Approval of Resolution 15-03, Authorizing FY 15-16 Financing with Citizens Community Bank (CCB) in the Amount of \$678,967.25 for Equipment Needed as Noted Below in the Executive Summary**

**Ladies and Gentlemen:**

**Council Goals Addressed By This Item:**

- KSO 5: To Provide Reliable Infrastructure.

**Recommendation:**

- Approval of Resolution 15-03, Authorizing FY 15-16 Financing with Citizens Community Bank (CCB) in the Amount of \$678,967.25 for Equipment Needed as Noted Below in the Executive Summary

### Executive Summary

The Finance Department received quotes from three (3) banking institutions that participate in municipal financing for the purchase and installation of the below-referenced pieces of equipment. The City Council approved the purchase of this equipment in the FY 15-16 budget that was adopted on June 22, 2015. The projected budget amount for the equipment total was \$777,300. The following quotes total \$678,968 providing a savings of \$98,331. The quoted interest rates are as follows:

Citizens Community Bank	2.45%
Suntrust Bank	2.58%
Benchmark Bank	2.99%

The items to be purchased are listed below:

Department	Capital Equipment	Budgeted Amount	Actual Cost	Difference Between Budget & Actual	2016 Payments	2017 Payments
<b>GENERAL FUND</b>				\$ -		
<b>Fire (10-530)</b>	Dodge Caravan	\$ 36,700	\$ 35,369	\$ 1,331		\$ 7,523
<b>Garage (10-555)</b>	Service Truck & Compressor- Replacing 1991 F250	\$ 42,000	\$ 43,355	\$ (1,355)		\$ 9,222
<b>Sanitation (10-580)</b>	Leaf Machine-Replacing 1995 Leaf Machine	\$ 23,100	\$ 24,641	\$ (1,541)		\$ 5,241
<b>Sanitation (10-580)</b>	Garbage Truck- Replacing 1997 Garbage Truck (Unit 317)	\$ 216,000	\$ 149,659	\$ 66,341		\$ 31,833
<b>Recreation (10-620)</b>	Ford F-250- Replacing Unit 616 (out of service)	\$ 21,500	\$ 20,383	\$ 1,117		\$ 4,336
<b>Total General</b>		\$ 339,300	\$ 273,407	\$ 65,893		
<b>WATER</b>				\$ -		
<b>Water Distribution (30-818)</b>	Portion of Jet Vac Truck shared costs with Sewer			\$ -	\$ 30,000	
<b>SEWER</b>				\$ -		
<b>HWRP (31-822)</b>	One Ton Truck- Reg Cab	\$ 38,000	\$ 28,787	\$ 9,213	6123	
<b>HWRP (31-822)</b>	Ford Transit Cargo Van		\$ 22,582	\$ (22,582)	\$ 4,803	
<b>Sewer Collection (31-828)</b>	Portion of Jet Vac Truck shared costs with Water	\$ 400,000	\$ 322,837	\$ 77,163	\$ 38,669	
<b>SEWER Coll. I &amp; I (31-829)</b>	Service Truck (need total cost)	\$ -	\$ 31,355	\$ (31,355)	\$ 6,669	
	<b>TOTALS</b>	<b>\$ 777,300</b>	<b>\$ 647,613</b>	<b>\$ 129,687</b>	<b>\$ 86,264</b>	<b>\$ 58,155</b>

The Ford Transit Cargo Van for HWRP was requested but not approved in the FY 16 budget. Due to the savings with the Jet Vac truck, it is recommended that it be purchased at this time rather than waiting until next fiscal year to be considered.

As approved in the FY 16 budget, the items listed for the general fund would not require a payment until after July 1, 2016.

The approval of Resolution 15-54 will allow the Finance Department to proceed with the recommended financing with Citizens Community Bank.

#### Enclosures:

1. Resolution 15-03

## **RESOLUTION 15-03**

### **APPROVING FINANCING TERMS BETWEEN CITY OF HENDERSON & CITIZENS COMMUNITY BANK**

**WHEREAS**, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2015 Strategic Planning Retreat; *and*

**WHEREAS**, one KSO is addressed by this Resolution: KSO 5: To Provide Reliable Infrastructure; *and*

**WHEREAS**, the City of Henderson, North Carolina (City) previously approved in its budget for the General Fund, Sewer Fund, and Water Distribution to purchase equipment which they have identified as necessary to carry on the operations of each of their respective departments; *and*

**WHEREAS**, the Finance Officer has now presented a proposal for the financing of such equipment.

#### ***NOW THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT:***

1. The City hereby determines to finance the Lease Purchase through Citizens Community Bank, in accordance with the proposal. The amount financed shall not exceed \$678,967, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.45%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the purchases as contemplated by the proposal and this resolution. The financing documents may include a Financing Agreement, Security Agreement, Deed of Trust and/or other pertinent documents, as Citizens Community Bank may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery

constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b) (3).
5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures financed from the proceeds of the Citizens Community Bank described above. The City intends that funds that have been advanced, or that may be advanced, from the City's General Fund or any other City fund related to the purchases may be reimbursed from the financing proceeds.
6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions or parts thereof, in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

The foregoing Resolution 15-03, 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 \_\_\_<sup>th</sup> day of \_\_\_\_\_ 2015: YES: . NO: None. ABSTAIN: . ABSENT: .

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James D. O'Geary, Mayor

***ATTEST:***

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Esther J. McCrackin, City Clerk

Approved to Legal Form:

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D. Rix Edwards, City Attorney

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

## City Council Action Form

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



**Council Meeting:** 14 December 2015

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1 December 2015

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE:** **CAF: 15-136, Consideration of Approval of Ordinance 15-20, Converting Loading Zone to Two Hour Parking Spaces on Winder Street.**

**Ladies and Gentlemen:**

**Council Retreat Goals Addressed By This Item:**

- **Core Value 2: Citizen/Customer Friendly:** *We value our citizens and customers and will work with them in a courteous, professional manner. We value their participation and input and owe them an answer to their questions in a timely manner.*

**Recommendation:**

- Approval of Ordinance 15-20, Converting Loading Zone to Two Hour Parking Spaces on Winder Street.

### Executive Summary

The City of Henderson received a request to convert a loading zone that is no longer needed, to parking spaces. The loading zone consists of two spaces that were once used primarily for FedEx and UPS deliveries; however, the business owner making the request states that the spaces have not been used for that purpose for quite some time. With Council's approval, these two spaces would be converted to two (2) hour parking.

There is one additional space that would be taken out of service so a fire truck or other large vehicle can make a right hand turn; therefore, yielding a net gain of one parking space.

**Attachments:**

1. Ordinance 15-20
2. Photos of affected area of Winder Street

## ORDINANCE 15-20

### AUTHORIZING THE CONVERSION OF A LOADING ZONE TO PARKING SPACES ON WINDER STREET

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

Section 1. That the following be added to Schedule of Streets set forth in Section 7-79.1 relating to prohibited parking:

*Winder Street* on the north side, from Garnett to Williams Streets.

