

# AGENDA

## CITY OF HENDERSONVILLE CITY COUNCIL – REGULAR MEETING

**AUGUST 4, 2016 – 5:45 P.M.**

### COUNCIL CHAMBERS – CITY HALL

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda*
4. **Consideration of Agenda**
5. **Consideration of Consent Agenda:** *These items are considered routine, noncontroversial in nature and are considered and approved by a single motion and vote.*
  - A. **Consideration of Minutes:** July 7, 2016 Regular Meeting
  - B. **Consideration of Resolution Adopting an Order Directing the Tax Collector to Collect Taxes**
  - C. **Consideration of Budget Amendment designating committed fund balance for the Organic Garden Club and the Façade Grant Program from Seventh Avenue Funds**
  - D. **Consideration of Copy Management Service Agreement with Toshiba Business Solutions**
  - E. **Consideration of a Resolution of Intent to Close:**
    1. **Portion of Market Street**
    2. **Unnamed, unopened alley located off of Seventh Avenue near the site of Stags Head Brewery**
  - F. **Consideration of Special Event Permit for Fiesta - Celebrating our Culture, Celebrating our City**
6. **Presentation of Proclamation – Chiari Malformation Awareness**  
*Presenter: Mayor Barbara Volk*
7. **Presentation of Service Excellence Quarterly MVPs**  
*Presenter: City Manager John Connet*
8. **Introduction of New City Staff: Deputy Fire Chief James Miller and Police Officers**  
*Presenters: Fire Chief Joseph Vindigni, Police Chief Herbert Blake*

9. **Public Hearing – Consideration of an Application from Flat Rock Hospitality, LLC, Requesting the Satellite Annexation of a Portion of a Parcel Located Between Upward Road and Education Drive**  
*Presenter: Senior Planner David Hazzard*
10. **Quasi-Judicial Public Hearing – Consideration of an Application from Flat Rock Hospitality, LLC for a Special Use Permit to Construct a Hotel between Upward Road and Education Drive, Consideration of the Request to Rezone the Property to Commercial Highway Mixed Use Special Use, and for Variances from Zoning Ordinance Sections 5-27-5.1.4 Common Space, 5-27-5.1.4 Common Space Trees and 5-27-5.1.7 to allow flush mounted windows**  
*Presenter: Development Assistance Director Susan Frady*
11. **Quasi-Judicial Public Hearing – Consideration of an Application from Ms. Cheria Duncan for a Special Use Permit to Place 31 manufactured homes on approximately 5.22 acres on Sugarloaf Road, the Rezoning of the property to Planned Manufactured Housing District, which requires a special use permit, and the Request for Variances from Zoning Ordinance Sections 5-16-4.1 Lot Size, 5-16-4.2 Streets, 5-16-4.5 Interior Setbacks and 5-16-4.6 Exterior Setbacks**  
*Presenter: Development Assistance Director Susan Frady*
12. **Report on Hendersonville Sister Cities**  
*Presenter: Mr. Mike Swartzlander, President of Hendersonville Sister Cities*
13. **Presentation of Preliminary Engineering Report Summary and Discussion of N. Main Street Sidewalk Improvements**  
*Presenter: City Engineering Director Brent Detwiler*
14. **Presentation of Communications Plan for the Water and Sewer Department**  
*Presenter: Administration Intern Lance Riddle*
15. **Consideration of Special Appropriations to Safelight**  
*Presenter: Assistant to the Manager Brian Pahle*
16. **Comments from Mayor and City Council Members**
17. **Reports from Staff**
  - a. Presentation of Investment Report
18. **Boards and Commissions: Consideration of Appointments and Announcement of Upcoming Vacancies**
19. **New Business**
20. **Adjourn**



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Lisa White

**Department:** Finance

**Date Submitted:** July 11, 2016

**Presenter:** Lisa White

**Date of Council Meeting to consider this item:** August 4, 2016

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05b

Annual Order of Collection as per GS 105-321

§ 105-321. Disposition of tax records and receipts; order of collection.

Before delivering the tax receipts to the tax collector in any year, the board of county commissioners or municipal governing body shall adopt and enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts. A copy of this order shall be delivered to the tax collector at the time the tax receipts are delivered to him, but the failure to do so shall not affect the tax collector's rights and duties to employ the means of collecting taxes provided by this Subchapter.

**Budget Impact:** \$ none Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that City Council adopt the resolution adopting an order directing the tax collector to collect taxes per G.S. 105-321 (b).

**Attachments:**

Resolution 16-

**RESOLUTION ADOPTING AN ORDER DIRECTING  
THE TAX COLLECTOR TO COLLECT TAXES**

- Whereas, The City Council is required by G.S. 105-349 (e) to appoint a Tax Collector separate and apart from the treasurer or chief accounting officer of the City; and,
- Whereas, The Tax Collector so duly appointed by City Council shall take the oath of office as required by Article VI of the North Carolina Constitution; and,
- Whereas, The position of Tax Collector is bonded for the collection of taxes for the current year and all prior years now in the Tax Collector's hands for collection as by law required;
- Whereas, Tax receipts, upon the adoption of this order, are being simultaneously delivered to the duly appointed Tax Collector, as by law required;
- Whereas, The City Council is required by G.S. 105-321 (b) to adopt and enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts.

NOW, THEREFORE, it is ordered that all tax receipts for the City of Hendersonville be herewith delivered to the Tax Collector and the following "Order of Collection", which is also adopted by the Council and which shall have the full force and effect of a judgement and execution against the real and personal property of all taxpayers within the City of Hendersonville shall be delivered to the Tax Collector:

**ORDER OF COLLECTION**

STATE OF NORTH CAROLINA  
CITY OF HENDERSONVILLE

To the Tax Collector of the City of Hendersonville:

You are hereby authorized, empowered and commanded to collect the taxes set forth in the tax records, filed in the Office of the Tax Collector for the City of Hendersonville and in the tax receipts herewith delivered to you, in the amount from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon real property of the respective taxpayers in the City of Hendersonville, and this Order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of taxpayers, for and on account thereof, in accordance with the law.

Adopted the seventh of August, 2016.

\_\_\_\_\_  
Barbara G. Volk, Mayor

ATTEST:

\_\_\_\_\_  
Tammie K. Drake, City Clerk

(Seal)



# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 07/11/16

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 08/04/16

**Nature of Item:** Council Action

**Summary of Information/Request:**

**Item #** 05c

In accordance with the Governmental Accounting Standards Board (GASB) statement no. 54, in order to commit fund balance the governing board must take formal action. Last fiscal year, the HSAD board donated its funding to the City's 7th Avenue Fund and requested that certain dollars be designated as committed for specific purposes. They originally had \$10,000 committed for Facade Grants but have used \$2,500 of that, leaving \$7,500 requested to be committed. They also have \$3,690 that are requested to be committed for the Organic Garden Club. To accomplish this the City Council must take formal action.

The 7th Avenue Advisory Committee has two sets of moneys that are requested to be committed to specific purposes by the City Council, being Facade Grants and Organic Garden Club. Committed fund balance includes amounts that can be used only for specific purposes determined by the City Council. The commitments may be changed or lifted only by the City Council. To designate funds as "Committed" the Council must take formal action. To do this we will use a budget amendment.

**Budget Impact:** \$ 11,190 Is this expenditure approved in the current fiscal year budget?  No If no, describe how it will be funded.

The formal process of committing fund balance. Fund balance is the funding source.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the attached budget amendment designating \$3,690 as "committed fund balance" for the Organic Garden Club and \$7,500 as "committed fund balance" for the Facade Grant Program.

**Attachments:**

See below...





## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** John Connet

**Department:** Admin

**Date Submitted:** 7/26/2016

**Presenter:** John Connet

**Date of Council Meeting to consider this item:** 08/04/2016

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05d

The City of Hendersonville currently utilizes multiple copier vendors to provide photocopying equipment for the various departments. We decided to prepare a Request for Proposals (RFP) to solicit proposals from these vendors for a single source provider for all departments. We felt that we could eliminate the headaches of managing numerous contracts, standardize equipment and save money. We received proposals from six vendors and after a thorough review by a panel of active users, we recommending awarding a five year contract to Toshiba Copiers for the provision of copiers for all departments.

**Budget Impact:** \$ Savings of \$5,000 per year. Is this expenditure approved in the current fiscal year budget?  Yes  No. If no, describe how it will be funded.

The new contract is estimated to save the City of Hendersonville approximately \$20,000 over the term of the contract.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that City Council authorize the City Manager to enter into a five year contract with Toshiba copiers for the provision of copiers for the City of Hendersonville.

**Attachments:**

Proposed contract

# Toshiba Business Solutions Copy Management Service Agreement

A CMG Program

## CUSTOMER INFORMATION

|  |                          |  |                            |      |
|--|--------------------------|--|----------------------------|------|
| Full Legal Name of Customer:<br>City of Hendersonville |                          | Street Address:<br>145 Fifth Avenue East |                            |      |
| City:<br>Hendersonville                                | State:<br>North Carolina | Zip:<br>28792-4328                       | Telephone:<br>828-697-3000 | Fax: |
| Service Locations and Equipment: See Attachment A      |                          |  |                            |      |

## TERM SCHEDULE

| Program Beginning Date | Program Completion Date                 |
|------------------------|---|
| October 1, 2016        | June 30, 2021 (Fiscal Year Ending Date) |

## COST PER COPY SCHEDULE

|   |  |
|---|--|
| Toshiba Mono Copies + Mono Prints: \$0.0247   | Toshiba Color CPC: \$0.069   |
| The Toshiba Mono CPC includes equipment, accessories, service and supplies (excludes paper, sorter staples, fax supplies and NC sales tax). | The Toshiba Color CPC includes equipment, accessories, service and supplies (excludes paper, sorter staples, fax supplies and NC sales tax). |

## INVOICE SCHEDULE

| Months invoices mailed | Payments due by  | Invoices include all copies made during | Program Mono Copies | Program Copies Color |
|------------------------|------------------|---|---------------------|----------------------|
| January 1, 2017        | February 5, 2017 | Install thru December 2016              | 87,500              | 17,500               |
| April 1, 2017          | May 5, 2017      | January 2016 thru March 2017            | 87,500              | 17,500               |
| July 1, 2017           | August 5, 2017   | April 2016 thru June 2017               | 87,500              | 17,500               |
| October 1, 2017        | November 5, 2017 | July 2016 thru September 2017           | 87,500              | 17,500               |
|                        |                  | All Subsequent Quarters                 | 87,500              | 17,500               |

## TERMS AND CONDITIONS

1. COPY MANAGEMENT PROGRAM: Toshiba Business Solutions (TBS) shall provide to customer the equipment and accessories described on Attachment "A" (the "Equipment"). The copy charges and program copy charges set by this agreement include payment for the use of the equipment, maintenance (during normal business hours), routine inspection, adjustment, parts replacement, drums and cleaning materials required for the proper operation. Paper, sorter staples and fax supplies may not be included in the cost per copy as specified within the cost per copy schedule above.

2. COPY MANAGEMENT PROGRAM BILLING: For each invoice period during which customer participates in the copy management program, TBS shall invoice customer for copy charges, determined by multiplying the actual number of copies made by Customer during such invoice period using the equipment by the applicable cost per copy described in the cost per copy schedule above. In addition, after the end of each annual period, TBS shall have the option to invoice customer for any dollar amount by which the copy charges paid by the customer for the annual period are less than the program copy charges for the annual period. The program copy charges for an annual period shall be the dollar amount determined by the number of invoice periods within a 12-month period multiplied by the number of copies described in the cost per copy schedule above, multiplied by the applicable cost per copy. The annual period shall be the period that begins on the program beginning date (or the day following the preceding annual period, as applicable) and ends on the next anniversary of the program beginning date (or, if earlier, on the program completion date or other date of termination of this agreement). Customer shall pay, no later than the due date shown in the invoice schedule above, the monthly invoices submitted to customer by TBS.

3. CUSTOMER'S REPRESENTATIONS AND AGREEMENTS: Customer represents and warrants that: (1) it has, in accordance with all legal requirements, fully budgeted and appropriated sufficient funds for the current budget year to pay copy charges and meet all other obligations under this agreement and such funds have not been expended for other purposes; (2) no action, proceeding or investigation is pending or threatened in any court or other tribunal or before any public body, which in any way would restrict or prohibit customer's performance of its obligations under this agreement or its ability to pay copy charges or other payments hereunder, nor is there any basis for any such action, proceeding or investigation; (3) the equipment will be operated by customer and will be used for essential government purposes during the term of this agreement; and (4) customer has not previously terminated any agreement for non-appropriation, except as described in a letter attached hereto.

4. SIGNATURE: The person signing this agreement on behalf of customer personally represents and warrants that he/she is fully familiar with the applicable legal and regulatory provisions pertaining to this agreement and has full authorization to sign this agreement. Such signer further warrants the governing body of customer has taken the necessary steps, including any legal bid requirements, under applicable law to approve this copy management program; the approval and execution of this agreement have complied with all applicable open meeting laws; and the authorization of the governing body of customer for the execution and delivery of this agreement remains in full force and effect.

## ACCEPTANCE:

TOSHIBA BUSINESS SOLUTIONS by: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

## CUSTOMER:

CITY OF HENDERSONVILLE by: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 7-22-16

**Presenter:** Susan G. Frady

**Date of Council Meeting to consider this item:** 8-4-16

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05e1

The Development Assistance Department is in receipt of a petition to permanently close a portion of Market Street for the development of Publix. A survey and a boundary description are attached.

General Statue 160A-299 has procedures for permanently closing streets and alleys. Whenever there is a proposal to permanently close any street or public alley, the City Council shall first adopt a resolution declaring its intent to close the street or alley and shall set a date for a public hearing. At this public hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move Council to adopt the Resolution of Intent setting October 6, 2016 as the date for public hearing for closing a portion of Market Street petitioned by Halvorsen Development.

### Attachments:

Memo  
Survey  
boundary description

## MEMORANDUM

**TO:** Honorable Mayor and Members of City Council  
**FROM:** Susan G. Frady, Development Assistance Director  
**SUBJECT:** Closing of a Street (File No. P16-22-SC)  
**DATE:** July 19, 2016

The City has received an application from Halvorsen Development Corp. to close a portion of Market Street off of White Street. A survey and a boundary description are included with this memorandum.

General Statute 160A-299 has procedures for permanently closing streets and alleys. Whenever there is a proposal to permanently close any street or public alley, the City Council shall first adopt a resolution declaring its intent to close the street or alley and shall set a date for a public hearing. At this public hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual.

The Resolution of Intent, setting October 6, 2016 as the public hearing date, is attached.

***Suggested Motion:*** *I move Council to adopt the Resolution of Intent for closing a portion of Market Street petitioned by Halvorsen Development.*

**RESOLUTION OF INTENT**

A resolution declaring the intention of the City of Hendersonville City Council to consider the closing a portion of Market Street as shown on the attached right-of-way.

WHEREAS, NC General Statute (G.S.) 160A-299 authorizes the City Council to close public streets and alleys; and

WHEREAS, Halvorsen Development Corp., has petitioned the Council of the City of Hendersonville to close a portion of Market Street as shown on the attached survey; and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of a portion of Market Street as shown on the attached survey.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville:

1. A meeting will be held at 5:45 p.m. on the sixth day of October, 2016, in the Council Chambers of City Hall to consider closing a portion of Market Street as shown on the attached survey.
2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks.
3. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of the Resolution of Intent.
4. The City Clerk is further directed to cause adequate notices of the Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Upon motion duly made by Councilmember \_\_\_\_\_, and a unanimous vote of the Council, the above resolution was duly adopted by the City Council at a meeting held on the fourth day of August, 2016, in the City Hall Council Chambers.

\_\_\_\_\_  
Barbara G. Volk, Mayor

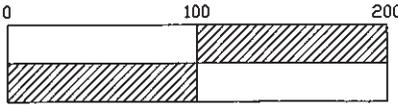
ATTEST:

\_\_\_\_\_  
Tammie K. Drake, City Clerk

(Seal)

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DESCRIPTION RECORDED IN PLAT B-115A & PLAT 2-27); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION AS SHOWN ON THE FACE OF THE SURVEY; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000+; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600).

THIS 24TH DAY OF JULY, 2014.  
 REVISED 01/21/2015  
 REVISED 05/09/16 - MAP R/W  
 ABANDONMENT

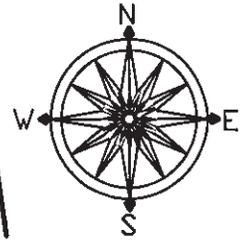


SCALE IN FEET  
 1" = 100'

SIGNED: *James P. Cameron*  
**JAMES MAUNEY & ASSOCIATES, P.A.**  
**PROFESSIONAL SURVEYORS**  
 6405 WILKINSON BOULEVARD, SUITE 11  
 BELMONT, NC 28012  
 LICENSE NO. C-2373  
 TEL: (704) 829-9623  
 FAX: (704) 829-9625

**NOTES:**

1. THE PURPOSE OF THIS SURVEY IS ONLY TO SHOW THE BOUNDS OF THE PORTION OF MARKET STREET TO BE ABANDONED. PHYSICAL IMPROVEMENTS AND MATTERS OF RECORD WHICH AFFECT THE PROPERTIES ARE NOT SHOWN.
2. REFERENCE ALTA/ACSM SURVEY PREPARED FOR HALVORSEN SUBURBAN CENTERS, LLC. BY JAMES MAUNEY & ASSOCIATES, P.A. DATED JUNE 24, 2014 (MAP FILE: F-1257)
3. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.



REF: NC GRID NAD 83



**CITY OF HENDERSONVILLE**  
 (NOW OR FORMERLY)  
 LARRY BABER AND  
 WIFE ANNETTE BABER  
 PART OF DB 1402, PG 223  
 PART OF TAX PARCEL 1017854

**SAM E. RIDDLE AND WIFE, LINDA S. RIDDLE**  
 DB 1470, PG 426  
 PARCEL #1014267

**SAM E. RIDDLE AND WIFE, LINDA S. RIDDLE**  
 DB 771, PG 007  
 PARCEL #0044617

**SAM E. RIDDLE AND WIFE, LINDA S. RIDDLE**  
 DB 770, PG 849  
 PARCEL #0116726

**PROSOURCE LAND HOLDINGS, LLC**  
 DB 1337, PG 234 (TRACTS 1 AND 2)  
 LC'S 69-74, 105-110 AND PART OF LOTS 75, AND 104  
 V.C.V. SHEPHERD PROPERTY  
 PB 2, PG 27  
 PARCELS #0116815; #9904273  
 ZONING R-20

**CITY OF HENDERSONVILLE**  
 DB 1107, PG 172  
 PARCEL #9904276

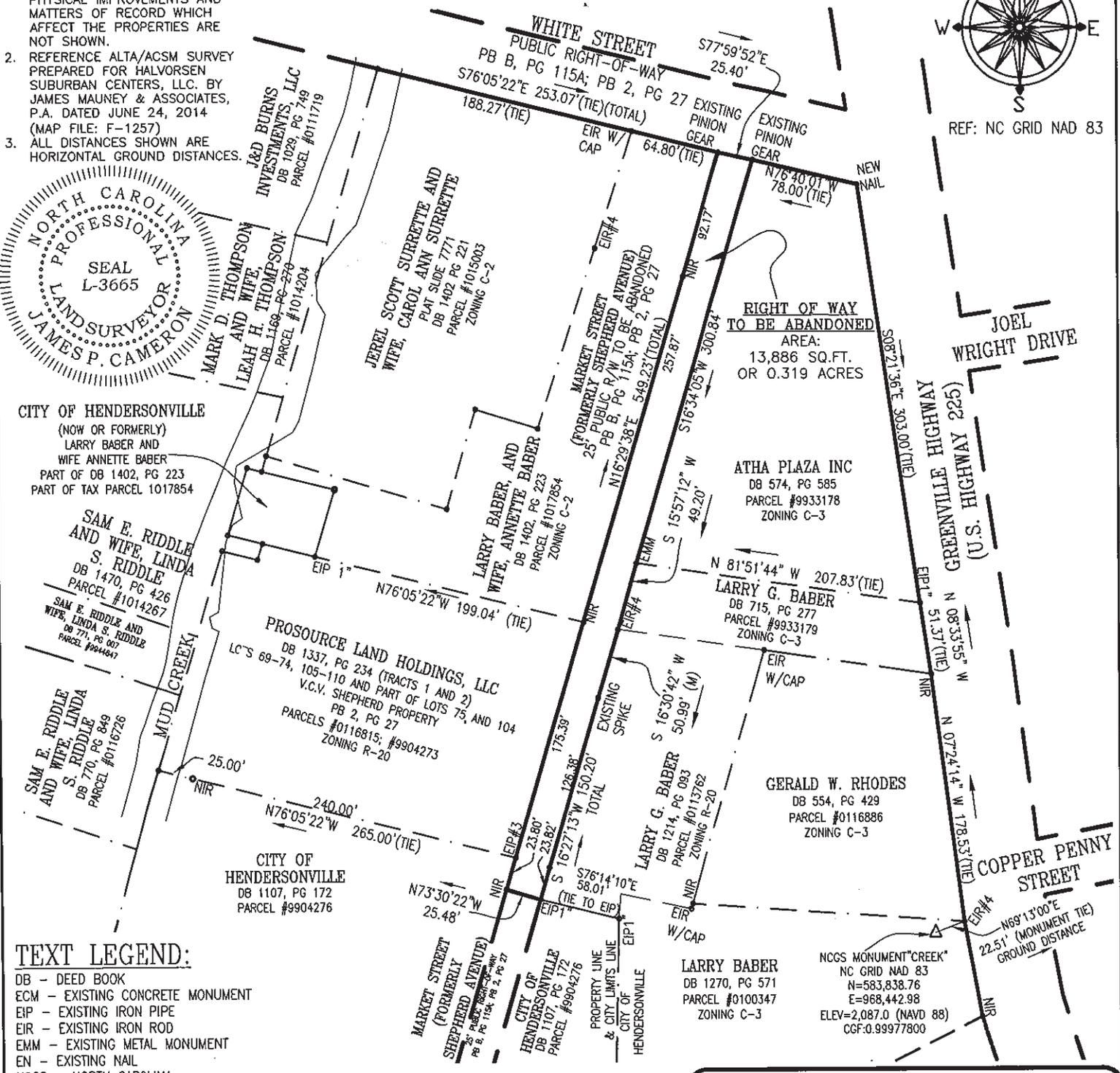
**TEXT LEGEND:**

- DB - DEED BOOK
- ECM - EXISTING CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- NCCGS - NORTH CAROLINA GEODETIC SURVEY
- NIR - NEW IRON ROD
- NN - NEW NAIL
- PB - PLAT BOOK
- R/W - RIGHT-OF-WAY
- SQ.FT. - SQUARE FEET

