

AGENDA

Henderson City Council Regular Meeting Monday 9 May 2016, 6:00 p.m. R. G. (Chick) Young, Jr. Council Chambers, Municipal Building 134 Rose Avenue Henderson, North Carolina

Mayor and City Council Members

Mayor Eddie Ellington, Presiding

Councilmember Marion B. Williams Councilmember Sara M. Coffey Councilmember Michael C. Inscoe Councilmember D. Michael Rainey Councilmember Melissa Elliott Councilmember Garry D. Daeke Councilmember Fearldine A. Simmons Councilmember George M. Daye

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 Behavior¹ and Transparency in Governance². The Mayor now inquires as to whether any Council Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the City Council. If any Council Members knows of a conflict of interest, or appearance of conflict, please state so at this time.

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

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

V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

- a) 11 April 2016 Regular Meeting [See Notebook Tab 1]
- b) 25 April 2016 Special Called Meeting

VII. PRESENTATIONS/RECOGNITIONS

a) Retired Battalion Chief Donald Wayne Moss

VIII. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

IX. NEW BUSINESS

- a) Consideration of Approval of Resolution 16-07-A, Authorizing the Sale of a Parcel of City Owned Land on Southerland Mill Road in Warren County in Accordance with North Carolina General Statute 160A-269. (CAF 16-24-A)[See Notebook Tab 2]
 - Resolution 16-07-A
- b) Consideration of Approval of Resolution 16-33, Ratifying the Sale of 816 Parkway Drive. (CAF 16-59) [See Notebook Tab 3]
 - Resolution 16-33

³ Citizen Comment Guidelines for Agenda Items

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

¹⁾ Citizens are requested to limit their comments to five minutes; however, the Mayor, at his discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Council;

²⁾ Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;

³⁾ Citizens may not yield their time to another person;

⁴⁾ Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;

⁵⁾ Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;

⁶⁾ Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and

⁷⁾ Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

- c) Consideration of Approval of Resolution 16-35, Providing for the Disposition of Jointly Held Properties by the City and County Otherwise Identified as 430½ Hamilton Street; Parcel ID#0098 020004 and a 47 Foot Lot Located on Hamilton Street; Parcel ID#0098 02003. (CAF 16-47) [See Notebook Tab 4]
 - Resolution 16-35
- d) Consideration of Approval of Ordinance 16-14, Converting Two Hour Parking Spaces on Garnett Street to Loading Zone and Handicap Parking. (CAF 16-60) [See Notebook Tab 5]
 - Ordinance 16-14
- e) Consideration of Approval of Ordinance 16-17, Revising the Erosion and Sediment Control Ordinance to Establish a Procedure to Address Penalties and Remissions Pending the Sedimentation and Erosion Control Commission's Approval. (CAF 16-05) [See Notebook Tab 6]
 - Ordinance 16-17
- f) Consideration of Approval of Ordinance 16-11, FY 16 BA #19, Transferring Funds from the KLRWS Operating Budget to a Capital Improvement Plan (CIP) Account for the Installation of a New SCADA System for Regional Water. (CAF 16-41) [See Notebook Tab 7]
 - Ordinance 16-11
- g) Consideration of Approval of Resolution 16-42, Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of an Annexation Petition from LIDL, US Operations, LLC. (CAF 16-68) [See Notebook Tab 8]
 - Resolution 16-42
- h) Consideration of Approval of Resolution 16-36, Authorizing an Application to the Carolina Panthers Charities for a Challenger Flag Football League Grant in the Amount of \$2,500 to Continue the Implementation of a Challenger League. (CAF 16-61) [See Notebook Tab 9]
 - Resolution 16-36
- i) Consideration of Approval of Resolution 16-41, Authorizing the Submission of an Application to the North Carolina League of Municipalities RMS Wellness Grant for Funding Small Towns and Cities Wellness Program for the "Walk the Beat" Program. (CAF 16-67) [See Notebook Tab 10]
 - Resolution 16-41

- j) Consideration of Approval of Resolution 16-43, Rejecting all bids for the Elmwood Sanitary Sewer Project, Revising the Scope and Re-bidding the Project, Clean Water State Revolving Fund (CWSRF) Loan in the Amount of \$1,800,000 #CS370410-08. (CAF 16-69) [See Notebook Tab 11]
 - Resolution 16-43

CONSENT AGENDA

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

- a) Consideration of Approval of Ordinance 16-15, FY16 BA#18, To Close Out the Carolina Panthers 2015 Challenger Flag Football League Grant Award. (CAF 16-23) [See Notebook Tab 12]
 - Ordinance 16-15
- b) Consideration of Approval of Resolution 16-34, Authorizing the Submission of an Application to the Bureau of Justice Assistance Office for the FY16 Bulletproof Vest Program Grant for the Police Department. (CAF 16-53) [See Notebook Tab 13]
 - Resolution 16-34
- c) Consideration of Approval of Resolution 16-27, Awarding of Departmental Fire Helmet and Badge to Retired Battalion Chief Donald Wayne Moss. (CAF 16-49) [See Notebook Tab 14]
 - Resolution 16-27
- d) Consideration of Approval of Resolution 16-40, Authorizing the Mayor and City Manager to Sign the State Archives Records Retention Schedule Amendment. (CAF 16-66) [See Notebook Tab 15]
 - Resolution 16-40
- e) Consideration of Approval of Resolution 16-39, Appointments to the Board of Adjustment and Planning Board. (CAF 16-65) [See Notebook Tab 16]
 - Resolution 16-39
- f) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of March 2016. (CAF 16-56) [See Notebook Tab 17]

X. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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

XI. REPORTS

- a) Mayor/Mayor Pro-Tem (No Report)
- b) City Manager (No Report)
- c) City Attorney (No Report)
- d) City Clerk
 - i. Meeting and Events Calendar [See Notebook Tab 18]
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report

XII. ADJOURNMENT

⁴ Citizen Comment Guidelines for Non-Agenda Items

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⁷⁾ Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

City Council Minutes - DRAFT Regular Meeting 11 April 2016

PRESENT

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams, Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Melissa Elliott, Garry D. Daeke, Fearldine A. Simmons, and George M. Daye.

ABSENT

None

STAFF PRESENT

City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant to City Manager Paylor Spruill, Police Chief Marcus Barrow, Fire Chief Steve Cordell, Engineering Director Clark Thomas, Henderson Water Reclamation Director Tom Spain, Development Services Director Corey Williams, Recreation and Parks Director Kendrick Vann, Public Services Director Mike Ross, Kerr Lake Regional Water Director Christy Lipscomb and Human Resources Director Cathy Brown.

CALL TO ORDER

The 11 April 2016 Regular Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

The City Clerk called the roll and advised Mayor Ellington a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

OPENING COMMENTS

Mayor Ellington welcomed all the special guests to the meeting this evening and thanked everyone for attending.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor Ellington asked if there were any adjustments to the Agenda. The City Clerk asked Council to approve three (3) add-on items: CAF 16-38, Non-Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$460,000 for the Knoll Terrace Water System Merger Project #WIF-1916; CAF 16-22, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$1,548,000 for the Young Avenue Asbestos Cement Water Lane Replacement Project #WIF-1911 and a Closed Session Item Pursuant to G.S. 143-318.11(a)(6) for a Personnel Matter. Council Member Coffey moved to accept the Agenda as adjusted. Motion seconded by Council Member Daeke and unanimously approved.

APPROVAL OF MINUTES

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Rainey moved the approval of the 14 March 2016 Regular Meeting minutes as presented. Motion seconded by Council Member Elliott, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

Mayor Ellington welcomed the Leadership Vance Class of 2016 and asked Chamber President John Barnes to introduce the class. Mr. Barnes said it is an honor to be here tonight and thanked the City for its partnership, not only on City Government day but throughout the year. After the class introduced itself, Mayor Ellington then asked Council to introduce itself and state which Ward they represent.

Fire Chief Cordell introduced the first Citizen's Fire Academy class. He presented awards to each member of the class and commended them for completing fire duties that many firemen have difficult accomplishing. Council Member Williams was one of the members of this class and she challenged everyone to take the class saying they would not regret spending the time learning the daily duties of a fireman.

Police Chief Barrow came to the podium with a shaved head because of St. Baldrick's day that the department coordinates each year. He said this year over \$23,640 was raised for cancer research and thanked Sgt. Pitman for once again coordinating this event.

Chief Barrow then gave Council an overview of a program he hopes to institute in the near future. He is calling it "Walk the Beat". Chief Barrow said downtown is a great, safe place to walk and plans to begin the program with staff walking with police officers. Set times throughout the day with a specific meeting place will be announced and all citizens are welcome to join in the walks. If the program does well, he would like to see it grow to neighborhoods. Eventually the Chief would like to put workout stations in various sections of downtown and has been working with the YMCA and the Recreation Center on this portion of the project.

City Manager Frazier then introduced Carolyn Powell who is the new executive director of the Downtown Development Commission and asked her to say a few words.

Ms. Powell shared she was the Main Street Program Manager for Henderson between 1988 and 1995. Since January Ms. Powell has reinstituted the Mayor's Walk downtown the first Friday of each month to visit shops owners, office space is being renovated, grant opportunities for "incubator" space is being pursued and a "light walk" has been completed (walking downtown at night for lighting issues). She gave a brief description of each committee and said she is looking forward to growing downtown.

PUBLIC HEARING

Authorizing the Permanent Closing of a Dedicated but Unopened Street Referred to as Berry Street. (Reference: CAF 16-10-B; Ordinance 16-13)

City Manager Frazier reviewed this request from Henderson Collegiate Charter School by saying that during the March 14, 2016 meeting, Council approved a resolution of intent to close this street that set a public hearing date for today. Staff recommends that Council approved this street closure. Mr. Frazier reminded Council that there is an existing sanitary sewer main that will remain in place with a 15' easement on each side and that the existing cover will be maintained to protect the integrity of the pipe.

Council Member Daeke asked if the sanitary sewer main issues have been resolved. Mr. Frazier said yes and that the site plans will be monitored as the project develops.

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

<u>Cliff Rogers, from the Rogers Group, 4783 Raleigh Road</u> Mr. Rogers came forward to answer any questions Council might have. Mr. Rogers explained the future plans of the school beginning with mobile units for classes K-3 grade as phase 2. Phase 3 will be the building of a high school and Phase 4 will be building permanent K-3 class rooms.

Council Member Rainey asked how many acres the school owns. Mr. Rogers said approximately 40.

No one else came forward to speak in favor of this street closing so Mayor Ellington then asked if anyone was present who wished to speak in opposition.

William Pendergrass, 813 S. Carolina Ave. Mr. Pendergrass was concerned that there will be a road in his back yard to the school. He was assured this was not in the plan.

Helen Greer, 702 S. Carolina Ave. Ms. Greer expressed a concern about an easement that no one obtained from her as the property owner. She was advised to discuss this with the school as they were responsible for utility construction to the site.

No one came else came forward so Mayor Ellington closed the Public Hearing and asked for Council's pleasure.

Council Member Inscoe moved the approval of Ordinance 16-13, Authorizing the Permanent Closing of a Dedicated but Unopened Street Referred to as Berry Street. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye.. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9, p 331)

Approving an Incentive Agreement Between Vescom America, Inc. and the City of Henderson. (Reference: CAF 16-45; Resolution 16-32)

City Manager Frazier explained the City and County are working together to promote the creation and investment of sustainable jobs for its citizens and therefore desires to provide incentives to encourage economic growth and development opportunities. He said Vescom is proposing to expand its operations by investing approximately \$6.5 million of capital investment to increase warehouse and office space, and purchase new equipment. It is recommended that both the City and County offer an incentive package to encourage Vescom to maintain and increase its presence remain in the City. The County has already approved their portion of the incentive package. In accordance with NCGS 158-7.1, a public hearing is required and the hearing has been properly noticed.

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

Stuart Litvin, 935 S. Chestnut St. Mr. Litvin is executive director of the Henderson-Vance Economic Development Committee and said approval of this incentive sends a loud and clear message to established business owners within the City/County than they are not forgotten. Mr. Litvin said the average salary for the current employees is \$44,000 not including benefits. He respectfully requested a favorable response from Council.

Council Member Inscoe asked for clarification that this incentive will be used only for the \$6.5 million. Council was told this is correct

Council Member Rainey asked if it is known how many employees live in Henderson. Mr. Litvin said he did not know.

Council Member Daeke asked how the workforce is tracked since it is part of the incentive package. Council Member Inscoe said the State Form 101 shows the number of employees and can be checked at any time. The City Manager stated that it will require a certification from an official of the company stating parameters have been met.

No one else came forward so Mayor Ellington asked if anyone was present who wished to speak in opposition to the incentive package. No one came forward. Mayor Ellington then closed the Public Hearing and asked for Council's pleasure.

Council Member Rainey moved the approval of Resolution 16-32, Approving an Incentive Agreement Between Vescom America, Inc. and the City of Henderson. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey,

Elliott, Daeke, Simmons, Daye, and Williams. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 63)

Amending the Zoning Map to Rezone Property from R-20 (Low Density Residential) to R-11 (Moderate Density Residential) 4.2^{+/-} Acres Located at Vicksboro Road (PIN #0536-02010) (Reference: CAF 16-48; Ordinance 16-10)

Development Services Director Corey Williams explained Mr. Dennis Tharrington, WDT Development) received a special use permit on July 7, 2015, from the Board of Adjustment to build a 54 unit multi-family senior housing complex with one community building on an adjacent tract (PIN 0536 02032). He is now asking to combine these two tracts to create a new lot for Garden Gate Villas, LLC. The Planning Board approved this rezoning during its March 21, 2016 meeting.

Council Member Inscoe asked about the concerns regarding Sandy Creek. Mr. Williams said there have been improvements to the pump station and according to the City Engineer this should no longer be a problem. Mr. Frazier added there has been a \$1.8M renovation to the pump station and to his knowledge it has not experienced any overflows since the improvements were made. In addition, there were many industries that used large amounts of flow are no longer flowing into Sandy Creek.

As a member of the Planning Board, Council Member Rainey said he felt the concerns expressed during the March meeting centered on whether the pump station could support additional units. Mr. Frazier responded that under normal housing usage, there should be no problem.

Council Member Inscoe asked if the changes under consideration included any downsizing of the project. The response was there will be no change in the number of units.

With no discussion, Mayor Ellington opened the Public Hearing by asking if anyone was present who wished to speak in favor of this rezoning.

Dennis Tharrington, 430 S. Woodland Road Mr. Tharrington summarized his project by saying it will be 54 unit apartments for the elderly. Because of the changes, the building will be three stories rather than two, and part of the reason for the shift in the plan is to create proper gravity flow as solid rock has been found on the property. Mr. Tharrington verified that he had no plans to build any more units than proposed at this time as he has heard rumors of a number of more apartments.

No other citizen came forward so Mayor Ellington asked if anyone was present who wished to speak in opposition to the rezoning. No one came forward. Mayor Ellington then closed the Public Hearing and asked for Council's pleasure.

Council Member Rainey moved the approval of Ordinance 16-10, Amending the Zoning Map to Rezone Property from R-20 (Low Density Residential) to R-11 (Moderate Density Residential) 4.2^{+/-} Acres Located at Vicksboro Road (PIN #0536-02010). Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott, Daeke, Simmons, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 9, p 325)

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

City Clerk McCrackin advised no citizens wished to address Council.

NEW BUSINESS

Authorizing the Execution of a Contract for the Restriping of Several City of Henderson Streets in the Amount of \$25,430 with Clark Pavement Marking, Inc.. (Reference: CAF 16-44; Resolution 16-30)

Public Services Director Mike Ross explained concerns have been expressed by the Police Department regarding North Cooper Drive and several other streets that are in need of restriped for safety reasons. Staff is asking Council to approve the \$25,430 for restriping 1) North Cooper Dr. from Dabney Dr. to Ruin Creek Drive (\$9,480); 2) Chestnut St. from Corbitt Rd. to Young Ave. and from W. Orange to Andrews St. (\$12,480); 3) Deer Court Crossing (1) Length (\$280); 4) Deer Court Crossing (2) Length (\$820); 5) Parham St. from Dabney Dr. to Wakefield Ave. (\$710); 6) Roanoke Ave. from Dabney Dr. to Buckhorn St. (\$220) and 7) Zeb Robinson Rd. from Charles Rollins Rd. to Ruin Creek Dr. (\$1,440).

Council Member Inscoe asked why only one quote. Mr. Ross contacted five (5) contractors with only one response – Clark Pavement Markings, Inc. City Manager Frazier said it is hard to get larger companies to do smaller jobs. Council Member Daeke said he has seen Clark Pavement Markings doing work around town for the NCDOT.

Mr. Inscoe asked if any of these streets will need resurfacing. Mr. Ross said there are currently no plans to resurface any of the streets listed for re-striping. He added there is a section of Cooper that needs resurfacing which was not included in this request.

Council Member Daeke stated North Cooper is a high traffic area that needs to be re-striped.

Council Member Williams asked what alternatives are possible. None were suggested.

Council Member Inscoe asked if a specific company was contacted that works out of Henderson. Following a brief discussion, Mr. Frazier said the company will be contacted for future smaller projects but felt Clark Pavement would be best to use for this project.

With no further questions, Mayor Ellington asked how Council wished to proceed.

Council Member Daeke moved the approval of Resolution 16-30, Authorizing the Execution of a Contract for the Restriping of Several City of Henderson Streets in the Amount of \$25,430 with

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Clark Pavement Marking, Inc.. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 59)

Authorizing the Execution of a Construction Contract for the Repair of Storm Drains Located at Cypress Drive and Yadkin Street in the Amount of \$39,215 with M.T. Murphy Inc., and to Close Out the Birch, Hillside, Cameron Street CIP Project and Transfer Remaining Funds to the Street Department Storm Drain Improvement Line Item. (Reference: CAF 16-42; Resolution 16-28)

Public Services Director Mike Ross explained the end sections are falling off into the drainage ditch of the existing twin 48-inch reinforced concrete pipe under the roadway, as well as the need for replacing an existing 15-inch reinforced concrete pipe running along the East side of Cypress Drive. Repairing these pipes will rectify two existing storm drainage problems within the City. Staff received two bids with M.T. Murphy, Inc. being the low bidder. Mayor Ellington asked if this is where the orange mesh is located. Mr. Ross responded yes.

Council Member Inscoe asked if M.T. Murphy, Inc. understood the project as its quote was half of HG Reynolds Co., Inc. City Manager Frazier said M.T. Murphy has done work for the city before and perhaps needed to add to their workload.

With no further questions, Mayor Ellington asked how Council wished to proceed.

Council Member Daeke moved the approval of Resolution 16-28, Authorizing the Execution of a Construction Contract for the Repair of Storm Drains Located at Cypress Drive and Yadkin Street in the Amount of \$39,215 with M.T. Murphy Inc., and Ordinance 16-12 to Close Out the Birch, Hillside, Cameron Street CIP Project and Transfer Remaining Funds to the Street Department Storm Drain Improvement Line Item. Motion seconded by Council Member Inscoe and APPROVED by the following vote: YES: Elliott, Daeke, Simmons, Daye, Williams, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 55, Ordinance Book 9, p 329)

Authorizing a Partnership Agreement with the Embassy Cultural Center Foundation, Inc., (Foundation) for Use of McGregor Hall, and Amending the Fee Schedule to Reflect the New Rate. (CAF 16-30; Resolution 16-26, Ordinance 16-09)

Recreation and Parks Director Kendrick Vann explained that normally the Rec players perform at E.M. Rollins school and Vance-Granville Community College. The players would like to showcase the new McGregor Hall by performing a "larger: play. Mr. Vann thanked Mr. Deadwyler of the Embassy Foundation for expediting this partnership agreement. The \$5.00 fee schedule increase is to cover the expense of performing in the Hall. Other smaller plays will continue to be performed at E. M. Rollins school and the yearly fundraiser will continue to take place at Vance-Granville Community College. The fee for the smaller/fundraiser plays will remain the same.

Council Member Inscoe asked why all the plays will not utilize McGregor Hall. Mr. Vann said they want to start out slow, making this an initial trial period per se.

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Council Member Coffey asked if there were plans to increase the number of performances. Mr. Vann said that might be a possibility.

There was no further discussion so Mayor Ellington asked how Council wished to proceed.

Council Member Daeke moved the approval of Resolution 16-26, Authorizing a Partnership Agreement with the Embassy Cultural Center Foundation, Inc., (Foundation) for Use of McGregor Hall, and Council Member Rainey moved the approval of Ordinance 16-09, Amending the Fee Schedule to Reflect the New Rate. Both motions were seconded by Council Member Williams, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Williams, Coffey, Inscoe, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 51, Ordinance Book 9, p 323)

Establishing a No Parking Zone on Roanoke Ave. and Two Hour Parking Spaces on Church Street and the Deletion of Unsigned Reserved Parking on Church Street. (CAF 16-29; Ordinance 16-08)

City Manager Frazier said this is a type of housekeeping item as a request has been received to remove some parking spaces along Roanoke Avenue at the Intersection of Roanoke Ave. and Dabney Drive to allow more space for large vehicles to make safer turns. After a study by staff, it was also found that an extended no parking area is required due to limited sign distances along this section of Roanoke Ave. Also of concern is the parking duration on Church Street in front of the Corbitt Museum. Some people have been parking all day in front and by changing to two hour parking, patrons visiting the museum will be better accommodated.

Council Member Inscoe mentioned the loading zone signs on Winder Street that were approved for removal have not been removed. Mr. Frazier said he would follow-up on this with Mr. Ross.

Mayor Ellington asked Council how they wished to proceed.

Council Member Rainey moved the approval of Ordinance 16-08, Establishing a No Parking Zone on Roanoke Ave. and Two Hour Parking Spaces on Church Street and the Deletion of Unsigned Reserved Parking on Church Street. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Simmons, Daye, Williams, Coffey, Inscoe, Rainey, Elliott and Daeke. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9, p 321)

Non-Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$460,000 for the Knoll Terrace Water System Merger Project #WIF-1916. (Reference: CAF 16-38, Resolution 16-31)

City Manager Frazier said the City received notification that this Loan was approved on February 11, 2016. However, the loan rate for 20 years is 1.84%. There is also a loan fee of 2% that would be invoiced after bids are received. Mr. Frazier said the anticipated annual revenue from the 111 customers affected would be approximately \$19,980 with a breakeven point of 34 years with no principal forgiveness and no participation by the owners. Staff has met with the

Knoll Terrace property owners and based on the parameters discussed, the property owners felt they are unable to agree to the terms as presented. The owner would have been responsible for any cost exceeding the revenues by the city, as well as the water costs and a lien on the property. They still have the opportunity to install city water; however, it would be at their own costs as if a new development. As such, it is recommended that the loan <u>Not</u> be accepted and notification be sent to the State refusing the loan.

Council Member Inscoe noted that developers pay for the installation of all water and sewer lines as a part of a new development.

Mayor Ellington now asked Council how they wished to proceed.

Council Member Rainey moved the approval of Resolution 16-31, Non-Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount off \$460,000 for the Knoll Terrace Water System Merger Project #WIF-1916. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Inscoe, Rainey, Elliott, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 41)

Acceptance of a Drinking Water State Revolving Fund Loan in the Amount of \$1,548,000 for the Young Avenue Asbestos Cement Water Line Replacement Project #WIF-1911. (Reference: CAF 16-39; Resolution 16-22)

City Engineer Clark Thomas reminded Council that there were five (5) failures in this water line last summer at a repair cost of approximately \$44,000. The pipe was installed in the 1950's and he said he did not think the City could do any better than the 0% interest being offered with this loan.

Council Member Daeke inquired when the 2% closing fee will be due. Mr. Thomas said it would need to be paid up front and not as part of the loan.

Council Member Inscoe asked about the City's debt service status and expressed concerns with how this loan, along with other upcoming projects such as the future upgrade at the KLRW plant will effect water rates. Council Member Daeke said this would be a budget consideration.

Following a discussion, it was the consensus of Council to TABLE this item until the financial implications are clearer. Due to the time constraints a special called meeting will be scheduled before the next regularly scheduled meeting in May. The consensus of Council to table this item was as follows: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye.

CONSENT AGENDA

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

Awarding of Departmental Handgun and Badge to Retiree Detective Deric D. Wormley. (Reference: CAF 16-31; Resolution 16-25) Detective Wormley joined the Henderson Police Department in 1988 and retired on February 1, 2016. As has been the case with previous retires,

Council is awarding him his departmental badge, at no cost, and service side arm per NCGS 20-187.2 at the said price of \$1.00. (See Resolution Book 5, p 49)

Amending the Personnel Manual to Include the Employment Assistance Program. (Reference: CAF 16-55; Resolution 16-29) In order for the Employee Assistance Program (EAP) provided by the City to be recognized by the Commission on Accreditation for Law Enforcement Agency (CALEA), the existing EAP Section must be added back into Article VI – Employee Benefits section of the Personnel Manual. (See Resolution 16-29, p 57)

Tax Releases and Refunds from Vance County for the Month of February 2016. (CAF 16-37) The tax releases and refunds have been reviewed and found to be in order. (See below)

Feb 2016 Tax Releases & Refunds

Name	Reason	Tax Year 🔻	Amount 🔻
Real & Personal Property Releases			
Novastar Mortgage Inc	Taxes lost to foreclosure	2008	\$ 181.34
Cameron and Associates	Taxes lost to foreclosure	2009	\$ 462.68
Cameron and Associates	Taxes lost to foreclosure	2010	\$ 462.68
Cameron and Associates	Taxes lost to foreclosure	2011	\$ 462.74
Cameron and Associates	Taxes lost to foreclosure	2012	\$ 462.74
Cameron and Associates	Taxes lost to foreclosure	2013	\$ 490.43
Cameron and Associates	Taxes lost to foreclosure	2014	\$ 490.43
Thorfood LLC	Correct Value	2015	\$ 390.60
Martin, Brenda B	Correct Value	2015	\$ (144.87)
Cameron and Associates	Taxes lost to foreclosure	2015	\$ 490.43
Total Releases/Real & Personal Property			\$ 3,749.20
Refunds/Real & Personal Property			
Thorfood LLC	Correct Value	2012	\$ 579.15
Thorfood LLC	Correct Value	2013	\$ 508.40
Thorfood LLC	Correct Value	2014	\$ 446.40
Total Refunds Real & Personal Property			\$ 1,533.95
Total Releases & Refunds R & P Property			\$ 5,283.15

Mayor Ellington asked if anyone wished to remove an item from the Consent Agenda. There were no requests, so Mayor Ellington asked for a motion to approve the Consent Agenda.