*Winder Street* on the south side, from the eastern curb line of Garnett Street and running in an easterly direction for forty-seven (47) feet.

*Winder Street* on the south side, from and including the Seaboard Coast Line Railroad right-of-way, running easterly to Williams Street.

Section 2. That appropriate signage per Section 7-83.1, be placed designating the following street interval as two (2) hour parking:

*Winder Street* on the south side, beginning forty-seven (47) feet from the eastern curb line of Garnett Street and running in an easterly direction for fifty-six (56) feet to the Seaboard Coast Line Railroad right-of-way.

Section 3. That the following be deleted from the Schedule of Streets set forth in Section 7-79 relating to prohibited parking:

*Winder Street*, on the north side, beginning forty-seven (47) feet from the eastern curb line of Garnett Street and running in an easterly direction for fifty-six (56) feet to the Seaboard Coast Line Railroad right-of-way.

*Winder Street*, on the south side, from William to Garnett Streets.

Section 4. That the following be deleted from the Schedule of Streets set forth in Section 7-86 relating to loading zones:

*Winder Street*, on the south side beginning forty seven (47) feet from the eastern curb line of Garnett Street and running in an easterly direction for fifty six (56) feet to the Seaboard Coastline Railroad right of way.

Section 5. The foregoing Ordinance shall be in full force and effect from and after the date of its passage.

The foregoing Ordinance 15-20, 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 \*\*<sup>th</sup> day of \_\_\_\_\_, 2015: YES: . NO: . ABSTAIN: . ABSENT: .

\_\_\_\_\_  
Eddie Ellington, Mayor

***ATTEST:***

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

Approved to Legal Form:

\_\_\_\_\_  
D. Rix Edwards, City Attorney

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

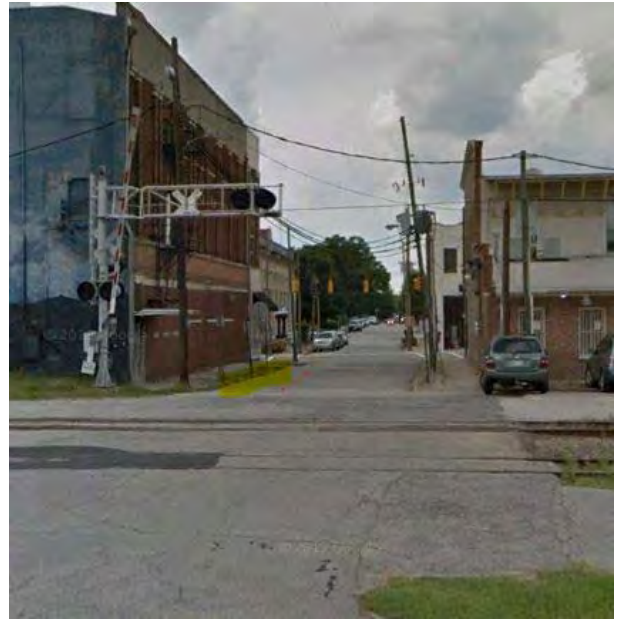


**Note Highlighted Areas**

**WINDER ST. AERIAL**



**WINDER ST. LOOKING NW**



**WINDER STREET LOOKING SOUTHEAST**



## City Council Action Form

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



**Council Meeting:** 14 December 2015

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4 December 2015

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier City Manager

**RE:** **CAF: 15-137**

**Consideration of Approval of Resolution 15-27, Providing for the Disposition of Two Jointly Held Properties by the City and County Identified as: 1) 715 Chestnut Street, Further Identified in Vance County Register of Deeds Book #01287 Page # 0856: Tax Parcel # 0075-01 010; and 2) 60 Ft Lot on Cherry Street, Behind 661 Charles Street Further Identified in Vance County Register of Deeds Book #01271 Page 0931; Tax Parcel # 0073 01 016, to Vance County to Assist in the Sale of 661 Charles Street Owned Solely by the County**

**Ladies and Gentlemen:**

**Council Retreat Goals Addressed By This Item:**

- CV 9:(Core Values) 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 15-27, Providing for the Disposition of Two Jointly Held Properties by the City and County Identified as: 1) 715 Chestnut Street, Further Identified in Vance County Register of Deeds Book #01287 Page # 0856: Tax Parcel # 0075-01 010; and 2) 60 Ft Lot on Cherry Street, Behind 661 Charles Street Further Identified in Vance County Register of Deeds Book #01271 Page 0931; Tax Parcel # 0073 01 016, to Vance County to Assist in the Sale of 661 Charles Street Owned Solely by the County.

**Executive Summary:**

Vance County Tax Department received interest from a private buyer to bid on and purchase the property located at 715 Chestnut Street. The offer to purchase is for \$2,000 for the Chestnut Street property. The property assessed tax value for 715 Chestnut Street is \$3,175. Prior to tax foreclosure the unpaid County taxes totaled \$510 and the unpaid City taxes totaled \$353 for a grand total of \$863.

The County has also received interest from a buyer to purchase 661 Charles Street, which is owned solely by Vance County. There is a 60 ft. lot on Cherry Street which is directly behind 661 Charles Street which is jointly owned by the City and County. The County has asked the City to transfer its interest in this lot to the County so it could be included in the sale of 661 Charles Street. The assessed tax value for the 60 ft. lot on Charles Street is \$5,400 and the unpaid County Taxes prior to foreclosure totaled \$456 and the unpaid City Taxes totaled \$329 for a grand total of \$785.

The City has no liens against these properties for weed abatement, therefore it is requested Council approve the transfer of these properties to Vance County with the understanding upon the sale, the proceeds of the sale of 715 Chestnut Street will be shared on a pro-rata basis.

The County is not expecting to share any monies with the City for the lot behind 661 Charles Street, as they are asking the City to deed its share of this lot to them to assist in the sale of the 661 Charles Street property.

**Attachments:**

1. Resolution 15-27
2. Vance County Request

## **RESOLUTION 15-27**

### **PROVIDING FOR THE DISPOSITION OF TWO PROPERTIES JOINTLY HELD BY THE CITY AND COUNTY**

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

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

**WHEREAS**, the City of Henderson (City) and the County previously discussed disposition of jointly owned properties acquired through the tax foreclosure process; *and*

**WHEREAS**, there is a potential buyer for the jointly owned property located at 715 Chestnut Street, described at Book 01287, Page 0856 in the County Registry of Deeds (Registry) and having a tax parcel number of 0075 01 010; and

**WHEREAS**, the County seeks transfer by the City of a 60 foot lot on Cherry Street, to assist its sale of an adjacent property, solely owned by the County, which is located at 661 Charles Street, described at Book 01271, Page 0931 of the Registry and having a tax parcel number of 0073 01 016;

**WHEREAS**, for both of these properties (*Attachment A to this Resolution*), the County and City staffs believe it appropriate for the City to transfer its interest in the properties; *and*

**WHEREAS**, once sold, the City will receive its pro-rata share of the proceeds from the sale of the 715 Chestnut Street property; *and*

**WHEREAS**, the City is transferring its interest in the 60 ft. lot on Cherry without the expectation of receiving any proceeds.