**LINE LEGEND:**

- PROPERTY LINE ————
- PROPERTY LINE (NOT SURVEYED) - - - - -
- RIGHT-OF-WAY ————
- RIGHT-OF-WAY (NOT SURVEYED) - - - - -

SURVEY OF:  
**MARKET STREET RIGHT-OF-WAY TO BE ABANDONED**  
 ALONG THE PROPERTY OF: ATHA PLAZA, INC.; PROSOURCE  
 LAND HOLDINGS, LLC; LARRY BABER & THE CITY OF  
 HENDERSONVILLE  
 CITY OF HENDERSONVILLE, HENDERSON COUNTY, NC  
 JOB NUMBER: 6868; SHEET 2 OF 2



MARKET STREET RIGHT-OF-WAY TO BE ABANDONED

0.319 Acre

Along the Property of Atha Plaza Inc., Larry Baber, City of Hendersonville &  
Prosource Land Holdings, LLC  
Hendersonville, Henderson County, North Carolina

Being a portion of the existing public right-of-way of Market Street (formerly Shepherd Avenue) lying and being in the City of Hendersonville, Henderson County, North Carolina, to be abandoned, said portion of Market Street to be abandoned being more particularly described as follows:

BEGINNING at an existing pinion gear at the intersection of the easterly margin of the right-of-way of Market Street (formerly Shepherd Avenue – 25' public right-of-way) with the southerly margin of the right-of-way of White Street (public right-of-way), said pinion gear being located North 76°40'01" West, a distance of 78.00 feet along the southerly margin of the right-of-way of White Street from a new nail at its intersection with the westerly margin of the right-of-way of Greenville Highway (U.S. Highway 225), and runs thence from said BEGINNING point with the easterly margin of the right-of-way of Market Street South 16°34'05" West a distance of 300.84 feet to an existing metal monument at the southwesterly corner of the Atha Plaza Inc. property as described in Deed Book 574, Page 585 of the Henderson County Public Registry, said monument also being the northwesterly corner of the Larry G. Baber property as described in Deed Book 715, Page 277 of said Registry; thence continuing along the easterly margin of the right-of-way of Market Street South 15°57'12" West a distance of 49.20 feet to an existing iron rod at the southwesterly corner of the Baber parcel as described in Deed Book 715, Page 277, a common corner with another parcel owned by Larry G. Baber as described in Deed Book 1214, Page 93, all of said Registry; thence continuing along the easterly margin of the right-of-way of Market Street South 16°30'42" West a distance of 50.99 feet to an existing spike; thence South 16°27'13" West a distance of 150.20 feet to an existing iron pipe at the southwesterly corner of the Baber property as described in Deed Book 1214, Page 93 of said Registry, a common corner with the City of Hendersonville property as described in Deed Book 1107, Page 172 of said Registry; thence with a new line crossing Market Street North 73°30'22" West a distance of 25.48 feet to a point on the westerly margin of the right-of-way of Market Street; thence with the westerly margin of the right-of-way of Market Street North 16°29'38" East a distance of 23.80 feet to an existing iron pipe at the common corner between the City of Hendersonville property as referenced above and the Prosource Land Holdings, LLC property as described in Deed Book 1337, Page 234 of said Registry; thence continuing along the westerly margin of the right-of-way of Market Street North 16°29'38" East a distance of 175.39 feet to a new iron rod at the southwesterly corner of the Larry and Annette Baber property as described in Deed Book 1402, Page 223 of said Registry; thence continuing along the westerly margin of the right-of-way of Market Street North 16°29'38" East, and passing a new iron rod at 257.67 feet, for a total distance of 350.04 feet to an existing pinion gear at the intersection of the westerly margin of the right-of-way of Market Street with the southerly margin of the right-of-way of White Street; thence with the southerly margin

of the right-of-way of White Street, and crossing Market Street, South  $77^{\circ}59'52''$  East a distance of 25.40 feet to the point and place of BEGINNING; containing 13,886 square feet or 0.319 acre, more or less, as shown on the attached survey prepared by James Mauney & Associates, P.A. dated July 24, 2014.



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 7-22-16

**Presenter:** Susan G. Frady

**Date of Council Meeting to consider this item:** 8-4-16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05e2

The City has received an application from Jonathan Ayers, to close a portion of an unnamed alley shown on slide 10110. This unnamed alley is on property located adjacent to the proposed Stags Head Brewery. A map, survey and legal description is included.

General Statute 160A-299 has procedures for permanently closing streets and alleys. Whenever there is a proposal to permanently close any street or public alley, the City Council shall first adopt a resolution declaring its intent to close the street or alley and shall set a date for a public hearing. At this public hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual.

The Resolution of Intent setting October 6, 2016 as the public hearing date is attached

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move Council to adopt the Resolution of Intent for the closing a portion of an unnamed alley shown on slide 10110 as by petitioned Jonathan Ayers.

## Attachments:

Memo  
Survey  
Boundary Descriptions  
Resolution of Intent

## MEMORANDUM

### Development Assistance Department

**TO:** Honorable Mayor and Members of City Council  
**FROM:** Susan Frady, Development Assistance Director  
**RE:** Ayers Street Closing (File No.P15-44-SC)  
**DATE:** July 21, 2016

The City has received an application from Jonathan Ayers, to close a portion of an unnamed alley shown on slide 10110. This unnamed alley is on property located adjacent to the proposed Stags Head Brewery. A map, survey and legal description is included.

General Statue 160A-299 has procedures for permanently closing streets and alleys. Whenever there is a proposal to permanently close any street or public alley, the City Council shall first adopt a resolution declaring its intent to close the street or alley and shall set a date for a public hearing. At this public hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual.

The Resolution of Intent setting October 6, 2016 as the public hearing date is attached.

#### **Suggested Motion:**

I move Council to adopt the Resolution of Intent for the closing a portion of an unnamed alley shown on slide 10110 as by petitioned Jonathan Ayers.



Legal Description of Tract B, Plat Slide 10110:

BEING located in the County of Henderson, State of North Carolina and more particularly described as: Beginning at an existing iron pin in the southwesternmost corner of Tract II as shown on Plat Slide 10110, "Tract III--R & Tract A, Survey for Newpointe, Inc.," as recorded in the Henderson County, NC Register of Deeds office, and running thence from said beginning point along the southern boundary of Tract II as shown on Plat Slide 10110, North 47 degrees, 22 minutes, and 55 seconds East a distance of 54.37 feet to an existing iron pin in the southeasternmost corner of aforementioned Tract II as shown on Plat Slide 10110; thence a new line across a portion of an alley South 41 degrees, 45 minutes, and 18 seconds for a distance of 12.63 feet to a new iron pin set; thence along the northern boundary of Tract III, Plat Slide 10110, South 47 degrees, 52 minutes, and 59 seconds for a distance of 54.38 feet to a new iron pin set in the northwesternmost corner of Tract III as shown on Plat Slide 10110; thence a new line across an alley North 42 degrees, 10 minutes, 29 seconds for a distance of 12.61 feet to the point and place of beginning; and being all of Tract B as shown on Plat Slide 10110, containing 0.016 acres and being a portion of an alley to be closed. Said alley being shown on Plat Cabinet B, Slide 7 and Plat Slide 10110 as recorded in the Henderson County, NC Register of Deeds Office.

**RESOLUTION OF INTENT**

A resolution declaring the intention of the City of Hendersonville City Council to consider closing a portion of an unnamed alley shown on slide 10110as petitioned by Jonathan Ayers.

WHEREAS, NC General Statute (G.S.) 160A-299 authorizes the City Council to close public streets and alleys, and

WHEREAS, Jonathan Ayers has petitioned the Council of the City of Hendersonville to close a portion of an unnamed alley shown on slide 10110, and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of a portion of an unnamed alley shown on slide 10110.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville:

- 1. A meeting will be held at 5:45 p.m. on the sixth day of October, 2016, in the Council Chambers of City Hall to consider closing an unnamed alley Street shown on slide 10110.
- 2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks.
- 3. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of the Resolution of Intent.
- 4. The City Clerk is further directed to cause adequate notices of the Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Adopted by the City Council at a meeting held on the fourth day of August, 2016.

\_\_\_\_\_  
Barbara G. Volk, Mayor

ATTEST:

\_\_\_\_\_  
Tammie K. Drake, MMC, City Clerk

(Seal)



# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 7-21-16

**Presenter:** Lew Holloway, Downtown Economic Develop

**Date of Council Meeting to consider this item:** 8-4-16

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05f

Fiesta - Celebrating our Culture, Celebrating our City

This event will be held Sunday, September 25, 2016 from 12PM-6PM at the Henderson County Tourism Development Authority (TDA) parking lot and on Main Street between Allen Street and Barnwell Street.

The application is for Main Street to be closed between Allen Street and Barnwell Street from 9AM-7PM.

Fiesta will give Henderson County a unique opportunity to experience the best of Latin American countries. Patrons can journey through over 20 represented countries and experience their people, music, art, food and culture. There will be approximately 30 food and retail vendors.

The Downtown Advisory Committee recommended approval of this event.

The Special Events Committee voted unanimously to recommend approval of a special event permit for Fiesta.

Budget Impact: \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move Council's approval of the special event permit for Fiesta.

Attachments:



**City of Hendersonville  
SPECIAL EVENT PERMIT  
APPLICATION COVER PAGE AND CHECKLIST**



An application for a permit to conduct a special event pursuant to Section 28-39, Hendersonville City Code.  
Please reference the City's Special Event Policy for additional information about the application process.  
**Note: The person responsible for the special event, or his/her designee, must be present for the duration of the event.**

Name of Special Event: FIESTA - Celebrating our Culture, Celebrating our City.

Event Sponsor: Hola Carolina Magazine Phone #: (828) 743-8477

Sponsor Address: 546 Avery Creek Road Arden, NC 28704

Authorized Event Coordinator: Adriana Chavela

Cell Phone #: (828) 743-8477 Email: info@holacarolina.com

Requested Event Date(s): Sunday, Sept. 25, 2016 Requested Event Hours: 12p -6p

Estimated Past Attendance: \_\_\_\_\_ Predicted Attendance: 1000 - 3000

Past Vendor Participation: \_\_\_\_\_ Predicated Vendor Participation: 40-50

"Hold Harmless Agreement"

By signing this agreement, the sponsor will hold harmless the City of Hendersonville, its officers, employees and agents, the Public Works Department and staff free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges professional and attorney's fee or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or arising directly or indirectly out of this event and/or the performance hereof and caused by the negligence of the Sponsor. The Sponsor will take full responsibility. The City of Hendersonville will not be responsible for personal items or property used as part of event.

Signature of Authorized Event Representative: *Adriana Chavela* Date: 7-13-2016

**APPLICANT CHECKLIST**

Please reference the City of Hendersonville's Special Event Policy for additional information about the requirements listed in the checklist below.

- Event Description, Statement of Public Benefit & Public Services Required (REQUIRED) - Page #2 in application
- Event Site Plan (REQUIRED) - Page #3 in application
- Event Marketing Strategy & Budget (REQUIRED) - Page #4 in application
- Vendor Application & Electrical Requirements Form (Complete as needed) Page #5 in application
- Street Closure/Sidewalk Impact Petition Form (Complete as needed) Pages #6 & 7 in application
- Event Insurance (REQUIRED)

Submit This Completed Application & All Supporting Material Outlined Above To:  
Susan G. Frady, CFM, CZO Director, Development Assistant Department City of Hendersonville  
100 N. King Street Hendersonville, NC 28792 Phone #: (828) 698-6185



**City of Hendersonville**  
**SPECIAL EVENT PERMIT**  
**EVENT DESCRIPTION, STATEMENT OF**  
**PUBLIC BENEFIT AND PUBLIC SERVICES REQUIRED**



Please provide a detailed "Event Description" along with your "Statement of Public Benefit" and "Public Services Required" for review.

Please reference the City's Special Event Policy for additional information about this application requirement. Feel free to attach your response to this sheet.

Name of Special Event: FIESTA - Celebrating our Culture, Celebrating our City.

**Event Description:**

*FIESTA's* mission is to educate the mainstream public about the many different Latino countries and cultures through the best of art, music, dance and food.

When most people are asked to use one word to describe the Latino culture, they typically say "colorful." That is a common thread that weaves itself through the many Spanish speaking countries of the world. However, what many people perceive as one culture is in fact many. Latino people are proud of their countries which are rich in culture and they are eager to share their customs and traditions with their new friends in Henderson County.

**Statement of Public Benefit:**

*FIESTA* gives Henderson County a unique opportunity to experience the best of Latin American countries in their own backyard! Patrons can journey through over 20 represented countries and experience their people, music, art, food and culture.

Latinos love to passionately tell our stories and share our rich cultures and traditions with people of all ages. And while sharing our stories, it allows us to learn even more about ourselves and how we can best weave ourselves into the communities where we live. What better way to do this than through an event like *FIESTA!*

**Public Services Required:** Security, Electricity, Water, Sanitation



City of Hendersonville  
SPECIAL EVENT PERMIT  
EVENT SITE PLAN



Please provide a detailed "Event Site Plan."

Please reference the City's Special Event Policy - page 5 for additional information about this application requirement.

Feel free to attach your site plan to this sheet.

Name of Special Event: FIESTA - Celebrating our Culture, Celebrating our City.

Event Site Plan:





# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake

**Department:** Admin

**Date Submitted:** 07.27.16

**Presenter:** Barbara Volk

**Date of Council Meeting to consider this item:** 08.04.16

**Nature of Item:** Presentation Only

**Summary of Information/Request:**

**Item #** 06

Ms. Sandy Williams requested a proclamation by Mayor Volk to raise awareness for Chiari Malformation. She will be present to accept the proclamation.

Budget Impact: \$0 Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

N/A

**Attachments:**  
Proclamation

# Proclamation

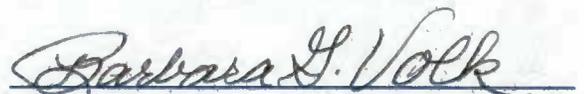
- WHEREAS, a walk will be held on September 17, 2016 in Hendersonville, North Carolina to bring awareness of the condition of Chiari Malformation during the annual **Conquer Chiari Walk Across America**; and
- WHEREAS, Chiari Malformation is a serious neurological disorder affecting well over 300,000 people in the United States, first identified by Austrian pathologist Professor Hans Chiari in the 1890's and categorized in order of severity: CM types 0, 1, 1.5, 2, 3 and 4; and
- WHEREAS, Chiari Malformations are defects in the cerebellum, the part of the brain that controls balance. This creates pressure on the cerebellum and brain stem and may block the normal flow of cerebral spinal fluid to and from the brain; and
- WHEREAS, the cause of Chiari I Malformation is unknown, but scientists believe it is either a congenital condition caused by exposure to harmful substances during fetal development or that it can be a genetic condition, as it may appear in more than one family member; and
- WHEREAS, symptoms usually appear during adolescence or early adulthood and can include severe head and neck pain, vertigo, muscle weakness, balance problems, blurred vision or double vision, difficulty swallowing and sleep apnea; and
- WHEREAS, the National Institute of Neurological Disorders and Stroke of the National Institutes of Health is conducting research to find alternative surgical options and identify the cause of the malformations to create improved treatment and prevention plans.
- THEREFORE, be it resolved that I, Barbara G. Volk, Mayor of the City of Hendersonville, North Carolina, do hereby proclaim the month of September 2016, as

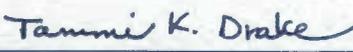
## "CHIARI MALFORMATION AWARENESS MONTH"

in the City of Hendersonville.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the great seal of the City of Hendersonville to be affixed this first day of June in the year of our Lord, two thousand sixteen.

Attest:

  
Barbara G. Volk, Mayor

  
Tammie K. Drake, City Clerk





# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** John Connet

**Department:** Administration

**Date Submitted:** 7/20/2016

**Presenter:** John Connet

**Date of Council Meeting to consider this item:** 8/4/16

**Nature of Item:** Presentation Only

### Summary of Information/Request:

**Item #** 07

For the April through June quarter, 18 MVP nominations were submitted. The Service Excellence Design Team selected those listed below as the quarterly winners. The quarterly nominees will have the opportunity to be selected as the Service Excellence Employee of the year.

Justin Ward (Fire) and Kyle Thiel (Police) During the fire that occurred on 3/9/2016, Captain Justin Ward and Detective Kyle Thiel went above and beyond. After the fire was over, they both assisted in making numerous trips back and forth helping the family get what they needed out of the apartment. Their professionalism during the whole incident was displayed constantly.

Ray Deso (Fire) When retired Fire Captain Philip Cagle passed away, Lt. Ray Deso took the initiative to assist with setting up the funeral arrangements with the family and organizing the Henderson County Honor Guard. He visited the family and funeral home on several occasions and always made sure they had everything they needed. He was compassionate and respectful which proves his commitment to service excellence.

Kenneth Hipps (Police) While at a gas station, Sergeant Hipps was approached by a citizen who needed help. Her son had been discharged from Pardee Hospital in a taxi but arriving home, realized his medication was lost. Sergeant Hipps contacted the taxi company and eventually the medication was found. From the citizen's point of view, "due to the quick thinking and professional attitude of Sergeant Hipps, this situation was quickly solved."

**Budget Impact:** \$ NA Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

NA

**Attachments:**

None



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** J.M. Vindigni

**Department:** Fire

**Date Submitted:** July 21, 2016

**Presenter:** J.M. Vindigni

**Date of Council Meeting to consider this item:** August 04, 2016

**Nature of Item:** Presentation Only

**Summary of Information/Request:**

**Item #** 08

Introduction of the City of Hendersonville new Deputy Fire Chief James Miller.

Budget Impact: \$0 Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

N/A

Attachments:



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 7-12-16

**Presenter:** David Hazzard, Senior Planner

**Date of Council Meeting to consider this item:** 8-4-16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 09

The City of Hendersonville has received a petition from Flat Rock Hospitality, LLC for a satellite annexation of 2.00 acres of the property identified as Parcel Identification Number 9588-40-9182 located between Upward Road and Education Drive. This annexation application is related to a sewer service request. The map distance from the proposed satellite corporate limits is 9,123 feet from the primary corporate limits. The total area within the satellite corporate areas, including land involved in this petition, constitutes 3.6 percent of the area within the primary corporate limits. Please refer to the attached maps and survey for additional information.

Attached is the Clerk's Certificate of Sufficiency finding that the petition is valid. The next step in the annexation process is to accept the Clerk's certificate and set a date for the public hearing on the question of adoption of an ordinance of annexation.

**Budget Impact:** \$0 \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move the City Council adopt an ordinance annexing the property included in the Flat Rock Hospitality, LLC petition effective 8-4-16.

## Attachments:

Certificate of Sufficiency  
Maps  
Survey  
Ordinance

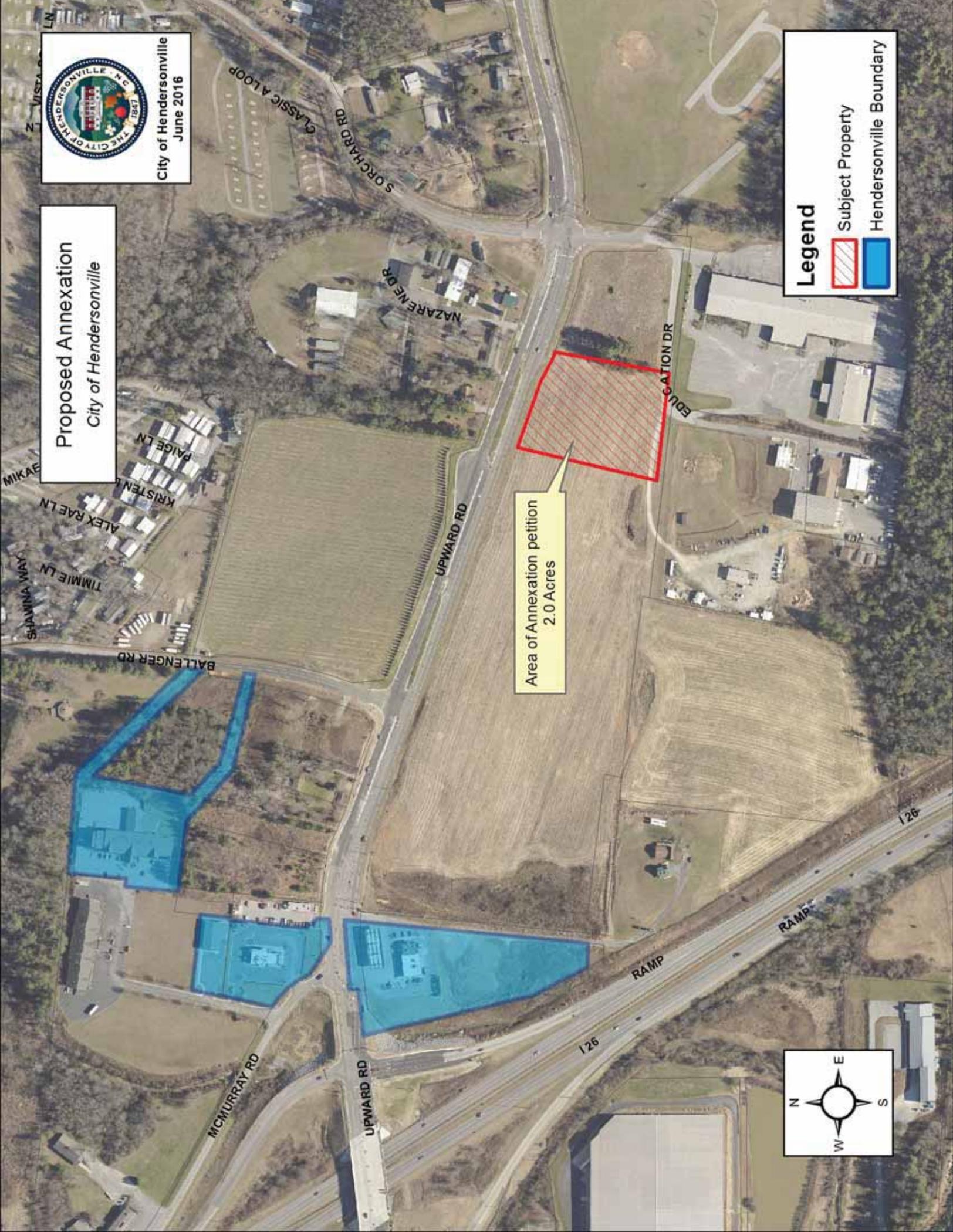
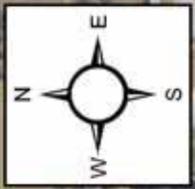


Proposed Annexation  
City of Hendersonville

**Legend**

-  Subject Property
-  Hendersonville Boundary

Area of Annexation petition  
2.0 Acres



## CERTIFICATE OF SUFFICIENCY

**Re: Petition for Satellite Annexation  
Upward Road (Flat Rock Hospitality)  
File No. P14-16-A**

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:

I, Tammie K. Drake, City Clerk, begin first duly sworn, hereby certify an investigation has been completed of the above referenced petition for the satellite annexation of 2.00 acres of the property identified as Parcel Identification Number 9588-40-9182 located between Upward Road and Education Drive.