Council Member Inscoe moved the approval of the Consent Agenda as presented. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: None.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Jim Populorum, 1517 Peace Street Mr. Populorum presented his opinion regarding the following: 1) the EDC Toolbox bonds, from his understanding, would be purchased by individuals and ultimately create a tax increase which he did not think citizens would approve;

2) citizens are entitled to certain housing standards and he would like the standard established in 2007 and later recanted, to be reinstated, and 3) unpaid taxes should be pursued aggressively as those dollars could fund all sorts of needs within the City. Mr. Populorum understood taxes are collected by the County and he said he plans to address the County Commissioners on this matter.

REPORTS

- a) Mayor/Mayor Pro-Tem Mayor Ellington said the first Mayor's walk was successful and said he would welcome any citizens that would like to join them on the walk. Mayor Pro-Tem Rainey said he and Council Member Simmons attended the baseball kickoff at the Recreation Center and both threw out the first balls.
- b) City Manager Mr. Frazier gave a report on the following:
 - i. Amend the Soil Erosion and Sedimentation Control Ordinance Establishing a Procedure to Address Civil Penalties and Non-compliance Issues and Remissions.
 - ii. Recycling week is April 18-23rd
 - iii. The anticipated cost of the Chavasse Avenue project was \$87,000 and it came in at \$78,000.
 - iv. The Southerland Mill Road upset bid is now at \$64,570.00.
 - v. Budget preparation continues.6
 - vi. A financial report will be presented monthly.
 - vii. The Safety Committee met and the information requested is currently being gathered.
 - viii. A meeting with Mr. Taylor regarding soil erosion problems was held and Mr. Frazier said he thought Mr. Taylor was satisfied. Engineering is working on recommending ordinance changes.
 - ix. There will be a meeting on April 20 between City Council/County Commissioners regarding redevelopment.

Council Member Daeke said this is the Week of the Young Children and as such, Mayor Ellington will be detained Tuesday morning to help raise money.

Development Services Director Corey Williams distributed a report regarding demolitions.

Council Member Inscoe asked about the status of the fire department using some building scheduled for demolition as training exercises. Mr. Williams said the buildings will be inspected for asbestos sometime this week and if everything is approved, the fire department will use four city owned buildings and one county owned building for training.

Council Member Rainey asked how many more demolitions are planned this year. Mr. Williams said four by fire and one more, depending on the remaining funds available.

c) City Attorney (No Report)

d) City Clerk (No Report)

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

CLOSED SESSION

Council Member Rainey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for an Attorney/Client Matter. Motion seconded by Council Member Coffey, and unanimously approved.

(Clerk's Note: Council Member Elliott left the meeting at 8:40)

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

Mayor Ellington asked if there was any further business of concern or if Council was prepared to adjourn.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Williams and unanimously approved. The meeting adjourned at 8:51 p.m.

Eddie Ellington	
Mayor	ATTEST:
	Esther J. McCrackin, City Clerk



City Council Minutes Special Called Meeting 25 April 2016

PRESENT

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams, Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Melissa Elliott, Garry D. Daeke and Fearldine A. Simmons.

ABSENT

George M. Daye.

STAFF PRESENT

City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant to the City Manager Paylor Spruill and Engineering Director Clark Thomas.

CALL TO ORDER

The 25 April 2016 Special Called Meeting of the Henderson City Council was called to order by Mayor Ellington at 5:58 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 Ellington a quorum was present.

(Clerk's Note: Council Member Elliott arrived at 6:09 p.m.)

NEW BUSINESS

Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the amount of \$1,548,000 for the Young Avenue Asbestos Cement Water Line Replacement Project #WIF-1911. (Reference: CAF 16-39, Resolution 16-22)

Minute Book 44
25 April 2016 Special Called Meeting Minutes
Page 1 of 3

City Manager Frazier began by summarizing Council's decision to table this issue during the April 11, 2016 meeting. He then distributed three pages of tables: Water, Regional Water and Sewer Funds Existing Debt Service; Financial Analysis with CIP for Water Fund; and Financial Analysis with CIP for Regional Water Fund. After explaining the related sections of the tables to this discussion and how important this project is, Mr. Frazier asked City Engineer Clark Thomas to explain this project further.

Mr. Thomas thanked Council for attending this meeting and said this project, along with the 20MGD project were lumped together to obtain funding from the NCDWSRF. Since there is no immediate demand for the 20MGD, he suggested moving forward cautiously to minimize the rate impact on water customers.

Mr. Frazier reiterated the need to move forward carefully and reminded Council that the Regional Water partners are in agreement with this 20MGD project.

Council Member Inscoe suggested the project elements be reviewed and broken down over a period of years in a responsible manner. He also clarified that the IBT permit is irrevocable and that no timetable needed to be met.

Discussion then turned to the Young Avenue water line. Mr. Thomas said there are several considerations that should reduce costs, including using PVC –C900 pipe and placing the line on the shoulder of the road.

Council Member Rainey asked about the life span of PVC. Mr. Thomas said it has not been used long enough to provide a qualified response but he did mention other municipalities have used the PVC without major issues. Council Member Coffey mentioned PVC will not rust which is often a problem and it is definitely lighter and easier to handle. She also asked if there would be any drawbacks to putting the line on the shoulder of the road. Mr. Thomas said not that he was aware of at this time.

Council Member Daeke asked what the cost increase to water fees would be to citizens if the project proceeds. Mr. Thomas responded about \$0.45 per month per residential customer.

A brief discussion followed regarding the Elmwood Cemetery project cost. Since the bids came in \$1M over budget, Council Member Coffey asked if private contractors had been considered. Mr. Frazier said yes, private contractors were considered as this was a publicly bid project and added staff and our engineers are following up to determine why the project cost is so high.

Council Member Daeke asked is replacing this line will eliminate the problems that have occurred over the years. Mr. Thomas said since the Public Services Department replaced air relief valves on the Regional Water line, there have been no problems but said a surge could cause a major problem and since the line was installed in the 1950's it definitely needs to be replaced.

Council Member Simmons asked how deep the line is placed. Lines are placed a minimum of 3 feet from the top of the ground to the top of the pipe.

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25 April 2016 Special Called Meeting Minutes
Page 2 of 3

At this time Mayor Ellington asked if Council was prepared to make a decision.

Council Member Coffey said she would make a motion providing *value engineering* is utilized and Council is provided the costs before each step of the project is finalized.

City Manager Frazier reminded Council that they will have to consider awarding the bid when details are available.

Council Member Coffey moved the approval of Resolution 16-22, Acceptance of a Drinking Water State Revolving Fund (DWSRF) Loan in the Amount of \$1,548,000 for the Young Avenue Asbestos Cement Water Line Replacement Project #WIF-1911 with the provision that the Engineering Department exercise value engineering methods and the costs for each step of the project be presented to Council for approval. Motion seconded by Council Member Inscoe, and APPROVED by the following vote: YES: Williams, Coffey, Inscoe, Rainey, Elliott and Simmons. NO: None. ABSTAIN: None. ABSENT: Daye. (See Resolution Book 9, p 43)

Other

City Manager Frazier said hopefully the wastewater agreement will be ready by the May meeting. He also informed Council that the street sweeper has been out of service for several weeks and was returned to Henderson on Friday when it was involved in an accident, which was not the fault of the City employee.

Council Member Coffey asked for follow-up on the blinking light at Young and Chestnut.

Council Member Elliott asked about the housing issues which were discussed in the Public Safety meeting.

Mr. Frazier said he is working on both issues.

ADJOURNMENT

Council Member Inscoe moved for adjournment. Motion seconded by Council Member Daeke, and unanimously approved. The meeting adjourned at 6:34 p.m.

Eddie Ellington Mayor	ATTEST:
	Esther J. McCrackin, City Clerk

Minute Book 44
25 April 2016 Special Called Meeting Minutes
Page 3 of 3

City Council Action Form

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



Council Meeting: 9 May 2016 Regular Meeting

6 January 2015

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

FR: Frank Frazier, City Manage (3.3.)

RE: CAF: 16-24-A

Consideration of Approval of Resolution 16-07-A, Authorizing the Sale of a Parcel of City Owned Land on Southerland Mill Road in Warren County in Accordance with North Carolina General Statute 160A-269.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

Recommendation:

 Approval of Resolution 16-07-A, Authorizing the Sale of a Parcel of City Owned Land on Southerland Mill Road in Warren County in Accordance with North Carolina General Statute 160A-269.

Executive Summary:

The Land Planning Committee met on January 6, 2016, to consider an offer to purchase the City owned property in Warren County on Southerland Mill Road. The offer was brought before Council via Resolution 16-07 and it was the consensus of Council that the property should be properly advertised for upset bids.

Since the original January offer, the City Clerk has received eight upset bids. No upset bids have been submitted since the advertisement on April 12, 2016, of an offer in the amount of \$64,570.14 by Patsy and Elliott Caulder. The Buyer will also be responsible for paying for the initial advertisement, as well as the preparation and recording of the deed.

In accordance with North Carolina G.S. §160A-269, staff recommends Council accept this bid and that the City Attorney proceed with preparation of a Non-Warranty Deed.

Attachments:

- 1. Resolution 16-07-A
- 2. Resolution 16-07
- 3. Map of Proposed Parcel

RESOLUTION 16-07-A

AUTHORIZING THE SALE OF A PARCEL OF CITY OWNED LAND ON SOUTHERLAND MILL ROAD IN WARREN COUNTY IN ACCORDANCE WITH NORTH CAROLINA GENERAL STATUTE (NCGS) 160A-269

- WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2016, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; and
- **WHEREAS**, the City of Henderson (City) owns a tract of land, assigned PIN 2912030975 and described by the deed filed in Warren County Deed Book 294, Page 253-255; and
- **WHEREAS,** in accordance with NCGS §160A-269, this tract of land was property advertised for upset bids; *and*
- WHEREAS, a total of eight upset bids have been received since the initial offer submitted on December 4, 2015; and
- **WHEREAS**, no upset bids were received following the advertisement on April 12, 2016 of an upset bid in the amount of \$64,750.14, submitted by Patsy and Elliott Caulder; *and*
- WHEREAS, the City proposes to accept this offer pursuant to the provisions of NCGS §160A-269. (See Attachment A to this Resolution)

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

1) The sale shall be closed at a mutually agreeable date within 30 days after the City accepts an offer or upset bid, at which time the balance purchase price after application of the deposit on the same shall be paid in cash and a "Non-Warranty" Deed delivered to the purchaser by the City conveying the parcel in fee simple after all closing costs are paid by the prospective buyer along with all advertising costs.

The foregoing Resolution 16-07-A	A, upon motion of Council Member ** and second by Council
Member **, and having been subr	mitted to a roll call vote received the following votes and was
	2016: YES: . NO: . ABSTAIN: . ABSENT:
	Eddie Ellington, Mayor
ATTEST:	
Esther J. McCrackin, City Clerk	
Approved to Legal Form:	
D. Rix Edwards, City Attorney	

NORTH CAROLINA

COUNTY OF VANCE

9

(c)

OFFER TO PURCHASE CITY OWNED PROPERTY

	CUID	17 4 TAISY J. (QULDER, (hereafter referred to as "Buyer"),
her	eby offers to	purchase from the City of Henderson (hereafter referred to as the "City"), in
acc	ordance with	the following terms and conditions, all that tract, lot or parcel of land together with
any	improvemen	nts located thereon, in Vance City, North Carolina, being known as and more
par	ticularly desci	ribed as follows:
م(ر	RREN COM	nbu
Va	nce City Regi	ister of Deeds Book 477, Page 263-3
Str	eet Address:	DOUTHEBLIND MILL RA
1.	The Purchs	nse Price Offer: The purchase price offered is \$ 64,570.14 , plus ublication as required by NCGS 160A-269, and shall be paid as follows:
	(a)	\$ 328.5/, (the greater of \$750 or 5% of the proposed purchase price) in cash, cashier's check or certified funds as a deposit, with the delivery of this offer, to be held by the City Clerk until the sale is closed at which time it will be credited to Buyer, or this agreement is otherwise terminated as herein provided.
	(b)	\$, 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)	In the event the City Council proposes to consider selling the property, 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. § 160A-269, and final acceptance or rejection of the highest bid by the City Council following the upset bid period.
	(b)	If the sale is finally approved, title will be delivered at closing by Non-Warranty Deed. Title to the property hereinabove described is subject to all exceptions, including liens, encumbrances, ad valorem taxes, assessments, zoning regulations, restrictive covenants, access, utility and or conservation easements, rights of others in possession, and all other matters of record.

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 City Council

reserves the right to reject all bids, including yours, in its final resolution

3. <u>Closing</u>. 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 any res	colution approving the	final bid at a place	designated by	y City with 1	the Non
Warranty Deed made o	out in the name(s) of _			~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	•

- 4. <u>Possession</u>. 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 City, then the deposit shall be returned to the Buyer, and such return shall be the extent of Buyer's 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 will forfeit the deposit held by the City in Section 1 of this agreement. Said forfeiture shall not affect any other remedies available to City 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 City 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 for any loan needed by Buyer from third parties. In addition, Buyer may have prepared, at Buyer's option and sole expense, any appraisal or survey of the property, any title examination and title opinion, and any termite inspection Buyer may desire. The property shall be made available at reasonable times for Buyer to perform or to have performed the above-mentioned items.
- 8. <u>Assignments</u>. 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. <u>Termination of Offer.</u> This offer shall be terminated if not acted upon by the City Council 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. City reserves the right to reject any offer (including this one) at any time before closing.
- 10. Condition of Improvements and Premises: City 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 City. Buyer stipulates that Buyer has had full opportunity to inspect the premises and Buyer stipulates that Buyer is accepting the improvements in "as iswhere is" condition. After closing to Buyer, Buyer shall hold City 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: City 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, including, but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR Part 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, and also 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). Unless otherwise noted, City has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts. Buyer shall be responsible for all environmental issues that may arise after the consummation of this contract, and further agrees to indemnify the City for all expenses arising out of any attempts by others to enforce any requirements of remediation or clean upon this City. This duty shall survive the closing.

- 12. <u>Parties:</u> 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. <u>Terminology</u>. 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 Buyer 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. <u>Counterparts</u>. 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 or interpret the terms of this Agreement shall be filed in the Superior Court of Vance City, State of North Carolina (which shall be the "exclusive jurisdiction").

Date of Offer: 4/8 2016.	
Elliat Cauller Buyer	Buyer
Acknowledgment of Receipt of Deposit:	
I, ESTHER JM ((RACK)). City Cler the deposit in the amount of \$304.81 the terms hereof.	rk or her designee, hereby acknowledge receipt of as set forth herein in accordance with
Date: 4/8/16	Esther A Westin

RESOLUTION 16-07

AUTHORIZING THE SALE OF A PARCEL OF CITY OWNED LAND ON SOUTHERLAND MILL ROAD IN WARREN COUNTY AND TO ADVERTISE FOR UPSET BIDS PER NORTH CAROLINA GENERAL STATUTE 160A-269

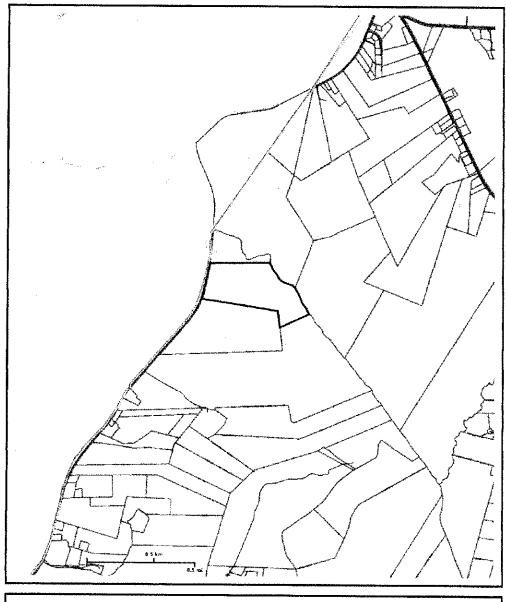
- WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2015, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; and
- WHEREAS, the City of Henderson owns a tract of land including the parcel of property described as PIN: 2912030975; Warren County Deed Book 294, Page 253-255; and
- WHEREAS, Caymus Properties, LLC has offered to purchase a portion of said parcel "As Is" for the sum of \$41,000 payable in cash, (see Attachment A to this Resolution) and has deposited with the City Clerk the sum of \$2,050, representing a good faith deposit; and
- **WHEREAS**; the City of Henderson proposes to accept said bid or offer pursuant to the provisions of G.S. §160A-269.

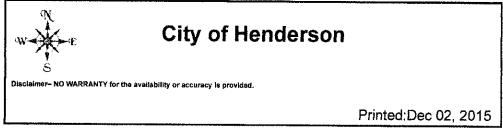
NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL:

- 1) That a notice be advertised in accordance with G.S. §160A-269 that the City Council of the City of Henderson proposes to accept the above offer and advertise said parcel of land for upset bids within the 10 day period provided by the Statute.
- 2) That the City Clerk is hereby authorized to receive upset bids on said parcel of land within said 10 day period upon compliance by the proposed Purchaser with the General Statues and depositing with the Clerk the sum of five percent (5%) of its bid, which deposit shall be forfeited if the bid is withdrawn. Any person placing an upset bid must raise the preceding bid by an amount not less than 10 percent (10%) of the first \$1,000 of the preceding bid plus five percent (5%) of the excess of the preceding bid over the sum of \$1,000.
- 3. City Council reserves the right at any time to reject any and all offers.
- 4. The sale shall be closed at a mutually agreeable date within 20 days after the City accepts an offer or upset bid, at which time the balance purchase price (after application of the deposit on the same) shall be paid in cash and a "Non-Warranty" Deed delivered to the Purchaser by the City conveying the parcel in fee simple and all closing costs shall be paid by the prospective buyer.

The foregoing Resolution 16-07, upon motion of Council Member Rainey and second by Council Member Inscoe, and having been submitted to a roll call vote received the following votes and was APPROVED on this the 11th day of January 2016: YES: Daye, Williams, Coffey, Inscoe, Rainey, Elliott, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: None.

ATTEST:	Eddie Ellington, Mayor
Esther J. McCrackin, City Clerk	
Approved to Legal Form:	
D. Rix Edwards, City Attorney	
Reference: Minute Book 44, p 7, CAF 16-	24





City Council Action Form

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



Council Meeting: 9 May 2016 Reg. Meeting

20 April 2016

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

FR: Frank Frazier, City Manager (3.3.)

RE: CAF: 16-59

Consideration of Approval of Resolution 16-33 Ratifying the Sale of 816 Parkway

Drive.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

• KSO 4: Improve Housing Stock

Recommendation:

• Approval of Resolution 16-33, Ratifying the Sale of 816 Parkway Drive.

Executive Summary:

Due to failure to pay taxes owed to the City of Henderson, the property at 816 Parkway Drive, formerly owned by Rebecca Hargrove, was foreclosed on and sale of the property was approved by the Court on August 18, 2015. Ownership was then transferred to the City and County and a deed was filed on that date with the Vance County Register of Deeds, Book 1295, page 625.

In early October 2015, the County granted the City the authority to represent this property on any eviction and ejectment action regarding the property. Since that time, Ms. Hargrove has informed the City Attorney of her desire to purchase the property at 816 Parkway Drive.

Pursuant to NCGS §105-376(c) former owners are allowed to repurchase the property at a private sale for an amount not less than the interests of the taxing units, Ms. Hargrove has submitted a check to the City Clerk in the amount of \$4,913.00 which included all past taxes owed and for the filing of a new deed. Council is being asked to ratify the sale of 816 Parkway Drive to Ms. Rebecca Hargrove via Resolution 16-33.

Attachments:

1. Resolution 16-33

RESOLUTION 16-33

RATIFYING THE SALE OF 816 PARKWAY DRIVE

- WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2016, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; and
- **WHEREAS,** this Resolution addresses one of the Key Strategic Objectives as follows: **KSO 4:** Improve Housing Stock.
- WHEREAS, 816 Parkway Drive was sole under the authority of a foreclosure sale in 2015; and
- WHEREAS, the owner, Mrs. Rebecca Hargrove wishes to repurchase the property; and
- **WHEREAS**, the purchase price of \$4,913 includes past due taxes and the filing costs related to filing a new deed and the City Clerk is in receipt of said funds: *and*
- **WHEREAS**, the County will receive its pro-rata share of the proceeds.
- NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the ratification of the purchase of 816 Parkway Drive by Mrs. Rebecca Hargrove and instructs the City Attorney to record a new deed.

The foregoing Resolution 16-33, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of **** 2016: YES: . NO: . ABSTAIN: . ABSENT: .

ATTEST:	Eddie Ellington, Mayor
Esther J. McCrackin, City Clerk	
Approved to Legal Form:	
D. Rix Edwards, City Attorney	
Reference: Minute Book 44, p **, CAF 16	_**

City Council Action Form

Office of City Manager P. O. Box 1434 Henderson, NC 27536 252,430.5701



Council Meeting: 9 May 16 Reg. Meeting

13 April 2016

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

Frank Frazier, City Manager 33 FR:

CAF: 16-47 RE:

> Consideration of Approval of Resolution 16-35, Providing for the Disposition of Jointly Held Properties by the City and County Otherwise Identified as 430 1/2 Hamilton Street,; Parcel ID # 0098 020004 and, a 47 FT lot Located on Hamilton

Street, Parcel ID #0098 02003

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 16-35, Providing for the Disposition of Jointly Held Properties by the City and County Otherwise Identified as 430 ½ Hamilton Street,; Parcel ID # 0098 020004; and a 47 FT lot Located on Hamilton Street, Parcel ID #0098 02003

Executive Summary:

Vance County Tax Department has received interest from a private buyer to bid on and purchase the properties located at 430 1/2 Hamilton Street and a 47 Ft lot on Hamilton Street. The assessed tax value of these properties is as follows:

430 1/2 Hamilton Street- Parcel ID 0098-02004 - \$4,539 47 Ft Lot Hamilton Street- Parcel ID 0098 02003 - \$ 3,282

The City has no liens against these properties for weed abatement. Prior to tax foreclosure, the unpaid County taxes for these properties were as follows:

- o 430 ½ Hamilton Street \$784 (County \$432; City \$335)
- 47 Ft Lot Hamilton Street \$828 (County \$430; City \$398)

CAF 16-47: 9 May 2016 Council Meeting Page 1 of 13

It is requested Council approve the transfer of this property to Vance County with the understanding upon the sale, the proceeds will be shared on a pro-rata basis.

Attachments:

- 1. Resolution 16-35
- 2. Offer to Purchase
- 3. Copy of Deeds
- **4.** Map

RESOLUTION 16-35

PROVIDING FOR THE DISPOSITION OF JOINTLY HELD PROPERTIES BY THE CITY AND COUNTY OTHERWISE IDENTIFIED AS 430 ½ HAMILTON STREET,; PARCEL ID # 0098 020004; AND, AN ADDITIONAL LOT LOCATED ON HAMILTON STREET, PARCEL ID #0098 02003

- WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2016, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; and
- **WHEREAS**, this Resolution addresses one Core Value as follows: CV 9: maintain a good working relationship with the County of Vance; *and*
- **WHEREAS**, the City of Henderson (City) and County of Vance (County) have previously discussed the possibility of disposing jointly owned properties acquired through the tax foreclosure process; and
- WHEREAS, the process to dispose of jointly held properties is cumbersome; and
- **WHEREAS**, there is a potential buyer for the previously mentioned properties and both the County and City administrations believe it appropriate for the City to transfer its interest in said properties to the County in order that they might be more expeditiously sold; *and*
- **WHEREAS**, once sold, the City would receive its pro-rata share of the proceeds from the County.
- **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 to expeditiously prepare the necessary agreements and documents to effect the transfer of the aforementioned property from the City of Henderson to the County of Vance.
 - 2. Said transfer of interests in property is predicated upon and conditioned by the appropriate pro-rata division of any net proceeds from the eventual sale of said properties, either individually or collectively, between the City and County.
 - 3. The Mayor is authorized to sign any such agreements and documentation as prepared and approved by the City Attorney to effect the transfer of said property to the County of Vance.