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

1. The City Attorney to work with the County Attorney and to prepare the necessary agreements and documents to effect the transfer of the aforementioned properties from the City to the County.
2. The transfer of the City's interest in 715 Chestnut Street is predicated and conditioned upon the City receiving its pro rata share of the net proceeds from the sale of this property

3. The transfer of the City's interest in the 60 ft. lot on Cherry Street is to be made without charge to the County and without expectation of receiving proceeds from the sale of the property at 661 Charles Street.
4. The Mayor or his appointee is authorized to sign any agreements and documentation as prepared and approved by the City Attorney to effect the transfer of said the properties to the County.

The foregoing Resolution 15-27, 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:

---

Eddie Ellington, Mayor

***ATTEST:***

---

Esther J. McCrackin, City Clerk

Approved to Legal Form:

---

D. Rix Edwards, City Attorney

715 Chestnut st

NORTH CAROLINA

VANCE COUNTY

**OFFER TO PURCHASE**  
**COUNTY OWNED PROPERTY**

I, Susan Silva, (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** \_\_\_\_\_ **Page** \_\_\_\_\_  
**Street Address:** 715 Chestnut st 75-1-10 map#  
**Tax ID No.:** \_\_\_\_\_

1. **The Purchase Price:** The purchase price is \$ 2,000.00, plus the cost of publication as required by NCGS 160A-269, and shall be paid as follows:

a. \$ 750<sup>00</sup>, (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. \$ 750<sup>00</sup>, 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 reserves 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 30 days following the resolution approving the final bid at a place designated by Seller with the Non Warranty Deed made out to \_\_\_\_\_
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 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. **Conditon 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 an 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 a 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 no 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.
13. **Terminology.** As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
14. **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.
15. **Counterparts.** This offer may be executed in two counterparts with an executed counterpart being retained by each party hereto.
16. **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: 11-17-, 2015.



Susan Silva  
Susan Silva  
Buyer

Buyer

**BUYER NOTICE ADDRESS:**

Mailing Address: 506 Franklin Lane  
Henderson, NC 27537  
Buyer Phone#: 915-8394  
Buyer Fax#: \_\_\_\_\_  
Buyer E-mail: \_\_\_\_\_

**Acknowledgment of Receipt of Deposit:**

I, Kelly H. Grissom, County Clerk or her designee, hereby acknowledge receipt of the deposit in the amount of \$ 750.00 as set forth herein in accordance with the terms hereof.

Date: 11-17-15

Kelly H. Grissom  
Title Clerk to Board

**Acknowledgment of Receipt of Deposit from County Clerk**

I, Jonathan S. Care, County Attorney, hereby acknowledge receipt of the herein above referenced deposit in the amount of \$ 750.00 from the County Clerk, and shall hold the same in my Trust Account in accordance with the terms hereof.

This the 20 day of November, 20 15.

Jonathan S. Care, County Attorney

Accepted by the Vance County Board of County Commissioners by vote in open session on \_\_\_\_\_.

Vance County Board of County Commissioners

\_\_\_\_\_  
Chairman

*Last Revised February, 2013*

4

1287  
0856

BK 1287 PG 0856

FILED	Dec 12, 2014	04:26 pm	FILED
BOOK	01287		VANCE
PAGE	0856 THRU 0857		COUNTY NC
INSTRUMENT #	04499		CAROLYN R. PECORA
RECORDING	\$26.00		REGISTER
EXCISE TAX	\$8.00		OF DEEDS
			KHC

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 12<sup>th</sup> 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 S H:

THAT WHEREAS, in that certain Tax Foreclosure Proceeding entitled "Vance  
County and City of Henderson, Plaintiffs vs. Carrie Taylor and Spouse, if any,  
et al, Defendants", File No. 14-CVD-268, 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 \$3,155.00; 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;

(A0110717.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 \$3,155.00, 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 Vance County, North Carolina, and more particularly described as follows:

Begin at a stake on Chestnut Street, (at a point 125 feet from the intersection of Chestnut Street and Rockspring Street), Henderson Coghill lot corner, and run thence thence N. 38 1/2 W along Henderson Coghill and Peoples lot line 100 feet to Ike Howard line, thence along Ike Howard line N. 41 E 75 feet to J.R. Young line, thence along Young line S 38 1/2 E 100 feet to Chestnut Street, thence along Chestnut Street S 41 W 75 feet to the place of beginning, being a part of that lot heretofore conveyed to Lizzie J. Saunders by T.T. Hicks and wife, by deed of record in the office of the Register of Deeds of Vance County in Book 8 at page 124, to which deed reference is here made.


For further reference, see Deed of record in Book 156, Page 301, Vance County Registry.

This conveyance is subject to that portion of the said lot located within the right of way of Chestnut Street.

(Parcel I.D. Number 0075 01010; 715 Chestnut St., 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.

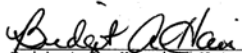
IN TESTIMONY WHEREOF, the said Party of the First Part, N. Kyle Hicks acting as Commissioner as aforesaid, has hereunto set his hand and seal, this the day and year first above written.

  
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 12<sup>th</sup> day of December, 2014.



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

FILED Nov 20, 2013 04:35 pm	FILED
BOOK 01271	VANCE
PAGE 0931 THRU 0932	COUNTY NC
INSTRUMENT # 05152	CAROLYN R. PECORA
RECORDING \$26.00	REGISTER
EXCISE TAX \$6.00	OF DEEDS
	CDN

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 20<sup>th</sup> day of November, 2013, 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. Craig Cameron Hendricks and  
Spouse, if any, et al, Defendants", File No. 13-CVD-384, 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 October 16, 2013,  
when and where no bidders were present; and,

WHEREAS, said N. Kyle Hicks filed a Notice of Postponement of Sale,  
postponing said sale until October 22, 2013; and,

WHEREAS, said N. Kyle Hicks offered the lands for sale on October 22,  
2013, at which time the City of Henderson (42.79%) and Vance County (57.21%)  
became the last and highest bidder, bidding the sum of \$2,900.00; and

WHEREAS, said N. Kyle Hicks reported said sale to the Court on October  
22, 2013; and,

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

WHEREAS, on November 6, 2013, 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

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

WHEREAS, said purchase price has been fully paid;

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 \$2,900.00, 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 Henderson Township, Vance County, North Carolina, and more particularly described as follows:

Begin at an iron stake on the Northwest line of Cherry Street, which stake is 91 feet Northeast of the intersection of the said line of Cherry Street and the Northeast line of Charles Street, and run thence South 31-30 West 10 feet along the Northwest line of Cherry Street to a stake, George Hawkins' corner; thence North 59-15 West 93.4 feet along George Hawkins' new line to a stake; thence North 31-30 East 10 feet along new line to an iron stake, Felix Hendricks' old West corner; South 59-15 East 93.4 feet to the point or place of beginning; being a 10 foot strip added to the Southwest side of the 50 lot deeded by George Hawkins and wife to grantor April 19, 1951, as shown in Book 257, page 621, Note Felix Hendricks' first name is spelled "Phelix."