- A. According to the Development Assistance Department, the area described in the petition meets all of the standards set out in GS160A-58.1(b).
1. The map distance from the proposed satellite corporate limits is 9,123 feet from the primary corporate limits.
  2. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville.
  3. The area is situated so the City will, if City Council so determines, be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
  4. The area proposed for annexation is not a subdivision as defined in GS 160A-376.
  5. The total area within the satellite corporate areas, including land involved in this petition, constitutes 3.6 percent of the area within the primary corporate limits.
- B. The petition bears the names addresses and signatures of all owners of the real property within the area proposed for annexation.
- C. A metes and bounds description is attached to the petition.
- D. A map showing the area proposed for annexation with relation to the primary corporate limits of Hendersonville is attached to the petition.

Having made the findings stated above, I hereby certify the petition for satellite annexation presented by Satis Patel for Flat Rock Hospitality, LLC is valid.

In witness whereof, I have here unto set my hand and affixed the seal of the City of Hendersonville, this 17 day of June, 2016.

Tammie K. Drake  
Tammie K. Drake, MMC, City Clerk



**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE  
CITY OF HENDERSONVILLE, NORTH CAROLINA  
Flat Rock Hospitality, LLC**

WHEREAS, the City of Hendersonville has been petitioned, pursuant to North Carolina General Statutes (NCGS) 160A-58.1, as amended, to annex the area described herein; and,

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall, Hendersonville, N.C. at 5:45 p.m., on the fourth day of August 2016, after due notice by publication as by law provided; and,

WHEREAS, the City Council further finds the areas described therein meets the standards of N.C. G.S. 160A-58.1(b), to wit:

- a. All of the proposed satellite corporate limits are less than three miles from the primary corporate limits of Hendersonville. The map distance is 9,123 feet.
- b. No point on the proposed satellite corporate limit is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville.
- c. The area is situated so that the City of Hendersonville, if City Council so determines, will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
- d. The area proposed for annexation is not a subdivision as defined in NCGS 160A-376.
- e. The area within the proposed satellite corporate limits when added to the areas within all other satellite corporate limits does not exceed 10 percent (10%) of the area within the primary corporate limits of the City of Hendersonville. The total area within the satellite corporate areas, including land involved in this petition, constitutes 3.6 percent of the area within the primary corporate limits.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

Section 1. By virtue of the authority granted by N.C.G.S. 160A-58.1, as amended, the following described area is hereby annexed and made part of the City of Hendersonville as of the fourth of August 2016.

**DESCRIPTION OF PROPERTY**

Being located within the Hendersonville Township – Henderson County, North Carolina and being more particularly described as follows:

Being all of Tract B, containing approximately 2.00 acres as shown on the plat recorded at slide 10160, Henderson County Registry, a copy of which is attached hereto.

Section 2. Upon and after the third day of September 2016, the above described territory, and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Hendersonville, and shall be entitled to the same privileges and benefits as other parts of the City of Hendersonville. Said territory shall be subject to municipal taxes according to NCGS 160A-31, as amended.

Section 3. The City Clerk of the City of Hendersonville shall cause to be recorded in the office of the Register of Deeds of Henderson County and at the Office of the Secretary of State in Raleigh, North

Carolina, an accurate map of the annexed territory, described in Section 1, hereof, together with a duly certified copy of this ordinance.

ADOPTED this fourth day of August 2016.

\_\_\_\_\_  
Barbara Volk, Mayor, City of Hendersonville

ATTEST:

\_\_\_\_\_  
Tammie K. Drake, CMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Samuel H. Fritschner, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, \_\_\_\_\_, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara Volk in her capacity of Mayor of the City of Hendersonville; Tammie K. Drake, in her capacity of City Clerk; and Samuel H. Fritschner, in his capacity as City Attorney, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this \_\_\_\_\_, 2016.

My commission expires \_\_\_\_\_



# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** Susan Frady

**Department:** Development Asst Dept

**Date Submitted:** 7-21-16

**Presenter:** David Hazzard, Senior Planner

**Date of Council Meeting to consider this item:** 8-04-16

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 10

The Development Assistance Department is in receipt of a Special Use Permit application for Flat Rock Hospitality, LLC to construct a 53,851 sq. ft. Fairfield Inn and Suites. The site is approximately 2.00 acres and is a portion of parcel number 9588-40-9182 located on Upward Road.

This parcel is currently located in Henderson County and is zoned Henderson County RC, Regional Commercial. The applicant is connecting to the City of Hendersonville sewer system and this parcel is located within the Upward Road Planning District. As per the Sewer Extension Policy adopted by the City Council on March 3, 2011, parcels within the Upward Road Planning District "will not be granted sewer extension until they apply for and complete the process to voluntarily annex into the City of Hendersonville" and are therefore "required to go through the City's zoning process in conjunction with developing a zoning classification CHMUD." Thus the applicant is required to submit an application for annexation and the proposed rezoning for this parcel. Because the development involves more than 50,000 sq.ft. of floor area the rezoning for this property is CHMUSU, Commercial Highway Mixed Use Special Use.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

The suggested motions begin on page 6 of the memorandum.

**Attachments:**

Memo

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** David T. Hazzard

**RE:** Fairfield Inn & Suites

**FILE #:** P16-15-SUR

**DATE:** July 25, 2016

### PROJECT DESCRIPTION

The City is in receipt of a Special Use Permit application from Flat Rock Hospitality, LLC to construct a 53,851 sf Fairfield Inn and Suites. The site is an approximately 2.00 acre portion of parcel PIN 9588-40-9182 located on Upward Road.

### EXISTING LAND USES & ZONING

The proposed project parcel is currently located in Henderson County, is vacant, and is zoned Henderson County RC Regional Commercial. The existing land use map can be found on page 16 and the existing zoning classifications are shown on the zoning map on page 17.

Surrounding land uses are as follows:

The parcel to the northeast of this parcel, across Upward Road, is currently used for agricultural purposes and is zoned Henderson County RC Regional Commercial. The parcels due north are used for residential and religious purposes and are zoned Henderson County CC Community Commercial. The two parcels to the south are a church and public school support facilities zoned Henderson County I Industrial. The parcels to the east and west are vacant and are zoned Henderson County RC Regional Commercial.

### COMPREHENSIVE PLAN CONSISTENCY

The parcels included in this project and adjacent parcels are classified as Regional Activity Center and Low Intensity Neighborhood / Agriculture, on the 2030 Comprehensive Plan's Future Land Use Map.

The goal of the Regional Activity Center classification is to:

*Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects.*

The goal of the Low Intensity Neighborhood / Agriculture classification is to:  
*Provide large-lot, low-density housing options and protect existing low-density neighborhoods.*

Comprehensive Plan consistency is addressed under “e” on page five. The Comprehensive Plan Future Land Use Map can be found on page 17.

## **PLAN REVIEW**

### **General**

The approximately 2.00 acre site is currently vacant. The applicant is proposing to construct a 4-story, 53,851 sf hotel / inn containing 84 guest rooms.

The Preliminary Site Plan along with building elevations are included with this memorandum on pages 18 -19.

### **Parking**

As per Section 6.5.2, the required parking for hotels is 1 parking space per guest room plus 1 space per 600 sf of public meeting area and restaurant area. Thus, this project is required to provide a minimum of 84 parking spaces. The site plan shows 107 parking spaces.

### **Sidewalks**

A sidewalk is shown along the parcel’s frontage on Upward Road.

### **Vehicular Access**

Upward Road is an NCDOT-managed road. Thus, the applicant shall be required to acquire a driveway entrance permit from NCDOT prior to final site plan approval.

### **Stormwater**

A stormwater management plan will be required and shall be submitted and approved prior to final site plan approval.

### **Landscaping**

Required planting buffer areas are shown on the preliminary site plan. Actual plantings shall be shown on landscaping plans that are submitted with the final site plan. Note the applicant is requesting a variance from the Common Space trees requirement.

### **Annexation and Rezoning**

This parcel is currently located in Henderson County and is zoned Henderson County RC Regional Commercial. The applicant is requesting to connect to City’s sewer, and this parcel is located in the Upward Road Planning District. As per the Sewer Extension Policy adopted by the City Council on March 3, 2011, parcels within the Upward Road Planning District “will not be granted sewer extensions until they apply for and complete the process to voluntarily annex into the City of Hendersonville” and are therefore “required to go

through the City's zoning process in conjunction with developing a zoning classification (CHMUD)." Thus, the applicant is required to submit an application for annexation, and the proposed rezoning for this parcel is CHMUSU Commercial Highway Mixed Use Special Use. Note the applicant has already submitted an application for annexation.

### **Variance Requests**

#### **Common Space**

As per Section 5-27-5.1.4, entitled "Common Space": *Common Space is intended to shape the design and character of a project through a connecting system of pedestrian areas that create a relationship among the various components of the built environment. It shall be designed to create areas where workers, residents and shoppers, as the case may be, are directly or indirectly invited to gather, browse, sit, interact or congregate. It shall be arranged as community space with open areas, landscaping, seating facilities and lighting fixtures which provide for safety and visual effects.*

- **Common Space: Size**

*As per Section 5-27-5.1.4 (a): At least 10% of the acreage of a site shall be devoted to common space. Common space shall count toward meeting open space requirements for a project.*

The minimum required common space for this project is 8,712 sf (10% of the parcel). As per the variance application and site plan, 6,005 sf of common space has been proposed. Thus, the applicant has requested a variance from Section 5-27-5.1.4 (a) to reduce the required common space by 2,707 sf. The application for this variance request can be found on pages 12 through 15.

- **Common Space: Trees**

*As per Section 5-27-5.1.4 (b): One tree shall be planted for each 1000 sf of common space. Trees shall have a minimum caliper of 3-3 ½ inches measured six inches above ground at the time of planting.*

The minimum required common space for this project is 8,712 sf (10% of the parcel). A minimum of 9 common space trees are required. As per the variance application, the applicant is not proposing to plant any common space trees. Therefore, the applicant has requested a variance from Section 5-27-5.1 (b) to reduce the required common space trees to zero. The application for this variance request is on pages 12 through 15.

#### **Windows**

As per Section 5-27-5.1.7, entitled "Windows": *Windows shall either be (1) recessed a minimum of three inches from the façade or (2) trimmed. If trim is used, it shall be a minimum of four inches (nominal) in width and shall project beyond the façade.*

The proposed windows do not meet this requirement. The applicant is therefore

requesting a variance from Section 5-27-5.1.7. As per the variance application, the applicant is requesting a variance to allow for flush windows. The application for this variance request is on pages 12 through 15.

## ANALYSIS

Section 7-4-10.1 of the Zoning Ordinance states: *No special use permit shall be approved by City Council unless each of the following findings is made.*

- (a) *The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.*

**Staff has not identified any issues relating to public health, safety or general welfare.**

- (b) *There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.*

**The applicant is requesting to connect to the City sewer and water.**

- (c) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

**The applicant is requesting the following variances:**

- #1 A variance from Zoning Ordinance Section 5-27-5.1.4 (a) to reduce the required common space to 6,005 sf.**
- #2 A variance from Zoning Ordinance Section 5-27-5.1.4 (b) to eliminate the common space tree requirements.**
- #3 A variance from Zoning Ordinance Section 5-27-5.1.7 to allow flush mounted windows.**

**Variance request applications and justifications begin on Page 12.**

- (d) *The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.*

**A neighborhood compatibility meeting concerning the application was held on June 17, 2016. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property.**

**One member of the general public attended the meeting. The general public**

**asked questions regarding the following:**

- **Education Drive Access**
- **Property Boundaries**

**A copy of the neighborhood compatibility report accompanies this memorandum on page 11.**

- (e) The use or development conforms to the general plans for the physical development of the City as embodied in this Ordinance and in the *Comprehensive Plan* and the *Comprehensive Transportation Plan*.

**The 2030 Comprehensive Plan's Regional Activity Center classification is to "Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects."**

This Application appears to be consistent with the 2030 Comprehensive Plan.

**Upward Road has been upgraded since The 2008 Comprehensive Transportation plan.**

## **PLANNING BOARD**

The Planning Board took this matter up at its regular meeting of July 11, 2016. The planning board voted as follows:

### Variance Request #1

*Recommend City Council approve a variance from Zoning Ordinance Section 5-27-5.1.1 (a) to reduce the required Common Space to 6.005 square feet for the following reasons: so the project can move forward. The motion passed with a vote of 8 for and 1 against.*

### Variance Request #2

*Recommend City Council approve a variance from Zoning Ordinance Section 5-27-5.1.4 (b) to eliminate the common open space tree requirements for the following reasons: the project has existing trees and trees that will be planted. The motion passed with a vote of 8 for and 1 against.*

### Variance Request #3

*Recommend City Council approve a variance from Zoning Ordinance Section 5-27-5.1.7 to allow flush mounted windows. The motion passed unanimously.*

### Special Use Permit and Rezoning

*Recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of a portion of PIN # 9588-40-9182 from Henderson County RC Regional Commercial to City of Hendersonville CHMUSU Commercial Highway Mixed Use Special Use for the following reasons: it is compatible with other projects in this area. The motion passed unanimously.*

*Also the Planning Board to recommend City Council approve the application of Flat Rock Hospitality, LLC for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions. The motion passed unanimously.*

## **SUGGESTED MOTIONS**

### **Variance Request #1**

#### **Recommend Approval:**

I move City Council approve a variance from Zoning Ordinance Section 5-27-5.1.4 (a) to reduce the required Common Space to 6,005 sf.

**[PLEASE STATE YOUR REASONS]**

#### **Recommend Denial:**

I move City Council not approve a variance from Zoning Ordinance Section 5-27-5.1.4 (a) to reduce the required Common Space to 6,005 sf.

**[PLEASE STATE YOUR REASONS]**

### **Variance Request #2**

#### **Recommend Approval:**

I move City Council approve a variance from Zoning Ordinance Section 5-27-5.1.4 (b) to eliminate the common open space tree requirements.

**[PLEASE STATE YOUR REASONS]**

#### **Recommend Denial:**

I move City Council not approve a variance from Zoning Ordinance Section 5-27-5.1.4 (b) to eliminate the common open space tree requirements.

**[PLEASE STATE YOUR REASONS]**

### **Variance Request #3**

#### **Recommend Approval:**

I move City Council approve a variance from Zoning Ordinance Section 5-27-5.1.7 to allow flush mounted windows.

**[PLEASE STATE YOUR REASONS]**

#### **Recommend Denial:**

I move City Council not approve a variance from Zoning Ordinance Section 5-27-5.1.7 to allow flush mounted windows.

**[PLEASE STATE YOUR REASONS]**

### **Special Use Permit and Rezoning**

#### **Recommend Approval:**

I move City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of:

A portion of PIN 9588-40-9182 from Henderson County RC Regional Commercial to City of Hendersonville CHMUSU Commercial Highway Mixed Use Special Use;

**[PLEASE STATE YOUR REASONS]**

I further move City Council approve the application of Flat Rock Hospitality, LLC for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions.

#### **Recommend Denial:**

I move City Council not approve the application of Flat Rock Hospitality, LLC for issuance of a Special Use Permit.

[PLEASE STATE YOUR REASONS]

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF THE CITY OF HENDERSONVILLE**

IN RE:        Fairfield Inn and Suites  
              (File # P16-15-SUR)

Be it ordained by the City Council of the City of Hendersonville:

1.        Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following as shown in Exhibit A and described below:

A portion of PIN 9588-40-9182 from Henderson County RC Regional Commercial to City of Hendersonville CHMUSU Commercial Highway Mixed Use Special Use;

2.        This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 4<sup>th</sup> day of August 2016.

\_\_\_\_\_  
Barbara Volk, Mayor

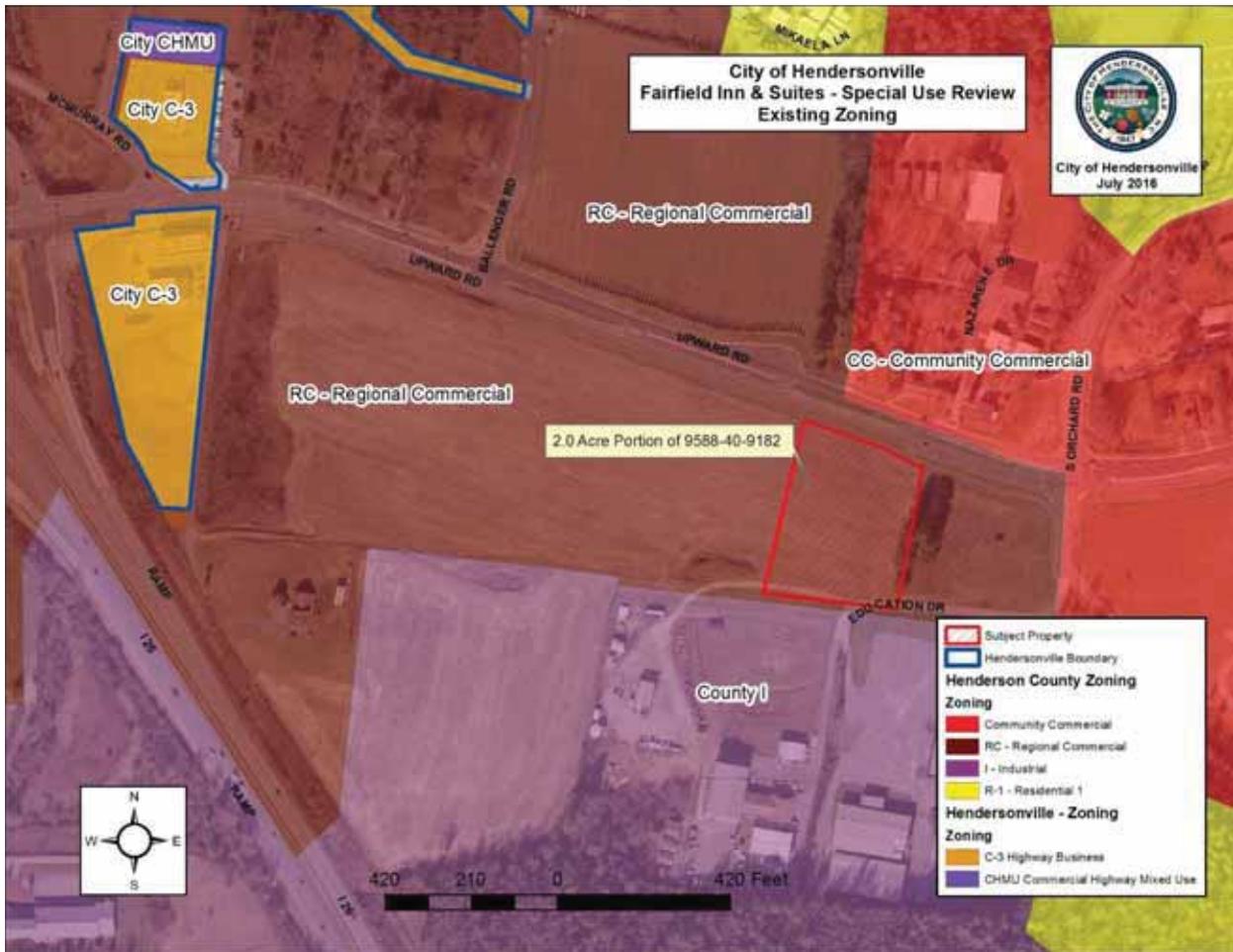
ATTEST:

\_\_\_\_\_  
Tammie K. Drake, CMC, City Clerk

Approved as to form:

\_\_\_\_\_  
Samuel H. Fritschner, City Attorney

### Exhibit A



**IN RE:        Fairfield Inn and Suites (File # P16-15-SUR)**

**List of Uses & Conditions**

**I. Stipulated Uses:**

**Only the following uses are authorized for the referenced development:**

Hotels and Motels

**II. Conditions:**

- (1)    Shall Be Attached to the Special Use Permit and Satisfied Prior to Issuance of Final Site Plan Approval:**

Annexation application for this parcel for sewer extension

- (2)    Shall Be Attached to the Special Use Permit:**

Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Zoning Ordinance.

Flat Rock Hospitality, LLC

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Planning Report  
 Neighborhood Compatibility Meeting  
 Application for a Special Use Permit  
 Flat Rock Hospitality, LLC File #P16-15-SUR  
 Friday, June 17, 2016 2:00 p.m.

Dave Hazzard, Senior Planner, convened the compatibility meeting at 2:02 pm in the Assembly Room of the City Operations Center. The following were in attendance:

| <i>Name</i>               | <i>Address</i>                   | <i>Name</i> | <i>Address</i> |
|---------------------------|----------------------------------|-------------|----------------|
| Chris Cormier (applicant) | 624 7 <sup>th</sup> Avenue East. |             |                |
| Thomas O'Neal (applicant) | 550 Airport Road                 |             |                |
| Bub Hyder                 | 163 Puncheon Camp Rd.            |             |                |
| Susan Frady               | 100 N. King Street               |             |                |
| Dave Hazzard              | 100 N. King Street               |             |                |
| Emily Sisler              | 100 N. King Street               |             |                |
| Terri Swann               | 100 N. King Street               |             |                |
|                           |                                  |             |                |
|                           |                                  |             |                |
|                           |                                  |             |                |

Mr. Hazzard opened the meeting explaining this is the first step in a three step process. The first step is Neighborhood Compatibility Meeting, next is the Planning Board and last it goes to City Council. This is an informal meeting to ask questions and get answers. Minutes of this meeting will be forwarded to Planning Board and City Council.

Chris Cormier stated this is a hotel that will be four stories and located on Upward Road. There will be a total of 86 rooms.

Mr. Hazzard stated the city is in the process of reviewing the preliminary site plan for the hotel. Mr. Hazzard will send this plan out to all of the departments for their review and comments. Mr. Hazzard explained the location of the hotel in relation to Mr. Hyder's property.

Mr. Hyder asked if they would be using Education Drive as an access to the hotel. Mr. Cormier stated that in order to purchase the property from Mr. Quattlebaum, he had one request and that was they not use Education Drive as an access but they may need to use it if the Fire or Police Department deems is necessary.

Mr. Hyder asked why the property needed to be annexed into the City. Ms. Frady stated this is a policy that was created by City Council. Mr. Cormier stated they now had to go through the process for the City.