ATTEST:	Eddie Ellington, Mayor
Esther J. McCrackin, City Clerk	
Approved to Legal Form:	
D. Rix Edwards, City Attorney	

The foregoing Resolution 16-35, 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 -----2016: YES:. NO:. ABSTAIN: ABSENT:

NORTH CAROLINA

VANCE COUNTY

OFFER TO PURCHASE COUNTY OWNED PROPERTY

	I, Voncile Brown , (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 1279 Page 0203 and Book 1271 Page 1139 Street Address: 430 ½ Hamilton Street and 47 ft. Hamilton Street Lot Tax ID No.: 0098 02004 and 0098 02003
1.	The Purchase Price: The purchase price is \$ 1.000.00, plus the cost of publication as required by NCGS 160A-269, and shall be paid as follows:
	a. \$_750.00, (the greater of \$750 or 5% of the purchase price) in cash, cashier's check or certified funds as a deposit, with the delivery of this offer, to be held by the Vance County Attorney until the sale is closed at which time it will be credited to Buyer, or this agreement is otherwise terminated as herein provided.
	b. \$, 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

- a. Title will be delivered at closing by <u>Non-Warranty Deed</u>. 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. § 160A-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. <u>Closing.</u> 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 <u>Voncile Brown</u>
- 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. <u>Assignments.</u> 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. <u>Termination of Offer.</u> 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.

- 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). Seiler 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
- 12. <u>Parties.</u> 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. <u>Terminology.</u> 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. <u>Counterparts.</u> This offer may be executed in two counterparts with an executed counterpart being retained by each party nereto.
- 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.

T) 4 0 (200	nt .6	20	. 20 / 6	
Date of Offer:	Mianth	20	. 20 / 6	

Yoneile Brown Buyer	Uquile Blos
BUYER NOTICE ADDRESS:	,
Mailing Address: 3007 Cedarbrook Street Beaufort, SC 29906 Buyer Phone#: (843) 441-0801 Buyer Fax#: (843) 521-1936 Buyer E-mail: voncilebrown@yahoo.co	<u>-</u>
Acknowledgment of Receipt of Deposit:	
I, <u>Kelly H. Grissom</u> , County Clerk or her the amount of \$_750.00 as set forth here:	
Date: 3-23-16	Title Clerk o Board
Acknowledgment of Receipt of Deposit fro	om County Clerk
I, Jonathan S. Care, County Attorney, herel deposit in the amount of \$_750.00 from Account in accordance with the terms hereof	by acknowledge receipt of the herein above referenced the County Clerk, and shall hold the same in my Trust f.
This theday of	, 20
	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 Commission	ners
Chairman	

Last Revised February, 2013

1279

M1279 M0203

43012 Hamilton

FILED May 23, 2014 11:17 am BOOK 01279 PAGE 0203 THRU 0204 INSTRUMENT # 01848 CA RECORDING \$26.00 EXCISE TAX \$8.00

HTI FILED
VANCE
COUNTY NC
CAROLYN R. PECORA
REGISTER
OF DEEDS
398

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

COUNTY OF VANCE

COMMISSIONER'S DEED

THIS DEED, made and entered into this the 23rd day of May, 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, Renderson NC 27536;

WIINESSETH:

THAT WHEREAS, in that certain Tax Foreclosure Proceeding entitled "Vance County and City of Henderson, Plaintiffs vs. Joyce B. Martin and Spouse, if any, Defendants", File No. 13-CVD-738, 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 Ricks 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 April 9, 2014, when and where no bidders where present; and,

WHEREAS, said N. Kyle Ricks filed a Notice of Postponement of Sale, postponing said sale until April 15, 2014; and,

WHEREAS, said N. Kyle Hicks offered the lands for sale on April 15, 2014, at which time the City of Henderson (42.79%) and Vance County (57.21%) became the last and highest bidder, bidding the sum of \$3,400.00; and,

WHEREAS, said N. Kyle Hicks reported said sale to the Court on April 15, 2014; and,

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

WHEREAS, on May 6, 2014, said Court entered an Amended 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

(A0105386.DOC)

HOPPER, MICKS & HRENN, PLLC, 121 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 \$3,400.00, has bargained and sold and by these presents, does hereby bargain, sell and convey unto the Parties of the Second Part, its successors and/or assigns, all of that certain tracts or parcels of land lying and being situate in the City of Henderson, Vance County, North Carolina, and more particularly described as follows:

BEGINNING at an iron pipe at the Southwest corner of Bryant Green's property and Hamilton Street; thence North 71 deg. 45 min. 33 sec. East 131.76 feet along property of Bryant Green to an iron pipe; thence South 16 deg. 22 min. 13 sec. East 64.94 feet along property of Rebecca O. Shearin to an iron pipe; thence South 71 deg. 44 min. 23 sec. West 131.10 feet to an iron pipe; thence North 16 deg. 57 min. 48 sec. West 64.97 feet along Hamilton Street to an iron pipe, being the point of beginning and containing 0.20 acres more or less as shown on map of Wallace G. Cawthorne, Registered Land Surveyor, dated February 26, 1979.

This is the identical lot conveyed to the Grantors herein at Book 536, Page 663, Vance County Registry. For further reference, see Deed Book 565, Page 272, in the Office of the Vance County Register of Deeds. Also see Deed Book 724, Page 288 for further reference and chain in the Office of the Vance County Registry of Deeds.

For further reference, see Deed of record in Book 731, Page 399, Vance County Registry.

(Parcel I.D. Number 0098 02004; 430 1/2 Hamilton (MH), 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.

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 23 day of May, 2014.

Bradget A Rotris, Notary Public
My Commission Expires: 11/28/201

Commission Expires: 11/28/2015

(A0105386 .DOC)

111 GILLIAM ST., OXFORD HC 27965

BK 1271 PG 1139

1271 1139

47 ft Hamilton St 0098 02003

FILED Nov 25, 2013 03:38 pm BOOK 01271 PAGE 1139 THRU 1140 INSTRUMENT # 05214 RECORDING \$26.00 \$8.00

EXCISE TAX

COUNTY NO CAROLYN R. PECORA

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

COUNTY OF VANCE

COMMISSIONER'S DEED

THIS DEED, made and entered into this the 25th 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. Honderson NC 27536:

WITNESSETH:

THAT WHEREAS, in that certain Tax Foreclosure Proceeding entitled "Vance County and City of Renderson, Plaintiffs vs. Bryant Green and Spouse, if any, et al, Defendants", File No. 13-CVD-54, 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 Nicks 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 July 25, 2013, when and where no bidders where present; and,

WHEREAS, said N. Kyle Hicks filed a Notice of Postponement of Sale, postponing said sale until July 31, 2013; and,

WHEREAS, said N. Kyle Hicks offered the lands for sale on July 31, 2013, at which time the City of Renderson (42.79%) and Vance County (57.21%) became the last and highest bidder, bidding the sum of \$3,050.00; and

WHEREAS, said N. Kyle Ricks reported said sale to the Court on July 31, 2013; and,

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

WHEREAS, on August 14, 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

(ACI00841.DOC)

HOPPER, MICKS & WREEN, PLLC, 111 GILLIAM ST., OXFORD NC 27565

BK 1271 PG 1140

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 \$3,050.00, 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:

BEGINNING on the east side of Grove Eill Street, corner Lot #20 and run thence along the east side of Grove Hill Street 47 feet to an iron pin; thence N 69 E 126.4 feet to an iron pin; thence 47 feet in a northerly direction to an iron pin, corner Lot #20; thence 128.5 feet in a Westerly direction to the place of beginning.

Same being Lot No. 21 in the plat of Mrs. Andrew J. Harris' property made April 1937 by S.E. Jennette, to which reference is hereby made for other and further description

For further reference, see Deed in Book 231, Page, 118, Vance County Registry.

(Parcel I.D. Number 0098 02003, 47 ft. Hamilton 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 Bicks, 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 Ricks, 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 25th day of November, 2013.

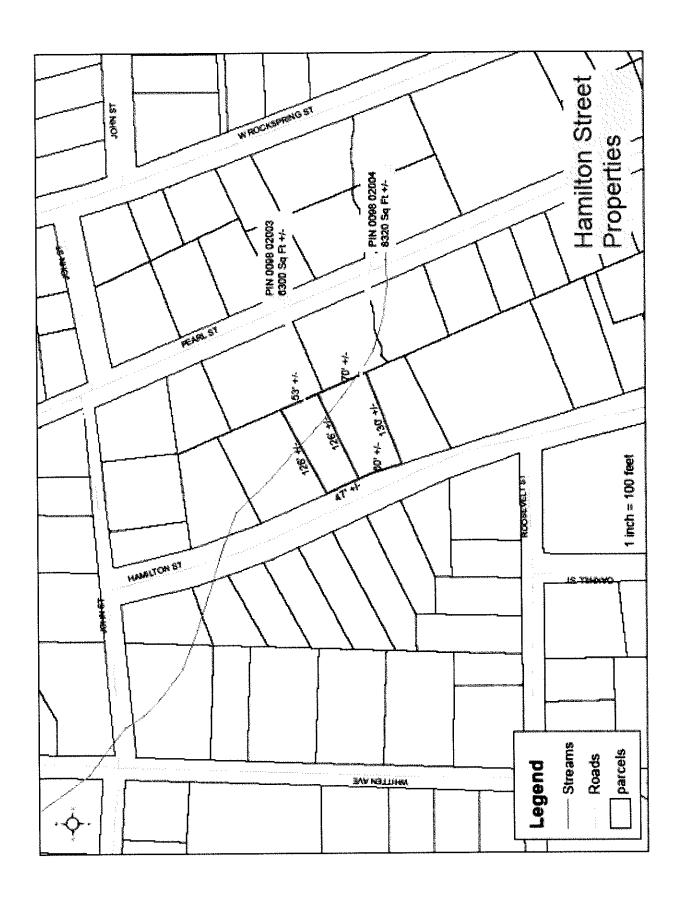


Bridget & Harris, Notary Public

My Commission Expires: 11/28/2015

2

(A0100841.DOC)



CAF 16-47: 9 May 2016 Council Meeting Page 13 of 13

City Council Action Form

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



Council Meeting: 9 May 2016 Regular Meeting

25 April 2016

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

FR: Frank Frazier, City Manager (4.4.)

RE: CAF: 16-60, Consideration of Approval of Ordinance 16-14, Converting Two Hour Parking Spaces on Garnett Street to Loading Zone and Handicap Parking

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 16-14, Converting Two Hour Parking Spaces on Garnett Street to Loading Zone and Handicap Parking space.

Executive Summary

The City of Henderson received separate business requests to convert two hour parking spaces on the west side of Garnett Street to a loading zone and a handicap parking space. The requests are at the corners of Garnett & Breckenridge; and Garnett & Orange respectively. Existing designations were found to be too far away to adequately serve the requesting businesses. The loading zone restriction is being limited to the daytime hours, Monday through Friday and striping will be used to eliminate parking between the zone and Breckenridge Street to allow for large vehicle turn movements.

These requests were received as a result of the "Mayor's Walk" and the DDC is supportive of these requests.

Attachments:

- **1.** Ordinance 16-14
- 2. Aerial and street views of the affected areas of Garnett Street

CAF 16-60: 9 May 2016 Council Meeting Page 1 of 4

ORDINANCE 16-14

AUTHORIZING THE CONVERSION OF TWO PARKING SPACES ON GARNETT STREET TO A LOADING ZONE AND A HANDICAPP PARKING SPACE

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

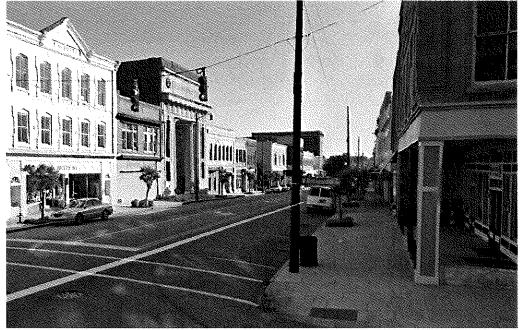
<u>Section 1</u>. That the following be added to the Schedule of Streets set forth in Section 7-86 relating to loading zones:

Garnett Street, on the west side, beginning at a point fifteen (15) feet south of the southern curb line of Breckenridge Street, and running thence in a southerly direction for a distance of twenty-five (25) feet (for a "loading zone" effective only between the hours of 6AM to 6PM, Monday through Friday).

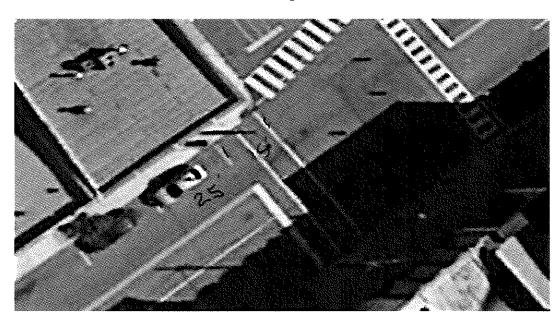
Garnett Street, on the west side, beginning at a point twenty (20) feet south of the southern curb line of Orange Street, and running thence in a southerly direction for a distance of twenty-three (23) feet (for handicapped parking only).

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

seconded by Council Member	upon motion of Council member and, and having been submitted to a roll call l was ********* on this the ** th day of, : . ABSENT: .
ATTEST:	Eddie Ellington, Mayor
Esther J. McCrackin, City Clerk	
Approved to Legal Form:	
D. Rix Edwards, City Attorney	
Reference: Minute Book 44, p. **.	



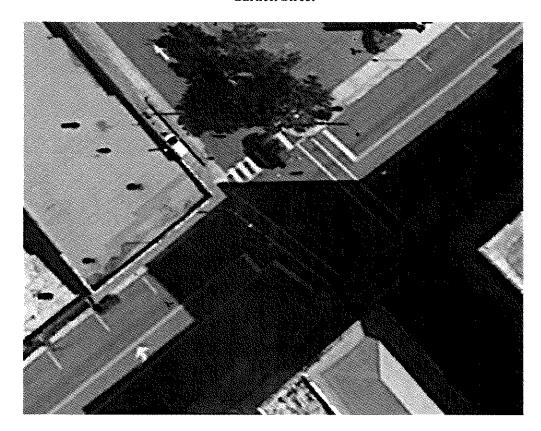
Breckenridge Street



Garnett Street



Garnett Street



CAF 16-60: 9 May 2016 Council Meeting Page 4 of 4

Council Action Form

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



Agenda	Item:	

Council Meeting: 9 May 16 Regular Meeting

3 May 2016

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

FR: Frank Frazier, City Manager 3.3.

RE: CAF: 16-05

Consideration of Approval of Ordinance 16-17, Revising the Erosion and Sediment Control Ordinance to Establish a Procedure to Address Penalties and Remissions Pending the Sedimentation and Erosion Control Commission's Approval.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- **KSO -5**: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems
- CV 3: Fairness: Implement policies the ensure compliance to regulations and provide a policy that is fair and equal to all parties being issued a City permit.

Recommendation:

 Approval of Ordinance 16-17, Revising the Erosion and Sediment Control Ordinance to Establish a Procedure to Address Penalties and Remissions Pending the Sedimentation and Erosion Control Commission's Approval.

Executive Summary:

The City of Henderson is a "Delegated Sediment and Erosion Control Authority" by the North Carolina Department of Environmental Quality (NCDEQ) to enforce the Sediment and Erosion Control (SEC) Act. Henderson's authority only applies to Erosion and Sediment Control compliance within the City Limits of Henderson and not for projects that are funded by the City or a project that directly benefits the City.

NCDEQ recently issued a revision to the State's Erosion and Sediment Control Ordinance to include remissions and they have mandated that all delegated authorities adopt the same procedure in our appropriate ordinance. The proposed legislation gives first time offenders (Zero Notices of Violation) to the SEC Act the opportunity to admit guilt but, contest their assessed

civil penalties. The State's SEC Commission will hear each case and grant compliance timelines to 180 days and limit civil penalties to \$25,000 for a first time offender.

Staff recently cited a developer with Notices of Violations, Notices of Non-Compliance and general regulatory requests in the field. The developer has paid the fine in full and made the appropriate measures to get the site back into compliance. The City's current ordinance places the burden of assessing fines on the Governing Body, which extends the time lines to bring the contractor back into compliance, since council meeting only meet once a month and contractors typically have 14 days to correct the issues.

Staff has been working with the City Attorney to revise the ordinance to transfer the penalties from a Governing Body decision to an administrative fee schedule with an administrative process. This model of using a fee schedule has been adopted by many cities to provide a quick and clear course of action and a definable cost associated with each violation. These fees would be included in the <u>City's Annual Recommended Fee Schedule</u> which is approved every year by council.

The administrative process is reflected below:

- 1. The Financial Responsible Party would submit a check with the Erosion and Sedimentation Control Application.
- 2. The site contractor prior to a "Pre-construction Conference" would submit a performance bond for the erosion control measures.
- 3. The City's inspector will show up on site to perform a regular inspection (every two weeks and after rain events).
- 4. If the inspector notes SEC measures out of compliance he will note them in the report and provide a time line for a follow-up visit (typically 14 days) so corrections can be repaired to a functional and professional quality.
- 5. If upon the first follow-up visit the original non-compliance issues have not been corrected then a Notice of Violation is issued, a fine assessed and a second follow-up visit is placed upon an accelerated scheduled visit (typically 7 days).
- 6. If upon the second follow-up visit the original non-compliance issues have not been corrected then a second Notice of Violation is issued, and fine shall be assessed on a "continuing basis" and a third follow-up visit is placed upon an accelerated scheduled visit (typically 7 days).
- 7. If upon the third follow-up visit (typically 7 days) the original non-compliance issues have not been addressed then the inspector shall issue a "5-day Stop Work Notice" and the only work that can occur on the site is the correction of Erosion and Sediment control measures. A third Notice of Violation will be issued and a fine assessed.
- 8. If upon the fourth follow-up visit and the original non-compliance issue has not been resolved then another NOV and the "continuing basis" fine will be assessed and the Contractor's bonding agent will be notified to make the necessary repairs and another "5-day Stop Work Notice" will be imposed while the Bonding Agent resolves the issue(s).

The following is a general list of fines. These fines may be subject to revision or change and are based on severity, onsite judgment and professional opinion.

No approved plan/grading without a permit (includes single family lots) \$ 5,000 Failure to renew permit \$ 500
Failure to follow approved plan, or obtain signed plan prior to work\$ 3,000 Failure to submit revised plan
Failure to provide adequate ground cover
Slight
50' x 50' area
Less than 3:1 slope
Little possibility for erosion
Moderate
3:1-2:1 slope
Slight rilling
Severe\$ 3,500
200' x 200' area
2:1 slope or more
Large rills to gullies and washing
Insufficient measures to retain sediment onsite
Failure to take all reasonable measures (see also insufficient measures)\$ 500
Large storm (non-hurricane)
At start of project prior to full installation
In between phased grading\$ 750
Graded slopes and fill too steep
Unprotected slopes (see failure to provide ground cover in 7 days)\$ 1,000
Lack of maintenance
Inadequate buffer zone (30 feet Roanoke, 50 feet for Tar-Pam)\$3,000
Check 401/404 permits
Grading in floodplain
Call Army Corp of Engineers/DWQ
Filling in Wetland, Creek or water course\$ 5,000
Call Army Corp of Engineers/DWQ
Everior Ducklama (foilum to take all massemakle massemak)
Erosion Problems (failure to take all reasonable measures) Slight potential for erosion problem
Moderate potential for erosion problem
Interior of basin not seeded
baffles not installed or maintained
skimmer not dewatering
silt fence blown over (slightly)
construction entrance failing
Severe potential for erosion problem
Sediment basin over half full

tree protection fence down

diment offsite
Slight (each can be separate violations, examples only)\$ 500/day
Construction entrance violation, mud tracking
Average 10' x 10' area
Seeded area that did not take and eroded offsite
Up to one 5-gallon bucket full
Moderate (each can be separate violations, examples only) \$ 1,000/day
Silt fence overtopped, concentrated water, not into inlet
Less than two 5-gallon buckets
Average area is 20' x 30'
Skimmer dewatering too fast, over 50 NTU
Severe(each can be separate violations, examples only)
Sediment in water course buffered stream (intermittent & ephemeral), wetland, pond,
floodplain
Sediment onto private property (including ponds)
Sediment area larger than 20' x 30'
More than three 5-gallon buckets full
Sediment overtopping silt fence into unprotected inlet
Penalty for Violation of Stop Work Order\$ 4,000

Staff recommends that City Council approve the Ordinance and fees subject to approval by the State's Sedimentation Control Committee.

ORDINANCE 16-17

AMENDMENT OF PROCEDURES AND POLICIES ON ASSESSMENT OF PENALTIES FOR FAILURE TO MEET THE SOIL EROSION AND SEDIMENTATION CONTROL STANDARDS OF CHAPTER 23A OF CODE (Code) OF THE CITY OF HENDERSON, NORTH CAROLINA (City)

The City Council doth ordain:

<u>Section 1</u>. Sections 23A-20 and 23A-21 of the Code, which respectively address penalties and injunctive relief, are deleted and the following is inserted:

(3) REMEDIES, PENALTIES AND FEES

The City shall have the following remedies and enforcement powers to prevent, correct, stop, abate, and effect civil penalties through assessment of fees. The remedies provided for violations of this ordinance, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order. The remedies and the fees, which are provide in the City's Annual Fee Schedule, amplify and supplement the procedures and policies of the controlling statute, the Sedimentation Pollution Control Act of 1973, codified in the North Carolina General Statutes at Article 4 of Chapter 113A: Pollution Control and Environment (Act).

3.1 Deny or Withhold Permits

The Director or City Engineer may deny or withhold all permits, certificates, or other forms of authorization to use or develop any land, structure, or improvements until a violation is corrected and any associated civil fees are paid. This provision shall apply whether or not the current owner or applicant for the permit or other approval is responsible for a violation.

3.2 Revoke Permits

Any development permit, certificate, or other form of authorization required under this ordinance may be revoked when the Director or City Engineer determines that:

- (1) There is a departure from the approved plans, specifications, or conditions as required under the permit;
- (2) The development permit was procured by false representation;
- (3) The development permit was issued in error; or
- (4) There is a violation of any provision of this ordinance.

Written notice of revocation shall either be served upon the property owner, agent, applicant, or other person to whom the permit was issued, or such notice may be posted in a prominent location at the place of violation. No work or construction shall proceed after service or posting

of the revocation notice.

3.3 Issue Stop Work Order

A stop work order may be issued if the Director or City Engineer believes a violation of the ordinance has occurred; that the violation is knowing and willful; and that the off-site sedimentation has eliminated or severely degraded a use in a lake or natural watercourse or that such degradation is imminent, the off-site sedimentation has caused severe damage to adjacent land or that such damage is imminent or the land-disturbing activity is being conducted without an approved plan.

The order shall be in writing and shall state what work is to be stopped and what measures are required to abate the violation. The order shall include a statement of the findings made by the Director or City Engineer and shall list the conditions under which work that has been stopped by the order may be resumed. A copy of this section shall be attached to the order.

The order shall be served by the a person authorized by law to serve process as provided by North Carolina General Statute 1A-1, Rule 4 (Rule), and shall be served on the person at the site of the land-disturbing activity who is in operational control of the land-disturbing activity. The person authorized by law to serve process shall post a copy of the stop-work order in a conspicuous place at the site of the land-disturbing activity. The directives of a stop-work order become effective upon service and effective for a period not to exceed five days.

3.4 Notice of Violation Civil Penalties

Any person who violates this ordinance, or who initiates or continues a land-disturbing activity for which an erosion control plan is required other than in accordance with the terms, conditions and provisions of an approved erosion control plan, is subject to a fees as provided in the City's Annual Fee Schedule.

(A) Process

If the Director or City Engineer determines that a person engaged in a land-disturbing activity has failed to comply with ordinance, the Director or City Engineer shall serve a notice of violation upon that person. The notice may be served by any means authorized under the Rule, and shall specify a date by which the person must come into compliance and shall inform the violator of the actions that need to be taken to comply. Any person who fails to comply within the time specified is subject to additional fees and criminal penalties of a continuing violation. The Director or City Engineer shall notify the person, who is assessed a fee, the amount of the fee and the reason for its assessment. The notice of assessment shall be served by any means authorized under the Rule and shall direct the violator to either pay the assessment or contest the assessment within thirty (30) days by filing an appeal with the Zoning Board of Adjustment. An assessment that is not contested is due when the violator is served with a notice of assessment. If a violator does not pay the assessed fee within thirty (30) days after it is due, the City may institute a civil action to recover the amount of the assessment.

(B) Amount

The Director or City Engineer may assess fees as provided in the City's Annual Fee Schedule. The matters for which assessments may be issued are provided below. Each day of a continuing violation shall constitute a separate violation which may be assessed from the date the notice of violation is served, except where specified as a one-time-only assessment. In determining the amount of the assessment, the Director or City Engineer shall consider the maximum allowed by the Annual Fee Schedule, as well as the following: the degree and extent of harm caused by the violation; the cost of rectifying the damage; the amount of money the violator saved by noncompliance; whether the violation was committed willfully; and the prior record of the violator in complying or failing to comply with this ordinance.

VIOLATIONS OF SEDIMENTATION AND EROSION CONTROL REQUIREMENTS

Violation	One-time-only assessment for the day a violation of the requirements of this Section is detected, based upon whether the violation has resulted in off-site sedimentation.
Violation of Stop Work Order	One-time assessment for violation of a stop-work order issued pursuant to the authority contained in G.S. 113A-65.1
Grading Without a Plan	Failure to secure a valid required grading permit prior to conducting a land disturbing activity
Failure to Protect	Failure to take all reasonable measures to protect public property or private property from damage caused by failure to retain sediment on site.
Failure to Follow Plan	Failure to conduct a land disturbing activity in accordance with the provisions of an approved erosion and sedimentation control plan.
Failure to Install Devices	Failure, when twenty-two thousand (22,000) sq. ft. or more is disturbed, to install erosion and sedimentation control devices sufficient to retain the sediment generated by the land disturbing activity within the boundaries of the tract(s) and prevent off-site sedimentation.