See also Book 231, page 266, and plat made by S.E. Jennetts, C.E. April 16, 1951.

For further reference, see Deed in Book 527, Page 38, Vance County Registry.

(Parcel I.D. Number 0073 01016; 60ft. Cherry Street, 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 20<sup>th</sup> day of November, 2013.

  
Bridget A. Harris, Notary Public

My Commission Expires: 11/28/2015



Hey Patricia,

We have another property that we've received a bid on and I need a deed from the city to the county. See attached offer and deed for description. Let me know if you need anything else.

Thank you!!  
Janie

Janie Inscoe  
Legal Assistant  
Jonathan S. Care, Attorney at Law, P.A.  
109 W. Montgomery Street  
Henderson, NC 27536  
Phone: 252-492-3053  
Fax: 252-430-8355

Patricia,

Jonathan said to also ask about a deed from the city to the county for a lot behind 661 Charles Street that we have an offer for. 661 Charles Street is in the county's name only but my understanding is that the city has agreed to let us include the lot behind the house. See attached deed regarding that lot. Let me know what else you need from me on this one.

Thank you!!

Janie Inscoe  
Legal Assistant  
Jonathan S. Care, Attorney at Law, P.A.  
109 W. Montgomery Street  
Henderson, NC 27536  
Phone: 252-492-3053  
Fax: 252-430-8355

## City Council Action Form

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



**Council Meeting:** 14 Dec 15 Meeting

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10 December 2015

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE:** **CAF: 15-138 Consideration of Approval of Resolution 15-88, Appointments to the Planning Board and the Henderson-Vance Recreation and Parks Commission.**

**Ladies and Gentlemen:**

**Recommendation:**

- Approval of Resolution 15-88, Appointments to the Planning Board and the Henderson-Vance Recreation and Parks Commission.

**Executive Summary**

The Boards and Commissions' Committee (B&CC) met on Thursday, December 10, 2015 to review applications for open seats on various committees and recommends the following appointments:

Planning Board

1. Keith Coffey – Appointment from current status as *Alternate* on the Planning Board to a full member of the Planning Board serving a two-year term expiring on 30 June 2017.
2. Thomas Englehart- New appointment to serve as an Alternate for a full three-year term expiring on 30 June 2018.

Henderson-Vance Recreation and Parks Commission

1. Blakeley Bates – New appointment to serve a full two-year term expiring on 30 June 2017.

**Attachments:**

1. Resolution 15-88
2. Individual Applications

## RESOLUTION 15-88

### **A RESOLUTION MAKING APPOINTMENTS TO THE FOLLOWING COMMITTEES/COMMISSIONS: HENDERSON-VANCE RECREATION AND PARKS AND THE PLANNING BOARD**

**WHEREAS**, the Henderson City Council (Council) has created several boards and commissions as a means to include citizen input to and participation within the governance process; *and*

**WHEREAS**, the Council periodically appoints individuals to serve on said boards and commissions; *and*

**WHEREAS**, there are vacancies on the following Committees/Commissions: Henderson-Vance Recreation and Parks and the Planning Board; *and*

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

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

1. Mr. Keith Coffey, a city resident living at 339 West Young Avenue, from current status as *Alternate* on the Planning Board to a full member on the Planning Board for a full two-year term expiring on June 30, 2017; *and*
2. Mr. Thomas Englehart, a city resident living at 225 White Oak Drive, to serve on the Planning Board for a full three-year term as an Alternate with a term expiring on 30 June 2018; *and*
3. Mr. Blakeley Bates, a city resident living at 229 Lowery Street, to serve on the Henderson-Vance Recreation and Parks Commission for a full two-year term expiring on 30 June 2017.

The foregoing Resolution 15-88, upon motion of Council Member \*\*\* and second by Council Member \*\*\* and having been submitted to a roll call vote during a regularly scheduled and open meeting, received the following votes and was Approved on this the \*\*\* day of \*\*\* 2015: YES:. NO: None. ABSTAIN: None. ABSENT:

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Eddie Ellington, Mayor

ATTEST:

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Esther J. McCrackin, City Clerk  
Approved to Legal Form:

---

D. Rix Edwards, City Attorney



**APPLICATION FOR APPOINTMENT  
TO A BOARD, COMMITTEE OR COMMISSION  
FOR THE CITY OF HENDERSON, NC**

The City of Henderson appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. To serve the City, you must be a resident of the City of Henderson. This application will provide general information based on your interest in serving on a Board of Commission for the Mayor and City Council to consider in making appointments.

Applicant Name: Keith Coffey Date of Application: 5.17.2014  
Home Address: 339 W Young Ave Henderson NC 27536  
Street, Address, City, Zip Code  
Home Phone: 252-213-0192 Business/Other Phone: 252-492-3071  
FAX Number: 252-430-7835 E-Mail Address: K.Coffey@H.G.Reynolds.Net

\*Questions Regarding Date of Birth, Gender and Race are voluntary. The Council seeks diversity in committees/commissions that reflect the entire community.

\*Date of Birth: 9/28/56 \*Male: ☒ \*Female: ☐ \*Race: Can.

Occupation: Construction Superintendent Council Ward: 1

Education Background: 12 grade graduate

All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the City Council.

Do you reside within the city limits of Henderson? Yes ☒ No ☐  
(You must be a resident of the City of Henderson to serve on a City Board, Committee or Commission)

Length of residence in Henderson: 16 Years 0 Months

Please indicate your two preferences by number

*City of Henderson Boards, Committees and Commissions  
(see attached descriptions)*

- ☐ Community Development Advisory Committee
- ☐ E-911 Advisory Board
- ☐ Fire Board of Appeals
- ☐ Flint Hill Neighborhood Advisory Committee
- ☐ Fire Board of Appeals
- ☒ Henderson Community Appearance Commission
- ☒ Henderson Planning Board
- ☒ Henderson Redevelopment Commission
- ☐ Henderson-Vance Human Relations Commission
- ☐ Henderson-Vance County Recreation & Parks Commission
- ☒ Perry Memorial Library Board of Trustees
- ☒ Henderson-Vance EDC Board
- ☐ Henderson- Zoning Board of Adjustment

Please provide a brief statement outlining why you wish to serve on a City of Henderson Board, Committee or Commission.

Very interested in being a part of development of city and county.

Why do you think you would be an asset to this Board, Committee or Commission?

My knowledge of the construction industry in all phases of development. I have been involved in the industry for 36 yrs and feel I could offer some input that would be of value.

Please list current and previous service to the community, civic clubs, activities and talents.

Volunteer fire fighter, first responder Beapond FD  
Weight lifting team Freedom Life Church  
South Henderson Church Softball Team  
Sound Room Technician Freedom Life Church

I hereby certify that this application contains no willful, false or misleading statements and that the information given by me is true and complete to the best of my knowledge and belief. I also understand that, in the event of appointment, any such false or misleading statements may result in my not serving on a board, commission or committee.