Some discussion was made about Henderson County paying for the sewer line for the school. Ms. Frady stated she did not know anything about the sewer line.

With no further comments or questions, Mr. Hazzard closed the meeting at 2:11 p.m.

Print Form



CITY OF HENDERSONVILLE  
DEVELOPMENT ASSISTANCE DEPARTMENT  
100 N. King St. ~ Hendersonville, NC ~ 28792  
Phone (828) 697-3010 ~ Fax (828) 697-6185  
www.cityofhendersonville.org

**APPLICATION FOR A VARIANCE WITH SPECIAL USE PERMIT**  
Section 7-4-14 City Zoning Ordinance

The following are required to constitute a complete application for a variance:

- ~ This form including the property owner(s) signature(s).
- ~ Special Use Permit Application
- ~ Supporting documents, if applicable.
- ~ Photographs, optional.

Date June 30, 2016 Project Name Fairfield Inn & Suites

Applicant Carolina Specialties Construction, LLC

Address P.O. Box 825 Hendersonville, NC 28793

Phone 697-7184 Fax 697-6863 Email ccosmier@cswnnc.com

If different from above:

Property Owner: Name Flat Rock Hospitality

Address P.O. Box 759 Fletcher, NC 28732

TO THE CITY COUNCIL

I, SADU PATEL (OWNER/AGENT), hereby petition the City Council for a variance from the literal provisions of the Zoning Ordinance of the City of Hendersonville.

I request a variance from the following provisions of the ordinance (cite section numbers).

Section 5-23-4.2(e) (See Attachment A)  
Section 5-23-4.2 (See Attachment B)  
Section 5-23-5.1.4(b) Trees (See Attachment C)  
Section 5-23-5.1.7 - (See Attachment D)  
Section 7-4-5.1(c) - (See Attachment E)

Official Use:  
DATE RECEIVED: 7-1-16 BY TDH

**FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE (Section 7-4-14):**

For applications undergoing special use review, City Council may authorize variances in specific cases from the dimensional and improvements standards of the zoning ordinance upon finding that a literal enforcement of such standards will result in practical difficulty or unnecessary hardship and so long as the granting of such variance or variances will not result in a use or development which would violate the findings of fact required by Section 7-4-10. Variances may not be granted with regard to uses or to intensity.

**FINDINGS OF FACT (Section 7-4-10.1)** No special use permit shall be approved by City Council unless each of the following findings is made.

The burden of establishing these findings of fact shall lie upon the applicant. In addressing the issue of compatibility, as required, the applicant must demonstrate compatibility with the particular neighborhood in which the development or use is to be located. The fact that a use is authorized as a special use within a zoning district classification shall not give rise to a presumption that such special use is compatible with other uses authorized in the zoning district classification.

(A) The use or development is located, designed and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

*Public health and safety will be improved through providing a safe, clean location to stay and promote general welfare of the area with jobs and travelers to survey the community.*

(B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

*Facilities will be present to serve the development while meeting code requirements.*

(C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

*All possible efforts have been/will be made to ensure this use and development is in line with the set standards and variances granted.*

(D) The use or development is located, designed and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

*The development is located to bring travelers and business to the area and in design will be similar to national locations.*

(E) The use or development conforms with the general plans for the physical development of the City as embodied in this Ordinance and in the 2030 Hendersonville Comprehensive Plan.

*The development is intended to bring traveler/business to the city area while promoting the area in a positive construction.*

Signature



Special Use Variance Application

Printed Name

*SATISH PATEL*

Page 2 of 2

Fairfield Inn & Suites

Attachment A - Section 5-23-4.2(e)

The required "common open space" for this development is 8,712 square feet. We are able to provide 6,005 square feet of common open space due to site constraints, access areas needed, as well as entry/exit requirements.

We are requesting a variance of 2,707 square feet on this requirement.

Fairfield Inn & Suites

Attachment C - Section 5-23-5.1.4(b).

Trees

Per section noted above one (1) tree is to be planted for each 500 square feet of common open space. This results in a increase of 20 trees. Trees per this number and in the small spaces will result in safety issues as well as detrimental to the building structure. Trees are being planted in the buffer and in islands to help with this requirement.

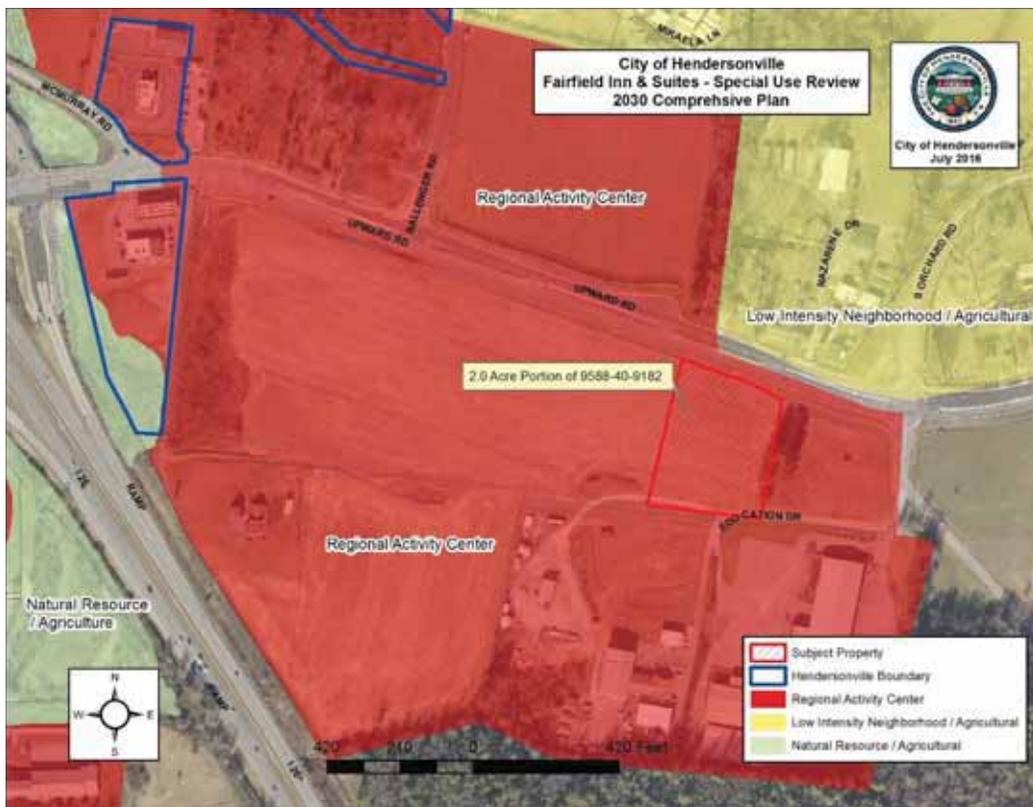
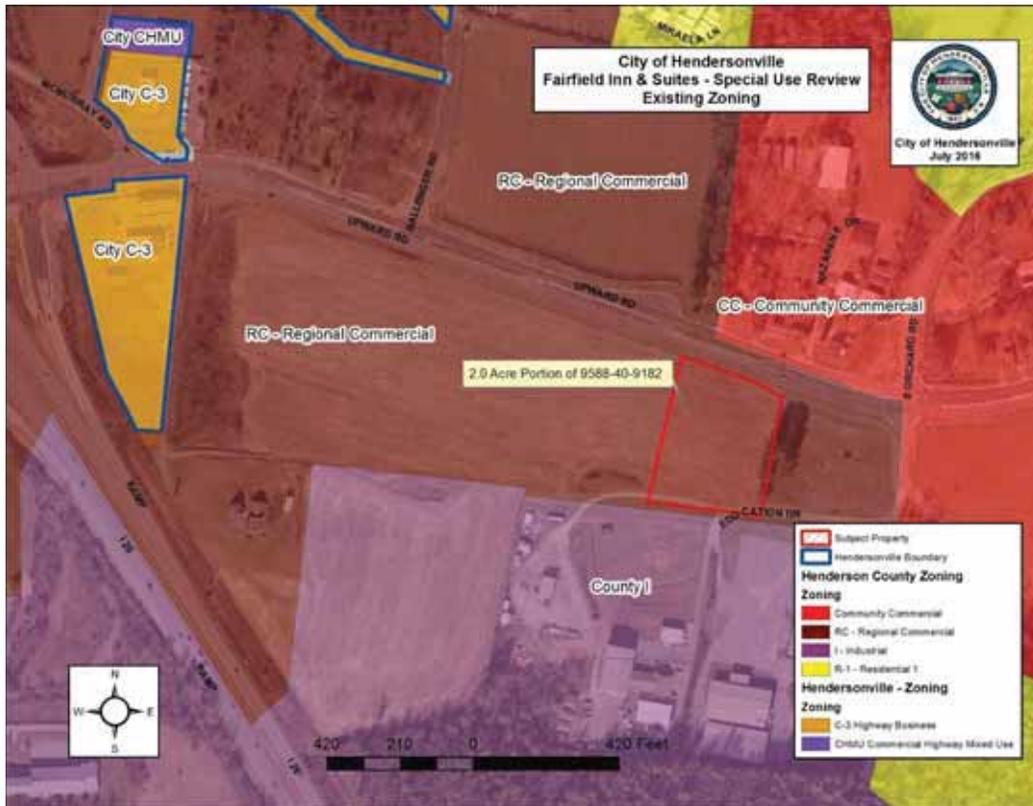
We are requesting a variance (deduct) of these twenty (20) trees.

## Fairfield Inn & Suites

### Attachment D - Section 5-23-5.1.7 Windows Recessed or Trimmed

Per the section noted above the requirement is for a minimum 3 inch recess from the facade or 4" trim. We are working with this requirement and the national chain requirements. At this time we would like to request a variance on this section from flush with the facade to .3" recess if possible.









## **APPEAL OF DEVELOPMENT DECISIONS**

Section 7-13 of the Zoning Ordinance outlines the process for appeal of development decisions by City Council. The following Sections of the Zoning Ordinance apply specifically to Special Use Review:

**Section 7-13-2 (b): Preliminary site plans.** Decisions of the City Council regarding appeals from development decisions concerning applications for preliminary site plan approval may be appealed to the Superior Court by any aggrieved party. Such appeals shall be in the nature of certiorari and must be filed within 30 days after the filing of the decision in the office of the City Clerk or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Clerk at the time of the hearing, whichever is later. The copy of the decision of the Council may be delivered to aggrieved parties either by personal service for by registered mail or certified mail return receipt requested.

**Section 7-13-2 (d): Special use review.** Judicial review of decisions regarding applications processed under the provisions of special use review, established in Section 7-4, above, require special treatment due to the fact that they involve two separate applications which, though processed simultaneously, require Council to make two separate decisions exercising two different types of decision-making authority. One application requests enactment of an ordinance amending the Official Zoning Map, and the other requests issuance of a special use permit. The first application involves a legislative decision on the part of Council, and the second a quasi-judicial decision. The quasi-judicial decision, that is, the one concerning the application for a special use permit, may be appealed to the Superior Court by any aggrieved party in the manner prescribed in paragraph b), above. Such appeal shall be in the nature of certiorari. The legislative decision, which is the one concerning the request for rezoning, may be contested, in accordance with NCGS Section 160A-364.1, by a cause of action commenced within two months of the date of the decision.

The validity of the ordinance may be challenged in accordance with North Carolina General Statute Section 160A-364.1.

### **§ 160A-364.1. Statute of limitations.**

A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under this Article or other applicable law shall accrue upon adoption of the ordinance, or amendment thereto, and shall be brought within two months as provided in G.S. 1-54.1. (1981, c. 891, s. 3; 1995 (Reg. Sess., 1996), c. 746, s. 7.)



# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 7-22-16

**Presenter:** David Hazzard, Senior Planner

**Date of Council Meeting to consider this item:** 8-4-16

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 11

The Development Assistance Department is in receipt of a Special Use Application for Cheria Duncan to bring the existing Whiteside's Green Acres Mobile Home Park into compliance with the City of Hendersonville's Planned Manufactured Housing zoning requirements.

Whiteside's Green Acre Mobile Home Park is an existing, legal non-conforming use. This mobile home park currently contains occupied manufactured homes, numerous vacant manufactured homes and numerous vacant spaces for manufactured homes. The vacant mobile homes and spaces have been vacant in excess of 180 days and could not be replaced.

The proposed Claystone Manufactured Home Park is located on PIN 9579-66-3377. The parcel for the proposed project is approximately 5.22 acres. The parcel currently has 31 spaces for manufactured homes and one existing stick built home.

The applicant is proposing to place 31 manufactured homes on the property and to replace the existing stick built home with a manufactured one.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

The suggested motions begin on page 7 of the memorandum.

**Attachments:**

Memorandum

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** David T. Hazzard

**RE:** Claystone

**FILE #:** P16-14-SUR

**DATE:** July 25, 2016

### PROJECT DESCRIPTION

The City is in receipt of a Special Use Permit application from Cheria Duncan to bring the existing Whiteside's Green Acres Mobile Home Park into compliance with the City of Hendersonville's Planned Manufacturing Housing PMH zoning requirements. Whiteside's Green Acres Mobile Park is an existing, grandfathered nonconforming use. This mobile home park currently contains occupied manufactured homes, numerous vacant manufactured homes, and numerous vacant "lots" for manufactured homes. These vacant manufactured homes and "lots" have been vacant for longer than 180 consecutive days.

As per Section 6-2-1-d, concerning nonconforming uses:

*Where a nonconforming use ceases for 180 consecutive days, then the use shall not be re-established or resumed, and any subsequent use of the land or structure shall conform to the requirements of this ordinance. Vacancy and non-use of the building or structure, regardless of the intent of the owner, shall constitute discontinuance under this provision.*

To be able to place new manufactured homes on the vacant "lots" or replace the existing vacant manufactured homes, the site shall be brought into compliance. As per Section 5-16-2, a Special Use Permit is required to allow the use of manufactured homes within the PHM zoning district classification.

The proposed Claystone Manufactured Home Park is located on PIN 9579-66-3377 on Sugarloaf Road.

### EXISTING LAND USES & ZONING

The parcel for the proposed project is approximately 5.22 acres and is the site of the existing Whiteside's Green Acres Mobile Home Park. The parcel currently has 31 locations for manufactured homes and one existing stick built home. The existing zoning classification for this parcel is R-15 Medium Density Residential as shown in the provided

Existing Zoning map on page 21.

Surrounding land uses can be seen in the Existing Land Use map on page 20. The parcels to the north and west are residential and zoned R-15 Medium Density Residential. To the south is Sugarloaf Road, a vacant parcel, and a commercial parcel zoned C-2 Secondary Business. To the east is a child development center zoned R-15 Medium Density Residential.

### **COMPREHENSIVE PLAN CONSISTENCY**

The parcels included in this project and adjacent parcels are classified as High-Intensity Neighborhood, Regional Activity Center, and Business Center on the 2030 Comprehensive Plan's Future Land Use Map.

The goal of the High-Intensity Neighborhood classification is to:

*Encourage low-maintenance, high-density housing that supports Neighborhood and Regional Activity Centers and downtown and provides a transition between commercial and single-family development. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods.*

The goal of the Regional Activity Center classification is to:

*Meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects.*

The goals of the Business Center classification are to:

*Create an employment corridor along I-26 that supports the growth of Hendersonville as a business destination.  
Create a campus-like, mixed-use environment that includes office, research and low-impact industrial uses, as well as supportive retail amenities.*

Comprehensive Plan consistency is addressed under "E" on page 6. The Comprehensive Plan Future Land Use Map can be found on page 21.

### **PLAN REVIEW**

#### **General**

The approximately 5.22 acre site is currently occupied by Whiteside's Green Acres Mobile Park with 31 locations for manufactured homes and 1 existing stick-built home. It appears from information provided from the applicant that 9 existing manufactured homes are occupied while 6 are vacant and that there are 16 vacant "lots". The applicant is proposing to place 31 manufactured homes in their existing configuration and to replace the existing stick built home with a manufactured home.

The Preliminary Site Plan along with a site survey showing the existing conditions are included with this memorandum on pages 22 and 23.

### **Parking**

The site plan shows 34 parking spaces and an area for future guest parking. As per Section 5-16-4.3, one off-street parking space per each manufactured home is required; thus, 32 parking spaces are required.

### **Sidewalks**

A sidewalk is shown along the parcel's frontage on Sugarloaf Road.

### **Stormwater**

It does not appear this site will be required to provide a stormwater management plan because the project does not disturb an acre or more. The City's engineering department will make the final determination. If a stormwater management plan is required, it shall be submitted and approved prior to final site plan approval.

### **Landscaping**

Required planting buffer areas are shown on the preliminary site plan. Actual plantings shall be shown on landscaping plans submitted within the final site plan.

### **Rezoning**

The applicant is requesting a rezoning from City of Hendersonville R-15 Medium Density Residential to PMH Planned Manufacturing Housing.

### **Annexation**

This parcel is currently within the City's Extraterritorial Jurisdiction (ETJ). The applicant is requesting to connect to the City's sewer and is thus required to submit an application for annexation. This application has been added to the list of conditions on page 12.

## **Variance Requests**

### **Lot Size**

As per Section 5-16-4.1, entitled "Lot Size": *Each manufactured home shall occupy a designated space having at least 4,000 sf, with a width of at least 40 feet, exclusive of common driveways. No more than one home may be erected or installed on one space.*

The applicant is requesting a variance from Section 5-16-4.1. As per the variance application, all "lots" with the exception of six ("lots" 1-6), meet the minimum 4,000 sf requirement. Thus, the applicant has requested a variance for those six "lots" that do not meet the minimum 4,000 sf lot size; the smallest of these six "lots" will be 3,590 sf. The application for this variance request can be found on pages 16 through 19.

### **Streets**

As per Section 5-16-4.2, entitled "Streets": *Each manufactured home space shall abut a street within the park. Said streets shall be graded and surfaced with not less than four inches of crushed stone or other suitable material on a well compacted sub-base to a continuous width of 25 feet, exclusive of required parking spaces. Internal streets and circulation patterns shall be adequate to handle the traffic to be generated by the development.*

The applicant is requesting a variance from Section 5-16-4.2. As per the variance application, the applicant is proposing to use the existing asphalt road which is 20 feet in width and is requesting a variance from the required width of 25 feet. The application for this variance request can be found on pages 16 through 19.

### **Interior Setbacks**

As per Section 5-16-4.5, entitled "Interior Setbacks": *Any structure shall be located at least 20 feet from any internal street and at least 10 feet from any adjacent space within the district; provided, however, that these interior setbacks shall not apply to storage or other auxiliary structures for the exclusive use of a manufactured home.*

The applicant is requesting a variance from Section 5-16-4.5. As per the variance application, the applicant is requesting that the interior setbacks be reduced from 20 feet to 5 feet from the interior street. Additionally they request that the requirement for a 10-foot setback from any adjacent space be reduced to 5 feet. Please note that the five lots on the north side of the development do meet the required 10-foot setback. The application for this variance request can be found on pages 16 through 19.

### **Exterior Setbacks**

As per Section 5-16-4.6, entitled "Exterior Setbacks": *No manufactured home shall be located closer than 30 feet to the exterior boundary of the district or abutting street right-of-way. Buildings used for laundry or recreation purposes shall be located no closer than 40 feet to the exterior boundary or the right-of-way of an abutting street.*

The applicant is requesting a variance from Section 5-16-4.6. As per the variance application, the applicant is requesting a variance to reduce the required exterior setbacks from 30 feet to: 20 feet on the south side of the property; 10 feet on the west and north sides; and 8 feet on the east side. The application for this variance request can be found on pages 16 through 19.

## **ANALYSIS**

Section 7-4-10.1 of the Zoning Ordinance concerning Findings of Fact states:  
*No special use permit shall be approved by City Council unless each of the following findings is made:*

- (a) *The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.*

**Staff has not identified any issues relating to public health, safety, or general welfare.**

- (b) *There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.*

**The property is currently served by water and is requesting to connect to the City's sewer.**

- (c) *The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.*

**The applicant is requesting the following variances:**

- #1 A variance from Zoning Ordinance Section 5-16-4.1, to allow "lots" 1-6 to be smaller than the required 4,000 sf.**
- #2 A variance from Zoning Ordinance Section 5-16-4.2, to reduce the minimum road width from the required 25 feet to 20 feet in order to use the existing road.**
- #3 A variance from Zoning Ordinance Section 5-16-4.5, to reduce the Required 20-foot minimum interior setback to 5 feet and to reduce the required 10-foot setback from any adjacent space to 5 feet.**
- #4 A variance from Zoning Ordinance Section 5-16-4.6, to reduce the required exterior setbacks from 30 feet to 20 feet on the south side of the property, from 30 feet to 10 feet on the west and north sides, and from 30 feet to 8 feet on the east side.**

**Variance request applications and justifications begin on page 16.**

- (d) *The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.*

**A Neighborhood Compatibility Meeting concerning the application was held on Tuesday, May 31, 2016. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property.**

**Five members of the general public attended the meeting. The general public asked questions regarding the following:**

- **Guest Parking**
- **Street Lighting**
- **Garbage Pickup**
- **New Management Policies and Procedures**

**A copy of the neighborhood compatibility report accompanies this memorandum on pages 13 through 15.**

- (e) *The use or development conforms to the general plans for the physical development of the City as embodied in this Ordinance and in the Comprehensive Plan and the Comprehensive Transportation Plan.*

**The 2030 Comprehensive Plan’s High-Intensity Neighborhood classification is to: *Encourage low-maintenance, high-density housing that supports Neighborhood and Regional Activity Centers and downtown and provides a transition between commercial and single-family development. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods.***

This Application appears to be consistent with the 2030 Comprehensive Plan.