Failure to Maintain Permanent and/or Temporary Measures	Failure to maintain adequate erosion control measures.
Failure to Protect Exposed Slopes	Failure, within fifteen (15) calendar days of completion of any phase of grading, whichever period is shorter, to plant or otherwise provide exposed, graded slopes or fills with ground cover, devices, or structures sufficient to restrain erosion.
Failures to Provide Adequate Cover	Failure on a tract where more than twenty-two thousand (22,000) sq. ft. is disturbed, to plant or otherwise provide ground cover sufficient to restrain erosion within fifteen (15) working days or sixty (60) calendar days, whichever period is shorter, following completion of construction of development.
Failure to Revise Plan	Failure to file an acceptable, revised erosion and sedimentation control plan within the established deadline after being notified of the need to do so
Failure to Keep Dirt and Mud Off Public Streets	Failure to prevent the accumulation of more than an inch of dirt or mud on public streets, plus
Failure to Maintain Slopes	Failure on cut, graded, of fill slopes to maintain an angle sufficient to prevent slump, creep or other slope failures.
Any Other Action Chapter	or Failure to Act That Constitutes a Violation of This

When the person has not been assessed for any previous violation and that person abated continuing environmental damage resulting from the violation within 180 days from the date of the notice of violation, the maximum cumulative total fee that may be assessed under this subsection for all violations associated with the land-disturbing activity for which the erosion and sedimentation control plan is required is twenty-five thousand dollars (\$25,000).

A request for remission of an assessment may be filed with the North Carolina Sedimentation Control Commission in accordance with the procedures provided by the Act.

3.5 Misdemeanors

Unless otherwise specifically provided, in addition to, or in lieu of, assessments of fees or other

remedies, violations of the sedimentation requirements set forth in this ordinance shall constitute a misdemeanor, pursuant to North Carolina General Statutes 160A-175 and 14-4, conviction which may entail fines and incarceration.

3.6 Require Restoration of Disturbed Areas

The Director or City Engineer may require a person who engaged in a land-disturbing activity regulated under this Section and failed to retain sediment generated by the activity as required by G.S. 113A-57(3) to restore the waters and lands affected by the failure so as to minimize the detrimental effects of the resulting pollution by sedimentation. This authority is in addition to any other civil or criminal penalty or injunctive relief authorized under this chapter or the General Statutes.

3.7 Private Civil Relief

Any person who is injured by a violation of the soil erosion and sedimentation control provisions in this Ordinance, or who is injured by the initiation or continuation of a land-disturbing activity for which an erosion control plan is required other than in accordance with the terms, conditions and provisions of an approved erosion control plan, may bring a civil action against the person alleged to be in violation.

<u>Section 2</u>. The forgoing Ordinance shall be in full force and effect as of the date of its approval by the North Carolina Sedimentation Control Commission

The 1	foregoing	Ordinance 16-	-17, upon motion	of Council Me	mber	and
secon	ded by Co	ouncil Member	-	and having been	submitted t	o a roll call vote
and re	eceived th	e following vot	es and was	on thi	s the ****	day of *****,
2016:	YES:	NO: .	ABSTAIN: .	ABSENT:	•	-
				Eddie Ellington	, Mayor	
ATTE	ST:					
Esthe	r J. McCra	ckin, City Clerk	<u> </u>			
Appro	oved to Le	gal Form:				
D. Riz	x Edwards	, City Attorney				
Refero	ence: Min	ute Book 44, p.	**			

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

27 April 2016

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

FR: Frank Frazier, City Manager 3.9.

RE: CAF: 16-41

Consideration of Approval of Ordinance 16-11, FY 16 BA #19, Transferring Funds from the KLRWS Operating Budget to a Capital Improvement Plan (CIP) Account for the Installation of a New SCADA System for Regional Water

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

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

Recommendation:

 Approval of Ordinance 16-11, FY 16 BA #19, Transferring Funds from the KLRWS Operating Budget to a Capital Improvement Plan (CIP) Account for the Installation of a New SCADA System for Regional Water

Executive Summary:

The Kerr Lake Regional Water's current SCADA system was installed in 1996. It is a proprietary system that can only be serviced by the company that installed it and they are no longer reliable when it comes to needing service or parts on the system.

During the FY 15-16 budget process \$508,000 was allocated to the KLRWS annual budget for this project; however, due to timing restraints and concerns relative to obtaining only one quote the project has not moved forward as anticipated. Therefore it is necessary to transfer the funds to a CIP budget to allow for a Bid package to be prepared so that competitive bids can be obtained. There is not sufficient time to complete prior to the end of the FY 16; therefore, the need to transfer to a CIP project fund.

Attachments:

1. Ordinance 16-11

ORDINANCE 16-11

FY 2015 – 2016 BUDGET AMENDMENT #19 TRANSFERRING FUNDS FROM THE KLRWS OPERATING BUDGET TO A CAPITAL IMPROVEMENT PLAN (CIP) ACCOUNT FOR THE INSTALLATION OF A NEW SCADA SYSTEM FOR REGIONAL WATER

- WHEREAS, the City Council of the City of Henderson (Council), on 22 June 2015, adopted its FY 15-16 Operating Budget; and
- WHEREAS, the Council has created and uses a Capital Improvements Fund for active capital projects related to the regional water treatment system, said fund referred to as 46: CIP Regional Water Fund; and
- **WHEREAS**, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements budgets from time-to-time, said amendment incorporated in this Ordinance.
- WHEREAS, it is necessary to prepare limited plans and specs to obtain a competitive bid package; and
- **WHEREAS**, the Regional Water System desires to obtain a system with open architecture so that it is not necessary to rely on one company for these services.
- **NOW THEREFORE BE IT ORDAINED** by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

FIIND: 6	64: REGIONAL WATER	FUND	Ordinance 16-11 FY 15-16 Budget Amendment #19							
rond.	94. INCOIONAL MAILN	. 0.1.5								
EVENUES				Approved		Current				
Department	Line Item	Code		22-Jun-15		Budget	Α	mendment		Revised
			\$	-	\$	-	\$	-	\$	
		Total	\$	-	\$		\$	-	\$	
									\$	-
XPENDITURES				Approved		Current			,	
Department	Line Item	Code		22-Jun-15		Budget		mendment		Revised
	CAPITAL OUTLAY >\$5,000	64-900-507405	\$		\$	523,000.00	\$	(523,000.00)		-
	TRANS TO: 46 CIP REG	64-900-561046	\$		\$	-	\$	523,000.00	\$	523,000.00
		Total	\$	508,000.00	\$	523,000.00	\$	-	\$	523,000.00
							<u>, .</u>		\$	523,000.00
		Variance	18				\$			
EVENUES	: CIP REGIONAL WATE		H	Approved		Current				
Department	Line Item	Code	1	22-Jun-15	L	Budget	-	mendment		Revised
	TRANS FR: 64 REG WATER	46-942-461064	\$		\$	-	\$	523,000.00	\$	523,000.00
		Total	\$		\$	-	\$	523,000.00	\$	523,000.00
									\$	523,000.00
XPENDITURES				Approved		Current	_		,	
Department	Line Item	Code	L	22-Jun-15		Budget	_	Amendment		Revised
	CONSTRUCTION	46-942-510400	\$		\$	-	\$	493,000.00		493,000.00
	ENGINEERING	46-942-510301	\$		\$		\$	30,000.00	_	30,000.00
		Total	\$	-	\$		\$	523,000.00	\$	523,000.00
	•		Des		Petroe@A	vicona e le avalent de la compa	3 ^		\$	523,000.00
		Variance					\$		\$550A	
					(CO)		3.7	1 ho is look \$ 357	4	00.000.00
	teference:	TRANSFERRING F		UDO EDOM E	IF 6	Notes:	000	T TO ODE ATE	A C	ID DOO IECT EOD
CAF #16-41; O	rdinance #16-11; BA #19 i COUNCIL MEETING							VI FOR REGIO		
2 1 2 2 2 2 2		I INSTA	LL	ATION OF A N	IE V	V SUMDA ST	> 1 121	M FOR KLUIO	MAL	YYNILIX

Council Mem	Ordinance 16-11, upon moti ber and having es and wasBSENT:.	been submitted	d to a roll call	vote and received the
		Eddie	Ellington, May	or
ATTEST:				
Esther J. McC	rackin, City Clerk			
Reference: M	inute Book 44 p **; CAF 16-	41		
Reviewed by:		Date	:	
·	Lisa Boyd, Assistant Financ			
Reviewed by:		Date	>	
·	Frank Frazier, City Manage			

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

May 2, 2016

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

FR: Frank Frazier, City Manager

RE: CAF: 16-68

Consideration of Approval of Resolution 16-42, Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of an Annexation Petition From LIDL, US Operations, LLC.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

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

Recommendation:

 Approval of Resolution 15-, Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of an Annexation Petition from LIDL, US Operations, LLC.

Executive Summary:

A petition for Voluntary Annexation has been received from LIDL, US Operations, LLC. The property in question is contiguous to the City and its boundaries are provided in the attached map and legal description. The total amount of acreage is $4.635^{+/-}$ acres. This company requested a Special Use Permit from the Board of Adjustment to construct a 36,170 sf retail grocery store. The Board of Adjustment approved this request on July 7, 2015. LIDL plans to construct water and sanitary sewer mains in accordance with City standards. If approved, this resolution directs the City Clerk to investigate the sufficiency of the petition and to certify to the Council the result of the investigation, in accord with the requirements of North Carolina General Statute §160A-31, "Annexation by Petition".

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

Attachments:

- 1. Resolution 16-42
- 2. Petition
- 3. Legal Description
- 4. Special Use / Variance Certificate & Letter of Approval

CAF 16-68: 9 May 2016 Council Meeting Page 1 of 1

RESOLUTION 16-42

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

WHEREAS, the City Council (Council) conducted its Annual Planning Retreat in 2015 and identified eight Key Strategic Objectives (KSOs) and Goals; and
WHEREAS, this Resolution addresses KSO-3: Enhanced Economic Development; and
WHEREAS, a petition requesting annexation was received by staff on May 2, 2016; and
WHEREAS, North Carolina General Statute §160A-31 requires the City Clerk to investigate the sufficiency of the petition and certify the results of the investigation
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL that the City Clerk is directed to investigate the sufficiency of the attached petition (Attachment A) and certify the result of the investigation to the Council.
Resolution 16-42, upon motion of Council Member and second by Council Member and having been submitted to a roll call vote received the following votes and was on this the ** th day of 2015: YES: NO:. ABSTAIN: ABSENT:
Eddie Ellington, Mayor ATTEST:
Esther J. McCrackin, City Clerk
Approved to Legal Form:

D. Rix Edwards, City Attorney

Reference: Minute Book 44, p ***; CAF 16-68

Petition to the City of Henderson, North Carolina (City) for Voluntary Annexation

To the Mayor and City Council:

benrious m	igned(s), owner(s) of the property identified below, and in the attachment (Property) at the Property be annexed to the City as permitted by Article 4A of Chapter 160A, Powns, of the North Carolina General Statutes.
X	The Property is contiguous to the City and its boundaries are provided in the attachment.

The Property is contiguous to the City and:

- the petition is being made pursuant to North Carolina General Statute §160A-31(b1).
- and its boundaries are provided in the attachment.

The Property is not contiguous to the City and:

- at its nearest point, is three miles or less from the City primary corporate limits.
- no point of the Property is closer to the primary corporate limits of another city than the City primary corporate limits.
- the City will be able to provide the same services to the Property as it currently provides within its primary corporate limits.
- its boundaries are provided in the attachment, along with a map showing the Property in relation to the primary corporate limits.

The Property is not contiguous to the City and:

- at its nearest point, is three miles or less from the City primary corporate limits,
- no point of the Property is closer to the primary corporate limits of another city than to City primary corporate limits.
- the City will be able to provide the same services to the Property as it currently provides within its primary corporate limits.
- as the Property is a subdivision, or a portion of the Property is a subdivision, as defined by North Carolina General Statute §160A-376, all of the subdivision is included in the annexation petition.

	 the Property, when added to the areas of other noncontiguous portions, does not exceed ten percent of the primary corporate limits of the City. its boundaries are provided in the attachment, along with a map showing the Property in relation to the primary corporate limits. 		
The state of the s	The property is not contiguous to the City and:		
	 the petition is being made pursuant to North Carolina General Statute §160A- 376. 		
	 its boundaries are provided in the attachment, along with a map showing the Property in relation to the primary corporate limits. 		
Property Own	DET(S): LTDL, US OPERATIONS, LLC		
Address: /Se	YAN WEHMANN TO SUNDAY DRIVE, SULTE 101 BALESON, NC. 27607		
Telephone Nu	mber: 703-346-4654 E-Mail: RIAN. VERMANN OLDOLVS ess: NC 19 HENDERSON, NC		
Tax Number:_	Percel Number: 0213 01001B		
	DRTH CAROLINA		
VANCE COU	YTY		
	firmed) and subscribed before me this the 2 day of May 2016 by:		
- KYAO We	hmenn C 4 4 4		
	Notary Public		
	My commission expires: November 2019		
	AUBLIC E		
	My commission expires: November 2019 Bush August Modern Public My commission expires: November 2019 Bush County Public My commission expires: November 2019		

Development | Residential | Infrastructure



LEGAL DESCRIPTION FOR A 4.635 ACRE TRACT OF REAL ESTATE, AS RECORDED IN PB Y, PG 558 LOCATED IN THE HENDERSON TOWNSHIP OF VANCE COUNTY, NORTH CAROLINA.

Commencing at an Existing Iron Pipe on the eastern property line of Lot 1 and along the western property line of the Chesapeake Commons, LLC Property (DB 858, PG 3) and having Grid Coordinates N: 942423.74 E: 2164497.03, said point also being the POINT OF BEGINNING;

Thence 825"08'33"W a distance of 80.10 feet, to an Existing Iron Pipe;

Thence \$25°08'29"W a distance of 41.07 feet, to an Existing Iron Pipe; said point also being along the northern right-of-way of Dabney Road; Thence along said right-of-way the following three courses and distances:

N56'25'50"W a distance of 60.66 feet, to an Existing Iron Pipe;

N60°39'55"W a distance of 167.08 feet, to an Existing Iron Pipe;

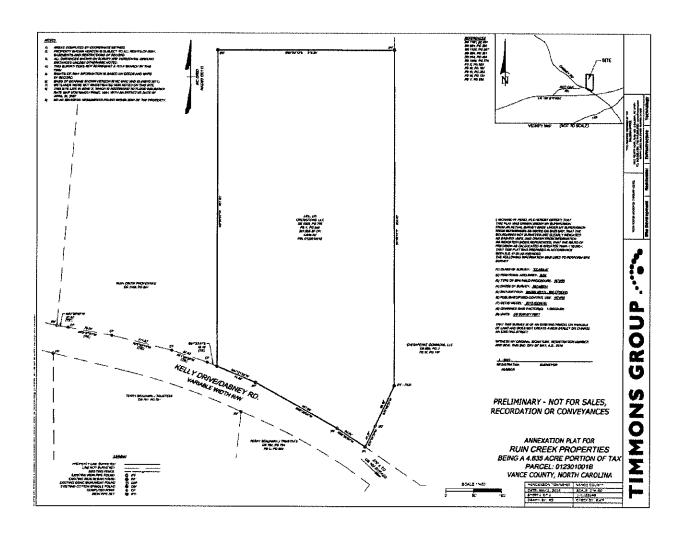
N67°21'33"W a distance of 74.46 feet, to an Existing Iron Pipe; said point also being the southeasterly corner of Ruin Creek Properties, DB 1158, PG 857;

Thence leaving said right-of-way N0°06'53"W a distance of 567.93 feet, to an Existing Iron Pipe;

Thence N89°53'13"E a distance of 316.35 feet, to an Existing iron Pipe; said point being along the western property line of the Chesapeake Commons, LLC Property (DB 858, PG 3);

Thence 80°06'47"E a distance of 602.93 feet, to the POINT OF BEGINNING; Containing 201,905 SF or 4.635 AC of Land, More or Less. The Property described hereon is subject to all rights-of-way, easements and restrictions of record.

The purpose of this Legal Description is to provide a Metes and Bounds Description for a 4.635 AC tract of real estate, as recorded in Plat Book Y, Page 558 recorded in the Vance County Register of Deeds.



M1306 N0776

FILED Mar \$1, 2016 02:36 pm BOOK 91304 AGE 0776 THRUSTTY \$2,217,00

This certifies that there are no delanquent ad valorem real estate taxes, which the Vance County Tax Collector is charged with collecting, that are a firm on;
Pin Number: 213-1-18

This is not a certification that this Vance County Tax Department Pin Number matches this Deec description.

Excise Tax \$2,217.00

Return to: Wyatt Early Harris Wheeler, LLP (David N. Woods) PO Drawer 2086, High Point, NC 27261

Tax Lot No. 0213 01001B

Mail after recording to: Paul I. McNamara, McGuireWoods LLP, 300 N. Third Street, Suite 320, Wilmington, NC 25401

This instrument was propared by

JONATHAN S. CARE, Attorney At Law, P.A., A licensed

North Carolina attorney, (ji)

TITLE NOT EXAMINED BY DRAFTSMAN

Brief description for the Index

4.635 acres off Dabney Road, Henderson, NC Plat Book "Y", Page 558

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 25th day of February 2016 by and between

GRANTOR

GRANTEE

RUIN CREEK PROPERTIES, LLC, A NC Limited Liability Company

LIDL US OPERATIONS, LLC, A Delaware Limited Liability Company

284 US Hwy 158 Bypass Henderson, NC 27536

1500 Sunday Drive, Suite 101 Raleigh, NC 27607

Enter in appropriate black for each party: deric, wildress, and if appropriate, tharacter of entry, e.g. corporation as partnership

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

WITNESSETH, that the Grancor, for a valuable consideration paid by the Grance, the receipt of which is bereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Granice in fee simple, all that certain lot or parcel of land situated in, Henderson Township, Vance County, North Carolina and more particularly described as follows:

Being all of that Lot 1 containing 4.635 acres according to survey and plat entitled "Subdivision Plat for Ruin Creek Properties" as prepared by Timmons Group, dated August 5, 2015, and recorded in Plat Book "Y", Page 558, Vance County Registry.

CAF 10-08: 9 May 2010 Council Meeting Page 7 of 10

#1306 M0777

For further reference see Deed recorded in Book 1125, Page 79 and Book 1158, Page 857, Vance County Registry.

* Notice per NCGS §105-317.2: This property is not the primary residence of the Grantor.

The property herein above described was acquired by Grantor by instrument recorded in Deed Book 1158, Page 857, Vance County Registry.

A map showing the above described property is recorded in Plat Book "Y", Page 558, Vasce County Registry.

TO HAVE AND TO HOLD the aforesaid lot or partel of land and all privileges and appurtenances thereto belonging to the Grantee is fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all currambrances, and that Granus will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinsfer stated.

Title to the property bereinshove described is subject to the following exceptions:

- a. Existing easements, rights of way for roadways and public utilities of record.
- b. Vance County Ad Valorem Taxes for 2016 et seq. years.
- c. Building setbacks, rights of way and all other matters as appear on Plat Book "Y", Page 558, Vance County Registry.

IN WITNESS WHEREOF, the Parties hereto have executed this document as of the date first set forth above.

RUIN CREEK PROPERTIES, LLC

State of North Carolina

County of Vance

I, a Notary Public, do hereby certify that Charles H. Boyd personally appeared before me this day and acknowledged that he is Member/Manager of Ruin Creek Properties, LLC, A North Carolina Limited Liability Company and further acknowledged the due execution of this Deed on behalf of the North Carolina Limited Liability Company.

Witness my hand and official stamp or seal, this <u>25</u> day of February 2016.

Karen J. Inscoe Notary Public Vance County, North Carolina

(Notacy Seal)

Notary Public
Print Notary Name: Koren 5 Inscore

My commission Expires: ٦-٥٤ ها

City of Henderson

Planning and Community Development Department

Post Office Box 1434/134 Rose Avenue/Henderson, NC 27536-1434/Phone: (252) 436-5723 /FAX: (252) 492-7935 <u>www.ci.henderson.nc.us</u>

CORRECTED

September 15, 2015

222 Dabney Rd

MGP Retail Consulting, LLC 1500 Sunday Drive, Suite 101 Raleigh, NC 27607 ATTN: Ryan Berger

RE: Approval of Special Use Permit

Dear Mr. Berger:

This letter is to inform you that your request for a Special Use Permit (Case 1507-02Z) to construct a 36,170 of retail grocery store on approximately 4.63 acres of a vacant parcel near the intersection of Dabney Road and US Hwy 158 (PIN #0213 01001A), B3 (Shopping Center Commercial) District, ETJ was GRANTED by the Zoning Board of Adjustment on Tuesday, July 7, 2015.

Ruxton Bobbitt made the motion that the <u>SPECIAL USE PERMIT</u> be <u>GRANTED</u> based on the preponderance of evidence:

(a) That the use will comply with the requirements of Article 600A and 600B of this Ordinance;

- (b) That the use will not materially and adversely affect the public health, safety or welfare; TRC did review the plans and had no additional comments.
- (c) That the use will not substantially injure the value of adjoining or abutting properties; Located within an area that has like uses.
- (d) That the use will be in harmony with the area in which it is located; or be a matter of public need; Will help economic development and employment in our area.
- (e) That the use will not substantially contribute to an overbardening of municipal services; TRC did review the plans and had no additional comments.
- (f) That the use will be in conformity with the Henderson Land Use Plan and other duly adopted plans and policies of the City;

Motion was second by Edward Spain. Motioned CARRIED following a unanimous vote.

Your Special Use Permit/Application is attached to this letter. Please keep these documents together for your records and submit a copy of each document to the Vance County Code Enforcement Officer. Please note that any substantial changes to the approved project must be approved by either the Planning Department staff or the Board of Adjustment.

If you have any questions, please feel free to call the Planning Department.

Respectfully Submitted,

Maren Foster Zoning Administrator

Enclosurer: Special Use Permit



CITY OF HENDERSON

PLANNING & COMMUNITY DEVELOPMENT

P. O. Box 1434 / 134 Rose Avenue, Henderson, NC 27536 / Phone: (252) 436-5723 Fax: (252) 492-7935

SPECIAL USE / VARIANCE CERTIFICATE

Construction, Name Change, or Change of Use of a Building PERMIT TYPE: 10.36* GROCERY PERMIT DATE:

ZONING PERMIT # 23450 CASE # 1507-027. FEE: 350.00

ISSUED TO: MGP RETAIL CONSULTING, LLC 222 Dabney Rd

DETAILS: NEW CONST. 36,170SF GROCERY STORE

The above applicant made application for a Zoning Certificate for one of the following purposes: name change, change of use, or new development located at DABNEY ROAD (PIN #0213 01001A)

PROPERTY INFORMATION

PARCEL NO.: 0213 01601A SIZE OF LOT - (ACRE): 17.700

SIZE OF PROPOSED BUILDINGS: 0.000 EXISTING BUILDINGS: 0

OWNER: THOMAS T SWAIN
OWNER ADDRESS: 3790 KIRKLEES RD.

WINSTON-SALEM, NC 27104

ZONING REQUIREMENTS

Use No. 10.36* GROCERY

Zoning:B3 City / ETJ: CITY Min. Lot Area: 150,000 Lot Width: 250

Front Setback: 50 Left Setback: 25 Right Setback: 50 Rear Setback: 25

Maximum Height of Structure: 70 Max. Percentage of Cover: 70

Off Street Parking Spaces: Graveled / Paved: PAVE Flood Zone:

CITY WATER CITY SEWER WELL SEPTIC

Paid by: MGP RETAIL CONSULTING, LLC

Amount Paid: 350.00 How: Check #:

Received by: Receipt #: Date Paid: 09/18/2015

This form certifies that the above property described complies with the applicable sections of the City of Henderson Zoning Ordinance.

Loning Administrator

09/18/2015 12:09:11 PM 09/18/2015

Next Step: (1) Building Inspector - (252) 738-2080

(2) Fire Inspector - (252) 438-7315

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

27 April 2016

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

FR: Frank Frazier, City Manager 4.4.

RE: CAF: 16-61

Consideration of Approval of Resolution 16-36, Authorizing an Application to the Carolina Panthers Charities for a Challenger Flag Football League Grant in the Amount of \$2,500 to Continue the Implementation of a Challenger League

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 7: To Expand Leisure and Cultural Services, Programs and Facilities: To expand leisure and culture services, programs and facilities to meet the needs of a diverse community.
- KSO 8: Provide Financial Resourcing: To provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities.

Recommendation:

 Approval of Resolution 16-36, Authorizing an Application to the Carolina Panthers Charities for a Challenger Flag Football League Grant in the Amount of \$2,500 to Continue the Implementation of a Challenger League.

Executive Summary:

The Carolina Panthers Charities (CPC) offers grants in the amount of \$1,000 to \$2,500 to 501(c) (3), governmental nonprofit agencies and/or nonprofit organizations to support the continuation of this flag football program. We began a Challenger Flag Football (CFF) league in 2015 after being awarded \$5000 to start up a local flag football league program for children and young adults with disabilities.

CAF 16-61: 9 May 2016_Council Meeting Page 1 of 8 In 2015, our CFF league had 15 participants to register and complete the season. We also had one full time staff and two volunteer coaches with 3 teen buddies to assist with the program. We attended the August 22, 2015 preseason Panther football game against the Miami Dolphins and attended and played in the 2015 CFF NC/SC Jamboree held in Charlotte, NC where we were able to split up into 2 teams to compete. We also traveled to Durham, NC to play against the Durham CFF team on Saturday November 7, 2015.