I further authorize the City of Henderson to make any investigation of my personal history, and police and court records through a background check.

I understand this application is subject to the North Carolina Public Records Law (NCGS 132-1) and may be released upon request. Meetings of the appointed boards and committees are subject to the North Carolina Open Meetings Law (NCGS 143-318.10).

  
Applicant's Signature Required

5-17-2014  
Date

Please return completed and signed form to:  
Esther J. McCrackin, City Clerk, City of Henderson, P.O. Box 1434, Henderson, NC 27536  
Office: 252-430-5705.....Fax: 252-492-7935.....emccrackin@ci.henderson.nc.us

**APPLICATION FOR APPOINTMENT  
TO A BOARD, COMMITTEE OR COMMISSION  
FOR THE CITY OF HENDERSON, NC**

*Rec'd  
12/6/15*

The City of Henderson appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. To serve the City, you must be a resident of the City of Henderson. This application will provide general information based on your interest in serving on a Board of Commission for the Mayor and City Council to consider in making appointments.

Applicant Name: LEONARD T. (Tom) ENGLISHART Date of Application: 12/7/15  
Home Address: 225 WHITE OAK DR HENDERSON NC 27536  
Street Address, City, Zip Code

Home Phone: 252 572 4073 Business/Other Phone: \_\_\_\_\_

FAX Number: \_\_\_\_\_ E-Mail Address: LTE3@VERIZON.NET

\*Questions Regarding Date of Birth, Gender and Race are voluntary. The Council seeks diversity in committees/commissions that reflect the entire community.

\*Date of Birth: 08/13/43 \*Male: X \*Female: \_\_\_\_\_ \*Race: CAU

Occupation: Retired Council Ward: \_\_\_\_\_

Education Background: SOME COLLEGE LEVEL + 30 YRS EXPERIENCE

All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the City Council.

Do you reside within the city limits of Henderson? Yes X No \_\_\_\_\_  
(You must be a resident of the City of Henderson to serve on a City Board, Committee or Commission)

Length of residence in Henderson: FULL TIME 2 6  
PART TIME Years Months

Please indicate your two preferences by number

*City of Henderson Boards, Committees and Commissions  
(see attached descriptions)*

- \_\_\_ Airport Authority
- \_\_\_ Community Development Advisory Committee
- \_\_\_ E-911 Advisory Board
- \_\_\_ Fire Board of Appeals
- \_\_\_ Flint Hill Neighborhood Advisory Committee
- \_\_\_ Fire Board of Appeals
- \_\_\_ Henderson Community Appearance Commission
- X Henderson Planning Board
- \_\_\_ Henderson Redevelopment Commission
- \_\_\_ Henderson-Vance Human Relations Commission
- \_\_\_ Henderson-Vance County Recreation & Parks Commission
- \_\_\_ Perry Memorial Library Board of Trustees
- \_\_\_ Henderson-Vance EDC Board
- \_\_\_ Henderson- Zoning Board of Adjustment

Please provide a brief statement outlining why you wish to serve on a City of Henderson Board, Committee or Commission.

TO PROVIDE MY TALENTS, LIFE EXPERIENCES TO FURTHER THE NEEDS & GOALS OF THE COMMUNITY

Why do you think you would be an asset to this Board, Committee or Commission?

HAVE BEEN ON NUMEROUS BOARDS, LOTS OF EXPERIENCE IN PROVIDING GUIDANCE & SUGGESTIONS TO BE IMPLEMENTED

Please list current and previous service to the community, civic clubs, activities and talents.

SEE ATCD LIST

I hereby certify that this application contains no willful, false or misleading statements and that the information given by me is true and complete to the best of my knowledge and belief. I also understand that, in the event of appointment, any such false or misleading statements may result in my not serving on a board, commission or committee.

I further authorize the City of Henderson to make any investigation of my personal history, and police and court records through a background check.

I understand this application is subject to the North Carolina Public Records Law (NCGS 132-1) and may be released upon request. Meetings of the appointed boards and committees are subject to the North Carolina Open Meetings Law (NCGS 143-318.10).

  
Applicant's Signature Required

12-7-15  
Date

Please return completed and signed form to:  
Esther J. McCrackin, City Clerk, City of Henderson, P.O. Box 1434, Henderson, NC 27536  
Office: 252-430-5705.....Fax: 252-492-7935.....emccrackin@ci.henderson.nc.us

Past member and Executive officer St Bernadettes parish council  
Past member of Finance, Building and grounds Committees, St Bernadettes  
Past multi year member and chairperson of the Harrington Planning and Zoning committee  
Past member of the Milford Housing Development commission  
Past member and multi term vice president of Dover AFB Chief Master Sergeants group  
Past member and Vice president of the Dover Air Force base Civilian Management Association  
Past member and multi term President of the Rotary Club of Harrington  
Retired Chief Master Sergeant U.S.Air Force reserves  
Retired WS-15, Deputy Chief of Operations, Civil Engineering Dover AFB  
Past multi term member of Harrington City council  
Past member of Harrington Heritage Day Committee  
served on active duty at numerous overseas and continental Air Force and Army bases  
Graduate of the Army NCO Academy  
Graduate of the Air Force Senior NCO Academy  
Graduate of Air Force Air Command and Staff College  
Multiple Awards of Merit from the Diocese of Wilmington DE  
Past multi term member and Past President of Harrington Senior Center Board of Directors  
Past multi year member of Harrington Library Board of Directors  
Member at various posts of the American legion and the Veterans of Foreign Wars  
Member and multi term president of the Kent County Aeromodelers  
Long term member of the 4<sup>th</sup> Degree Knights of Columbus  
  
Long term member and contest director, Academy of Model Aeronautics  
  
1 ½ yr member of Vance-Henderson Human Relations Commission

Filed  
10/30/15

**APPLICATION FOR APPOINTMENT  
TO A BOARD, COMMITTEE OR COMMISSION  
FOR THE CITY OF HENDERSON, NC**

The City of Henderson appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. To serve the City, you must be a resident of the City of Henderson. This application will provide general information based on your interest in serving on a Board of Commission for the Mayor and City Council to consider in making appointments.

Applicant Name: Blakely L Bates Date of Application: 10/26/15

Home Address: 229 Lowery Street Henderson, NC 27536  
Street Address, City, Zip Code

Home Phone: N/A Business/Other Phone: 252-820-3481

FAX Number: N/A E-Mail Address: blakely.l.bates@gmail.com

\*Questions Regarding Date of Birth, Gender and Race are voluntary. The Council seeks diversity in committees/commissions that reflect the entire community.

\*Date of Birth: 04/15/89 \*Male: ☒ \*Female: ☐ \*Race:

Occupation: Food Lion Council Ward: 4th

Education Background:

All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the City Council.