**The 2008 Comprehensive Transportation has the following recommendations:**

**C30 SR 1734 “Sugarloaf Road” Add turn lanes, widen shoulders and improve geometrics and intersection operations as appropriate.**

## **PLANNING BOARD**

The Planning Board took this matter up at its regular meeting of July 11, 2016. The planning board voted as follows:

### *Variance Request #1*

*Recommend City Council approve a variance from Zoning Ordinance Section 5-16-4.1, to allow “lots” 1-6 to be smaller than the 4,000 square feet for the following reasons: this is the highest and best use of the property and the homes will sit on the pads as best they can on a case by case basis. The motion passed with a vote of 8 for and 1 against.*

### *Variance Request #2*

*Recommend City Council approve a variance from Zoning Ordinance Section 5-16-4.2, to reduce the minimum road width from the required 25 feet to 20 feet in order to use the existing road for the following reasons: this road will stay within the compounds of the new development. The motion passed unanimously.*

Variance Request #3

*Recommend City Council approve a variance from Zoning Ordinance Section 5-16-4.5, to reduce the required 20-foot minimum interior setback to 5 feet and to reduce the required 10 foot setback from any adjacent space to 5 feet for the following reasons: to further the existing project. The motion passed with a vote of 8 for and 1 against.*

Variance Request #4

*Recommend City Council approve a variance from Zoning Ordinance Section 5-16-4.6, to reduce the required exterior setbacks from 30 feet to 20 feet on the south side of the property, from 30 feet to 10 feet on the west and north sides, and from 30 feet to 8 feet on the east side for the following reasons: for completion of the project. The motion passed with a vote of 6 for and 3 against.*

Special Use Permit and Rezoning

*The Planning Board to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of PIN # 9579-66-3377 from City of Hendersonville R-15 Medium Density Residential to PMH Planned Manufacturing Housing for the following reasons: for the update of Claystone development. The motion passed unanimously.*

*Also the Planning Board to recommend City Council approve the application of Claystone for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions. The motion passed with a vote of 8 for and 1 against.*

**SUGGESTED MOTIONS**

**Variance Request #1**

**Recommend Approval:**

I move City Council approve a variance from Zoning Ordinance Section 5-16-4.1, to allow "lots" 1-6 to be smaller than the required 4,000 sf.

**[PLEASE STATE YOUR REASONS]**

**Recommend Denial:**

I move City Council not approve a variance from Zoning Ordinance Section 5-16-

4.1, to allow “lots” 1-6 to be smaller than the required 4,000 sf.

[PLEASE STATE YOUR REASONS]

### **Variance Request #2**

#### **Recommend Approval:**

I move City Council approve a variance from Zoning Ordinance Section 5-16-4.2, to reduce the minimum road width from the required 25 feet to 20 feet in order to use the existing road.

[PLEASE STATE YOUR REASONS]

#### **Recommend Denial:**

I move City Council not approve a variance from Zoning Ordinance Section 5-16-4.2, to reduce the minimum road width from the required 25 feet to 20 feet in order to use the existing road.

[PLEASE STATE YOUR REASONS]

### **Variance Request #3**

#### **Recommend Approval:**

I move City Council approve a variance from Zoning Ordinance Section 5-16-4.5, to reduce the required 20-foot minimum interior setback to 5 feet and to reduce the required 10-foot setback from any adjacent space to 5 feet.

[PLEASE STATE YOUR REASONS]

#### **Recommend Denial:**

I move City Council not approve a variance from Zoning Ordinance Section 5-16-4.5, to reduce the required 20-foot minimum interior setback to 5 feet and to reduce the required 10-foot setback from any adjacent space to 5 feet.

[PLEASE STATE YOUR REASONS]

### **Variance Request #4**

#### **Recommend Approval:**

I move City Council approve a variance from Zoning Ordinance Section 5-16-4.6,

to reduce the required exterior setbacks from 30 feet to 20 feet on the south side of the property, from 30 feet to 10 feet on the west and north sides, and from 30 feet to 8 feet on the east side.

**[PLEASE STATE YOUR REASONS]**

**Recommend Denial:**

I move City Council not approve a variance from Zoning Ordinance Section 5-16-4.6, to reduce the required exterior setbacks from 30 feet to 20 feet on the south side of the property, from 30 feet to 10 feet on the west and north sides, and from 30 feet to 8 feet on the east side.

**[PLEASE STATE YOUR REASONS]**

**Special Use Permit and Rezoning**

**Recommend Approval:**

I move City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of:

PIN 9579-66-3377 from City of Hendersonville R-15 Medium Density Residential to PMH Planned Manufacturing Housing;

**[PLEASE STATE YOUR REASONS]**

I further move City Council approve the application of Claystone for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions.

**Recommend Denial:**

I move City Council not approve application of Claystone for a Special Use Permit.

**[PLEASE STATE YOUR REASONS]**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF THE CITY OF HENDERSONVILLE**

IN RE: Claystone  
(File # P16-14-SUR)

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following as shown in Exhibit A and described below:

PIN 9579-66-3377 from City of Hendersonville R-15 Medium Density Residential to PMH Planned Manufacturing Housing;

2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 4<sup>th</sup> day of August 2016.

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Barbara Volk, Mayor

ATTEST:

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Tammie K. Drake, CMC, City Clerk

Approved as to form:

---

Samuel H. Fritschner, City Attorney



**IN RE: Claystone (File # P16-14-SUR)**

**List of Uses & Conditions**

**I. Stipulated Uses:**

**Only the following uses are authorized for the referenced development:**

Manufactured homes

**II. Conditions:**

- (1) Shall Be Attached to the Special Use Permit and Satisfied Prior to Issuance of Final Site Plan Approval:**

Annexation application for this parcel for sewer extension

- (2) Shall Be Attached to the Special Use Permit:**

Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Zoning Ordinance.

Claystone

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Planning Director's Report  
 Neighborhood Compatibility Meeting  
 Application for a Special Use Permit  
 Claystone (Green Acres) File #P16-14-SUR  
 Tuesday May 31, 2016      2:00 p.m.

Dave Hazzard, Senior Planner, convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Center. The following were in attendance:

| <i>Name</i>                  | <i>Address</i>            | <i>Name</i>  | <i>Address</i>     |
|------------------------------|---------------------------|--------------|--------------------|
| Cheria Duncan<br>(applicant) | 140 Jaymar Park Dr.       | Emily Sisler | 100 N. King Street |
| Billy Duncan (applicant)     | 140 Jaymar Park Dr.       |              |                    |
| David Rand                   | 6080 Asheville Hwy..      |              |                    |
| Hunter Marks (Architect)     | 511 E. Crooked Creek Lane |              |                    |
| Shirley Roberge              | 30 Hannah Grace Way       |              |                    |
| Earl & Peggy Allison         | 23 Hannah Grace Way       |              |                    |
| Bell Johnson                 | 15 Hannah Grace Way       |              |                    |
| Kathy Mendez                 | 8 Hannah Grace Way        |              |                    |
| Dave Hazzard                 | 100 N. King Street        |              |                    |
| Terri Swann                  | 100 N. King Street        |              |                    |

Mr. Hazzard opened the meeting explaining this is the first step in a three step process. The first step is Neighborhood Compatibility Meeting, next is the Planning Board and last it goes to City Council. This is an informal meeting to ask questions and get answers. Minutes of this meeting will be forwarded to Planning Board and City Council.

Mr. Hazzard stated this mobile home park is currently zoned R-15, Medium Density Residential and is a non-conforming use. This is a grandfathered use and if a structure is not used within 180 days it loses the grandfather clause. There are a number of vacant pads that can no longer be used inside the park. The applicant is going through the special use process in order to get approval to re-establish the park. The Development Assistance Department has not yet received a preliminary site plan for this project.

Hunter Marks, Landscape Architect for the project spoke. He stated he is helping Billy and Cheria Duncan with the process. He presented a site plan and stated there are 31 spots. Nine spots are currently occupied. They plan to put this park back to what it originally was. The park will basically stay the same with added improvements. The septic system is failing and they plan to connect to city sewer, therefore they will have to annex into the City. The roads and lots will stay the same. The large house in the middle will be replaced and the owners will live on site. The garage will be renovated into an office. They plan to have community activities and a screened pavilion for residents to use.

Cheria Duncan spoke. She stated they plan to purchase the property and upgrade it. The residents will still own their own homes. They will also be able to have washing machines inside their homes when they connect to city sewer. Ms. Duncan stated they had the large home

inspected and wanted to renovate it but the home was in such disrepair that they are going to demolish it and rebuild. She is going to try and salvage some windows and mantles.

Ms. Duncan stated the park will be for residents 55 years old and older. There will be restrictions but the residents will now be able to have pets.

Shirley Roberge, 30 Hannah Grace Way asked if they still needed to send the rent to Angela. Ms. Duncan stated yes, they will get a notice when the park changes owners. Ms. Roberge asked if the rent will go up. Ms. Duncan stated that has yet to be determined.

Ms. Duncan stated the new name of the park will be Claystone.

Kathy Mendez, 8 Hannah Grace Way stated she pays extra to have two cars and has put one in the storage area. Ms. Duncan stated they could discuss this when they purchase the park. The homes only have room for one vehicle.

Mr. Hazzard stated he will look at the preliminary site plan and make sure that it meets the minimum requirements of the ordinance.

The dumpster was discussed and the large hole that the trucks have made. Ms. Duncan stated they will repair anything that needs to be repaired inside the park.

Ms. Roberge stated she will leave for Florida in October and would the construction be finished by then. Ms. Duncan stated she plans to start construction in late August or early September and this will not affect Ms. Roberge leaving for Florida.

Parking for visitors was discussed and Ms. Duncan stated she would work with Mr. Marks concerning this.

The residents will be able to use the existing wash house/laundry building. Street lights were discussed and it was stated that all the new homes will be manufactured homes.

Mr. Hazzard stated he will look at the standards for the homes when the plans are reviewed. Mr. Hazzard stated this property is in the ETJ (extra-territorial jurisdiction) and has city zoning. To connect to city sewer the property must be annexed into the city.

Ms. Duncan gave out a set of rules and regulations.

Some discussion was made concerning the Fire Department. Once the property is annexed into the city, the Hendersonville Fire Department will respond to any calls inside the park.

Ms. Duncan stated all new homes will go through David and his company. There will no sub-leasing of any of the homes.

Some residents discussed purchasing new homes. Ms. Duncan stated that would be an option.

Ms. Duncan stated Angela is still the owner and they do not want to overstep their boundaries.

Mr. Hazzard stated the next step is for the project to go before the Planning Board on July 11<sup>th</sup> at 4:00 p.m. in the City Operations Center located at 305 Williams Street. The residents will not be notified of this hearing but they are welcome to attend. After this meeting the project will move forward to the City Council meeting that will be on August 4<sup>th</sup> at 5:45 in City Hall. Residents will be notified of this hearing and the property will be posted.

With no further comments or questions, Mr. Hazzard closed the meeting at 2:35 p.m.

Print Form



CITY OF HENDERSONVILLE  
DEVELOPMENT ASSISTANCE DEPARTMENT  
100 N. King St. ~ Hendersonville, NC ~ 28792  
Phone (828) 697-3010 ~ Fax (828) 697-6185  
www.cityofhendersonville.org

APPLICATION FOR A VARIANCE WITH SPECIAL USE PERMIT  
Section 7-4-14 City Zoning Ordinance

The following are required to constitute a complete application for a variance:  
~ This form including the property owner(s) signature(s).  
~ Special Use Permit Application  
~ Supporting documents, if applicable.  
~ Photographs, optional.

Date 6/7/2016 Project Name Claystone

Applicant Cheria Duncan

Address 140 Jaymar Park Drive Hendersonville, NC 28792

Phone (828) 702-7924 Fax \_\_\_\_\_ Email Cheriaduncan2@live.com

If different from above:

Property Owner: Name Angela Whitesides

Address PO Box 961 Mountain Home NC 28758

TO THE CITY COUNCIL:

I, Cheria Duncan (OWNER/AGENT), hereby petition the City Council for a variance from the literal provisions of the Zoning Ordinance of the City of Hendersonville.

I request a variance from the following provisions of the ordinance (cite section numbers).  
See Attachment #1

Official Use:  
DATE RECEIVED: 6-7-16 BY TJH

**FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE (Section 7-4-14):**

For applications undergoing special use review, City Council may authorize variances in specific cases from the dimensional and improvements standards of the zoning ordinance upon finding that a literal enforcement of such standards will result in practical difficulty or unnecessary hardship and so long as the granting of such variance or variances will not result in a use or development which would violate the findings of fact required by Section 7-4-10. Variances may not be granted with regard to uses or to intensity.

**FINDINGS OF FACT (Section 7-4-10.1)** No special use permit shall be approved by City Council unless each of the following findings is made.

The burden of establishing these findings of fact shall lie upon the applicant. In addressing the issue of compatibility, as required, the applicant must demonstrate compatibility with the particular neighborhood in which the development or use is to be located. The fact that a use is authorized as a special use within a zoning district classification shall not give rise to a presumption that such special use is compatible with other uses authorized in the zoning district classification.

(A) The use or development is located, designed and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

*See Attachment # 2*

(B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

*See Attachment # 2*

(C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

*see Attachment # 2*

(D) The use or development is located, designed and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

*See Attachment # 2*

(E) The use or development conforms with the general plans for the physical development of the City as embodied in this Ordinance and in the 2030 Hendersonville Comprehensive Plan.

*See Attachment # 2*

Signature *Cheria Duncan*  
Special Use Variance Application

Printed Name *Cheria Duncan*  
Page 2 of 2

## Attachment #1

We propose to reestablish and upgrade the existing aging mobile home park to a new manufactured home community, and to approximate the existing layout of streets, drives and building pads. To that end we have adjusted the layout as much as practicable to meet all development requirements under Section 5-16 PMH Planned Manufactured Housing Development, with the following four exceptions which we request as variances.

5-16-4.1 Lot Size: We propose to use the existing 32 lots, and have been able to adjust them according to meet 4,000 SF requirement, with the exception of six lots on the east side of the property. We request a variance on only these six lots to reduce the required lot size below 4,000 SF. The smallest of the six lots will be 3,590 SF.

5-16-4.2. Streets: We propose to use the existing street, which is at 20 feet in width, and request a variance for the required width of 25 feet.

5-16-4.5 Interior Setbacks: We propose that the interior setbacks be 5 feet from the interior street instead of 20 feet, and that the 10 foot setback from any adjacent space be reduced to 5 feet. The five lots on the north side of the development meet the required 10 foot setback.

5-16-4.6 Exterior Setbacks: We request a variance from 30 feet to 20 feet on the south side , 10 feet on the west and north sides, and 8 feet on the east side of the property, again to meet the existing development layout.

Note that all the propose setback variances requested exceed the setbacks of the current mobile homes on the property. The existing mobile homes would not meet either the normal setbacks nor the setback variances as requested here. Note also the proposed number of units does not exceed the number of existing units.

## Attachment #2

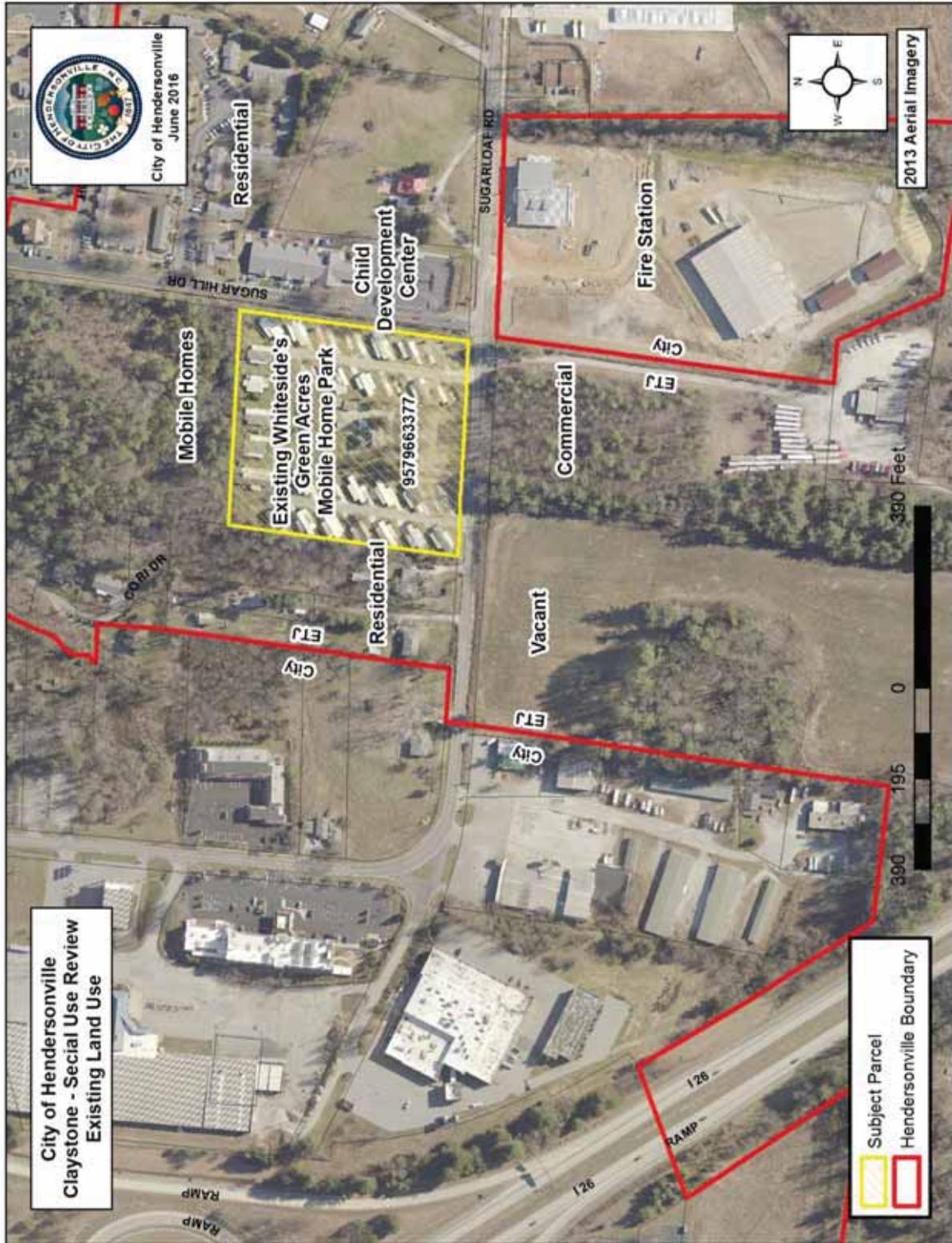
**Box A:** The proposed manufactured home community will replace and substantially upgrade the existing mobile home park, which currently has a failing septic system, no owner on site, an abandoned home in the middle of the property, 16 empty lots with concrete slabs, six empty and/or abandoned units, and minimal or no landscape buffering. The location, design, and proposed use will, we believe, substantially improve and promote public health, safety and general welfare.

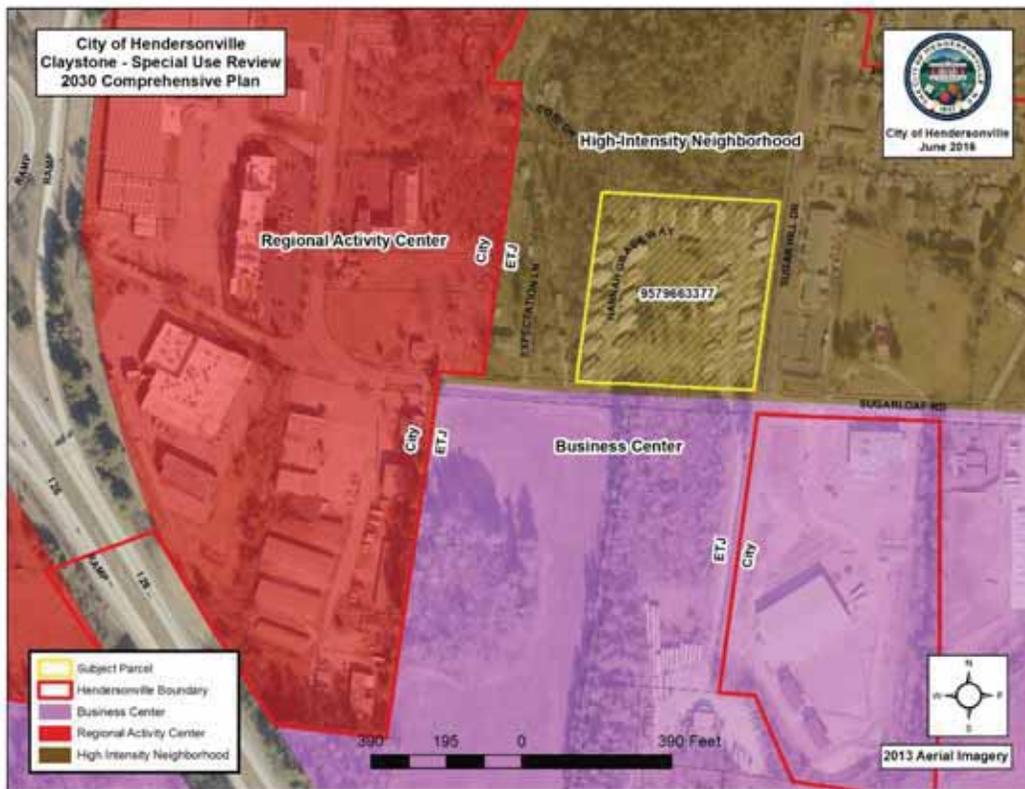
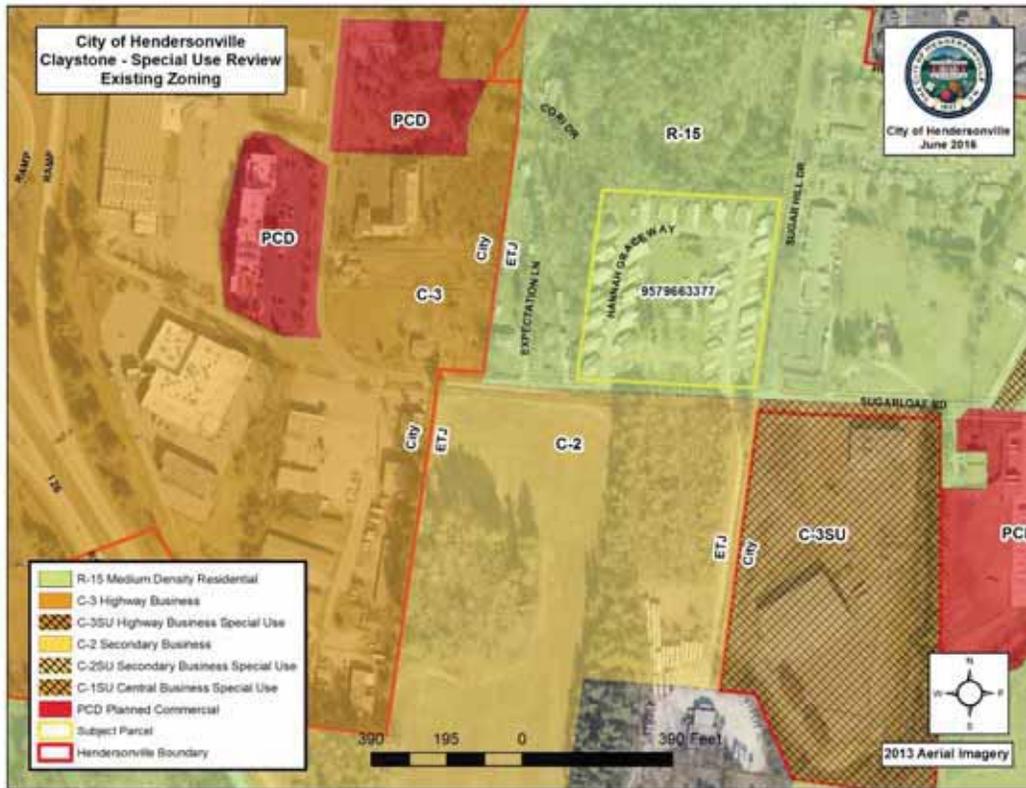
**Box B:** Per Section 7-11, adequate public facilities will be preserved and/or improved as follows: City water with individual connections exists and will be preserved. The existing septic system is failing and will be replaced with connection to municipal sewer. Existing private road will remain to serve new homes.