The Henderson-Vance Recreation and Parks Department is asking for approval to apply for the 2016 grant in the amount of \$2,500 which will allow us the opportunity to maintain the program for another year by providing funds to purchase and maintain equipment, supplies and travel necessary for the program, as well as adequate staffing. The official deadline for this grant is June 2, 2016.

There is no grant match required by the City.

Attachments:

- 1. Resolution 16-36
- 2. COH Internal Process for Grant Application

CAF 16-61: 9 May 2016_Council Meeting Page 2 of 8

RESOLUTION 16-36

AUTHORIZING AN APPLICATION TO THE CAROLINA PANTHERS CHALLENGER FLAG FOOTBALL LEAGUE GRANT IN THE AMOUNT OF \$2,500 FOR CONTINUE AND IMPLEMENTING A CHALLENGER LEAGUE

- WHEREAS, the Henderson City Council conducted its Annual Planning Retreat in January 2016, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; and
- WHEREAS, this Resolution addresses two of the Key Strategic Objectives as follows: KSO 7: To Expand Leisure and Cultural Services, Programs, and Facilities; and KSO 8: Provide Financial Resourcing; and
- WHEREAS, the Recreation Department Staff became aware of the grant funding available from the 2016 Carolina Panthers Football Charities, Challenger Flag Football League Grant Program; and
- **WHEREAS,** if awarded, the grant funds will be utilized to continue and implement an athletic program for persons with disabilities; *and*
- **WHEREAS**, the estimated cost for this program is approximately \$2,500 which will be used for equipment, uniforms, travel and meals.
- WHEREAS, there is no grant match required from the City.
- NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY authorize the Recreation and Parks Department to apply for the 2016 Carolina Panthers Challenger Flag Football League Grant, being more fully articulated in Attachment A to this Resolution.

The foregoing Resolution 16-36, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote received the following votes and was ***** on this the *** day of **** 2016: YES: . NO: . ABSTAIN: . ABSENT: .

on this the *** day of **** 2016: YF	es: . NO: . ABSTAIN: . A	BSE
ATTEST:	Eddie Ellington, Mayor	
Esther J. McCrackin, City Clerk		
Approved to Legal Form:		
D. Rix Edwards, City Attorney		
Reference: Minute Book 44, pp. **		

CAF 16-61: 9 May 2016_Council Meeting Page 3 of 8

2016 CAROLINA PANTHERS FOOTBALL CHARITIES CHALLENGER FLAG FOOTBALL LEAGUE GRANT PROGRAM

I. CONTACT INFORMATION:

Applicants Name: City of Henderson, Recreation and Parks

Primary Contact: Kendrick L. Vann, Director

Address: 134 Rose Avenue

City, State, Postal Code: Henderson, NC 27536 Phone: 252.431.6093

Email Address: Kvann@ci.henderson.nc.us

II. PROPOSAL SUMMARY & FUNDING REQUEST

The Henderson-Vance Recreation and Parks Department desires to develop a transitional but specialty flag football league that will allow participants the opportunity to gain skills necessary to successfully participate in non-specialty flag football programs. The Department would like to request \$2,500.00 which will allow us the opportunity to appropriately train and provide adequate staffing, along with purchasing the equipment and supplies for this program for the 2016 season. The Department has researched surrounding areas and found the response to such a program that has challenger flag football leagues have been positively received.

III. PROPOSAL NARRATIVE

The mission of the Department is to provide safe facilities, and quality service programs that are affordable, open and friendly, that will enrich the overall quality of life for all local residents. This league will enhance the participant's awareness in code of conduct, safety, the basics, players/game schedules, timing/overtime, and scoring, running, receiving, passing, dead balls, rushing the quarterback, sportsmanship /roughing, penalties and attire. This program will also offer a Tier 1 county an opportunity to enhance services for persons with special needs as well as community involvement with this population.

Henderson-Vance Recreation and Parks Department will distribute marketing materials such as program guides, fliers and public service announcements that will express the purpose of the program. This league will practice at Aycock Recreation Center Complex which has an athletic field accessible and well-maintained year round for accessibility and active play, which will permit a person in a wheelchair to partake in this league. Our plans are to start with three (8 to 10 player) teams and rotate play in a round robin style tournament each week. Opening Ceremonies will be held one week prior to the beginning of practice which begins on Saturday, September 10, 2016. Each team will be allowed to practice once a week with for one hour and a half starting September 14, 2016 through November 16, 2016. Official games will be one hour games beginning at 10:00 a.m. and ending at 11:00 a.m. beginning on September 24, 2016 and ending on November 19, 2016. The Department will ensure that a departmental employee (First-Aid and CPR certified) will be present at all games and practices, and the local EMT services will receive a game and practice schedule.

IV. EVALUATION

CAF 16-61: 9 May 2016_Council Meeting Page 4 of 8 The league supervisor will develop a survey of the wants and needs of the participants and their parents. At the Opening Ceremony, the department's assigned employee will complete a skill evaluation for each participant to ensure that each team is equally matched. Other than the traditional measurable outcomes such as 10 out of 14 games will be played and weekly practices will be scheduled. A program evaluation will be conducted at the end of the program.

The league will be successful if: 1) each team retains their athletes; 2) each participant gains skills through practice and game settings; 3) participants learn the fundamental rules of flag football; and 4) participants are able to learn offensive and defensive plays of their team.

Challenger League Budget 2016

Equipment	Name	Cost	Quantity	Total Cost
Panthers reversible Jers	eys -	\$12.00 \$18.00 x 4	15 per day/6	\$180.00
Referee		days		\$408.00
Insurance		\$10.00	25	\$250.00
Travel				
Charlotte, NC		0.565		\$208.00
Durham, NC		0.565		\$44.00
Charlotte, NC		0.565		\$208.00
Columbia, SC		0.565		\$301.00
Meals				
Charlotte, NC		\$6.00	25	\$150.00
Durham, NC		\$6.00	25	\$150.00
Charlotte, NC		\$6.00	25	\$150.00
Columbia, SC		\$6.00	25	\$150.00
Closing Ceremony/Awai	rds	\$7.00	28	\$196.00
Trophies/Plaques/Meda	ls	\$3.50	30	\$105.00

\$2,500.00

CITY OF HENDERSON INTERNAL PROCESS TO DECIDE WHETHER GRANT APPLICATION IS APPROPRIATE

Department: <u>Recreation an</u>	d Parks		_ Staff Contact: _	Kendrick Vann
Funding Source: <u>Carolina P</u>	anthers Charities	<u> </u>		
Grant/Project Name: <u>Challe</u>	enger Flag Footba	all League Pr	ogram Grant	
Date application due:				
This is a 🔲 NEW or X	☐ RECURRING	Grant		
Brief Project Summary:				
Henderson-Vance Recreation flag football league that is successful participate in not will allow us the opportunitraining and adequate staff and found a great respondentallenger sports/leagues and challenger sports/l	allows participa on specialty flag to nity properly coof fing. Our agency se to providing	ants to the of football progordinate, ma has research	pportunity to gain rams. The agency intain and superv ned surrounding a	the skills necessary to request \$2,500.00 which ise equipment, supplies reas and their programs
Has the department received and date(s). No	funding from this	s source in the	e past? If so, list pr	roject name(s), amount(s)
Maximum Amount Available Anticipated Award Notificati				on
Anticipated Grant Term:	Start Date: Finish Date:	September		
Amount to be requested:		December	<u> </u>	
Total Project Costs: \$2,50	<u> 10.00</u>			
Does this grant have a match	requirement:	YES or X	NO	
Does the amount of the mate prior to award? YES or	=	other grant re	quirements necessit	ate City Council approva
Eligible type	s of match:			
	Cash			
	In-kind service	es		
	CAF 16-61: 9 N	May 2016_Co Page 7 of 8	ouncil Meeting	

			Land
			Equipment
			Other
If the match is	cash, wh	ere wil	the match come from? (Provide Account Number)
N/A			
Is this project a If this	a X 🗖 is a reim	cash av bursem	ward or reimbursement? ent grant, will funds be available?
Is this project i	included	in:	
vo umo projessi	Χ□		tmental Budget
		•	il Improvements Plan
		•	•
Grant funds w	ill be use	d for th	e following: (check all that apply)
$_{X}\square$	Equipn	nent	
X			
$_{ m X}$		m Expe	
$_{ m X}$	Printin	•	
χロ		_	rrent staff. No of staff 2 No of hours 64
			hire additional staff. No. of positions
			building, vehicles, etc.)
П	•	•	rvices:
المسلة	0 322 27		
How will the r	orogram	he fund	ed after the grant expires?
-	-		y for this grant annually, however based on the participation the
			pased decision whether to offer.
the past care at			
If the departm	ent recei	ves onl	y a portion of the amount requested, how will the project be funded?
			esponsible for supervising and implementing the program as well as
			strations accepted.
readenz the		OI ICL	
Some addition	nal questi	ons to	consider:
Are any other	departme	ents wit	hin the City of Henderson eligible for this funding? No
Are any other	departm	ents wit	thin the City of Henderson willing to collaborate on this project? No
Will this proje			compete with another service or program provided by the City of Henderson

City Council Action Form

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



Agenda	Item:	

Council Meeting: 09 May Regular Meeting

09 May 2016

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

FR: Frank Frazier, City Manager 3.3.

RE: CAF: 16-67

Consideration of Approval of Resolution 16-41, Authorizing the Submission of an Application to the NC League of Municipalities RMS Wellness Grant for Funding Small Towns and Cities Wellness Program for the "Walk the Beat" Program.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 2: Reduce Crime: To reduce crime and provide for a safe community
- KSO 8: Financial Resourcing: To provide sufficient funds for municipal operations and capital outlay necessary to meet the needs of citizens, customers and mandates of regulatory authorities

Recommendation:

• Approval of Resolution 16-41, Authorizing the submission of an Application to the League of Municipalities RMS Wellness Grant for funding Small Towns and Cities Wellness Program for the "Walk the Beat" program.

Executive Summary

The City of Henderson "Walk the Beat" program for City Employees is the first stage of an extended program that will improve the overall health of City of Henderson employees as well as gaining interest in using the area of Downtown Henderson as a fitness and walking area.

The funds requested in this grant will be used to purchase T-shirts and Fitness Trackers for City of Henderson employees that sign up for the Walk the Beat team. The employees will be able to use the areas of Downtown Henderson that have been measured in increments of one mile, two miles and three miles. Progress will be monitored by employees and submitted to the Walking Team Coordinator.

This program is developed to encourage City and other local employees to use the sidewalks of downtown Henderson to walk at least once or twice a day. Henderson Police Officers will be walking with the team as well as while on duty and will be signing up to walk the old "downtown foot beat" in the morning, at lunch and in the evening. This will encourage both City employees and other persons to use this program to get outside in the downtown area, which will build better health for City Employees, better community connections between the Police Officers and City Employees with citizens and more economic growth and improvement for the downtown area.

The grant application is for \$2,250.00 and there are no required matching funds.

Attachments:

- 1. Resolution 16-41
- 2. Grant Application

RESOLUTION 16-41

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NC LEAGUE OF MUNICIPALITIES RMS WELLNESS GRANT FOR FUNDING SMALL TOWNS AND CITIES WELLNESS PROGRAM FOR THE "WALK THE BEAT" PROGRAM.

- WHEREAS, the Henderson City Council identified eight Key Strategic Objectives (KSO) at its 2016 Strategic Planning Retreat; and
- WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: KSO 2: To Reduce Crime and Provide for a Safe Community, and KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and
- WHEREAS, the Henderson Police Department is working jointly with the Henderson/Vance Parks and Recreation Department, City of Henderson Staff and the Henderson/Vance YMCA to promote the "Walk the Beat" Program in Downtown Henderson; and
- **WHEREAS,** the grant application is seeking \$2,250.00 in funds to provide for supplies to implement a City of Henderson "Walk the Beat" Walking Club to improve overall fitness for City Employees as well as increasing persons using the Downtown Henderson area;
- NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the City Manager to file the grant application (see Attachment A) to the NC League of Municipalities for the Wellness Grant Funding.

The foregoing Resolution, introduced by Council Member ****** and seconded by Council Member ****** on this the 9th day of May 2016 and having been submitted to a roll call vote, was approved by the following votes:: YES: NO: ABSTAIN: ABSENT:

ATTEST:	Eddie Ellington, Mayor
Esther McCrackin, City Clerk	
Approved to Legal Form:	
D. Rix Edwards, City Attorney	

CITIO RMS WELLNESS GRANT PROPOSAL FOR FUNDING E OF MUNICIPALITIES SMALL TOWNS AND CITIES WELLNESS PROGRAM ACTIVITIES

Return to:

Questions?

Lisa Battaglia, Health/Wellness and EAP Consultant NCLM Risk Management Services P.O. Box 1310, Raleigh, NC 27602-1310

Call Lisa at (919) 715-2911 or (800) 228-0986

-			
Е	-	-	١

Frank Frazier	City Manager	
YOUR NAME	TITLE	
City of Henderson GOVERNMENTAL UNIT	210 CURRENT #. OF FULLTIME EMPLOY	res 233
134 Rose Avenue, Henderson	NC 27536	
(252)431-6000	(252)492-7935	
PHONE	FAX	
approval, the following request for MIT	unit of the City of Henderson and/or NCIRMA participant grant funding to boor the next twelve month period. Funding and or of full-time employees).	e used solely for the purposes of
-		
PLEASE CHECK AND COMPLETE M	ENU ITEM REQUESTS BELOW:	
Back injury prevention	Cost projected	
CPR (re) certification	Cost projected	
Stress management	Cost projected	
Weight control	Cost projected	
Nutrition	Cost projected	
Smoking cessation	Cost projected	
X Walking club	Cost projected \$2250	
Fitness	Cost projected	
Lunch 'n learns	Cost projected	
Consumer self-care	Cost projected	
Screening programs (cholesterol, blood pressure, can	Cost projected cer, healthy heart or diabetes, glaucoma, etc.)	
Health fairs (please list health fair needs on s	Cost projected separate page and attach)	
Team activities	Cost projected	
Type of team	Number participating	
Other requests		

CITY OF HENDERSON

INTERNAL PROCESS TO DECIDE WHETHER GRANT APPLICATION IS APPROPRIATE

Department: Police

Staff Contact: Captain P.L. Twisdale

Funding Sources:

NCLM RMS Wellness Grant for Funding Small Towns and Cities Wellness Program Activities.

Grant/Project Name: Henderson "Walk the Beat" Program

Date Application Due: M

May 16, 2016

This is a NEW X or RECURRING Grant.

Brief Project Summary:

This grant is an application for funding from the NC League of Municipalities to fund the start of a program for City of Henderson employees to walk at scheduled times in the Downtown Henderson Area. This program for City Employees is the first stage of an extended program that will improve the overall health of City of Henderson Employees as well as gaining interest in using the area of Downtown Henderson as a fitness and walking area.

Maximum amount available from Funding Sources:

\$400 to \$3,000 depending on the City's number employees and program needs.

Anticipated Award Notification Date: 07/01/2016

Anticipated Grant Term: Start Date: 08/01/2016

Finish Date: 08/01/2017

Amount to be requested: \$2,250.00

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

Eligible types of match: No match is required

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

CAF 16-67: 9 May 2016 Council Meeting

No cash match.

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

This project would be a reimbursement of funds expended.

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

Is this project included in?

Departmental Budget

No

Capital Improvements Plan

No

No. This grant was not announced until after the department had submitted its budget request for the FY 2016-2017 fiscal year.

Grant funds will be used for the following:

Funds will be used to reimburse the City of the cost of purchasing team T-Shirts and fitness tracking programs.

How will the program be funded after the grant expires?

The project will continue as part of the overall "Walk the Beat" program and other funding will be leveraged from other grants and sponsors.

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

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

Some additional questions to consider:

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

N/A – This would be a full City program

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

N/A – This would be a full City program

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

No, this is a new initiative with cooperative efforts of City Departments.

CAF 16-67: 9 May 2016 Council Meeting Page 6 of 7

RMS WELLNESS GRANT PROPOSAL FOR FUNDING SMALL TOWNS AND CITIES WELLNESS PROGRAM ACTIVITIES

Return to:

the City of Henderson

X \$2250

Lisa Battaglia, Health/Wellness and EAP Consultant

NCLM Risk Management Services P.O. Box 1310, Raleigh, NC 27602-1310 Questions? Call Lisa at (919) 715-2911 or (800) 228-0986 YOUR NAME TITLE GOVERNMENTAL UNIT CURRENT#. OF FULLTIME EMPLOYEES ADDRESS/CITY/STATE/ZIP PHONE FAX The management of the governmental unit of _____ City of Henderson ____ is pleased to present, for your approval, the following request for MIT and/or NCIRMA participant grant funding to be used solely for the purposes of employee wellness program activities for the next twelve month period. Funding amount ranges from \$400 to \$3,000 per group (depending on number of full-time employees). Manager/administrator signature PLEASE CHECK AND COMPLETE MENU ITEM REQUESTS BELOW: Back injury prevention Cost projected _____ CPR (re) certification Cost projected _____ Stress management Cost projected Weight control Cost projected ___ Nutrition Cost projected __ Smoking cessation Cost projected ____ X Walking club Cost projected \$2250 Fitness Cost projected ___ Lunch 'n learns Cost projected ___ Consumer self-care Cost projected Screening programs Cost projected (cholesterol, blood pressure, cancer, healthy heart or diabetes, glaucoma, etc.) Health fairs Cost projected (please list health fair needs on separate page and attach) Team activities Cost projected Number participating Type of team (softball, bowling, basketball, golf, etc.) Other requests Frank Frazier City Manager City of Henderson 210 134 Rose Avenue, Henderson NC 27536 (252)431-6000 (252)492-7935

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

5 May 2016

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

FR: Frank Frazier, City Manager 3.3

RE: CAF: 16-69

Consideration of Approval of Resolution 16-43, Rejecting all bids for the Elmwood Sanitary Sewer Project, Revising the Scope and Re-bidding the Project, Clean Water State Revolving Fund (CWSRF) Loan in the Amount of \$1,800,000 #CS370410-08

Ladies and Gentlemen:

Council Goals Addressed By This Item:

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

Recommendation:

Approval of:

Consideration of Approval of Resolution 16-43, Rejecting all bids for the Elmwood Sanitary Sewer Project, Revising the Scope and Re-bidding the Project, Clean Water State Revolving Fund (CWSRF) Loan in the Amount of \$1,800,000 #CS370410-08.

Executive Summary

On 25 February 2013, Council approved via Resolution 13-23, its intent to proceed with the Clean Water State Revolving Loan Application for a sewer replacement project along Nutbush Creek, Spring Street, Williams Street and Arch Avenue.

On 9 December 2013, the City of Henderson approved a CWSRF loan for said project in the amount of \$1,800,000. The loan rate is 20 years at 2.00% interest. There is a loan closing fee of 2%, which will be invoiced after bids have been received.

The low bid for the project was \$2,602,657.00 and the construction project budget was \$1,398,000 producing a \$1,204,657 deficit. Our Engineers, McGill Associates entered into negotiations with the Contractor to bring the project back into budget. Conversations with the contractor proved un-reconcilable with respect to the current project scope and budget, therefore is being recommended that all bids should be rejected and the scope revised prior to re-bidding. Scope revisions have been presented by the engineer but, staff has not had the opportunity to review in detail and discuss with the engineer. Copies of the Certified Bid Tab and a letter from McGill Associates recommending bid rejection is attached.

Attachments:

- 1. Resolution 16-43
- 2. McGill Bid Rejection Recommendation

RESOLUTION 16-43

REJECTING ALL BIDS FOR THE ELMWOOD SANITARY SEWER PROJECT, REVISING THE SCOPE AND RE-BIDDING THE PROJECT, CLEAN WATER STATE REVOLVING FUND (CWSRF) LOAN IN THE AMOUNT OF \$1,800,000 #CS370410-08

- WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2016 Strategic Planning Retreat; and
- WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows:
 - **KSO 5:** To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; and
 - **KSO 8:** To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and
- WHEREAS, the City received an offer of acceptance of a loan for a sanitary sewer system project (project number CS370410-08); (Attachment A) and
- **WHEREAS**, the amount of the loan is \$1,800,000 for twenty years with a 2.00% interest rate; and;
- **WHEREAS,** this loan will assist in the construction of 1,800 linear feet of 18-inch sewer pipe, 3,200 linear feet of 24-inch gravity sewer and associated appurtenances.
- WHEREAS, the bids for the proposed project were approximately \$1,200,000 over the budget.
- NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT it does not Accept the bids and work with the engineer to revise the scope and re-bid the project to bring it back into budget.

The foregoing Resolution 16-43, introduced by Council Member ** and seconded by Council Member ** on this the day of 2016, and having been submitted to a roll call vote, was *** by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

ATTEST:	Eddie Ellington, Mayor	
Esther J. McCrackin, City Clerk		
Approved to Legal Form:		
D. Rix Edwards, City Attorney (Reference: Minute Book 44, p. **.)		



May 5, 2016

Mr. Frank Frazier City Manager City of Henderson Post Office Box 1434 Henderson, North Carolina 27536

RE: Bid Rejection Recommendation
Elmwood Cemetery Sewer Replacement
City of Henderson, North Carolina

Dear Mr. Frazier:

A total of two (2) bids were received on April 19, 2016 for the subject project, upon readvertising when only one (1) bidder submitted a bid during the initial bid opening. Haren Construction Co., Inc. of Etowah, Tennessee, submitted the lowest bid in the amount of \$2,602,657, and HG Reynolds Co., Inc. of Henderson, North Carolina submitted the other bid in the amount of \$3,119,626.

Both of these bids well exceed the expected bid price and the original project budget. We believe that this exceedance is a result of project scope changes, extensive bypass pumping required, and lack of competition. As discussed, to modify the project scope sufficiently to approach the project budget, we recommend rejecting the bids received, modifying the scope of work to be performed, updating bid documents (and permits as needed), and then proceeding with the competitive bidding process.

Enclosed for your use is a certified bid tabulation. If you have any questions or comments, please do not hesitate to contact us at (828) 328-2024.

Sincerely,

McGILL ASSOCIATES, P.A.