Do you reside within the city limits of Henderson? Yes ☒ No ☐  
(You must be a resident of the City of Henderson to serve on a City Board, Committee or Commission)

Length of residence in Henderson: 23   
Years Months

Please indicate your two preferences by number

*City of Henderson Boards, Committees and Commissions  
(see attached descriptions)*

- ☐ Airport Authority
- ☐ Community Development Advisory Committee
- ☐ E-911 Advisory Board
- ☐ Fire Board of Appeals
- ☐ Flint Hill Neighborhood Advisory Committee
- ☐ ~~Fire Board of Appeals~~
- ☐ Henderson Community Appearance Commission
- ☐ Henderson Planning Board
- ☐ Henderson Redevelopment Commission
- ☐ Henderson-Vance Human Relations Commission
- ☒ Henderson-Vance County Recreation & Parks Commission
- ☐ Perry Memorial Library Board of Trustees
- ☐ Henderson-Vance EDC Board
- ☐ Henderson- Zoning Board of Adjustment

Please provide a brief statement outlining why you wish to serve on a City of Henderson Board, Committee or Commission.

Have a voice in decision making when it comes to how we serve the community, Relevant expertise and learning opportunities.

Why do you think you would be an asset to this Board, Committee or Commission?

I have a background as a wrestling coach, bring my expertise to the commission, have worked as volunteer coach to founder of our club team, and background in youth sports and development. Lastly, as a citizen I want to be a part of the change I wish to see in my community.

Please list current and previous service to the community, civic clubs, activities and talents.

Candidate for the 2015 municipal election, volunteer at Henderson Middle School for six years various activities mentor young people, coached wrestling from elementary to high school, sing in local community group, and participate in local fellowship of Christian Athletes as a volunteer.

I hereby certify that this application contains no willful, false or misleading statements and that the information given by me is true and complete to the best of my knowledge and belief. I also understand that, in the event of appointment, any such false or misleading statements may result in my not serving on a board, commission or committee.

I further authorize the City of Henderson to make any investigation of my personal history, and police and court records through a background check.

I understand this application is subject to the North Carolina Public Records Law (NCGS 132-1) and may be released upon request. Meetings of the appointed boards and committees are subject to the North Carolina Open Meetings Law (NCGS 143-318.10).

  
Applicant's Signature Required

10/30/15  
Date

Please return completed and signed form to:  
Esther J. McCrackin, City Clerk, City of Henderson, P.O. Box 1434, Henderson, NC 27536  
Office: 252-430-5705.....Fax: 252-492-7935.....emccrackin@ci.henderson.nc.us

# Meetings and Events Calendar

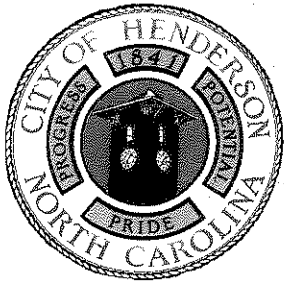
All Regular 2015 City Council Meetings Held 2<sup>nd</sup> & 4<sup>th</sup> Monday at 6:00 P.M.

Beginning 2016- All Regularly Scheduled Council Meetings will be held on the 2<sup>nd</sup> Monday of the Month only

<b>Date</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
Dec 23 <sup>rd</sup>	<b>City Hall Closed</b>		<b>City Hall Closed</b>
Dec 24 <sup>th</sup>	<b>City Hall Closed</b>		<b>City Hall Closed</b>
Dec 25 <sup>th</sup>	<b>City Hall Closed</b>		<b>City Hall Closed</b>
Dec 28 <sup>th</sup>	<b>CANCELLED</b>	<b>City Council Short Regular Meeting CANCELLED</b>	<b>CANCELLED</b>
Jan 1 <sup>st</sup>	<b>City Hall Closed</b>		<b>City Hall Closed</b>
Jan 5 <sup>th</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
Jan 11 <sup>th</sup>	5:00 PM	<b>Perry Memorial Library Advisory Board Meeting</b>	Perry Memorial Library
Jan 11 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
Jan 14 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
Jan 19 <sup>th</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
*Jan 29 <sup>th</sup>	10:00 AM	<b>Henderson-Vance E-911 Advisory Board Meeting</b>	E-911 Operations Center
Feb 2 <sup>nd</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
Feb 8 <sup>th</sup>	9:30 AM	<b>KLRWS Advisory Board Meeting</b>	City Hall Large Conference Room
Feb 8 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
Feb 11 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
Feb 15 <sup>th</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
Mar 1 <sup>st</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
Mar 10 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
Mar 14 <sup>th</sup>	5:00 PM	<b>Perry Memorial Library Advisory Board Meeting</b>	Perry Memorial Library
Mar 14 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
Mar 21 <sup>st</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
<b>Mar 25<sup>th</sup></b>	<b>City Hall Closed</b>	<b>Good Friday</b>	<b>City Hall Closed</b>
Apr 5 <sup>th</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
Apr 11 <sup>th</sup>	9:30 AM	<b>KLRWS Advisory Board Meeting</b>	City Hall Large Conference Room
April 11 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
April 14 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
April 18 <sup>th</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers

Last Updated December 10, 2015 *\*(2016 Dates have not been submitted, therefore these dates are subject to change)*