**Box C:** The proposed community will comply with all requirements of the zoning ordinance with the exception of the variances requested here.

**Box D:** The proposed community will continue the existing use of medium to high density single family residential, and is compatible with the surrounding land use. To the west is existing single family residential to the east is multi-family residential.

**Box E:** The proposed community conforms with the city ordinance and the 2030 Hendersonville Comprehensive Plan, which identifies the area as "priority infill" and "high intensity neighborhood."









## **APPEAL OF DEVELOPMENT DECISIONS**

Section 7-13 of the Zoning Ordinance outlines the process for appeal of development decisions by City Council. The following Sections of the Zoning Ordinance apply specifically to Special Use Review:

**Section 7-13-2 (b): Preliminary site plans.** Decisions of the City Council regarding appeals from development decisions concerning applications for preliminary site plan approval may be appealed to the Superior Court by any aggrieved party. Such appeals shall be in the nature of certiorari and must be filed within 30 days after the filing of the decision in the office of the City Clerk or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Clerk at the time of the hearing, whichever is later. The copy of the decision of the Council may be delivered to aggrieved parties either by personal service for by registered mail or certified mail return receipt requested.

**Section 7-13-2 (d): Special use review.** Judicial review of decisions regarding applications processed under the provisions of special use review, established in Section 7-4, above, require special treatment due to the fact that they involve two separate applications which, though processed simultaneously, require Council to make two separate decisions exercising two different types of decision-making authority. One application requests enactment of an ordinance amending the Official Zoning Map, and the other requests issuance of a special use permit. The first application involves a legislative decision on the part of Council, and the second a quasi-judicial decision. The quasi-judicial decision, that is, the one concerning the application for a special use permit, may be appealed to the Superior Court by any aggrieved party in the manner prescribed in paragraph b), above. Such appeal shall be in the nature of certiorari. The legislative decision, which is the one concerning the request for rezoning, may be contested, in accordance with NCGS Section 160A-364.1, by a cause of action commenced within two months of the date of the decision.

The validity of the ordinance may be challenged in accordance with North Carolina General Statute Section 160A-364.1.

### **§ 160A-364.1. Statute of limitations.**

A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under this Article or other applicable law shall accrue upon adoption of the ordinance, or amendment thereto, and shall be brought within two months as provided in G.S. 1-54.1. (1981, c. 891, s. 3; 1995 (Reg. Sess., 1996), c. 746, s. 7.)



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake

**Department:** Admin

**Date Submitted:** 07.28.16

**Presenter:** Mike Swartzlander

**Date of Council Meeting to consider this item:** 08.04.16

**Nature of Item:** Presentation Only

## Summary of Information/Request:

**Item #** 12

Mike Swartzlander, President of Hendersonville Sister Cities, will present an annual report.

Budget Impact: \$ n/a Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

N/A

Attachments:



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brent Detwiler

**Department:** Engineering

**Date Submitted:** 7/27/16

**Presenter:** Brent Detwiler

**Date of Council Meeting to consider this item:** 8/4/16

**Nature of Item:** Discussion/Staff Direction

## Summary of Information/Request:

**Item #** 13

N Main Street Sidewalk Improvements - Preliminary Engineering Report Summary & Discussion

The next scheduled sidewalk project to be completed using the 2008 Sidewalk Bond fund is along the N Main Street corridor. Staff completed the Request for Qualifications process for this project and selected Mattern and Craig of Asheville, NC for engineering design. Mattern and Craig began their work in October 2015 and recently completed a Preliminary Engineering Report. This report is available for your review.

Staff will provide a presentation showing sections of N Main Street with proposed sidewalk along with preliminary cost estimates and options for each section. We hope to receive direction from Council for their preferred group of options. We will then have Mattern and Craig complete a detailed design and bid the construction project. Please let me know if you have any questions.

**Budget Impact:** \$ varies \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

N/A

**Attachments:**



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Lance Riddle

**Department:** Admin

**Date Submitted:**

**Presenter:** Lance Riddle

**Date of Council Meeting to consider this item:** 08/04/16

**Nature of Item:** Presentation Only

## Summary of Information/Request:

**Item #** 14

My name is Lance Riddle and I am a graduate student at Western Carolina University earning a Masters in Public Affairs. This summer I have been interning with the City of Hendersonville as a management intern, being mentored by City Manager, John Connet and Assistant to the Manager, Brain Pahle. In addition to attending various meetings and shadowing different departments I have also been researching and compiling communication recommendations for the Water and Sewer Department. These communication recommendations strive to improve the Department's ability to engage with their customers and improve the customer service experience that customers have with the Department.

**Budget Impact:** \$0 \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

**Attachments:**

# Communication Recommendations

Hendersonville Water and Sewer Department





Hendersonville, NC  
Communication Recommendations  
Water and Sewer Department



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**Hendersonville, NC  
Communication Recommendations  
Water and Sewer Department**



## **I. Introduction**

In the ever changing world of local government, departments must always be moving forward in their goal of providing excellent customer service. If an organization is not moving forward and gets complacent then it will certainly start move backwards. The Hendersonville Water and Sewer department is the largest component of the Hendersonville City budget, and as such is always looking at ways to improve aspects of their customer service. The goal of these communication recommendations are to strive for continuous improvement within the department, to improve communication between the department and their customers, to increase customer access to information and reinforce departmental credibility, dispelling misinformation about the department, and finally, the Water and Sewer Department wants to tell their story with their customers. These goals align with the mission statement for the City, “The City of Hendersonville is committed to providing quality efficient services to all citizens, visitors and businesses through open communication, timely responses, and quality results.” In striving to continuously improve the Water and Sewer Department’s communication efforts we are creating deeper relationships and having stronger and more transparent conversations with our customers. The result of which should be a better sense of trust that Water and Sewer customers have in the department and the City of Hendersonville. At every stage of this communication plan it was crucial to make sure that it would engage citizen involvement and open dialog, show that the Water and Sewer Department cares about their customers, and encourages transparency. The City and the Department realizes that we are not owed anything and we want to earn the respect and loyalty of our current and future customers. The document begins with a history of the Water and Sewer Department, starting in the 1920s with the Hendersonville Board of Water Commissioners to present date 2016. It’s important to know where you’ve been as an organization before working to move forward. The next section of the document is about the Sullivan Acts, the history of the Acts and how they affect Hendersonville. The following section highlights some best practices that local governments can use when working on communication plans and how the importance of social media is to local governments. The next section is on the current structure of the Department. When coming up with communication recommendations it is important to know where you’ve been and where you are before moving forward. The current structure of the Department highlights the mission statement and values of the Department, the different divisions, and the current budget. With that foundation laid, the following section lists the communication recommendations for the Water and Sewer Department. These recommendations provide a framework to improve customer communication for the Department.



**Hendersonville, NC  
Communication Recommendations  
Water and Sewer Department**



## **II. History of the Hendersonville Water and Sewer system**

### **2.1 Board of Water Commissioners**

The Hendersonville Board of Water Commissioners was established in 1921 by chapter 113 amendment to the Charter of the City of Hendersonville. In this amendment the Water Commissioners board was established with C.E. Brooks, K.G. Morris, and J.W. Bailey being the first commissioners. Their terms were set at a period of eight, six, and four years respectively with new members being appointed by the North Carolina General Assembly. The Board of Water Commissioners was set up to be a body independent of the City and had authority to sue, to hold real estate both within and outside of the City. In general, “the said board shall have the right to do everything which they deem necessary in order to properly perform their duties.” Perhaps one of their most prominent accomplishments was the planning and completion of the first major water system for the City of Hendersonville. From the early history of the City, Hendersonville has been a major tourist attraction in Western North Carolina. Being such a popular destination the City was in desperate need of a state of the art water system and not a system of crude reservoirs which were built in the late 1800s. The board was granted a \$600,000 bond in order to build the water system and on September 20, 1922 the first pipe was laid. Less than a year later on July 26, 1923 the construction of the water system was completed and the water was formerly available to the City. The event was marketed with a public celebration and in attendance was North Carolina Governor, Cameron A. Morrison. For years the Board of Water Commissioners acted as a separate entity of the City. However, in 1963 the North Carolina General Assembly terminated the Board of Water Commissioners this can be found in the North Carolina General Assembly 1963 Session Chapter 587 Senate bill 425. This bill terminated the board and gave water and sewer authority to the City of Hendersonville. Senate bill 425 did provide for the ability of the City to form an advisory board of water commissioners to assist the City in matters relating to water and sewer. 1963 also markets the entry into modern era of Hendersonville Water and Sewer. The current water treatment plant being constructed in 1963 and going through renovations and expansions in 1980, 1990, and 2007.



**Hendersonville, NC  
Communication Recommendations  
Water and Sewer Department**



**2.2 Water and Sewer Historical Timeline:**

1920's:

Original sewer line system is constructed. The system consisted of lines in 13 drainage basins that transported untreated wastewater to Mud Creek for discharge at 13 points.

1928:

Hendersonville and Laurel Park enter into a sewage agreement. Hendersonville agrees to provide sewer services to Laurel Park in exchange, Laurel Park pays for the cost of the sewage service.

1957:

The City began to form plans to build a wastewater treatment plant (WWTP).

1962:

Original WWTP facility constructed at Balfour, behind Berkeley Mills (Harwood-Beebee Engineers)

The treatment process for the wastewater treatment plant was as follows:

- 1) Primary- cutter, grit removal & primary sedimentation.
- 2) Secondary- trickling filter with secondary clarification
- 3) Disinfection- none
- 4) Discharge Mud Creek
- 5) Sludge treatment and disposal- anaerobic digestion with drying beds
- 6) Hydraulic capacity- 2.3 million gallons a day (MGD)

Main interceptor line constructed along Mud Creek to intercept the 13 discharge points to be treated at the new WWTP.

1976:

Greater Hendersonville 201 facilities plan completed and adopted; this plan identifies the natural drainage area boundaries that can be served by the City's existing WWTP. This area becomes known as the Mud Creek Drainage basin.

The 201 identified an average annual infiltration/ inflow (I/I) problem of 1.5 MGD.

1978:

208 area wide water quality management plan completed; this plan provided that Henderson County explore the establishment of a formal policy for extension of sewer lines in unincorporated areas where municipal treatment is cost effective.



**Hendersonville, NC  
Communication Recommendations  
Water and Sewer Department**



1979:

The 1928 service agreement with Laurel Park is renewed. This agreement provides for the operation and maintenance of the sewer lines within Laurel Park and for the treatment of wastewater generated in Laurel Park.

1980:

Service agreement- The City of Hendersonville and Henderson County jointly agree to a policy for the extension of sewer lines into unincorporated areas (208 plan).

Department of Environment, Health, and Natural Resources (DEHNR) imposes a moratorium on new connections because of WWTP flow violations.

1981:

Henderson County establishes the Cane Creek Sanitary Sewer District.

Special order by consent- the City agrees to treatment plant and sewer line rehabilitation projection in exchange for a gallonage allocation under the moratorium.

The City receives a federal EPA grant for plant and sewer line rehabilitation projects.

1982:

Rehabilitation project (McGuire-Beebe Engineers)

WWTP additions:

- Mechanical rotating bar screen
- Flow measuring replacement
- Static screens
- Grit removal system replacement
- Chlorination facilities
- Laboratory expansion

Sewer lines:

- Sewer system evaluation survey
- Purchase of Jet-Vac truck
- Sewer line rehabilitation work

Hydraulic capacity- 2.3 MGD

EPA & DEHNR enact industrial pre-treatment regulations



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1984:

Water and Sewer study committee report- the report calls for establishment of a water and sewer authority for the Mud Creek drainage basin (201 study area)

1985:

The City adopts a planned, long term, three phase approach to WWTP expansion and rehabilitation. This plan is based on need and the ability to pay (Butler-McGill Engineers)

Phase I:

WWTP: Upgrade trickling filter  
New recirculation pump station  
Additional secondary clarifier  
Additional raw sewage pump at 2800 GPM

Lines:

Rehabilitation for sections of Britain Creek and the main interceptor line

Hydraulic capacity expanded to 3.2 MGD

Phase I is funded by an addition to the 1981 Federal EPA grant due to the continued non-compliance after completion of the 1982 project. Phase I is considered a short-term solution to the immediate problem of non-compliance.

1986:

Service agreement with Henderson County for 500,000 GPD; this agreement replaces the 1980 agreement.

1988:

Judicial order by consent- the City agrees to a second plant construction project and I/I control program in exchange for a gallonage allocation and a \$20,000 fine for permit violations.

Henderson County establishes the Mud Creek south water and sewer sanitary district.

1989:

DEHNR enacts regulations severely limiting the disposal of sludge in landfills. This forces the City into a land application program for sludge disposal. The cost associated with sludge disposal goes from \$0 to \$60,000 a year expense item.



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1990:

City initiates phase II of its long term plan; the City issues \$3,000,000 in general obligation bonds to finance a WWTP upgrade project and builds the US 64E collection line (McGill Associates Engineers)

Phase II:

WWTP:

- 1.6 MG oxidation ditch
- Septage handling facility
- Belt press facilities for sludge

Lines:

- US 64 E. collection line and life station
- Hydraulic Capacity: daily- 3.2 MDG
- Peak- 6.5 MGD

The work is completed in 1991

1991:

The N.C. division of the Environmental Management announces its basin wide water quality management plan. The French Broad River basin plan is expected to be effective by August, 1995

WWTP flows surpass 80% of NPDES permit capacity

This event triggers a DEHNR requirement for a preliminary engineering report outlining specific plans for plant expansion to include:

1. Projected growth and flows
2. Time schedule for expansion
3. Source of funding

1992:

The City authorizes an I/I reduction program (ADS Environmental)

ADS identified 1588 defects which was allowing 849, 000 gpd of I/I into the system. Estimated cost of repair for all defects was \$1,016,248. ADS also recommended additional TV inspection of other areas for unknown sources of I/I

To date, 291 of the ADS identified defects have been repaired, accounting for 310,000 GPD of I/I. Additional TV and repair work has accounted for another 400,000 gdp. Most of the work was completed in 1993.



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I/I history:

| Year | Average Annual Daily Flow (MGD) | Average Annual I/I (MGD) |
|------|---------------------------------|--------------------------|
| 1975 | 2.20                            | 1.5                      |
| 1990 | 2.70                            | 1.5                      |
| 1991 | 2.59                            | 1.4                      |
| 1992 | 2.71                            | 1.4                      |
| 1993 | 2.53                            | 0.87                     |
| 1994 | 2.80                            | 1.113                    |
| 1995 | 3.12                            | 1.36                     |

After recalculation based on current (1994) costs, the ADS report now targets another 457 defects (422,402 gdp) as being cost effective for repair (ie. Repair cost is less than or equal to treatment and transportation costs). The cost effective repair cost estimate is \$244,668.

November, 1992:

The City receives a water quality analysis of Mud Creek and Clear Creek from NCDEHNR. A major issue becomes over allocation of stream assimilative capacity. The results indicate more restrictive future NPDES permit limits with the associated higher unit cost for treatment. The strategy encourages regionalization of wastewater treatment. The implications suggest considering moving the WWTP to a new site thereby relieving Mud Creek of a major adverse environmental impact.

March, 1993:

The “503” sludge disposal regulations become effective. The local impact of the “503” regulations includes the following:

Vector (flies, rats, etc.) and pathogen (E coli, cysts, etc.)

Reduction requirements

Celling limits on metals

Cumulative loading limits on the disposal sites

April, 1993:

WWTP flow surpasses 90% of NPES permit capacity.

This triggers a DEHNR requirement for receipt of plans, specifications, and funding sources for system expansion prior to issuance of sewer line extension permits.



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December, 1993:

New Mayor and Council take office; the new administration initiates an aggressive annexation policy in order to reduce the tax rate. Annexation is dependent on the ability to provide wastewater service.

April, 1994:

Resolution to study the creation of a Regional Water and Sewer Authority. This resolution called for the cities of Asheville and Hendersonville, the counties of Buncombe and Henderson, the Asheville-Buncombe Water Authority (ABWA) and the Metropolitan Sewer District (MSD) to participate in this study.

May, 1994:

The Regional Water and Sewer Authority work group holds its initial meeting.

July, 1994:

City Council attends the MSD Board retreat.

This meeting confirms that MSD cannot handle additional flow from Hendersonville without a major line renovation project that would be more costly than building a WWTP in northern Henderson County.

McGill Associates and Hendon Associates are asked to review possible sites and confirm flow projections.

August, 1994:

Council approved purchase of Hollamon property for French Broad River WWTP

October, 1994:

City places final design work "on hold"

City establishes a Water & Sewer Advisory Board

December, 1994:

First meeting of Water & Sewer Advisory Board

January, 1995:

The regional Water & Sewer Authority work group completes its initial study task. The group is not able to form a consensus opinion on the subject of a regional water and sewer authority. The issues are changing from influences external to work group. Rather, the group make a final report on the positions of the entities involved.



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March, 1995:

Council receives a petition with 263 signatures opposing the construction of the French Broad River WWTP.

Council authorizes an evaluation of alternatives to be done jointly with Henderson County (Willis Engineers).

May, 1995:

The Willis report recommends upgrading the existing WWTP with tertiary treatment at the present site as being the most cost effective alternative.

August, 1995:

The French Broad River basin-wide water quality management plan is scheduled to cause new NPDES permits to be issued. Permit limits for discharge to Mud Creek are expected to be more stringent.

**Noteworthy Projects that Took Place from 1996-2015**

1996:

North Fork Reservoir Dam improvements (Liner) (McGill Associates)

Justice Academy Water Main Extension (Henderson County) (Laughter, Austin and Assoc.)

1997:

Park Ridge Hospital Access to U.S. Highway 25 N (NCDOT).

U.S. Highway 25 S Widening (SR 1345 to SR 1546) (NCDOT).

12" Water Main Extension (U.S. Highway 25 S to Kenmure) (COH – Jim Patrick).

U.S. Highway 25 N from Blake St. to Crescent Dr. (NCDOT).

U.S. Highway 64 E to NC Justice Academy (Laughter, Austin and Associates).

WTP Expansion and Rehabilitation (Arcadis, formerly FPS).- completed in 2009

1998:

Annexation Area 20 (Haywood / Towne Forest) (COH – Jim Patrick).

Little River Rd. and Kanuga Rd. Water Main Extension (Vaughn & Melton).

Filter Rehabilitation (McGill Associates).



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Mud Creek WWTP Preliminary Engineering Study (McGill Associates).

Water Distribution System Analysis (FPS).

U.S. Highway 25 North Improvements – Hwy. 25 to Naples Rd. (NCDOT).

Etowah Water System Purchase.

Town of Fletcher – Howard Gap Rd. Water Main Extension (Mattern & Craig).

1999:

Allen St. Sewer Main Replacement (COH).

7th Avenue Bridge (Mud Creek) Sewer Main Relocation (McGill Associates).

Carl Sandburg Property Sewer Main Extension & Pump Station (Laughter, Austin & Assoc.).

Additional Clarifier (McGill Associates).

Mills River Raw Water Intake (McGill Associates).

U.S. Highway 25 North Improvements – Blake Rd. to Crescent Dr. (NCDOT).

2000:

Lower King Creek Sewer Main Extension (Flat Rock) (Laughter, Austin & Assoc.).

Mud Creek Sewer District (Henderson County) – Purchased by City.

Barnwell St. Sewer Replacement (COH).

Fletcher Tank Fill Valve Improvements (FPS).

Ewart Hill Reservoir Rehabilitation. (Finkbeiner, Pettis & Strout).

2001:

Effluent Disposal Facilities at Berkeley Park and Patton Park (Willis Engineering).

South Fork Mills River Bridge Maintenance (NCDOT – B-3191, Bridge #6).

Water System Master Plan Update (McGill Associates).

2002:

Mud Creek Sewer Interceptor Replacement (McGill Associates).



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Bonclarken Water System Improvements (Williams Engineering).

U.S. Highway 25 North Improvements (NCDOT) – Brookside Camp Rd. to Butler Bridge Rd.

2003:

Armstrong St. Sewer Extension (COH – Jim Patrick).

Ecusta WTP Feasibility Assessment (Willis Engineering).

Kangua Rd. / Wash Creek Bridge Project (NCDOT).

Watershed Restoration Plan for Mud Creek Watershed.

2004:

Children and Family Resource Center Sewer Extension (COH – Jim Patrick).

Bonclarken Sewer Extension (Williams Engineering).

Naples / Howard Gap Rd. Water Main (Phase 1) (COH – Jim Patrick).

2005:

Maplewood Sewer Relocation (COH – Jim Patrick).

Adden Lane Sewer Extension (COH – Jim Patrick).

Tom's Hill (Tom's Park Dr.) Sewer Extension, Phase 2 (COH – Jim Patrick).

Annexation Area 23,24,26,27 (COH – Jim Patrick).- completed in 2007

Champion Hills Pump Station Upgrade (TBD).

Etowah Booster Pumping Station, Storage Tank and Transmission Main (McGill Associates).- project is about to enter the bidding phase

Brightwater Water System Improvements (Vaughn & Melton).- completed in 2009

Brookside Camp Rd. / Howard Gap Rd. Water Main (Phase 2) (COH – Jim Patrick).- completed in 2006



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2006:

Midway St., 1st Ave. E, 3rd Ave. W and Dale St. Sewer Main Replacement (COH – Jim Patrick).

Wolfpen Sewer Outfall (Vaughn & Melton).

Shepherd Creek Sewer Outfall (TBD).

Ewart Hill Reservoir Lining (East Tank).

Eastside Water System Improvements Project, Phase 1 (McGill Associates). - completed in 2009

Eastside Water System Improvements Project, Phase 2 (McGill Associates). - permitted only

North Fork Reservoir Dredging (McGill Associates).

Water Distribution System Analysis - Update (Arcadis).

Elkamet – Water & Sewer (William G. Lapsley & Associates).

Leisure Craft – Sewer (To be determined).

2007:

The latest renovations and expansions were completed for the water treatment plant.

French Broad River Raw Water Intake, Phase 1 (McGill Associates).

U.S. Highway 64 West Improvements (NCDOT) – Buncombe St. to Blythe St.