DOUGLAS CHAIMAN, PE Senior Project Manager

Enclosures

Cc: Clark Thomas, City Engineer

Joel Whitford, PE, McGill Associates

Engineering · Planning · Finance

McGill Associates, P.A. * 1240-19th Street, Lune NW, Hickory, NC 28601-Office: 828.328.2024 * Fav. 828.328,3870 * www.megillengineers.com

ELMWOOD CEMETERY SEWER REPLACEMENT, HENDERSON, NORTH CAROLINA

	CERTIFIED BID TAB with Unit Price	S	ľ	Haren Constr	BID C uction Co., Inc.		olds Co., Inc.
No	UNIT PRICE ITEMS	Unit	Qty	Unit Price	Extension	Unit Price	Extension
)	Mobilization (3% max.)	1.5		\$8,000.00	\$8,000.00	\$90,000.00	\$90,000.00
2	24° DI Gravity Sewers w Special Interior Coating, All Depths	ĹF.	350	\$209.00	\$73,150.00	\$240.00	\$84,000.00
3	24" DI Gravity Sewers w Special Interior Coating, Long Spati Pipe	LF	80	\$392.00	\$31,360.00	\$420.00	\$33,600.00
4	12" DI Gravity Sewers w Special Interior Coating, All Depths	ĹF	50	\$144.00	\$7,200.00	\$162.00	58,100 00
5	24" PVC PS115 Gravity Sewers, 0-6 Ft. Depth	LF	390	\$135.00	\$52,650 00	\$153.00	\$59,670.00
t	24" PVC PS115 Gravity Sewers, 6-8 Ft. Depth	LF	1400	\$149.00	\$208,600.00	\$153.00	\$214,200.00
7	24" PVC P5115 Gravity Sewers, 8-10 Ft. Depth	U	710	\$162.00	\$115,020.00	\$153.00	\$108,630.00
8	24" PVC PS115 Gravity Sewers, 10-12 Ft. Depth	l,F	260	\$176.00	\$45,760.00	\$173.00	\$44,980 00
9	24' PVC PS115 Gravity Sewers, Over 12 Ft. Depth	L)	200	\$190.00	\$38,000.00	\$200.00	\$40,000.00
10	18" PVC PS115 Gravity Sewers, 0-10 Ft. Depth	LF	220	\$138.00	\$30,360.00	\$139.00	\$30,580.00
11	12" PVE P5115 (SDR 26) Gravity Sewers, All Depths	LF	110	5136.00	\$14,960.00	\$139.00	\$15,290.00
12	8" PVC P5115 (SDR 26) Gravity Sewers, All Depths	l.F	100	\$128.00	\$12,800.00	5139.00	\$13,900.00
13	18" RJ Ductile Iron Force Main Sewers	LF	160	5172 00	\$27,520 00	\$265.00	\$42,400.00
	18" PVC C905 Force Main Sewers	1.F	1720	\$103.00	\$177,160.00	\$158.00	\$271,760.00
15	42" Steel Encasement Pipe by Bore and Juck	1,F	120	\$1,278.00	\$153,360.00	\$1,780.00	\$213,600.00
16	8' Diam: Standard Precast Manhole, All Depths	EA	3	\$8,962.00	\$26,886.00	549,880.00	\$149,640.00
17	6' Diam. Standard Precast Manhole, 0-8 Ft. Depth	<u>į</u> EA	4	\$4,252.00	\$17,008.00	\$34,200.00	\$136,800.00
18	6' Diam. Standard Precast Manhole, 8-10 Ft. Depth	FA	6	54,614 00	577,684 00	\$35,988.00	5215,928 00
19	6' Diami Standard Precast Manholo, 10-12 Ft. Depth	FA	3	\$6,483.00	\$19,449.00	537,810.00	\$113,430.00
20	6' Olam Standard Precast Manhole, Over 12 Ft. Depth	ξA	3	\$5,418.00	\$16,254 00	541,000 00	\$123,000.00
21	4' Diami Standard Precast Manhole, All Depths	FA	7	\$2,736.00	\$19,152.00	\$20,000.00	\$140,000.00
22	5' Diam Doghouse Manhole, Ali Depths	ŧΑ	2	\$4,632.00	59,764 00	520,590 00	541,180.00
23	Connect Existing 24" Pipe to New Manhole	LA	1	\$3,736.00	\$3,736.00	\$12,500.00	\$12,500.00
24	Connect Existing 18" Pipe to New Manhole	F.A	1 1	\$3,434.00	53,434 00	\$12,500.00	\$12,300.00
25	Connect Existing 12" Pipe to New Manhole	EA	10	\$1,665.00	\$16,650.00	\$8,000,00	\$80,000.00
26	Connect Existing 8" Pipe to New Manhole	EA.	6	\$1,556.00	\$9,336.00	\$8,000.00	548,000.00
27	Connect Existing 18" Pipes to New Force Main Sewer	FA	2	\$1,900.00	\$3,800.00	\$25,000.00	\$50,000.00
28	Existing Force Main Connection (All Piping, Fittings, Valves, Etc.)	1.5	1	\$33,192.00	\$33,192.00	557,988.00	\$57,988.00
29	Manhole Removal and Disposal	£A.	16	\$2,032.00	\$32,512.00	\$2,500.00	\$40,000.00
30	Manhole Demolition and Abandonment	EΑ	18	\$2,288.00	\$41,184 00	\$1,800.00	\$32,400.00
33	Manhole Vent Assembly	EA	10	\$1,070.00	\$10,700.00	51,800.00	\$18,000.00
32	Concrete Supports for Aerial Sewer	FA	2	\$3,561.00	57,122.00	\$5,000.00	\$10,000.00
33	Anti-Seepage Collars	EA	14	\$537.00	\$7,518.00	\$2,200.00	\$30,800.00
34	An Valve and Vault	ξA	2	\$13,371.00	\$26,742.00	\$10,300.00	\$20,600.00
35	Pig Receiving Manhole	EA	1	\$25,652.00	\$25,6\$2.00	\$55,000.00	\$55,000.00
36	Byposs Station	EA	2	\$9,425.00	\$18.850.00	\$15,000.00	530,000.00
37	NCDOT Asphalt / Concrete Base Road Repair	U	65	\$346.00	522,490 0 0	\$320.00	\$20,800.00
38	NCDOT Asphalt Road Repair	LF	500	\$123.00	\$61,500.00	\$150.00	\$75,000.00
39	Asphalt Road Repair	L	1600	\$120.00	\$192,000.00	\$90.00	\$144,000.00
40	Asphalt Drive Repair	LF.	250	\$70.00	\$17,500.00	\$45.00	\$11,250.00
	Restoration of Surfaces and Streams	LS	1	\$67,182.00	\$67,182.00	\$43,700.00	\$43,700 00
42	Rock Excavation (min. unit price of \$25/CY)	CY	1500	\$107.00	\$160,500.00	\$25.00	537,500.00
43	Coat Interior of New Manhole	FA	28	\$545.00	\$15,260.00	\$100.00	52,800.00
44	Coat Interior of Existing Manhole	EA	5	\$7,200.00	\$36.000.00	\$3,060.00	\$15,000.00
45	Allowance: CSX Utility Maintenance Requirements	LS	-1_	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
46	Washed Stone Undercut 6" Depth As Directed By Engineer	TON	800	524 00	\$19,200.00	\$28.00	\$72,400.00
47	Other Work	1.15	I.	\$624,000.00	\$624,000.00	\$43,700.00	\$43,700.00
	TOTAL OF ALL UNIT PRIC	E SID IT	MS:		\$2,602,657.00		\$3,119,626.00
No.	ALTERNATE BID ITEMS	Qty.	Units	Unit Cost	Extension	Unit Cost	Extension
	8' Diam. Polymer Conc. Manhole, All Depths	IA.	3	\$39,900.00	\$119,700.00	\$49,880.00	\$149,640.00
17	6' Diam, Polymer Conc. Manhole, G-8 Ft Depth	FA	4	\$22,600.00	590,400.00	\$34,200 00	5136,800 00
	6' Diam. Polymer Conc. Manhole, 8-10 Ft. Depth	LA	6	\$24.000.00	\$344,000.00	\$35,988.00	\$215,928.00
	6' Diam. Polymer Conc. Manhole, 10-12 Ft. Depth	£A.	3	527,300.00	581,900.00	\$37,810.00	5113.430 00
~~~~	6 Diam Polymer Conc. Manhole, Over 12 Ft Depth	EA	3	\$28,800.00	586,400.00	541,000.00	\$123,000.00
	4' Diam. Polymer Conc. Manhole, All Depths	EA	7	\$8,600.00	\$60,200.00	\$20,000.00	\$140,000.00
6	Polymer Manhole Rim & Lids	EA	26	\$825.00	\$21,450.00	\$1,000 00	\$26,000 00
~~~~~	Chimney Manhole Replacement (Sheet C-105)	LS.	1	\$13,863.00	\$13,863.00	\$25,000.00	\$25,000.00
	Fill Existing 15" Gravity Sewer with Flowable fill along Williams	1			1		The same of the state of the same of the s
0	Street and Arch Street	LE I	700	520.00	\$14,000.00	\$12.00	\$8,400.00

This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or confided chack and publicly opened and mad aloud at 2.00 pm local time on the 19th day of April, 2016, at the City's Operation Center, 300 South Beckford Drive, Henderson, North Carolina 27536

DOUGLAS G. CHAPMAN, PE

Apparent math entits do not affect outcome of bid award.



1240 19th Street Lane, NW Hickory, North Carolina 28601 License No. C-0459



City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

26 April 2016

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

FR: Frank Frazier, City Manager 3.9.

RE: CAF: 16-23

Consideration of Approval of Ordinance 16-15 FY 16 BA#18 to Close Out the Carolina Panthers 2015 Challenger Flag Football League Grant Award.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

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

Recommendation:

• Approval of Ordinance 16-15 FY 16 BA#18 to Close Out the Carolina Panthers 2015 Challenger Flag Football League Grant Award

Executive Summary

Council approved the acceptance of the Carolinas Panthers Charities (CPC) grant in the amount of \$5,000 via Resolution 15-45-A, on June 22, 2015. The grant was applied to the purchase of equipment, uniforms, travel and meals for the Recreation Department.

All funds have been expended and it is now appropriate to close out this grant budget.

Attachments:

- **1.** Ordinance 16-15
- 3. R 15-45-A

ORDINANCE 16-15

FY 2015-2016 BUDGET AMENDMENT # 18 CLOSING OUT CAROLINA PANTHERS 2015 CHALLENGER FLAG FOOTBALL LEAGUE GRANT

- WHEREAS, the City Council (Council) of the City of Henderson on 22 June 2015 adopted the FY15-16 Annual Operating Budget; and
- WHEREAS, pursuant to NC General Statues, the Council has created and uses Capital Improvements Projects and Grant Projects funds for active capital projects and grant project funds; and
- **WHEREAS**, the capital project and grant project funds are open for the life of the project and/or grant, they are nevertheless managed on a day-to-day basis and through the annual fiscal year cycle; *and*
- **WHEREAS**, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements and grant project budgets from time-to-time.
- **NOW THEREFORE BE IT ORDAINED** by the City Council of The City of Henderson, that the following Ordinance be approved, and said Ordinance shall be effective immediately upon approval of the City Council:

Fund: 55: CHAL	LENGER FLAG FOO	TBALL GRANT		F`	•	Ordinand 5-16 Budget .			18	
REVENUES			Δ	pproved	· 	Current				
Department	Line Item	Code	1	2-Jun-15		Budget	A	nendment		Revised
	PANTHERS GRANT	55-400-45822	\$	5,000.00	\$	5,000.00	\$	(5,000.00)	\$	-
			\$		\$	-	\$	-	\$	-
			\$	-	\$	-	\$	-	\$	-
			\$	-	\$	-	\$	-	\$	-
		Total	\$	5,000.00	\$	5,000.00	\$	(5,000.00)	\$	-
	•								\$	
EXPENDITURES			Α	pproved	Г	Current				
Department	Line Item	Code	2	2-Jun-15		Budget	Aı	nendment		Revised
Department	TRAVEL:	Code 55-400-501410	2 \$	2-Jun-15 667.41	\$	Budget 667.41	Ar \$	mendment (667.41)		Revised -
Department					\$ \$					Revised - -
Department	TRAVEL: REC TOURNAMENT	55-400-501410	\$ \$ \$	667.41	\$	667.41	69 69 69	(667.41) - -	\$ \$	Revised - - -
Department	TRAVEL:		\$ \$ \$		\$ \$		63 69		\$	Revised - - -
Department	TRAVEL: REC TOURNAMENT	55-400-501410	\$ \$ \$ \$	667.41	\$ \$ \$	667.41	(4) (4) (4) (4)	(667.41) - -	\$ \$ \$	Revised - - - -
Department	TRAVEL: REC TOURNAMENT	55-400-501410	8 8 8 8	667.41 - 4,332.59	\$ \$ \$ \$	667.41 - - 4,332.59	8 8 8 8 8 8	(667.41) - - (4,332.59)	\$ \$ \$ \$	-
Department	TRAVEL: REC TOURNAMENT	55-400-501410 55-400-503300	\$ \$ \$ \$ \$ \$	4,332.59	\$ \$ \$ \$ \$	667.41 	(A) (A) (A) (A) (A) (A)	(667.41) - - (4,332.59) - -	\$ \$ \$ \$ \$	-
Department	TRAVEL: REC TOURNAMENT	55-400-501410	\$ \$ \$ \$ \$ \$	667.41 - 4,332.59	\$ \$ \$ \$	667.41 - - 4,332.59	8 8 8 8 8 8	(667.41) - - (4,332.59)	8 8 8 8 8 8	-
Department	TRAVEL: REC TOURNAMENT	55-400-501410 55-400-503300 Total	\$ \$ \$ \$ \$ \$	4,332.59	\$ \$ \$ \$ \$	667.41 	8 8 8 8 8 8 8	(667.41) - - (4,332.59) - -	\$ \$ \$ \$ \$	-
Department	TRAVEL: REC TOURNAMENT	55-400-501410 55-400-503300	\$ \$ \$ \$ \$ \$	4,332.59	\$ \$ \$ \$ \$	667.41 	(A) (A) (A) (A) (A) (A)	(667.41) - - (4,332.59) - -	8 8 8 8 8 8	-
	TRAVEL: REC TOURNAMENT	55-400-501410 55-400-503300 Total	\$ \$ \$ \$ \$ \$	4,332.59	\$ \$ \$ \$ \$	667.41 	8 8 8 8 8 8 8	(667.41) - (4,332.59) - - (5,000.00)	8 8 8 8 8 8	-

The foregoing Ordinance 16-15, upon motion	of Council Member ** and second by Council
Member **, and having been submitted to a ro	ll call vote and received the following votes and
was ** on this the day of 2016: YES: *	
	Eddie Ellington, Mayor
	Eddic Emilgion, Mayor
ATTEST:	
Esther J. McCrackin, City Clerk	
Reference: Minute Book ** p. **; CAF 16-23	

RESOLUTION 15-45-A

ACCEPTING THE CAROLINA PANTHERS 2015 CHALLENGER FLAG FOOTBALL LEAGUE GRANT

- WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2015 Strategic Planning Retreat; and
- WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows:KSO 7: To Expand Leisure and Cultural Services, Programs and Facilities and KSO 8: Provide Financial Resourcing and
- WHEREAS, the Council authorized the submission of a grant application for Carolina Panthers 2015 Challenger Flag Football League Grant on 22 June 15 via Resolution 15-45, said grant application being in the amount of \$5000.00 and notice was received of the awarding of this grant; and
- WHEREAS, there is no grant match required from the City.
- NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT it does hereby accept the Carolina Panthers 2015 Challenger Flag Football League Grant in the amount of \$5,000, and said funds to be used for equipment, uniforms, travel and meals; and
- **BE IT FURTHER RESOLVED THAT** the Mayor is authorized to sign all documents necessary to accept and execute said grant.

The foregoing Resolution 15-45-A, introduced by Council Member Peace-Jenkins and seconded by Council Member Coffey, on this the 10th day of August 2014 and having been submitted to a roll call vote, was **APPROVED** by the following votes: YES: Daeke, Simmons, Daye, Kearney, Coffey, Inscoe, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: None.

	James D. O'Geary, Mayor	VIII.
ATTEST:		
Esther McCrackin, City Clerk		
Approved to Legal Form:		
D. Rix Edwards, City Attorney		
Reference Minute Book 43, p 576; CAF 1.	5-76-A	

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

12 April 2016

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

FR: Frank Frazier, City Manager J.J.

RE: CAF: 16-53

Consideration of Approval of Resolution 16-34, Authorizing the Submission of an Application to the Bureau of Justice Assistance Office for the FY 16 Bulletproof Vest Program Grant for the Police Department

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 2: Reduce Crime: To reduce crime and provide for a safe community
- KSO 8: Financial Resourcing: To provide sufficient funds for municipal operations and capital outlay necessary to meet the needs of citizens, customers and mandates of regulatory authorities

Recommendation:

 Approval of Resolution 16-34 Authorizing the Submission of an Application to the Bureau of Justice Assistance Office for the FY 16 Bulletproof Vest Program Grant for the Police Department

Executive Summary

The BJA Bulletproof Vest Grant, if awarded, will provide reimbursement for up to 50% of all expenditures (including shipping and handling) for the purchase of law enforcement body armor and body armor carriers. The total estimated cost for 10 vests is \$7,165. If all estimated vests are purchased, the City will be requesting the maximum amount available which is \$3,582.50. Even though it is applied for in FY 16 the grant award will not take effect until October 1, 2016, and the city's share is included in the proposed FY 17 budget.

Enclosures:

- 1. Resolution 16-34
- 2. Grant Application

RESOLUTION 16-34

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE OFFICE FOR THE FY16 BULLETPROOF VEST PROGRAM GRANT FOR THE POLICE DEPARTMENT

- **WHEREAS**, the Henderson City Council identified eight Key Strategic Objectives (KSO) at its 2016 Strategic Planning Retreat; *and*
- WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: KSO 2: To Reduce Crime and Provide for a Safe Community, and KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and
- **WHEREAS**, the Henderson Police Department is seeking approval to apply for a grant to assist in the purchase of bullet proof vests; *and*
- **WHEREAS**, the grant application is seeking \$3,582.50 in federal funds to provide for 50% reimbursement of all expenditures for the purchase of law enforcement body armor and body armor carriers.
- NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the City Manager to file the grant application to the Bureau of Justice Assistance Office as outlined above.

The foregoing Resolution 16-34, introduced by Council Member ******* and seconded by Council Member ******* on this the **** day of ******** 2016 and having been submitted to a roll call vote, was approved by the following votes:: YES: NO: ABSTAIN: ABSENT:

ATTEST:	Eddie Ellington, Mayor
Esther McCrackin, City Clerk	
Approved to Legal Form:	
Rix Edwards, City Attorney	



HENDERSON POLICE DEPARTMENT

Marcus Barrow Chief of Police

200 Breckenridge Street Henderson, NC 27536 Phone: 252-438-4141 Fax: 252-438-7311



INTEROFFICE MEMORANDUM

TO:

Frank Frazier, City Manager

FROM:

Marcus Barrow, Chief of Police

DATE:

04/07/2016

SUBJECT:

Application for 2016 BJA Bulletproof Vest Program Grant

Please find attached a copy of the online application form for the 2016 BJA Bullet Proof Vest Program Grant, a City of Henderson Grant Review Form and a draft of a CAF for the grant application to be reviewed at the May 9, 2016 Council Session.

As noted this grant is requesting reimbursement funds for the BJA BVP Grant program, which will reimburse the City for up to 50% of the cost of ballistic armor for law enforcement officers. We will also be planning to submit a reimbursement request to the NC League of Municipalities Bullet Proof Vest program as well (which does not require a pre-application as the federal grant does).

Captain Twisdale will transmit the information to Patricia along with the draft of the CAF to add to the agenda. Thank you in advance.

CC: Captain Perry Twisdale, Services Commander BJA BVP 2016 Grant File

An Internationally Accredited Law Enforcement Agency

CITY OF HENDERSON

INTERNAL PROCESS TO DECIDE WHETHER GRANT APPLICATION IS APPROPRIATE

Department: Police

Staff Contact: Captain P.L. Twisdale

Funding Sources:

Bureau of Justice Assistance Bullet-Proof Vest Program FY 2016 NC League of Municipalities Bullet-Proof Vest Program FY 2016

Grant/Project Name: Bulletproof Vest Program Grant 2015-2016

Date Application Due:

May 16, 2016

This is a NEW or X RECURRING Grant.

Brief Project Summary:

This grant is an application to renew the Henderson Police Department's participation in the Department of Justice's Bureau of Justice Assistance Bullet-Proof Vest grant program.

We are also requesting in advance to apply for reimbursement grant funding from the NC League of Municipalities Risk Management Division for the purchase of Ballistic Vests for sworn officers in the 2016-2017 fiscal year.

The League Grant is on an "as-purchased" basis and will reimburse \$250 of the expense for purchasing personal body armor for sworn law enforcement officers up to ten (10) vests in a fiscal year. No pre-application is required for this grant.

The BJA JAG Bulletproof Grant will reimburse the City for up to 50% of the projected cost of ballistic armor for officers. The information from the application for the BJA JAG Bullet-Proof Vest Program is also included.

We are estimating that in FY 2016-2017 there will possibly be 10 needed vest purchases for sworn officers.

- Seven (5) ballistic vests purchased as replacement vests for old vests issued to current officers that have exceeded the warranty period of five (5) years from the date of manufacture.
- Five (5) new vests in the upcoming fiscal year for new officers.

The cost per vest unit is \$715 plus \$15.00 shipping and handling. The estimated cost for ten (10) vests is \$7165.00. The Henderson Police Department is requesting to submit the application for the BJA JAG Bullet-Proof Grant Program for the amount of \$7165.00 with the requested reimbursement amount of \$3,582.50.

The Henderson Police Department is also requesting to submit reimbursement requests to the NC League of Municipalities Risk Management Service in the coming fiscal year for reimbursement of 50% of up to ten (10) vests (costing \$7150.00) for the amount of maximum amount allowable under the NCLM grant of \$2500.

PLEASE NOTE: These grants <u>do not</u> cover the cost of tactical exterior body armor such as that worn by SWAT Team Members.

Maximum amount available from Funding Sources:

BJA Bullet-Proof Vest Program \$3,582.50 NCLM Bullet-Proof Vest Program \$2,500.00

Total \$6,082.50

Anticipated Award Notification Date: 07/01/2016

Anticipated Grant Term: Start Date: 09/01/2016

Finish Date: 06/01/2017

Amount to be requested: \$6,082.50

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

Eligible types of match: Any funding OTHER THAN BJA JAG funding may be used as match funding.

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

The match will be budgeted in the Body Armor line item. Following the establishment of a grant project account once the grant is approved and accepted, grant match funds will be transferred into this account.

Due to the purchase of regular body armor for officers (both new and replacement for current employees) being a regular purchase made by the City and budgeted as part of the budget process, Asset Forfeiture funds should not be used as match funds for these purposes. The full amount of the purchases has been requested in the regular Police Department FY 2016-2017 budget and these funds should be utilized for the purchase of the body armor. Use of Federal Asset Forfeiture in this case would be seen as "supplantation" of normal purchases under Asset Forfeiture guidelines.

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

This project would be a reimbursement of funds expended by the Police Department from our Body Armor line item.

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

Is this project included in?

Departmental Budget

No

Capital Improvements Plan

No

No. This grant was not announced until after the Department had submitted its budget request for the FY 2016-2017 fiscal year.

Grant funds will be used for the following:

Funds will be used to reimburse the City for the cost of purchasing new Ballistic Armor for sworn law enforcement officer.

How will the program be funded after the grant expires?

There is no recurring cost for the body armor for five (5) years until replacement is recommended and the warranty expires.

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

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

Some additional questions to consider:

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

No.

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

This is a law enforcement project only.

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

No, this is a law enforcement only grant.

City Council Action Form

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



Council Meeting: 9 May 2016, Reg. Meeting

March 29, 2016

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

FR: Frank Frazier, City Manager 3.3.

RE: CAF: 16-49

Consideration of Approval of Resolution 16-27, Awarding of Departmental Fire Helmet and Badge to Retired Battalion Chief Donald Wayne Moss

Ladies and Gentlemen:

Council Goals Addressed By This Item:

• KSO 6: Develop and Maintain a Qualified Municipal Workforce: To provide a supportive and competitive workforce climate that facilitates and maintains a strong workforce capability and capacity and adequate staffing levels.

Recommendation:

• Approval of Resolution 16-27, Awarding of Departmental Fire Helmet and Badge to Retired Battalion Chief Donald Wayne Moss.

Executive Summary

Battalion Chief Donald Wayne Moss joined the Henderson Fire Department in May 1988 and was promoted to Battalion Chief in 2008. He announced his retirement from the City of Henderson which became effective 1 May 2016. After thirty years of service to the City of Henderson, it is considered appropriate to award him his departmental badge at no cost and to award him his fire helmet at the said price of \$1.00 as per NCGS 160A-294.1: "Honoring deceased or retiring firefighters."

Attachments:

- 1. Resolution 16-27
- 2. NCGS 160A-294.1

RESOLUTION 16-27

AWARDING OF DEPARTMENTAL FIRE HELMET AND BADGE TO RETIRING BATTALION CHIEF DONALD WAYNE MOSS

- **WHEREAS,** Battalion Chief Donald Wayne Moss of the Henderson Fire Department retired 1 May 2016; and,
- WHEREAS, in accordance with North Carolina General Statutes § 160A-294.1, which states: Honoring deceased or retiring firefighters. A fire department established by a municipality pursuant to this Article may, in the discretion of the governing body of the municipality, award to a retiring firefighter or a surviving relative of a deceased firefighter, upon request, the fire helmet of the deceased or retiring firefighter, at a price determined in a manner authorized by the governing body. The price may be less than the fair market value of the helmet.
- NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the award of his Departmental badge and fire helmet to retired Battalion Chief Donald Wayne Moss at a cost of \$1.00.
- AND BE IT FURTHER RESOLVED that the Mayor and City Council thank Battalion Chief Donald Wayne Moss for his years of good service to the City and wish him well in his retirement.

The foregoing Resolution 16-27, introduced by Council Member ***and seconded by Council Member *** on this the ***day of ***, and having been submitted to a roll call vote, was *** by the following votes: YES: NO:. ABSTAIN:. ABSENT:.

ATTEST:	Eddie Ellington, Mayor	
Esther J. McCrackin, City Clerk		
Approved to Legal Form:	`	
D. Rix Edwards, City Attorney		

§ 160A-294.1. Honoring deceased or retiring firefighters. A fire department established by a municipality pursuant to this Article may, in the discretion of the governing body of the municipality, award to a retiring firefighter or a surviving relative of a deceased firefighter, upon request, the fire helmet of the deceased or retiring firefighter, at a price determined in a manner authorized by the governing body. The price may be less than the fair market value of the helmet. (2003-145, s. 2.)

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

May 2, 2016

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

FR: Frank Frazier, City Manager 33

RE: CAF: 16-66 Consideration of Approval of Resolution 16-40, Authorizing the Mayor and City Manager to Sign the State Archives Records Retention Schedule Amendment

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

• KSO 1: Implement Performance Excellence – Implement Process Improvements

Recommendation:

 Approval of Resolution 16-40, Authorizing the Mayor and City Manager to Sign the State Archives Records Retention Schedule Amendment

• Executive Summary

According to NCGS 121-5 and NCGS 132-3, without official approval of the Records Retention Schedule, each municipality is obligated to obtain the Department of Cultural Resource's permission to destroy any record, no matter how insignificant. Periodically amendments are made to the Schedule that require Council's approval.

The most recent amendment was via E-mail to the City Clerk on May 2, 2016. The amended section of the Records, Retention and Disposition Schedule is Section 9: Water & Sewer Authorities and Sanitary Districts.

This Resolution will allow the Mayor and City Manager to sign the Records Retention Schedule Amendment.

Attachments:

1. Resolution 16-40

RESOLUTION 16-40

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO SIGN THE STATE ARCHIVES RECORDS RETENTION SCHEDULE AMENDMENT

- **WHEREAS**, the City Council conducted its Annual Planning Retreat in January 2015, and during said Retreat identified Strategic Objectives and Goals; *and*
- WHEREAS, this Resolution addresses KSO 1: Implement Performance Excellence Implement Process Improvements; and
- **WHEREAS,** according to G.S. §121-5 and G.S. §132-3 of the State of North Carolina, public records may only be destroyed with the consent of the Department of Cultural Resources; and
- **WHEREAS,** the State Archives of North Carolina recently published amendments to the 2016 Municipal Schedule.
- NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY RATIFY AND APPROVE the City Manager's and Mayor's signature on the Records Retention Schedule Amendment, being more fully articulated in Attachment A of this Resolution.