# Henderson Fire Department

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

Steve F. Cordell

Fire Chief

*SFC*

TO: FRANK FRAZIER, CITY MANAGER  
FROM: STEVE F. CORDELL, INTERIM FIRE CHIEF  
DATE: DECEMBER 4, 2015

## FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: NOVEMBER 2015

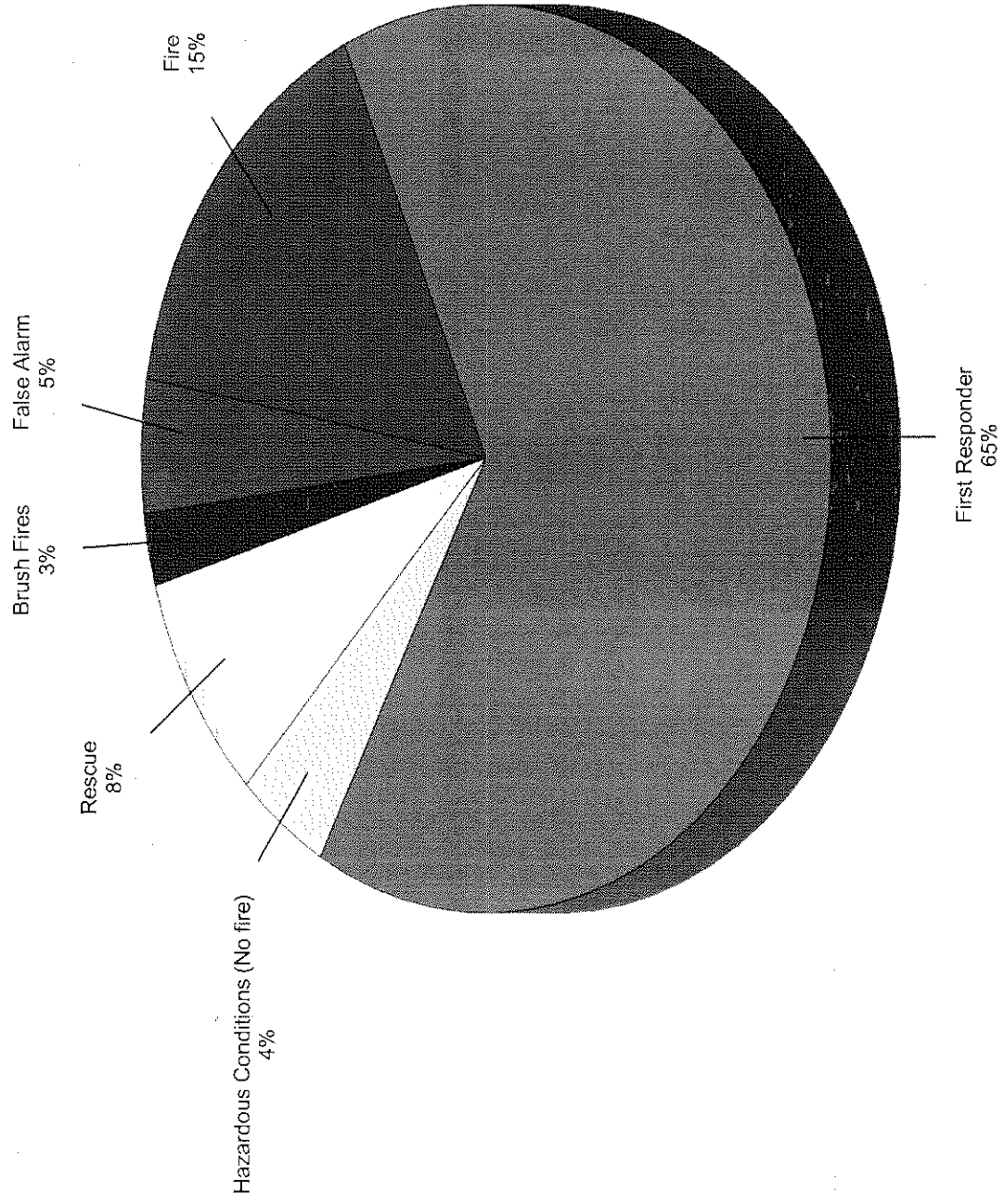
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	25	17	230
APARTMENTS (3 or More Families)	3	2	38
HOTELS AND MOTELS	0	1	6
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	0	1	6
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	1	1	20
SCHOOLS AND COLLEGES	2	0	3
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	1	0	22
STORES AND OFFICES	0	5	38
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	0	0	8
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	0	1	2
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	0	0	1
WORKING STRUCTURE FIRE	2	5	40
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	0	1	17
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	1
FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved	3	0	21
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	3	7	29
ALL OTHER FIRES	0	0	19
RESCUE	19	13	248
FIRST RESPONDER	150	195	1900
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	11	12	161
MUTUAL AID OR ASSISTANCE RESPONSES	0	3	53
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	2	1	22
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	8	2	53
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	2	3	29
<b>TOTALS</b>	<b>232</b>	<b>270</b>	<b>2967</b>

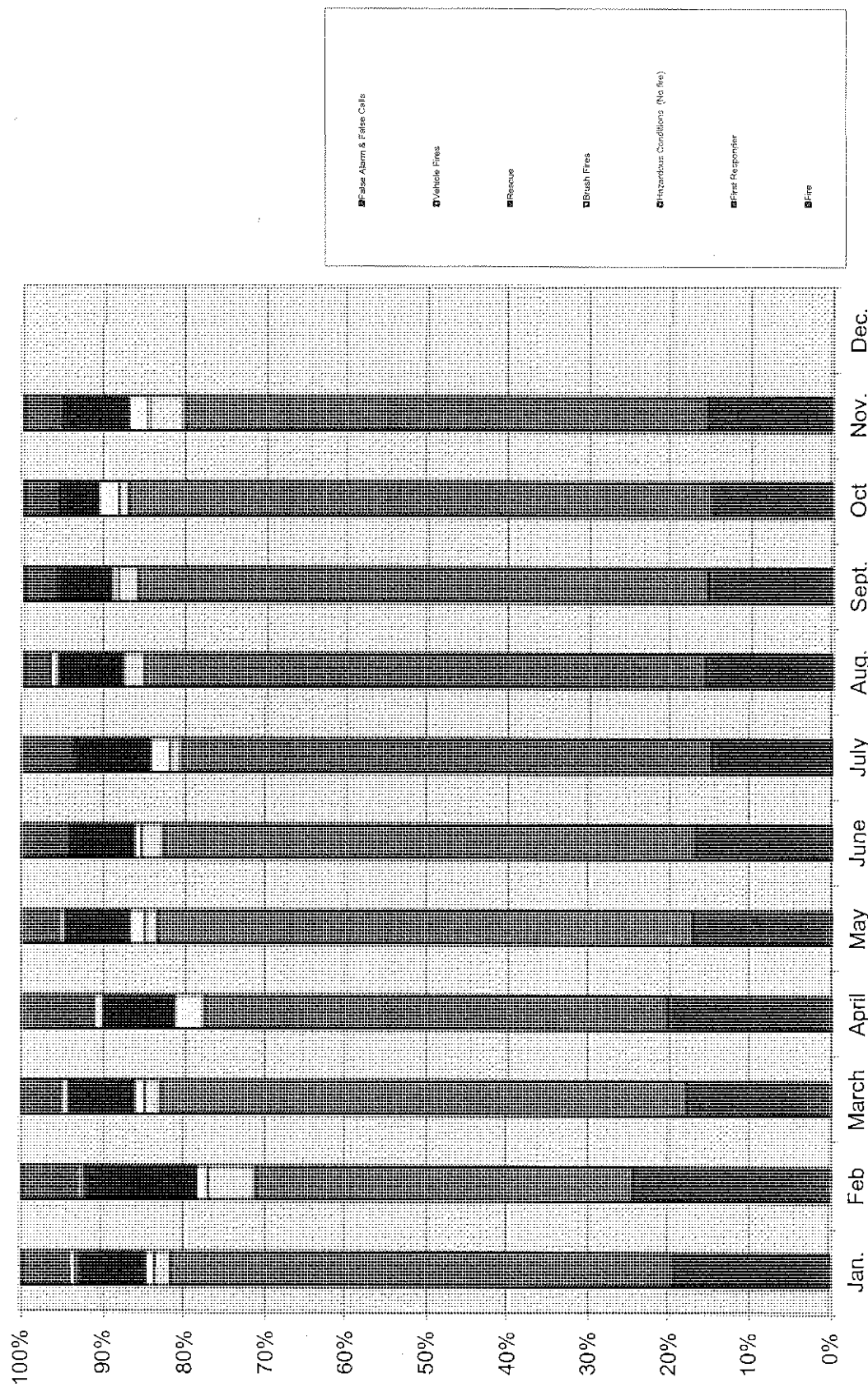
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property and/or Contents Loss	4	6	96
Total of Property and Contents Value Saved	\$ 9,805,270.00	\$ 56,959.00	\$ 34,826,051.00