Upward Rd. Improvements (NCDOT) – Spartanburg Hwy. to Howard Gap Rd.

Sewage service agreement with Laurel Park is renewed.

2008:

Sharon's Crossing Gravity Sewer (COH – Ryon Plancer).

Biosolids Dryer (McGill Associates). (NOT PURCHASED)

Water Audit (WK Dickson).

U.S. 25 South Connector Improvements (NCDOT).

2009:

Cummings Rd. Water Main Upgrade (KO & Associates).



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2010:

Jackson Park Sewer Interceptor (COH – Brent Detwiler). - completed in 2015

Advanced Metering Infrastructure (AMI) (ESG). - completed in 2013

2011:

Water Distribution System Analysis - Update (COH – Brent Detwiler, P.E.).

2012:

Assessment of Mills River Watershed (McGill Associates).

Water and Sewer Financial Analysis (Martin-McGill).

N. Lakeside Dr. Water Main Replacement (COH – Brent Detwiler, P.E.) - Completed in 2014.

2013:

The City completed the new Advanced Metering Infrastructure (AIM). This automated reading system was designed in order to detect water leaks more quickly than by manually checking for leaks. The goal was to save customers money, and to promote conservation efforts by saving water from prolonged leakage.

Ridgewood Blvd. Sewer Main Replacement (COH – Brent Detwiler, P.E.) - Completed in 2013.

Academy Rd. Water System Improvements (Municipal Engineering, Dr. Mike Acquesta, P.E.) - Completed in 2014

2015:

Etowah Sewer System Purchase - Still in progress.

In July Aqua Hawk was launched with the goal of giving citizens more insight and control of their water usage. Customers are able to sign up for free and monitor their water usage compares to the average customer, and have customizable alerts, for example, if a customer's water usage goes over a certain amount per month.



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**Water and Sewer Taps connections by year:**



Water tap connections by year:

|           |       |
|-----------|-------|
| 1925-1969 | 6,254 |
| 1970-1979 | 3,009 |
| 1980-1989 | 4,929 |
| 1990-1999 | 4,694 |
| 200-2009  | 7,376 |
| 2010-2013 | 1,094 |

Total of 88 years and 27,356 water taps

Sewer tap connections by year:

|           |       |
|-----------|-------|
| 1979-1989 | 392   |
| 1990-1999 | 1,293 |
| 2000-2009 | 3,001 |
| 2010-2013 | 608   |

Total of 34 years and 5,294 sewer taps

**2.3 Sullivan Acts: History and How it Impacts Hendersonville**

The Sullivan Acts are a set of laws passed by the North Carolina General assembly in response to the bankrupting of Asheville’s water and sewer districts during the Great Depression. In the 1930s Asheville’s water and sewer districts had gone bankrupt and in response to that the County government stepped in and assumed Asheville’s debts. After the county assumed the debt the Sullivan Act was passed in order to ensure that county residents outside the City were charged the same rate as residents inside Asheville. In 1949 the City of Asheville attempted to overturn the Sullivan Act but it was overturned. In 1955 there was an attempt to raise the water rate for those living outside of the City, but it was deemed illegal, as it went against the Sullivan Act and was struck down. After tensions continued to grow between the city and county governments, in 1981 a regional authority comprised of representatives of Asheville and Buncombe county officials was created. The day to day operation of the water system continued to be in the hands of Asheville, and in 1995 Henderson County joined the water authority. However in 2004 Asheville sought to end the regional water authority and charge those outside of the City a higher rate for water usage (a common practice for municipalities). In response to this the North Carolina general Assembly passed the Sullivan Act II and the Sullivan Act III to reinforce the restriction on how Asheville can charge for water usage outside of the City. As of



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2013 the N.C. General Assembly passed a law to transfer the Asheville water system to the Metropolitan Sewer District. The City has refuted the ruling and the North Carolina Supreme Court is in the process of hearing the matter.

While this issue seems to primary concern Asheville, it is a concern for Hendersonville as well. However, to understand how the Sullivan Act impacts Hendersonville, it is important to know where the water for both cities comes from. The City of Asheville gets her water from three sources: the North Fork Reservoir, Mills River, and Bee Tree reservoir. The North Fork Reservoir is Asheville's primary source of water and Mills River is their secondary source. Hendersonville gets her water from three primary sources and one emergency source. The primary source of water for Hendersonville comes from the Mills River intake, the secondary source comes from the North Fork Reservoir, and the last source comes from Bradley creek. In times of emergency there is also an intake located on the French Broad River that is available to the City. Both Hendersonville and Asheville have emergency water agreements for a period of 20 years that can supply water to both cities if need be for the whole sale rate plus 10 percent. As neighbors, Asheville and Hendersonville have a vested interest in controlling their water supplies and the two even have agreements to help one another in times of emergency. The biggest implication that the Sullivan Acts and the potential removal of Asheville's authority over their water system is the precedent that it could have on other municipalities, such as Hendersonville. The General Assembly could mandate that Hendersonville or other municipalities give up control of their water systems in the future. Knowing that the City is not entitled to anything and the future is not always certain, the Water and Sewer Department wants to strive to always provide the best service possible to our customers and earn their business and loyalty.



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### III. Communications – Best Practices

Understanding and having proper communication in a public organization is a crucial aspect to having a government that is transparent with its citizens. Having proper communication channels and tools not only allows a local government to get information and news out to citizens, but it also presents an opportunity to have a conversation with the people they serve. In developing a communication plan for an organization there are many methods to help structure such a plan. One method is by using the acronym RACE, which stands for research, action, communication, and evaluation. Research is always the critical foundation piece for any communication plan. During this phase information is gathered on the organization which includes, structure, history, past and current communication plans, surveys, challenges or opportunities, and target audiences. During this phase original research such as focus groups or surveys can be created to gauge trends in customer satisfaction and opinion. The goal is to garner as much insight into an organization as possible in order to formulate the communication plan. Once the research phase is completed, the next step is forming an action plan. During the research phase information should have been gathered on past and current communication plans and how well they did or did not work in addition to all other information from the research phase. In this phase actual recommendations will be created based on the research that was already done. The action plan, using the research phase as a foundation, is building the overall communication plan in a direction that will improve upon what the organization has done in the past. Once the action plan is formulated the next step is to communicate the plan. During the communication stage the action plan is being implemented. The implementation can be in the form of press releases, new online content, launch of a new social media page, smartphone app, or event. The communication plan at the phase becomes a tangible product that has the organization releases. The final phase of the communication plan is to evaluate the implementation of the communication plan. Essentially his part of the plan is looking to see whether or not the plan met the goals it was intended to meet. The evaluation phase is important because it is important for the organization to know what goals were attainable for future communication plans. RACE is not the key to a successful communication plan, there are many different acronyms out there with similar steps. However, the reason for utilizing an easy to remember acronym like RACE when doing a communication plan is because it gives structure and organization to the plan. However, it is important to note that no matter how well put together a communication plan is, unless it is supported by the leadership of an organization it won't go very far. To have a truly effective communication plan it must be accepted by the leadership of an organization if it is to have long lasting effects.. When developing a communication plan it is crucial that one of the target audiences be the top people in an organization because if they are hesitant or unsupportive the plan will fall short of its intended goals.

An emerging tool for local governments to use to engage with dialog with their citizens is social media. For years companies and governments have been using social media to get information out to their customers. Facebook, Twitter, and Instagram are all popular mediums to get news to interested parties. Social media also has the added benefit of not only being a free



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tool for governments to use, but also one in which it is incredibly popular to have a dialog with citizens. Social media doesn't have to just be for important project announcements, but for small everyday posts to engage with citizens and customers. People like to be in the know about what's going on in their towns and social media is a fantastic way to share new information and have a open-ended dialog with people. However, with great power comes great responsibility and while social media is a fantastic tool for local governments to use it can also get them in trouble if misused. There should be structure when handling social media accounts for local government. For example, only a few people should have access to the accounts and there should be policy in place to dictate who is authorized to have access to the accounts, what kinds of information can be posted, do the posts need final approval from someone before they are posted, etc. Having these policies in place will assure that the government social media is a well-run tool for citizen engagement. If used properly social media can be a fantastic way for governments and citizens to have a more engaged dialog and promote transparency.



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## IV. Current Structure

### 4.1 Value and Mission Statements

To ensure accountability, effectiveness, transparency, equity, and efficiency the Hendersonville Water and Sewer department is guided by their mission and value statements to ensure quality of service to their customers.

#### Mission Statement

- Operate a great utility for our customers
- Inside customers
- Outside customers
- Municipal customers
- Wholesale customers
- Industrial customers

#### Value Statements

- Our water utility exists to serve our customers.
- We are committed to earning and maintaining public trust every day. We will be open, ensure access, encourage involvement and be accountable to our customers.
- We are cost conscious. We spend public funds responsibly and effectively to ensure the utility's short and long term financial strength.
- We will have the highest standards for the quality of water & effluent.
- We are committed to an affordable rate – keep price down & encouraging conservation.
- We are committed to protecting our environment.
- We are committed to protecting the water/sewer system from hazards.
- We will have access to redundancy – contingency plans.
- We will achieve the best results through effective teamwork, regional partnership and customer participation.
- We are committed to proactive, comprehensive planning, to guide the future of our utility in response to the needs of our customers.

### 4.2 Water and Sewer Divisions

The Hendersonville Water and Sewer Department provides water services to more than 65,000 residents and businesses in Henderson County and sewer services to more than 21,000 residents and businesses. The Department is also responsible for the operation and maintenance of over 653 miles of water mains (ranging in size from 2-inches to 24-inches), 55 water pumping stations, 24 water storage tanks (ranging in size from 80,000-gallons to 5,000,000-gallons), over



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177 miles of sewer mains (ranging in size from 3-inches to 42-inches) and 31 sewer pumping stations. The Department has a staff of 69 employees making up seven divisions including: Administration, Facilities Maintenance, Water Treatment, Meter Services and Utilities Support, Water Distribution/Maintenance, Wastewater Treatment and Sewer Collection/Maintenance.

The Administration division is responsible for the overall management of the Department, recommending policy to City Council, overseeing projects, capital improvements planning, grant writing, upkeep and maintenance of departmental GIS data, budgeting and purchasing oversight. This division consists of four employees including the utilities director, utilities engineer, administrative aide and administrative assistant. The Utilities director is, Lee Smith.

The Facilities Maintenance division is responsible for maintaining all City-owned and operated water and sewer pump stations (55 and 31, respectively) and water storage tanks (24) including maintenance and repair of equipment, buildings and grounds associated with each facility. This division is also responsible for maintaining the system that monitors all of these facilities, referred to as the SCADA (supervisory control and data acquisition) system. This system allows the departmental staff to monitor many of these remote facilities from our water treatment plant or from the internet through a secured network. The Facilities Maintenance supervisor is, Dwayne Jones.

Originally constructed in 1963, the City's water treatment plant, located in the Town of Mills River takes raw water from three sources, two of which are located in the Pisgah National Forest and the main source is located on the Mills River. This water undergoes conventional treatment using various chemical and mechanical processes and is then pumped into the City's distribution system from a pump station located at the WTP. The average daily production for 2015 has been 7.39-MGD (7,390,000-gallons per day) or approximately 61% of our treatment capacity. The City is required to analyze water provided to consumers for a wide range of potential contaminants and water quality parameters. Frequencies for these analyses range from hourly to daily to annually to once every four years depending on the potential contaminant. The latest renovation to the water treatment plant was in 2010 and the current superintendent is Ron Reid.

The Meter Services division is responsible for reading over 29,000 meters located across the City's water system from Hendersonville to Etowah to Edneyville to Saluda to Fletcher. All of these meters are read from 13-towers located throughout the City's distribution system. The information received from this AMI/AMR (advanced metering infrastructure/automated meter reading) system is uploaded on to an off-site server from which information is accessed for preparing bills for our customers. The Meter Services division is also responsible for maintaining all water meters, the reading equipment associated with this system and addressing customer concerns regarding billing and other related issues. The meters that the City maintains in the water system range in size from 3/4" x 5/8" up to 6". The larger meters are manually tested on a



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regular basis by a certified contractor to ensure accuracy, both for the customer and for the City. The Meter Services Supervisor is, Phyllis Blackwell.

The Utilities support division receives all requests for maintenance and repair of the water distribution and sanitary sewer collection system and forwards these request to the appropriate division for response. The Utilities support division maintains accurate records of all work performed and the cost involved from materials, equipment, and labor. This division also maintains a warehouse of materials used in the everyday operation of the systems along with an adequate supply of repair materials to handle any emergency repair needed to the system. The Utilities Support division supervisor is Sharon Walker.

The Water distribution division is broken into two sections, Water Distribution System Maintenance and Sewer Collection System Maintenance. The purpose of these divisions is to install and maintain a system to deliver safe drinking water to the customer's tap that meets or exceeds all state and federal safe drinking water regulations. The Water Distribution System Maintenance is responsible for installing and maintaining over 630-miles of water mains within the City distribution system. The Water Distribution System Maintenance team operates a program of line replacements, leak repairs and system maintenance to ensure the quality of water delivered. They also maintain the fire protection system through regular testing and repair of the fire hydrants and water valves throughout the system. The Sewer Collection System Maintenance is responsible for installing and maintaining over 180-miles of sanitary sewer lines necessary to transport sewer from the customer lines to the treatment plant. They clean and inspect the lines as necessary to prevent blockages and to eliminate inflow and infiltration. The Water Distribution System Supervisor is Paul Williams and the Sewer Collection System Supervisor is Tim Sexton.

The City's current Waste water treatment plant was constructed in 2002, replacing the original 1960s plant. The plant utilizes an activated sludge process to achieve an outstanding level of treatment. There are two aeration basins, each holding 2,400,000 gallons of wastewater, where the primary treatment occurs; the mixing of the wastewater and return activated sludge (RAS) with oxygen helps to support the biological treatment process. Sedimentation and flotation occurs in two 90-ft. diameter clarifiers. Effluent sand filters reduce the amount of solids in the treated wastewater (effluent); while disinfection is achieved by the use of ultraviolet (UV) light. All effluent from the plant flows through the disinfection channel before being discharged to Mud Creek. Sludge removed from the bottoms of the two 90-ft. diameter clarifiers is either recycled to the aeration basins or is removed (waste activated sludge – WAS) from the treatment process and is pumped into two thickeners where the wasted sludge is allowed to settle (dewatered). Once the sludge has settled in the thickeners, it is processed through one of two automated belt presses where the material is further dewatered to approximately 18% solids (82% water) and is stored for transporting and disposal off site. The City's current sewer service area includes the City of Hendersonville, portions of Laurel Park, the Village of Flat Rock and a portion of the central region (urban services area) of Henderson County. The total population served in the existing service area is approximately 21,000 with nearly 13,500 being residents of



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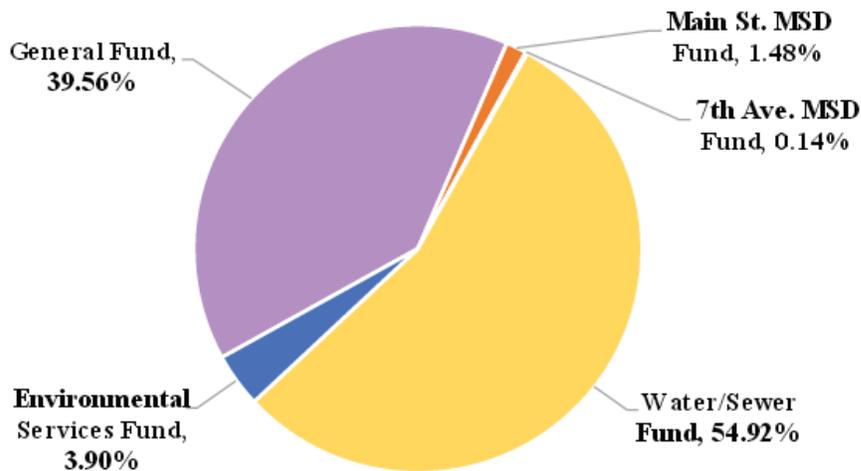


the City, through a total of approximately 9,500 sewer connections. Residents not connected to the City's sewer system are located in the unsewered areas outside the City or have chosen to maintain their own private systems.

### 4.3 Water and Sewer Budget

The Hendersonville Water and Sewer Department is made up of 69 employees and has a budget of \$19,579,249 which is 54.92% of the total City operating budget for FY 16-17. A large portion of the Water and Sewer budget goes towards transfers to capital project and the reimbursement of cost associated with NCDOT projects. Those cost total approximately \$2,531,195.

The chart below presents each major fund as a percent of total expenditures:



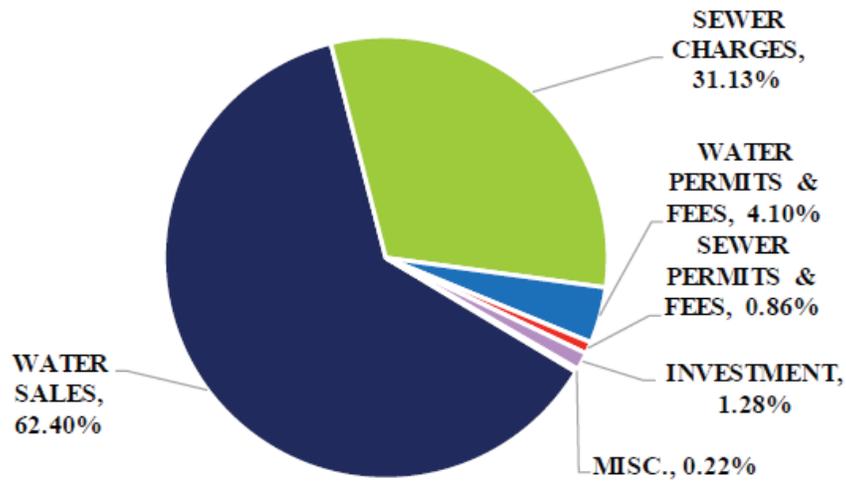
The majority of the revenue for the Water and Sewer Department comes from water sales, which is 62.0% of departmental revenue, or \$9,263,997. The second largest source of revenue for the department is sewer charges, which bring in \$4,622,362 or 31.13% of departmental revenue.



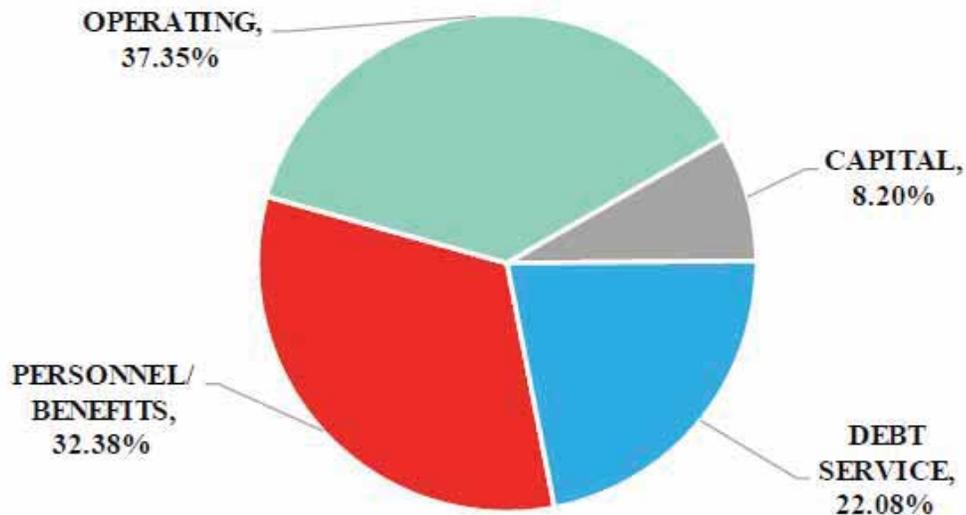
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The chart below presents each operating revenue source as a percent of total revenues:



The majority of expenditures from the Water and Sewer Department come from operating cost, which in FY16-17 were \$ 6,331,587 or 37.35% of the total Water and Sewer budget. The next highest expenditures are personnel/ benefit which in FY 16-17 amounted to \$5,265,057 or 32.38% of the total Water and Sewer budget.





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## V. Communication Recommendations

### 5.1 Summary

A department such as the Water and Sewer Department serve and interact with a wide variety of customers every day. Whether it's from bill collection, City employees in the field, interactions customers have online, or over the phone, the Water and Sewer Department knows that they are not entitled to anything and want to earn the business of their customers. A significant part of earning that business is connecting with our customers and telling them "our story." What that means is connecting and engaging with our customers to let them know that the department cares, listens, and wants to have a dialog with their customers. Telling our story means striving for the best customer service possible and being transparent. It means not being passive, telling our story means getting out in the community and engaging our customers. In continuously improving our communication efforts and engage with our customers, the following communication recommendations have been created with that in mind. These recommendations which include public education and outreach, social media and website improvements, customer service, environmental protection, and utility billing. These recommendations strive to more effectively connect with our customers to ensure that the Water and Sewer Department can continue to provide excellent service.

#### **1. Public Education/Outreach**

Public education and outreach means working to educate our customers on what the Water and Sewer Department does and how it does them. For a Department as important to the everyday functions of the lives of thousands of customers it is important to let them know how the Department provides excellent service every day. The goal of the public outreach and education is to make customers and their families aware of the different aspects that go into providing Hendersonville and the surrounding areas with clean water and sewer services and to potentially spark interest in water and sewer as a career.

#### **2. Social Media/Website**

As an important part of engaging with our customers and encouraging more dialog the Water and Sewer Department should be in the practice of utilizing social media as another method of keeping customers informed of emergencies and periodic updates from the department through social media. In addition to utilizing social media, revising the department webpage of the City website will make it easier for existing and potential customers to easily access information. Utilizing social media and revising the website will engage more customers and culture an interest in the activities of the department.



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### **3. Customer Service/“In the Field”**

Much of what the Water and Sewer department does is “in the field,” which means that they are in the community working on water lines in streets and in customer’s yards. It is useful for ground crews to have readably available printed material to give to customers if there is a question about what the ground crews are doing and for appropriate contact information. For example if crews are going to be working on a neighborhood street or on someone’s property, having printed material that is given to the appropriate households before the crews start working can help to preemptively answer any questions that would otherwise arise once the crews are working.

### **4. Environmental Services**

Promoting environmental services and letting our customers know that we are committed to environmental sustainability and promoting ways our customers can be more environmentally conscious is a good practice for any city to follow. By continuing already existing communication efforts and by creating new programs, the Water and Sewer Department can work to ensure all their customers are aware of all the different ways the City strives to be more environmentally conscious

### **5. Utility Billing**

In order to better serve our customers and to ease the transition into new billing cycles instead of waiting until the changes to the billing cycle has already occurred it would be prudent to get ahead and announce the changes before they occur. This helps the Water and Sewer Department as well as the City get a head of potential backlash and rumors before they can occur. In addition, reaching out to our customers before changes to their bills occur helps to build public trust by keeping customers up to date on Department decisions.