The foregoing Resolution 16-40, introduced by Council Member ** and seconded by Council Member ** on this the 9th day of May 2016, and having been submitted to a roll call vote, was APPROVED by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

ATTEST:	Eddie Ellington, Mayor	New York of the State of the St
Esther J. McCrackin, City Clerk		
Approved to Legal Form:		
D. Rix Edwards, City Attorney		
(Reference: Minute Book 44, p.**)		

Water & Sewer Authorities and Sanitary Districts Records Retention and Disposition Schedule

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolino, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M, 0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for orgoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. Public records, including electronic records, not listed in this schedule are not outbroked to be destructed.

This local government agency and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "reference volue ands." The local government agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference volue ends." If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "destroy when reference value ends."

The local government agency and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. The agency agrees to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

Authority Director or CEO Sarah E. Koonts, Director Division of Archives and Records APPROVED Chair, Authority Governing Board Chair, Authority Governing Board Authority: May 1, 2016 Kurt Brenneman

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STANDARD 9: PROGRAM OPERATIONAL RECORDS - WATER & SEWER AUTHORITIES AND SANITARY DISTRICTS

Official records pertaining to the authority, operating philosophy, methods, and primary functions of water & sewer authorities and sanitary districts. Comply with applicable provisions of G.S. § 132-1.7 regarding confidentiality of detailed plans and drawings of public buildings and infrastructure facilities.

ITEM #	STANDARD'S PHASEAM DEERATIONAL SECONDS: WATER A SERVER AUTHORITIES AND SANITARY DESTRICTS			
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION	
1.	ABANDONED WATER AND SEWER LINES Records documenting the location of abandoned water and sewer lines.	Retain in office until abandoned line is removed.	Retention: 15A NCAC 2T ,0403	
2.	BIOSOLIDS TREATMENT RECORDS Includes analyses, certification statements, site restrictions, monitoring records, vector attraction reduction requirements, trip tickets, residual records, control plans, and other related records.	Destroy in office after 5 years.*	Authority: 15A NCAC 2T ,0100 Retention: 40 CFR 122.41(j)(2) 40 CFR 503.17	
3.	CERTIFIED FACILITY OPERATORS LOGS AND REPORTS includes records of certified facility operators related to operation of water and wastewater treatment facilities and distribution systems.	a) Destroy in office records concerning the operation of water treatment facilities after 3 years.* b) Destroy in office records concerning the operation of wastewater treatment facilities after 5 years.*	Authority: 15A NCAC 18C .13D1 Retention: 15A NCAC 18C .13D2	
4.	COMMUNITY WATER SYSTEM PERMIT Permit issued by the NC Department of Environmental Quality.	Destroy in office when superseded.	Authority: G.5, § 130A-328	

^{*} No destruction of records may take place if oudits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION,

page vi. t Fee signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference valve ends." Please use the space provided.

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II EM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
s. 2	CUSTOMER WORK ORDERS Includes service orders such as connection and disconnection of service and other maintenance functions.	Destroy in office 1 year after completion of work.	Confidentiality: G.S. § 132-1.1(c)
9.	DAM CONSTRUCTION RECORDS	Retain in office for life of structure.	
10.	DAM OPERATIONS AND MAINTENANCE RECORDS	Retain in office for life of structure.	
11.	DISCHARGE MONITORING REPORTS Discharge monitoring and non-discharge reports submitted to state and federal regulatory agencies. Includes supporting monitoring information and data such as laboratory reports, bench notes, data logs, and process control tests. Also includes copies of monthly reports required by National Pollution Discharge Elimination System (NPDES) permits.	a) Destroy in office NPDES reports 5 years from date of submission.* b) Destroy in office annual reports 5 years from date of submission.* c) Destroy in office daily reports and remaining records after 3 years.*	Authority: 40 CFR 122.41(j) 15A NCAC 2B .0500 Retention: 40 CFR 122.41(j\(2\)) 15A NCAC 2B .0506 15A NCAC 2T .0403
12.	EXEMPTIONS AND VARIANCES Exemption and variance records concerned with the installation of water and sewer lines.	Destroy in office 5 years after expiration.*	Retention: 40 CFR 141.33(d) 15A NCAC 18C .1526
13.	GROUNDWATER MONITORING RECORDS Includes all groundwater monitoring wells and associated groundwater surface elevations.	Destroy in office after 5 years.*	
14.	HAZARDOUS WASTE DISPOSAL RECORDS Includes copies of manifests, biennial reports, exception reports, test results, waste analyses, and other related records.	Destroy in office after 3 years.*	Retention: 40 CFR 262.40 15A NCAC 13A .0107

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page vi.
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Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

пем #	Standard 3: Processo deficational records . Writer & Sever But Hortees and Saultar Postrats .		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.	LABORATORY OPERATIONS Records pertaining to certification of laboratories to perform tests on water resources and to perform blological toxicity testing and population surveys of water and wastewater. Includes documentation of all analytical quality control practices and supporting records, biological laboratory certification/criteria procedures document, and other related records.	a) Destroy in office documentation of analytical quality control practices and supporting records after 5 years.* b) Destroy in office necessary data for field parameter certification after 5 years.* c) Destroy in office all other records concerning certification 2 years after expiration, cancellation, revocation, or denial.*	Authority: 15A NCAC 2H .0805 Retention: 15A NCAC 2H .0805 15A NCAC 2H .0807 15A NCAC 2H .1107
16.	LEAD AND COPPER COMPUANCE RECORDS Includes all monitoring records required by federal, state, and local regulations.	Destroy in office after 12 years.*	Retention: 40 CFR 141.91
17.	LINE INSPECTION MAPS May include video recordings monitoring lines.	Destroy in office when superseded and obsolete.	
18.	MAPS (UTILITY INSTALLATIONS AND DISTRIBUTIONS) Includes maps, plats, charts, and similar records showing the location of water mains, pumps, valves, hydrants, meters, storage locations, etc., throughout the system. Also includes sewer collection system maps showing the location of gravity collector mains, force mains, lift stations, manholes, and valves. See also GEOSPATIAL RECORDS, page 76.	Paper: Retain in office for life of system. GIS dataset: Retain in office for life of system. Create a snapshot of dataset annually. To maintain, Either: Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council. Or: If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.	Confidentiality: G.S. § 132-1.7 Retention: G.S. § 87-121(f) 1SA NCAC 2T .0403

^{*} No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page vi.

page vi.
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Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

ITEM#	Standard & program orerational records inviter & sener authorities and sanitaby sixtricts		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.	METER RECORDS Includes meter reading records showing consumer water consumption. Also includes records concerning installation, testing, and calibration of water meters.	Destroy in office records verifying installation of meter 3 years after equipment is no longer owned and/or operational if like replacement occurred.	
		b) Destroy in office records verifying installation of meter 5 years after equipment is no longer owned and/or operational if unlike replacement occurred.	
		c) Destroy in office mater reading records after 3 years.*	
		d) Destroy in office water meter testing and calibration records after 5 years.*	
20.	NOTICES TO PROPERTY OWNERS OF APPROVAL OF WATER UTILITY INSTALLATION	Destroy in office after 2 years.	
21.	PARTICIPATION CONTRACTS	Destroy in office 3 years after completion.	
	Contracts used to determine amount of reimbursement to developer. May include construction drawings.		
22.	PERIODIC INSPECTION REPORTS OF INDUSTRIAL FACILITIES	Destroy in office after 3 years.	Retention: 15A NCAC 2T .0403

^{*} No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION,

page vi.
† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that
Natural and Cultural Resources has scheduled with the disposition instruction "destray when reference value ends." Please use the space provided.



ITEM#	STANDARD 6: PROGRAM ORENATIONAL REGORDS / WATER IS SEVEN AUTHORITIES AND SANITARY DISTRICTS		
77 640 4	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
23.	PRETREATMENT PROGRAMS Includes prefreatment permits, annual pretreatment reports, records of monitoring activities and results, water quality records, records of industrial user impact, laboratory records, and other related records.	a) Destroy in office permits and supporting documentation 5 years after expiration, cancellation, revocation, or denial.* b) Destroy in office laboratory records after 5 years.* c) Destroy in office remaining records after 3 years.*	Authority: 15A NCAC 2H .0906 15A NCAC 2H .0916 Confidentiality: G.S. § 132-1.2 15A NCAC 2H .0913 Retention: 40 CFR 503.17 15A NCAC 2H .0908
24,	RATE SCHEDULES Includes schedules of rates, fees, charges, and penalties for usage of and for services furnished by any system operated by the authority.	Retain in office permanently.	Authority: G.S. § 162A-9
25.	RECLAIMED WATER RECORDS Includes applications, monitoring reports, operation and maintenance plans, specifications, residuals management plans, local program approvals, and other related records.	Destroy in office after 10 years.*	Authority: 15A NCAC 2U .0100
26.	SANITARY SURVEYS Includes reports, summaries, studies, correspondence (including e-mail), and other related records documenting the sanitary condition of system.	Destroy in office 10 years after completion of survey. •	Retention: 40 CFR 141.33(c) 15A NCAC 18C .1526



page vi.

1 See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that
Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

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ITEM#	STANDARD 9: PROGRAM CHERATIONAL RECURDS - MATER & SEMERALITHORITES AND SANTARY COSTRUTS		
IIEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
27.	SERVICE DISCONTINUANCES Includes termination notices, energy assistance notifications, deferred payment agreements, dispute review documents, and other related records relating to the actual or threatened disconnection of service.	Destroy in office 1 year after resolution. •	Confidentiality: G.S. § 132-1.1(c)
28.	SERVICE INTERRUPTIONS Includes reports, logs, and other related records documenting service interruptions.	Destroy in office after 3 years.*	
29.	SEWER JETTING AND VACTORING RECORDS Records documenting the routine cleaning of wastewater lines.	Destroy in office after 3 years.	Retention: 15A NCAC 2T .0403
30.	TAP ON AND HOOKUP RECORDS Applications, permits, contracts, logs, and other related records documenting location and installation of water and wastewater hookups and taps.	Destroy in office after 3 years.*	Retention: 15A NCAC 2T .0403
31.	VIOLATION RECORDS Includes all documentation of actions taken to correct federal, state, and local violations of water and wastewater management standards.	Destroy in office 3 years after last corrective action taken.*	Retention: 40 CFR 141.33[b] 15A NCAC 18C .1526
32.	WASTEWATER MAINTENANCE OPERATION REPORTS	Destroy in office after 3 years.	Retention: 15A NCAC 2T .0403

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page vi.
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Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

TEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
33.	WASTEWATER POLLUTION CONTROL AND ABATEMENT RECORDS	Destroy in office after 3 years.*	Authority: 15A NCAC 28 .0506
	Includes reports of failure of treatment facilities resulting in a bypass with treatment of wastewater, discharge of waste which is abnormal in quality or characteristic, and process unit failure that renders the agency incapable of adequate wastewater treatment.		Retention: 15A NCAC 2B .0506
34.	WASTEWATER QUALITY ANALYSES Includes wastewater and stream flow measurement reports, Influent, effluent, and stream sampling reports, biological and toxicity monitoring, tests and analyses, laboratory reports, bench notes, data logs, process control tests, monitoring and calculation sheets, and other related records.	Destroy in office after 3 years.*	Authority: 15A NCAC 28 .0500 Retention: 15A NCAC 28 .0505 15A NCAC 28 .0506
95.	WATER AND WASTEWATER FACILITY ENGINEERING AND SYSTEM PLANS	Retain in office permanently.	Authority: 15A NCAC 18C .0300
	Includes authorizations to construct, building plans, engineering plans, and specifications.		Confidentiality: G.5. § 132-1.7 15A NCAC 2H .0115

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page vi,
† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that
Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

	STANDAROB PROGRAM OPERATIONAL RECORDS - WATER IL SEMER NOTHORITIES AND SANTIARY DISTRICTS		
ITEM#	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
36.	WATER AND WASTEWATER PERMITS AND APPROVALS Permils, approval letters, and other related records required by local, state, and federal ordinance, regulation, and statute. Includes records regarding National Pollutant Discharge Elimination System (NPDES) permits.	a) Retain in office approval letters and supporting documentation permanently. b) Destroy in office permits 5 years after expiration, cencellation, revocation, or denial.*	Authority: 40 CFR 122.28 G.S. § 130A-328 15A NCAC 2H .0100 15A NCAC 2T .0100 Confidentiality: G.S. § 132-1.2 15A NCAC 2H .0115
37.	WATER AND WASTEWATER SERVICE AGREEMENTS	Destroy in office 3 years after termination or expiration.*	Retention: 15A NCAC 2T .0403
38.	WATER AND WASTEWATER SYSTEM ENGINEERING, MAINTENANCE, AND REPAIR RECORDS includes records documenting installation, authorizations to construct, building plans, locations, specifications, engineer's reports, operation and maintenance plans, and maintenance history for hydrants, pipes, pumps, valves, and similar system equipment. Includes drainage system maintenance and repair records.	a) Retain in office as built plans and specifications permanently. b) Destroy in office system equipment records 3 years after equipment is no longer owned and/or operational if like replacement occurred. c) Oestroy in office system equipment records 5 years after equipment is no longer owned and/or operational if unlike replacement occurred. d) Oestroy in office background surveys, studies, reports, drafts, and other records when superseded or obsolete.	Authority: G.S. § 130A-317 15A NCAC 18C .0300 Confidentiality: G.S. § 132-1.7 Retention: 15A NCAC 2T .0403
39.	WATER AND WASTEWATER SYSTEM INSPECTIONS AND TESTS Includes non-compliance inspection and test records conducted by a facility	Destroy in office after 3 years.*	Retention: 1SA NCAC 2T .0403 1SA NCAC 18C .1302

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page vi.
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Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

ITEM#	STANDARD A: PROGRAM OPERATIONAL RECORDS ; SWATER & SEWERALITHORITIES WITH FAMILY AND TRACES.			
)1LIV) W	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION	
40.	WATER AND WASTEWATER SYSTEM MANAGEMENT PLANS Includes final adopted plans and amendments, background surveys, studies, and reports.	Retain in office adopted plans and amendments permanently. Destroy in office drafts, background surveys, studies, and reports 3 years after adoption of plan.	Authority: 15A NCAC 18C .0307 Confidentiality: G.5. § 132-1.7 Retention: 15A NCAC 2T .0403 15A NCAC 18C .1526	
42.	WATER AND WASTEWATER SYSTEM PROJECT RECORDS	a) Retain in office project pre-approval and final approval letters permanently. b) Destroy in office remaining records 3 years after project is completed.	Authority: 15A NCAC 18C .0300 Retention: 15A NCAC 18C. 1302	
42.	WATER SHORTAGE RESPONSE PLANS Water conservation plan in the event of a drought or other water shortage conditions.	Destroy in office when superseded and obsolete.	Authority: G.5. § 143-355.2 15A NCAC 2E .0607	
43,	WATER STOCK PURCHASE RECORDS Records documenting the purchase of water from individuals and companies.	Destroy in office after 3 years.*		
44.	WATER SUPPLY QUALITY ANALYSES Includes laboratory reports and tabular summaries of microbiological, turbidity, chemical, radiological, and physical analyses, and dimatological observations. Also includes records of actions taken to correct violations.	a) Destroy in office records of microbiological and turbidity analyses after 5 years. b) Destroy in office records of chemical and radiological analyses after 20 years. c) Destroy in office records of actions taken to correct violations 3 years after last corrective action taken. d) Destroy in office remaining records after 5 years.	Retention: 40 CFR 141.33 15A NCAC 18C .1526	

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page vi.
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Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.



/TT44 #	TIANDARDS: PROGRAM OPERATORIAL SEKTINGS - WATER SEMER SUTHIGHTES AND SANTARY DISTRICT		
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
45.	WATER SYSTEM OPERATIONS RECORDS Includes backflow prevention reports, flow reports, capacity studies, pump station reports, and other records that summarize the operations of water supply, treatment, distribution, and collection.	a) Destroy in office records of water supplied to distribution system, by sources, after 15 years or 3 years after source is abandoned.* b) Destroy in office remaining records after 6 years.*	
46.	WATER TANKS AND BOOSTER STATIONS RECORDS Includes specifications.	Destroy in office after 6 years.*	

9 WATER & SEMER AUTHORINES AND SAMPARY DISTRICTS

No destruction of records may take place if audits or inigation are pending ar reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page vi.

page vi.
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Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." Please use the space provided.

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

April 27, 2016

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

FR: Frank Frazier, City Manager

RE: CAF: 16-65

Consideration of Approval of Resolution 16-39, Appointments to the Board of Adjustment and Planning Board.

Ladies and Gentlemen:

Recommendation:

• Approval of Resolution 16-39, Appointments to the Board of Adjustment and Planning Board.

Executive Summary

The Boards and Commissions' Committee (B&CC) met on April 27, 2016, to review applications and is now recommending Council approve the following appointments,

<u>Board of Adjustment</u> – Ms. Sara Coffey, a city resident living at 320 W. Young Avenue, moving from an Alternate to a Full member, to serve a full three-year term, expiring 30 June 2019.

<u>Planning Board</u> – Mr. James "Pete" O'Geary, a city resident living at 910 Meadow Lane, to serve a full three-year term as an Alternate, expiring 30 June 2019.

<u>Planning Board</u> – Mr. Michael Venable, a city resident living at 117 Zollicoffer Avenue, to serve a full two-year term as an Alternate, expiring 30 June 2018.

Attachments:

- 1. Resolution 16-39
- 2. Applications

RESOLUTION 16-39

A RESOLUTION MAKING APPOINTMENTS TO THE HENDERSON BOARD OF ADJUSTMENT 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 currently vacancies on the Henderson Board of Adjustment 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. Ms. Sara Coffey, a city resident living at 320 W. Young Avenue, moving from an Alternate to a Full member, to serve a full three-year term, expiring 30 June 2019.
 - 2. Mr. James "Pete" O'Geary, a city resident living at 910 Meadow Lane, to serve a full three-year term as an Alternate, expiring 30 June 2019.
 - 3. Mr. Michael Venable, a city resident living at 117 Zollicoffer Avenue, to serve as a full two-year term as an Alternate, expiring 30 June 2018.
- The foregoing Resolution 16-**, 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:.

ATTEST:	Eddie Ellington, Mayor	
Esther J. McCrackin, City Clerk		
Approved to Legal Form:		
D. Rix Edwards, City Attorney		

Reference: Minute Book 44, p **; CAF 16-**

CAF 16-65 Attachment #2

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:

Date of Application:

Applica	int Name: Saia Offey	Date of Application:	
Home A	Address: 320 wyang Are	Henderson	, N.C. 27536
	Street Address, City		
Home P		_	
FAX Nur	mber:E-Mail Address:	openphonding (1	g mail . co
*Questic	ions Regarding Date of Birth, Gender and by in committees/commissions that reflect the	i Race are voluntary. entire community.	The Council seeks
*Date of	of Birth: 0 4 161 50 *Male: *Fe	male:*Race:	au -
Occupa	ation: Bail Bands Women	Council Ward: 1 Q	t large
Educati	ion Background: <u>Vance Granu</u> u	ele Com. Coll	lege
All memi	nbers of the City of Henderson Boards, Committe uncil.	ees and Commissions sha	ll be appointed by the
Do you i (You mus	reside within the city limits of Henderson? ist be a resident of the City of Henderson to serve	Yes No on a City Board, Committee	or Commission)
Length (of residence in Henderson:	<u> 8</u> Years	Months
Please i	indicate your two preferences by number		
	City of Henderson Boards, Com (see attached de		esions
/	E-911 Advisory Board		
	Henderson Community Appearance Commis	esion	
	Henderson Planning Board		
	Henderson Redevelopment Commission		
4	Henderson-Vance Human Relations Commis	sion	
	Henderson-Vance County Recreation & Park	s Commission	
	Perry Memorial Library Board of Trustees		
	Henderson-Vance EDC Board	, 	
1	Henderson- Zoning Board of Adjustment	ull time	

Please provide a brief statement outlining why you wish to serve on a City of Henderson Board, Committee or Commission.
A have been serving for a while zon and feel from and property knowledge to the
Why do you think you would be an asset to this Board, Committee or Commission?
Fam a resident of the city, and a business owner here and stay in touch with the citizens.
Please list current and previous service to the community, civic clubs, activities and talents.
City council. Board of adjustment 911 Board Nuardian ad Litem 7 yrs Vice chair of Community Relation Rethold Job
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 Date Date
Please return completed and signed form to: Esther J. McCrackin, City Clerk, City of Henderson, P.O. Box 1434, Henderson, NC 27536 Office: 252-430-5705Fax: 252-492-7935emccrackin@ci.henderson.nc.us

Redd 3/16

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: TETE O'GERRY Date of Application: 21/61/6
Home Address: 910 MEADOW / ANE HENDERSON 2753k
Street Address, City, Zip Code
Home Phone: 252 -438 -62/1 Business/Other Phone: 254-435-1572
FAX Number: E-Mail Address:
*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: 2 1841 25 *Male: *Female: *Race:
Occupation: TETIRED Council Ward:
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: 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 Filint Hill Neighborhood Advisory Committee E-5-8-2-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4

Please provide a brief statement outlining why you wish to serve on a City of Henderson Board, Committee or Commission.
I love the city and I want to see good
Why do you think you would be an asset to this Board, Committee or Commission?
Mayor, I understand the every day Prehleus wo
are foreact with.
Please list current and previous service to the community, civic clubs, activities and talents.
Tity coursel, mayor of feeduren,
Salvation any Board of Direture
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.
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Applicant's Signature Required 2-12-16 Date
Please return completed and signed form to: Esther J. McCrackin, City Clerk, City of Henderson, P.O. Box 1434, Henderson, NC 27536 Office: 252-430-5705Fax: 252-492-7935emccrackin@ci.henderson.nc.us

Rec'd 2/3/16

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.

Home Address: 1/7 Zellicoffex Ave Henderson NC 27536 Street Address, City, Zip Code Home Phone: 352/915-5933 Business/Other Phone: 352/915-5933 FAX Number: E-Mail Address: Miguel's beauty Oyches 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: 28/10/1973 *Male: *Female: *Race: Black Occupation: Saka Nanca Have Stylist Council Ward: Education Background: Depolma, Vacci Cosmetology License, & Council by Instructed 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: 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 Fire Board of Appeals Filmt Hill Neighborhood Advisory Committee Estates Appeals Filmt Hill Neighborhood Advisory Committee Estates Appeals Henderson Community Appearance Commission	Applicant Name: Michael Venable Date of Application: 2 1 221 2016
Pate of Birth; * 88 101 1973 *** Male: *** Female: *** *** *** *** *** *** *** *** *** *	tome Address: 117 Zollicoffee Ave Henderson NC 27536 Street Address, City, Zip Code
*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: Obj 101 1973 *Male: Female: *Race: Black Occupation: Saleo Across Have Stylist Council Ward: Education Background: Depolme, Vacci Cesmetology lecese, telegrational by Instracted City Council. All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the Certificated 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: City of Henderson Boards, Committees and Commissions (see attached descriptions) Airport Authority	
#Date of Birth: e8j 10 1973 *Male: Female: *Race: Black Occupation: Sake Acres Here Stylist Council Ward: Education Background: De lower Ward: Casmetology Instructed 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: Years Months Please indicate your two preferences by number City of Henderson Boards, Committees and Commissions (see attached descriptions) Airport Authority	-AX Number: E-Mail Address: Miguel's beauty Q Johns Com
Cocupation: Sake Aware Here Stylist Council Ward: Education Background: Dipolma, Vacc, Cesmetology license, & Council by Instructed All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the Certificated City Council. Do you reside within the city limits of Henderson? (You must be a resident of the City of Henderson to serve on a City Board, Committee or Commission) Length of residence in Henderson:	Questions Regarding Date of Birth, Gender and Race are voluntary. The Council seeks liversity in committees/commissions that reflect the entire community.
Education Background: D. po/ma., VACC. Cosmetology Incense, & Cosmetology Instracte All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the Certificate 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: 42	Date of Birth: 081 101 1973 *Male: w *Female: *Race: Black
Education Background: D. po/ma., VACC. Cosmetology Incense, & Cosmetology Instracte All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the Certificate 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: 42	Occupation: Salen Owner Have Stylist Council Ward:
Do you reside within the city limits of Henderson? (You must be a resident of the City of Henderson to serve on a City Board, Committee or Commission) Length of residence in Henderson:	Education Background: D. polma, VACC, Cosmetology license, & Cosmetology Instruction
Length of residence in Henderson: Years Months Please indicate your two preferences by number City of Henderson Boards, Committees and Commissions (see attached descriptions)	All members of the City of Henderson Boards, Committees and Commissions shall be appointed by the $\frac{Ler+Ler}{L}$ cate
Please indicate your two preferences by number City of Henderson Boards, Committees and Commissions (see attached descriptions)	To 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)
City of Henderson Boards, Committees and Commissions (see attached descriptions) Airport Authority	
(see attached descriptions)	Please indicate your two preferences by number
Airport Authority Community Development Advisory Committee E-911 Advisory Board Fire Board of Appeals Filint Hill Nelghborhood Advisory Committee Eight Family 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	Community Development Advisory Committee E-911 Advisory Board Fire Board of Appeals Flint Hill Neighborhood Advisory Committee Eic State 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

Please provide a brief statement outlining why you wish to serve on a City of Henderson Board, Committee or Commission.
I have some quest ideal and concern for this city. Becouse of the investment that I have made in this city
Why do you think you would be an asset to this Board, Committee or Commission?
Doe to living hear for a lifetime Orining Several business I have seen and experence a lot of deeling with the City. and I have also seen where this City has gone from I I do believe that it can be restored to be a very nice place agains with great minds I ideals.
Please list current and previous service to the community, civic clubs, activities and talents. Spring Stacet Baptist Chauch; Beauty Production Non profit, Rolan tux life, Affin School programs, Scholarship fundraiser 4 Campaign Manager tux Several condictes.
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.
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Applicant's Signature Required 9 22 20 6 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

City Council Action Form

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



Council Meeting: 9 May 16 Regular Meeting

13 April 2016

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

FR: Frank Frazier, City Manager 3.3.