	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	1	0	1
FIRE CASUALTIES CIVILIAN - INJURIES	1	0	1

## Incident Summary For November



# YEAR TO DATE SUMMARY BY MONTH FOR 2015



**INSPECTION ACTIVITIES REPORT FOR:      November, 2015**

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	1	2	69
BUSINESS	13	10	170
EDUCATIONAL	0	0	3
HAZARDOUS	0	0	0
INDUSTRIAL	0	0	6
INSTITUTIONAL	0	4	29
MERCANTILE	1	4	92
RESIDENTIAL	1	6	43
STORAGE	0	0	6
DAY CARE	0	0	2
HOME CARE	0	0	1
FOSTER CARE	2	0	7
VACANT	1	0	26
<b>TOTALS</b>	<b>19</b>	<b>26</b>	<b>454</b>

# 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	10	15	8	700	560	476	223	320	400	1,630		4,362
Home Inspections / Door Hanger Follow Ups	2	0	0	0	30	24	36	10	15	31	27		175
Smoke Alarms Installed	11	5	3	4	15	10	18	5	8	12	18		109
Batteries Installed in Smoke Alarms	9	5	12	4	35	32	25	10	15	16	72		235
Carbon Monoxide Alarms Installed	0	0	1	2	2	0	3	2	2	1	3		16
Prevention Campaigns / Seasonal Safety	5	7	4	6	3	8	4	5	4	6	3		55
Community / Civic Group Presentations	0	3	2	1	0	0	1	3	2	4	3		19
Station Tours	1	0	1	3	0	4	1	2	3	5	4		24
School / Daycare Presentations	1	2	1	1	0	1	2	3	7	9	6		33
Community / Business Displays	1	0	1	0	1	2	0	2	1	2	0		10
Fire Extinguisher Training	0	2	1	0	1	1	1	2	2	4	1		15
Child Safety Seats Inspected	6	3	2	5	2	6	4	5	6	4	5		48
Safe Kids / Educational Programs	1	2	2	1	1	1	1	2	1	1	1		14
Injury Prevention Programs	5	4	5	3	3	2	4	5	7	11	9		58
Total Participants in Fire & Life Safety Programs	200	400	350	450	1,000	1,700	800	900	700	1,200	1,400		9,100
Shift Coverage / Priority Call Backs	48	0	24	16	56	80	32	16	8	16	14		310

# MONTHLY CITATION REPORT FOR THE MONTH OF: NOVEMBER 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					1
Dabney West Mall					1
Golden Corral					0
Guardian Care					0
Henderson Mall					0
Henderson Square					0
Lowe's					5
Maria Parham Hospital					0
Market Place					1
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					9
Walgreens					0
Ollie's					1
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>18</b>

## TRAINING DIVISION PRODUCTIVITY - November 2015

Henderson Fire Department

Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire Ground Training	191	1001.5
EMS / Rescue Training	14	142
Special Training	0	0

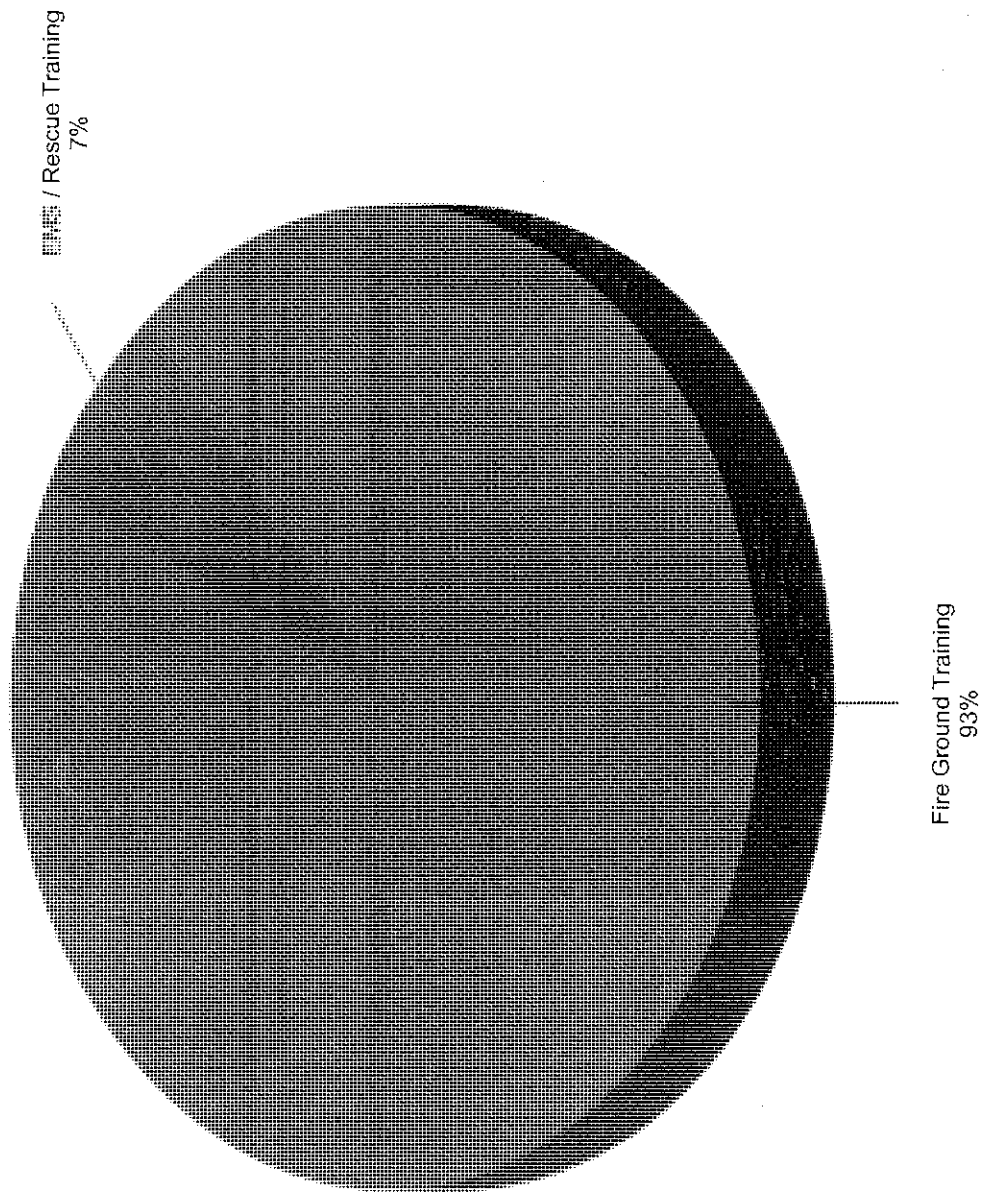
Totals	205	1143.5
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	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	153	1036

YEAR - TO - DATE TOTAL	2,176.00	10,892.5
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## Training Hours by Category - November 2015



## **Fire Department Regulatory Compliance**

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