RE: CAF 16-56

Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of March 2016.

Ladies and Gentlemen:

Recommendation:

Approval of tax releases from Vance County for the month of March 2016.

Executive Summary

The Vance County Tax office submitted the following tax releases to the Finance Department for the month of March 2016. These releases are found to be in order and are being recommended for approval. There were no refunds reported. Development Services Director Corey Williams has reported no liens for weed abatement against these releases.

March 2016 Tax Releases & Refunds

Name	Reason	Tax Yd 🗸	Amount 💌
Real & Personal Property			
Releases			
Gill, Daniel	Correct Value	2015	\$ 210.93
Total R&P Prop. Releases			\$ 210.93
Real & Personal Property			
Refunds			
None			\$ -
Total R&P Prop. Refunds			\$ -
Total R&P Prop. Rel. & Refun	ıds		\$ 210.93
Total All Releases & Refunds		NAME OF THE PARTY	\$ 210.93

Meetings and Events Calendar All Regularly Scheduled Council Meetings are held on the 2nd Monday of the Month

The second second second	zan kegalarij bene	duled Council Meetings are held on the 2 nd Monday of	the Month
Date	Time	Event	Location
May 12 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
May 16 th	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
May 16 th	6:00 PM	SCM 2016-17 Recommended Budget Presentation	City Council Chambers
May 17 th	6:00 PM	Budget Work Session #1	City Council Chambers
May 19 th	6:00 PM	Budget Work Session #2	City Council Chambers
May 23 rd	6:00 PM	Budget Hearing & Budget Work Session #3	City Council Chambers
May 24 th	6:00 PM	Budget Work Session #4 (if needed)	City Council Chambers
May 26 th	6:00 PM	Budget Work Session #5 (if needed)	City Council Chambers
May 27 th	10:00 AM	Henderson-Vance E-911 Advisory Board Meeting	E-911 Operations Center
June 7 th	3:30 PM	Henderson Zoning Adjustment Board Meeting	City Council Chambers
June 7 th	6:00 PM	Budget Work Session #6 (if needed)	City Council Chambers
June 9 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
June 9 th	6:00 PM	Budget Work Session #7 (if needed)	City Council Chambers
June 13 th	9:30 AM	KLRWS Advisory Board Meeting	City Hall Large Conference Room
June 13 th	6:00 PM	City Council Regular Meeting	City Council Chambers
June 20 th	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
July 11 th	5:00 PM	Perry Memorial Library Advisory Board Meeting	Perry Memorial Library
July 11 th	6:00 PM	City Council Regular Meeting	City Council Chambers
July 12 th	3:30 PM	Henderson Zoning Adjustment Board Meeting	City Council Chambers
July 14 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
July 18 th	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
July 29 th	10:00 AM	Henderson-Vance E-911 Advisory Board Meeting	E-911 Operations Center
Aug 2 nd	3:30 PM	Henderson Zoning Adjustment Board Meeting	City Council Chambers
Aug 8 th	9:30 AM	KLRWS Advisory Board Meeting	City Hall Large Conference Room
Aug 8th	6:00 PM	City Council Regular Meeting	City Council Chambers
Aug 11 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
Aug 15 th	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
Sept 8 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
Sept 12 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Cast Almdatas	Co dessilance		

Last Updated 8 April 2016

HENDERSON-VANCE COUNTY 911 NUMBER OF CALLS REPORT BY COMPLAINT (ALL UNITS) TOTAL 5,138 TIME PERIOD:03/28/2016 00:00:01 Through 04/24/2016 23:59:59

DATA WITH NO DEPARTMENT		155			:	165
AFTON VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	0	0			
AMERICAN RED CROSS	Other Dispatch	3000 300				1
BEARPOND VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	36	36		1	
BERTIE AMUBLANCE SERVICE	City & County Dispatch-actual	3 3 N 4 3 N				4
COKESBURY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	27	27			
CSX RAILROAD	Other Dispatch	300 1 (00)			i	1
DREWRY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	111	11			
CENTURYLINK	Other Dispetch	0				0
DUKE ENERGY	Other Dispatch	6				6
EPSOM VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	8	8		· · · · · · · · · · · · · · · · · · ·	
HENDERSON FIRE DEPARTMENT-STA 1	City Dispatch	224		224		
HENDERSON FIRE DEPARTMENT-STA 2	City Dispetch	175		175		
HENDERSON POLICE DEPARTMENT	City Dispatch	2,645		2,645		
HENDERSON STREET DEPT	City Dispatch	333		3	1	
HENDERSON WATER DEPARTMENT	City Dispatch	9		9		
HICKSBORO VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	16	16			
KITTRELL VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	22	22		ĺ	
NORTH CAROLINA DEPT OF PARKS	State Dispatch	2			2	
NORTH CAROLINA DEPT OF TRANSPORTATION	State Dispatch	6			6	
NORTH CAROLINA DIVISION OF MOTOR VEHICLES	State Dispatch	0			0	
NORTH CAROLINA FORESTRY SERVICE	State Dispatch	10	,	10.1	10	
NORTH CAROLINA MEDICAL EXAMINER	State Dispatch	2			2	
NORTH CAROLINA PROBATION & PAROLE	State Dispatch	0			0	
NORTH CAROLINA STATE HIGHWAY PATROL	State Dispatch	61	-		61	
NORTH CENTRAL MEDICAL TRANSPORTS	City & County Dispatch-actual	3 3	3			
NORTH CAROLINA WILDLIFE	State Dispatch	10.004 (0.00			1	
PUBLIC SERVICE GAS	Other Dispatch	200 200			ĺ	0
RIDGEWAY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	0	0			
TOWNSVILLE VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	22	22			
VANCE COUNTY AMBULANCE SERVICE (EMS)	City & County Dispatch-actual	512	227	280	tana majasa	483000
VANCE COUNTY ANIMAL CONTROL	County Dispatch	83	83			
VANCE CO DEPT OF SOCIAL SERVICES	County Dispatch	18385348	5			
VANCE COUNTY EMERGENCY MANAGEMENT	City & County Dispatch	N 9846 3 BAS	1014 3 (2011	13/4/2012/2012/2012	MA VENNER	A payrears to
VANCE COUNTY FIRE DEPARTMENT	County Dispatch/FIRE	62	62			
VANCE COUNTY RESCUE SQUAD	County Dispatch	26	26			
VANCE COUNTY SHERIFF DEPARTMENT	County Dispatch	1,840	1,840			
WATKINS VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	6	6			
	TOTALS	5.987	2.397	3,336	82	177

Signature:

Prepared by: Vivian Lassiter, Training Supervisor

Signature:

Reviewed by Brian K. Short, Director 04/25/2016

HENDERSON-VANCE CO 911 Number Of Calls Report by Department (All Units)

First Date: 03/28/2016

Last Date: 04/24/2016 Jurisdiction: **HEN-VAN**

	Department	Number	
1	Data with no Department.	155	
2	ARC	1	
3	BERT	4	
4	BVFD	36	
5	CSX	1	
6	CVFD	27	
7	DOT	6	
8	DSS	5	
9	DVFD	11	
10	EM	3	
11	EMBQ	4	
12	EMS	512	
13	EVFD	8	
14	FOR	10	
15	HFD1	224	
16	HFD2	175	
17	HPD	2645	
18	HVFD	16	
19	KVFD	22	
20	ME	2 3 2	
21	NCEN	3	
22	PARK		
23	PE	6	
24	SHP	61	
25	STRE	3	
26	TVFD	22	
27	VCAC	83	
28	VCFD	62	
29	VCR	26	
30	VCSO	1840	
31	WATE	9	
32	WILD	1	
33	WVFD	6	

Total: 5138

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

04/25/2016 14:37:13 1 Page

HENDERSON-VANCE CO 911 Number Of Calls Report by Complaint

...risdiction: HEN-VAN

First Date: 03/28/2016

Last Date: 04/24/2016

911HU ABAND ABDOM-EMD ACC-PD ACC-PI ALARM	911 HANG UP CALL ABANDONED OR JUNKED CARS ABDOMINAL PAIN OR PROBLEMS	46 1 16
ABAND ABDOM-EMD ACC-PD ACC-PI	ABANDONED OR JUNKED CARS ABDOMINAL PAIN OR PROBLEMS	1
ACC-PD ACC-PI	ABDOMINAL PAIN OR PROBLEMS	
ACC-PI	ACCIDENT DOODEDTY DAMAGE	in
	ACCIDENT PROPERTY DAMAGE	127
AL ADM	ACCIDENT PERSONAL INJURY	8
しかしい / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 /	ALARM RESIDENCE OR BUSINESS	306
ALARMFALSE	ALARM FALSE	92
ALARMMED	ALARM MEDICAL	1
ALLERG-EMD	ALLERGIC REACTION / ENVENOMATIC	5
ANIMAL-EMD	ANIMAL BITE / ATTACK	5
ANIM	ANIMAL COMPLAINT/VISCIOUS ANIMAI	73
ARMED SUSP	ARMED SUSPECT (MAN WITH A GUN)	9
ARRE	ARREST	3
ASAG	ASSIST OTHER AGENCY	19
ASMO	ASSIST MOTORIST	45
ASSAULIP-EMD	ASSAULT OR SEXUAL ASSAULT - IN PI	5
ASSAULT-EMD	ASSAULT OR SEXUAL ASSAULT	48
BACKPAIN-EMD	BACK PAIN (NON-TRAUMATIC)	5
BE MV	BREAKING AND ENTERING TO A MOTO	13
BREATH-EMD	BREATHING PROBLEMS	63
BURG-IP	BURGULARY/B&E IN PROGRESS	3
BURGLARY	BURGLARY	29
BURNS-EMD	BURNS (SCALDS) OR EXPLOSIONS (EI	1
CARBON-EMD	CARBON MONOXIDE / INHALATION / H.	1
CAR	CARELESS AND RECKLESS DRIVER	74
CARDIAC-EMD	CARDIAC/RESPIRATORY ARREST OR	10
CHASE	CHASE	5
CHESTPAI-EMD	CHEST PAIN	44
CHILD-ABU	CHILD ABUSE OR NEGLECT	1
CHIVEH	CHILD LOCKED IN VEHICLE	1
CIVDIS	CIVIL DISPUTE	54
COMTHR	COMMUNICATING THREATS	8
CONTROLBURN	CONTROLLED BURN	2
CONVULS-EMD	CONVULSIONS / SEIZURES	25
DIABETIC-EMD	DIABETIC PROBLEMS	5
DIRTRF	DIRECTING TRAFFIC/TRAFFIC CONTRI	3
DISO	DISORDERLY PERSON	97
DOMEIP/W	DOMESTICE DISPUTE - IN PROGRESS	4
DOM-PROB	DOMESTIC PROBLEM	103
DRUGALC	DRUG OR ALCOHOL COMPLAINT	50
DRUNKDRIV	DRUNK DRIVER	5
DVO	DOMESTIC VIOLENCE ORDER	10
EFD-ALARMS	ALARMS	18
EFD-CIT ASST	CITIZEN ASSIST / SERVICE CALL	6
EFD-MUT AID	MUTUAL AID/ ASSIST OUTSIDE AGENO	3
EFD-MVC	MOTOR VEHICLE COLLLISION	29
EFD-ODOR	ODOR (STRANGE/UNKNOWN)	29
EFD-OUTS! FR	OUTSIDE FIRE	9
EFD-STRU FIR	STRUCTURE FIRE	
EFD-VEH FIRE	VEHICLE FIRE	10
F - A - 1 L. (L/E		n
		4
EMERG TRANS ESCO	EMERGENCY TRANSPORT ESCORT	1 1 1 6 8

HENDERSON-VANCE CO 911 Number Of Calls Report by Complaint

...risdiction: HEN-VAN

First Date: 03/28/2016

Last Date: 04/24/2016

Complaint	Complaint		
FALLS-EMD	FALLS (SUBJECT FALLEN)	25	
FALLS-EMD FIGHT	FIGHT	38 17	
FIGHT-IP/W	FIGHT IN PROGRESS/W-WEAPONS		
FIRE AL	FIRE ALARM	2	
FIRE		6	
	FIRE CASE ENTRY	5	
FRAUD HARR	FRAUD/FORGERY	31	
HEADACHE-EMD	HARRASSMENT/THREATS	50	
HEART-EMD	HEADACHE HEART PROBLEMS - AICD	1 7	
HEMORR-EMD	HEMORRHAGE / LACERATION	, 19	
HOMEINV	HOME INVASION		
HRPD	HIT & RUN PD	2	
HRPI		25	
	HIT & RUN PI	3	
ILL-DUMP	ILLEGAL DUMPING	10	
INDEXPO	INDECENT EXPOSURE	4	
INSPECTION	FIRE INSPECTION	13	
INTPERS	INTOXICATED PERSON	9	
INVE	INVESTIGATE AT	768	
IPV	IMPROPERLY PARKED VEHICLE	22	
JUV	JUVENILE PROBLEMS	42	
LARCIP	LARCENY IN PROGRESS	1	
LARC	LARCENY - ALREADY OCCURRED	98	
LIVEST	LIVESTOCK IN ROADWAY	1	
LOIT	LOITERING COMPLAIN	13	
LOST	LOST PROPERTY	6	
LOUD	LOUD MUSIC	74	
MEDIÇAL.	MEDICAL	4	
MEN	MENTAL SUBJECT	76	
MISS	MISSING PERSON	15	
OPEN	OPEN DOOR/WINDOW	8	
OVERDOSE-EME	OVERDOSE / POISONING (INGESTION)	16	
PDAMG	PROPERTY DAMAGE ALREADY OCCUI	74	
PREGNANT-EMD	PREGNANCY/CHILDBIRTH/MISCARRIA	6	
PROW	PROWLER	32	
RACE	RACING/HIGH SPEED DRIVING	1	
RAPE	RAPE	3	
RECFPI	RECOVERED/FOUND PROPERTY	18	
ROBBERY	ROBBERY	7	
ROBSA	ROBERY STRONG ARM	1	
RUN	RUNAWAY	9	
SEVWEA	SEVERE WEATHER	1	
SHOP	SHOPLIFTER	21	
SHOTS	SHOTS FIRED	80	
SICK-EMD	SICK PERSON	111	
STABBING-EMD	STABBING / GUNSHOT / PENETRATING	4	
STOLV	STOLEN VEHICLE	4	
STROKE-EMD	STROKE (CVA)	13	
SUBINCUS	SUBJECT IN CUSTODY	5	
SUICIDE-EMD	SUICIDE / PSYCHIATRIC / ABNORMAL	2	
SUMMONS	CIVIL / CRIMINAL SUMMONS	10	
SUPSUB	SUSPICIOUS SUBJECT	83	
SURR	SURRENDER		
		8	
SUSPAC	SUSPICIOUS PACKAGE	1	

HENDERSON-VANCE CO 911 Number Of Calls Report by Complaint

__risdiction: HEN-VAN

First Date: 03/28/2016
Last Date: 04/24/2016

<u> </u>	Complaint		Number
	SUSVEH	SUSPICIOUS VEHICLE	109
	TEST	TEST CALL	98
	TRAFFIC STOP	VEHICLE STOP	415
	TRANSPORT	TRANSPORT	2
	TRAUMA-EMD	TRAUMATIC INJURY (SPECIFY IN NARI	2
	TREEDWN	TREE DOWN	6
	TRES	TRESPASSING SUSPECT	87
	UNAUTHVEH	UNAUTHORIZED USE VEHICLE	4
	UNCONC-EMD	UNCONCIOUS / FAINTING OR NEAR	37
	UNKNOWN-EMD	UNKNOWN PROBLEM (MAN DOWN)	6
	WARRANT	WARRANT	787
	WATER	WATER RELATED PROBLEM	10

Report Total:



Henderson Fire Department

Steve F. Cordell Fire Chief

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

TO:

FRANK FRAZIER, CITY MANAGER

FROM:

STEVE F. CORDELL, FIRE CHIEF

DATE:

5/4/16

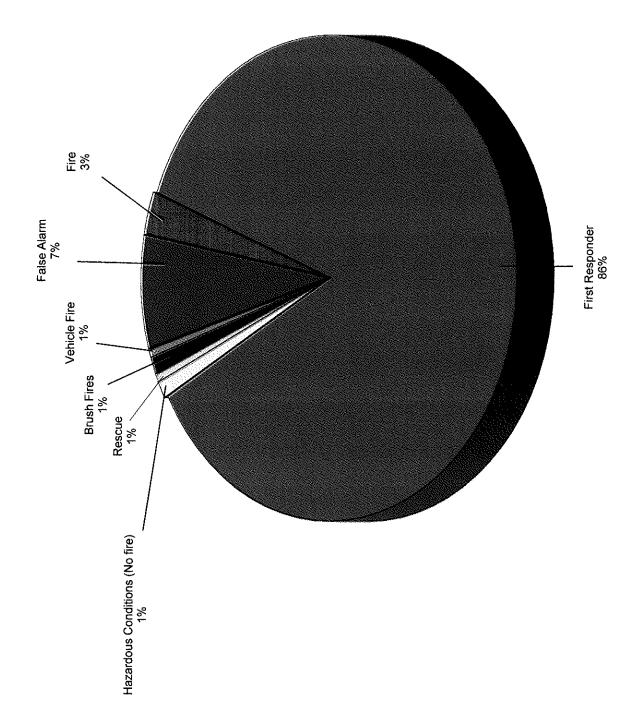
FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: APRIL 2016

TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family),			
Including Mobile Homes	3	0	8
APARTMENTS (3 or More Families)	1	0	2
HOTELS AND MOTELS	0	0	0
ALL OTHER RESIDENTIAL (Dormitories,			
Boarding Houses, Tents, etc.)	0	0	0
PUBLIC ASSEMBLY (Church, Restaurant,			
Clubs, etc.)	1	0	1
SCHOOLS AND COLLEGES	0	0	0
HEALTH CARE AND PENAL			
INSTITUTIONS (Hospitals, Nursing			•
Homes, Prisons, etc.)	0	0	0
STORES AND OFFICES	0	0	1
INDUSTRY, UTILITY, DEFENSE,		·	
LABORATORIES, MANUFACTURING	0	0	0
STORAGE IN STRUCTURES (Barns,			
Vehicle storage Garages, General			
Storage, etc.)	0	0	0
OTHER STRUCTURES (Outbuildings,			
Bridges, etc.)	0	0	0
WORKING STRUCTURE FIRE	5	3	17
FIRES IN HIGHWAY VEHICLES w/o		:	
INJURY (Autos, Trucks, Buses, etc.)	1	2	9
MOTOR VEHICLE ACCIDENTS (w/o			
Extrication)	17	15	42
MOTOR VEHICLE ACCIDENTS (with			,
Extrication)	0	2	2

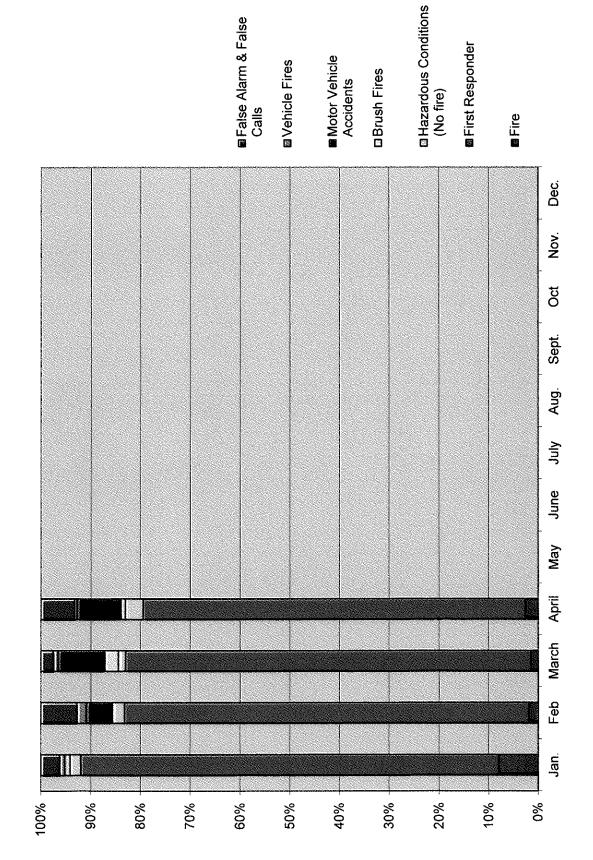
FIRE OUTSIDE OF STRUCTURES WITH			
VALUE INVOLVED, BUT NOT VEHICLES			
(Outside Storage, Crops, Timber, etc.)	0	0	1
FIRES IN BRUSH, GRASS, WILD LAND			
(Excluding Crops and Timber) With No			
Value Involved	0	3	4
FIRES IN RUBBISH, INCLUDING			
DUMPSTERS (Outside structures), With			
No Value Involved	2	3	6
ALL OTHER FIRES	11	0	14
RESCUE	1	168	339
FIRST RESPONDER	150	0	323
FALSE ALARM RESPONSES (Malicious or			
Unintentional False Calls, Malfunctions,			
Bomb Scares)	13	5	25
MUTUAL AID OR ASSISTANCE			
RESPONSES	0	1	3
HAZARDOUS MATERIALS RESPONSES			
(Spills, Leaks, etc.)	0	1	7
OTHER HAZARDOUS RESPONSES			
(Arcing wires, Bomb Removal, Power			
Line Down, etc.)	2	3	9
ALL OTHER RESPONSES (Smoke Scares,			
Lock-Outs, Animal Rescues, etc.)	0	14	16
TOTALS	207	220	829

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property			
and/or Contents Loss	6	11	32
Total of Property and Contents Value			
Saved	\$ 1,482,357.00	\$ 66,780.00	\$ 1,688,433.00

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



YEAR TO DATE SUMMARY BY MONTH FOR 2016



INSPECTION ACTIVITIES REPORT FOR:

April, 2016

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	6	1	16
BUSINESS	15	33	102
EDUCATIONAL		3	3
HAZARDOUS			0
INDUSTRIAL			0
INSTITUTIONAL	4		4
MERCANTILE	11	3	30
RESIDENTIAL	3	4	12
STORAGE	1		3
DAY CARE	1	2	8
HOME CARE			0
FOSTER CARE			1
VACANT	3	11	18
TOTALS	44	57	197

FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2016

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	8	10	15	6									39
Home Inspections / Door Hanger Follow Ups	0	3	0	0									3
Smoke Alarms Installed	5	10	5	6									26
Batteries Installed in Smoke Alarms	3	10	10	5									28
Carbon Monoxide Alarms Installed	1	2	0	1									4
Prevention Campaigns / Seasonal Safety	2	3	6	4									15
Community / Civic Group Presentations	1	2	5	4									12
Station Tours	0	2	4	1									7
School / Daycare Presentations	5	1	3	1									10
Community / Business Displays	1	0	1	0									2
Fire Extinguisher Training	0	1	3	1									5
Child Safety Seats Inspected	2	4	6	5									17
Safe Kids / Educational Programs	1	6	11	11									9
Injury Prevention Programs	5	2	3	4									14
Total Participants in Fire &Life Safety Programs	300	400	475	450									1,625
Shift Coverage /Priority Call Backs	26	19	21	16									82

MONTHLY CITATION REPORT FOR THE MONTH OF: APRIL 2016

	CURRENT	CURRENT	LAST	LAST	YEAR
LOCATION	MONTH	MONTH	MONTH	MONTH	TO
	FIRE LANE	HANDICAPPED	FIRE LANE	HANDICAPPED	DATE
Cardinal Plaza					0
Compare Foods					0
Crossroads Shopping Center					0
Dabney Shopping Center					0
Dabney West Mall					0
Golden Corral					0
Guardian Care					0
Henderson Mall					0
Henderson Square					0
Lowe's					1
Maria Parham Hospital					0
Market Place					0
Northside Plaza					0
Oak St					0
Rose's Norlina Rd					0
Staples					0
Vance County Courthouse					0
Vance Medical Arts Bldg					0
Vance Square					0
Village Square					0
Wal Mart					0
Walgreens					0
Ollie's					0
TOTALS	0	0	0	0	11

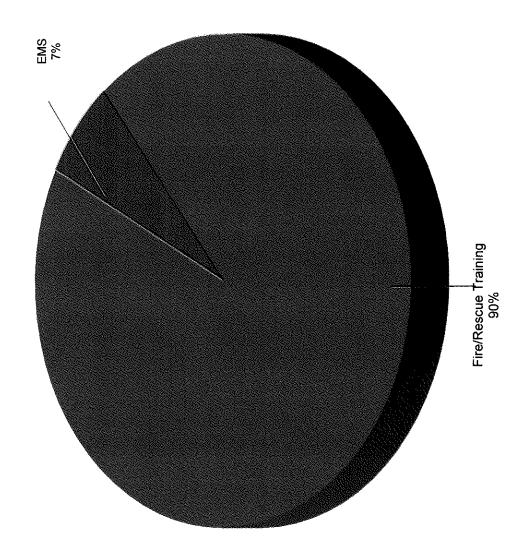
TRAINING DIVISION PRODUCTIVITY - APRIL 2016

Henderson Fire Department

Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire / Rescue Training	172	1252.5
EMS	12	132
Special Training		

Totals	184	1384.5
104419	10-1	100110

	Course Hours Taught	Man-hours of Training		
PREVIOUS MONTH TOTAL	162	1221		
YEAR - TO - DATE TOTAL	582	3941		



Fire Department Regulatory Compliance

The Fire Department has met all regulatory compliance items for the month of April 2016