### **5.2 Public Education/ Outreach**

The Water and Sewer Department currently does allow for tours for both their wastewater treatment plant and water treatment plant. To schedule a tour the interested party needs to contact the superintendent of either the water or wastewater plant. Tours can be organized for school classes, groups, and other interested parties.

### **Recommendation one: Organized tours of the Water and Waste Water treatment plants**

The first recommendation to encourage more public education and outreach is for the Water and Sewer Department to work with Hendersonville high schools to have organized tours of the water and wastewater treatment plants. Having organized tours to the different facilities allows for Hendersonville youth to get a firsthand look at the processes for providing clean water and sewer services to our customers.



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Having organized tours has multiple benefits for not only the Water and Sewer Department, but for the City of Hendersonville as a whole. One benefit is that this is a way to get our brand out in the community and tell our story. By interacting with students and parents it shows that the department and the City are invested in the youth of Hendersonville and want to show them the great work that the Water and Sewer Department does every day. Another benefit is that by having organized tours they can dispel misinformation about the department. For example, one piece of misinformation that has come up is that some customers still have the misconception that the Board of Water Directors still runs the Hendersonville Water system. In addition having parents come along on tours can correct any misinformation they may have about the department. The third benefit of this recommendation is that it could raise awareness of what the Water and Sewer Department does, and in turn, inspire young people to pursue a career with the Department and City. Communicating with schools to organize tours with Hendersonville high schools once a year is recommended in order for the department to “tell our story,” work to correct misinformation, and potentially inspire students to work for the Department.

**5.3 Social Media/ Website**

**Recommendation two: Revising the Water and Sewer Webpage**

Currently, the Water and Sewer Department has a section on their department on the City website. On the department’s webpage information on services, FAQ, environmental service information, contacts, etc. can all be found on the webpage. In regards to social media, there is not currently a standalone social media page for the Water and Sewer Department. When emergencies happen the public information officer will post the relevant information to the City Facebook page to keep those who follow the page up to date on relevant situations. The social media is primarily run by the Public Information Officer and the City website is primarily run by the City Clerk, although department heads have administrative privileges to the site.

While the City website is progressive in terms of ascetics and user interaction compared to other local government websites, keeping with the theme of continuous improvement, there are some recommendations to make the Water and Sewer Department webpage more user friendly. The webpage recommendations came from discussions with Water and Sewer staff and the Utilities Director. The first recommendation is to put the Water and Sewer mission statement as the first paragraph of the department’s webpage. Having the mission statement at the beginning is important because it immediately lets current and potential customers know the values of the department and what they can expect from Hendersonville Water and Sewer. In addition to adding the mission statement to the top of the page, the logos to the right of the Hendersonville Water and Sewer logo crowd the top portion of the screen. It is recommended that the EPA Water Sense Partnership logo, Aqua Hawk Alerting logo, and the H2O helping Hand Outreach logo, would be better served as standalone sections on the left side of the page.



## Hendersonville, NC Communication Recommendations Water and Sewer Department



This way customers can read about all the different partnerships and ways Hendersonville Water and Sewer is working to give the best possible service to their customers. In the place of the logos, the contact information that is on the bottom of the page should be moved to top right of the webpage, where the logos once were. The reason for this change is because when customers come to the Water and Sewer webpage, the first items they should see are both the mission statement and key people to contact should they have any questions. Finally, on the left side of the webpage there should be added sections for the history of the Department, information on the Sullivan Acts, environmental services such as fats, oils, and grease, easements, and information on backflow and cross connections. These additions to the webpage help to tell our story, add pertinent information, and make the user experience more friendly and productive.

### **Recommendation three: Utilizing Social Media**

Social Media is a fantastic tool for local governments to use to keep citizens and customers informed on the day to day activities of a municipalities. While currently the Hendersonville Water and Sewer Department does not have its own social media page, the potential for an interactive experience with their customers exists through social media. It is recommended that the Water and Sewer Department utilize social media by way of the City Facebook page to interact with their customers. The Department can do this by posting information on projects, fun facts, surveys, and all recommendations in this document can be implemented or promoted through social media. When work crews need to shut off water/ sewer or a close a street it is recommended that the Water Distribution System Supervisor or Sewer Collection System Supervisor notify the Public Information Officer immediately. Keeping the Public Information Officer aware of work that takes place makes sure that the information can be sent out through the appropriate channels, including social media. This way customers who are not on the Black Board system, but may check their Facebook feed can see when and where the work will take place. In addition the social media page can also be used to promote the Black Board system or Aqua Hawk etc. The Water and Sewer Department can utilize social media to interact with their customers in a way that tells our story, gets information out to customers, promotes Departmental services, and shows that the wants them to be involved and aware of what the Department is doing.

### **Recommendation Four: Creating short informational videos**

As technology progresses more and more people are turning to videos to get information. The Water and Sewer Department can utilize their webpage and social media to put out short two minute videos on various topic from rate increases, interviews, information on projects, and keeping customer up to date on what the Department is doing. These videos can be shot on a smart phone with the use of a tripod so no expensive camera equipment is required. The goal of utilizing videos through social media and the webpage is to keep customers informed and with



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videos customers can watch something that is two minutes long as opposed to reading an article or press release which can take more time out of their busy day. This recommendation is another facet to get information out to customers and can be keep up to date on what the department is doing.

**5.4 Customer Service/ In the Field**

**Recommendation Five: Creating Printed Rack Cards with information and Contacts**

Much of what the Water and Sewer department does is “in the field,” which means that they are in the community working on water lines in roads, streets, and in customer’s yards. It is useful for ground crews to have readably available printed material to give to customers if there is a question about what the ground crews are doing and for appropriate contact information. For example if crews are going to be working on a neighborhood street or on someone’s property, having printed material that is given to the appropriate households before the crews start working can help to preemptively answer any questions that would otherwise arise once the crews are working. Having rack cards printed that have information about, for example, easements can be a great way to give customers information that they can read and have available for the future. This will help dispel misinformation about what the department does and what easements are and are not. The rack cards also have the benefit of giving the appropriate contact information to customers. Being proactive in this manner will help to make customers more aware of what the department is doing and if they have any questions they will also have the appropriate contact information on the cards. The Department wants to ensure that their customers are kept informed on what the Department is doing, repairs, projects, etc. utilizing printed material such as rack cards in the field is a good way to accomplish that. Combined with utilization of social media, the webpage, Black Board, and printed materials, the Water and Sewer Department will make it easier for their customers to be informed

**Recommendation Six: Write a yearly Report on What the Department Accomplished**

Another recommendation to assist in improving customer service with the Water and Sewer Department is the creation of a yearly report. This report would in essence let customers know what the Department did in that year. As the Cities largest budget item it is important to be transparent with what the Department is doing, what projects they are working on and what purchases they are making. The report can be the highlights of the year of, projects completed, projects started, equipment purchased, any major events in the department etc. The goal is to let customers know what the department is doing and creating a dialog. This recommendation tells our story by having sharing our accomplishments with customers, and it dispels misinformation by telling customers exactly what the department did by giving highlights of projects and large



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departmental purchases. The yearly report can be posted to social media, the Water and Sewer webpage, and put in customer's bills.

**5.5 Environmental Services/ Protection**

**Recommendation Seven: Create a Topic of the Month to Promote Environmental Services**

As stewards of the public good, Hendersonville is also a steward of the environment. It is recommended that the Water and Sewer department highlight and promote different environmental services. One way to do this is by creating a topic of the month that will highlight different environmental services such as easements, grease disposal, water conservation, back flow and cross connections etc. This can be done through the Water and Sewer webpage and social media. The goal is to create a conversation with the customers, to let them know information that they otherwise possibly be unaware of. Giving out information on environmental services and protection not only tells our story by letting customers know what the Department is doing, it also shows that they care about the environment. Information such as fats, oils, and grease disposal awareness is already on the Water and Sewer webpage. This recommendation ties into the website changes because by having information on environmental services readily available as standalone sections they will be much more accessible to customers. By having a topic of the month the Water and Sewer Department is taking the time to let their customers know what they are doing to promote environmental consciousness and let the customers know how they too can be environmentally conscious. This shows that the Department is invested in not only the environment but their customers and they want them to know how they can make their community a better place.



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**5.6 Utility Billing**

**Recommendation Eight: Use set communication Tools to Let Customers know of rate changes**

This year (2016) a water rate increase occurred and there was some confusion as to why the rates in the City were increased more than customers outside of the City limits. In response to this confusion the Water and Sewer Department and the City sent out a press release, did a post on social media, put information on the water increase in customer's bills, put the information on the City website, and even went on the radio to talk about the increase. This was a great move in response to the water rate questions and it should be a standard for the Water and Sewer Department. However, in an effort to get ahead of the rumor mill and correct misinformation it is recommended that the Water and Sewer Department in conjunction with the Public Information Officer put out information regarding rate increases one billing cycle before the increase occurs. When a rate increase is scheduled to occur it is recommended that customers be made aware of the potential increase before it takes effect. It is recommended that a press release, social media post, webpage post, printed material in customer bills, and if possible a radio spot all go out to make customers aware of the rate increase. When and if a rate increase occurs customers should not be surprised, and any potential questions should be answered by the information the Water and Sewer Department releases. Getting information out early and communicating it in a clear, concrete, and concise manner will set the record straight about why a rate increase is occurring, and keep customers in the loop of Departmental decisions. A City cannot get too far ahead of the people they serve and in an effort to build public trust getting out all relevant information out before an event occurs is a step in the right direction.



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## **VI. Conclusion**

Beginning with a comprehensive history of the Water and Sewer Department this communication document seeks to outline the past, present, and future of the Department. In order to move forward as a department it is crucial to understand where you came from, where you are currently, and where you are headed. This document seeks to provide and outline for future communication plans and programs that strive for continuous improvement for the Department. Keeping with the theme of “tell our story” this document puts forward communication recommendations that seek to make it easier to share information with our customers, engages customer involvement, show that we care about our customers, and encourages transparency. In order to accomplish those goals this document outlines eight recommendations to improve communication with our customers: organizing tours of the water and Waste water treatment facilities with Hendersonville high schools, revising the Water and Sewer Department webpage, utilizing social media, creating short informational videos, creating printed rack cards with information and contacts, a yearly report, creating a topic of the month to promote environmental services and conservation, and having a set plan on getting information on rate changes and utility billing out to customers before they occur. As a City and Department we know we are not entitled to anything, which is why the Department seeks continuous improvement to earn the business and loyalty of our customers.



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**VII. Appendix A: Recommendations as They Appear in the Document**

1. Organizing tours of the water and Waste water treatment facilities with Hendersonville high schools.
2. Revising the Water and Sewer Department webpage.
3. Utilizing social media.
4. Creating short informational videos.
5. Creating printed rack cards with information and contacts.
6. A yearly report highlighting the accomplishments of the Department
7. Creating a topic of the month to promote environmental services and conservation.
8. Having a set plan on getting information on rate changes and utility billing out to customers before they occur



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 07/21/16

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 08/04/16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 15

I have a special appropriations request that did not make it to Council during the budget process. They did turn in the application on time, however it is my fault that it got lost and missed the process. I would like to request that City Council consider the attached application form and back-up information and decide if and how much funding will be appropriated during the FY16-17.

The request was made by Safelight, which used to be Mainstay. They are requesting \$10,000 in funding. I simply missed their application and was reaching out to the wrong contact (an old Mainstay e-mail/number).

Again, this was an error on my part and I would request that Safelight have the opportunity to be considered for funding in FY16-17. I will be working on my database and e-mail organization to make sure this does not happen again in the future.

Any funding that is approved can be appropriated from the General Fund contingency and will not require fund balance appropriation.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

The impact depends on City Council. If funding is approved it will be funded by General Fund contingencies.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve funding for Safelight in the amount of \$ \_\_\_\_\_ (state dollar amount).

## Attachments:

E-mail from Safelight with Application (dated 02/23/16)  
Application and Back-up Material

**From:** [Cheryl MacKenzie](#)  
**To:** [Brian Pahle](#)  
**Subject:** Safelight 2016-2017 Special Appropriations Request  
**Date:** Tuesday, February 23, 2016 12:00:05 PM  
**Attachments:** [City Grant Request 2016-2017.pdf](#)  
[City Grant Rquest Stats.pdf](#)  
[CAC Interagency Resolution.pdf](#)  
[FJC MOU.pdf](#)

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Dear Mr. Pahle,

Please find attached our application for funding for the next fiscal year and accompanying documents. If any further information is needed we will be happy to provide it to you.

Thank you for your consideration.

Cheryl MacKenzie  
Grants Compliance Coordinator  
Safelight, Inc.  
828-693-3840



## City of Hendersonville

### Request for Special Appropriations FY15-16

Contact: Brian Pahle, 828-233-3218, bpahle@hvlnc.gov, City Hall Rm. 314

[Submit forms by February 27]

Organization's Name: Safelight, Inc  
Address: 133 Fifth Avenue West  
City, State, ZIP: Hendersonville NC 28793  
Website address: safelightfamily.org

#### A. GENERAL INFORMATION

1. Program Name: Family Justice Center (FJC) and the Believe Child Advocacy Center (CAC)
2. Contact Person/Title: Tanya Blackford, Executive Director  
Telephone Number: 828-693-3840 Fax: 828-696-8104  
E-mail address: tanya@safelightfamily.org
3. Total number of individuals served in the last complete fiscal year by this program: FJC 204, CAC 45
4. Total number of the above individuals who are City residents: FJC - 108 and CAC - 24  
Please attach any documentation that supports this number.  
Percent of people served who are City residents: 53%
5. Amount of Request: 10,000 6. Total Program Budget: 270,927.89  
Percent of total program budget you are requesting from Hendersonville: 4%
7. Please state the mission of your agency: FJC & CAC are collaborative projects for which Safelight, Inc. is the lead agency, serving victims of domestic violence, sexual assault & child abuse by providing client-centered services at a single client-friendly location.
8. Will the funding be used to:  
 X Maintain an existing program       Expand an Existing Program       Start a new program
9. Has your organization received funds from the City in the past for this or a similar program? Yes

If yes, please answer the following:

a. Does the amount of your request represent an increase over your previous appropriation? Yes

If yes, explain the reason(s) for the increase. Previous request was for 10,000 and 6,000 was awarded.

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b. Were any conditions or restrictions placed on the funds by the City Council? No

If yes, describe how those conditions or restrictions have been met. N/A

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## B. Program Overview.

**1. Statement of Need:** Identify the issue or need that the program will address (use statistical data to justify the need for the program). To what extent does this need or problem exist in the City of Hendersonville?

Family violence is a serious problem in our community. Last year Safelight sheltered 131 adults & 96 children, answered 584 domestic violence calls, and 435 sexual assault calls. DSS received 1981 reports of child maltreatment. Services for victims have been fragmented despite efforts of agencies to work together, resulting in a already traumatic situation becoming more difficult for families involved. The FJC and CAC have been created to alleviate barriers by providing locations for victims to navigate the court system, file paperwork, gather information and tell their stories to officials. This encourages victims to continue seeking help to break the cycle of violence.

### 2. Program Summary:

**a. Identify the target/recipients of program services.** Specify the number of City residents your program will serve during the fiscal year and explain the basis upon which this number is calculated. Indicate any eligibility requirements your program has with respect to age, gender, income or residence.

Intimate Partner Violence is a significant safety and financial issue for this community. The target focus for the HCFJC is intimate partner violence. Child abuse victims and non-offending parents are served by the Child Advocacy Center. At least 400 victims of violence will be directly impacted by the HCFJC & CAC and will receive over 1000 hours of support services. Last year, 53% of clients at FJC & CAC were City residents. Intimate partner abuse not only affects the survivor, but the survivor's children, the abuser, the health care system, the criminal justice system, businesses, family and friends of the involved persons and the general community. There are no eligibility requirements for our programs with respect to age, gender, income or residency.

**b. Identify what is to be accomplished or what change will occur.** (e.g., begin your sentences with “The purpose of the program is to provide ...” and describe the services to be provided.)

The purpose of the program is to provide guidance, support, advocacy at a central, all-inclusive client oriented place designed to meet the needs of victims of domestic violence, sexual assault and child abuse. It increases collaboration among partner agencies and enhances safety, efficiency and justice for victims of our community. Victims will access coordinated services and support and receive assistance with civil and criminal remedies to violence. Partner agencies will coordinate their services and increase accessibility of those services to victims. Professionals providing services will receive training.

**3. Program Funding:**

**a. Identify how City funds, specifically, will be used** (i.e., funds will provide “X” amount of units of service.)

If approved, City funds would be used for personnel to provide coordinated integrated victim services including case management, referrals, court advocacy, medical advocacy, social system navigation. All services will be provided in English and Spanish.

\$10,000 will support the CAC Program Director, the FJC Coordinator and a Client Navigator who is responsible for first contact with victims and scheduling with direct service staff located at the FJC and CAC locations.

**b. List the other agencies to whom you are submitting a request for funds for this program and the amount requested.** How would this program be modified should revenues be lost?

A two-year application to Governors Crime Commission for the CAC in the amount of \$253,058.64. If awarded, this grant would provide for the facility lease, copier, training and additional staff.

A two-year application to Governors Crime Commission for the FJC in the amount of \$509,540.52. If awarded, this grant will provide for the expansion of the FJC into a larger facility, additional equipment, security system monitoring, utilities, copier, additional staff and a nurse for medical exams.

Additional funding proposals include Henderson County \$82,500.00.

If funds are not approved, it will be necessary for Safelight and partner organizations to divert resources away from victims services to focus on raising more money to meet the needs of victims of violence.

**C. Organizational Capacity.**

1. Describe your agency's capability to provide the program including its history, previous experience providing this service, management structure and staff expertise.

Mainstay and The Healing Place merged with the goal of providing more comprehensive and efficient services. The partners in the FJC and CAC have a long track record of providing services to our community. Partners of the FJC have signed an MOU and partners of CAC an Interagency Resolution outlining the commitments of each partner. (please see attached). Safelight is the fiscal agent for the FJC and CAC and has 30+ year history of serving families. Organizational systems are in place and well supported by almost 40 trained staff and over 100 volunteers. Program measurement & evaluation are in place. Our board is committed to support these programs. Funding is provided through private, state and local grants, a thrift store and individual contributions.

2. Does your organization have a strategic plan and a strategic planning process in place? Yes

The strategic plan should include a mission statement, goals, action steps to achieve the goals, and measures that assess the accomplishments of the goals. The Strategic Plan must be provided to the City upon request.

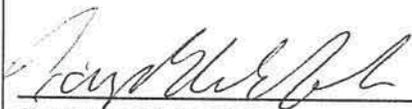
3. What is the authorized size of your board of directors? Eighteen

How many meetings were held by the board last year? Eleven

4. Does your organization have an audit performed? Yes

The audit must be provided to the City upon request.

We, the undersigned, confirm the information contained herein is accurate and can be verified as such. We understand and agree if the request funds are approved the disbursement of funds are subject to all conditions established by the City Council.



Signature of Applicant

February 23, 2016

Date

Tanya Blackford, Executive Director

Typed Name and Title

DV-DVPO granted: 9  
 DV-DVPO Paperwork: 2  
 DV-Financial Assistance: 1  
     DV-FJC Intake: 28  
 DV-Follow-Up Contact: 71  
     DV-Information: 130  
 DV-Interagency Planning : 70  
     DV-Language services: 1  
 DV-Legal Services (lawyer/paralegal): 1  
 DV-Legal Victim witness notification/outreach: 2  
     DV-Material/Finacial assistance : 2  
         DV-Outreach: 4  
         DV-Photographs: 1  
         DV-Referral: 124  
 DV-Referral - Shelter Space not available : 1  
     DV-Safety Planning: 115  
     DV-Shelter/Safe House: 2  
 DV-Supportive Counseling: 103  
 DV-Victim/survivor advocacy: 17  
     SA-Case Management : 3  
 SA-Civil legal advocacy/court accompaniment : 8  
 SA-Criminal justice advocacy/court accompaniment: 4  
     SA-Crisis intervention: 5  
     SA-Follow-Up Contact: 4  
         SA-Information: 7  
     SA-Interagency Planning: 5  
         SA-Referral: 12  
         SA-Safety Planning: 6  
     SA-Supportive Counseling: 13  
     SA-Victim/survivor advocacy: 5

Total: 1182

S19.

Person Activity > ServiceTime

=====  
 01:00 AM: 1  
 07:00 AM: 1  
 08:00 AM: 2  
 09:00 AM: 32  
 10:00 AM: 70  
 11:00 AM: 48  
 12:00 PM: 27  
 01:00 PM: 58  
 02:00 PM: 80  
 03:00 PM: 103  
 04:00 PM: 74  
 05:00 PM: 3  
 07:00 PM: 5  
 08:00 PM: 6  
 09:00 PM: 3  
 10:00 PM: 7  
 11:00 PM: 5

Total: 525

P19.

Person > AddressState

=====  
 \* Unknown Address: 39  
     NC: 164  
     NY: 1

Total: 204

S20.

Person Activity > UndupPersonSessionType

=====  
 \* Unknown SessionType: 204  
     DV- Case Management: 62  
 DV Civil justice advocacy/court accompaniment: 3  
     DV Intake: 3  
 DV-Civil legal advocacy/court accompaniment : 72  
     DV-Collateral Contact: 4  
 DV-Criminal justice advocacy/court accompaniment:  
     49  
     DV-Crisis Intervention: 75  
     DV-Danger Assessment: 29  
         DV-DSS Report: 1  
         DV-DVPO granted: 9  
         DV-DVPO Paperwork: 2  
         DV-Financial Assistance: 1  
         DV-FJC Intake: 28  
         DV-Follow-Up Contact: 52  
         DV-Information: 100  
         DV-Interagency Planning : 62  
         DV-Language services: 1  
         DV-Legal Services (lawyer/paralegal): 1  
         DV-Legal Victim witness notification/outreach: 2  
         DV-Material/Finacial assistance : 2  
         DV-Outreach: 4  
         DV-Photographs: 1  
         DV-Referral: 104  
         DV-Referral - Shelter Space not available : 1  
         DV-Safety Planning: 86

P20.

Person > AddressZipCode

=====  
 \* Unknown Address: 53  
     14070: 1  
     28704: 1  
     28709: 1  
     28712: 2  
     28726: 12  
     28731: 6  
     28732: 11  
     28733: 1  
     28735: 1  
     28739: 19  
     28742: 4  
     28748: 1  
     28752: 1  
     28758: 1  
     28759: 4  
     28766: 1  
     28772: 1  
     28773: 1  
     28787: 2  
     28790: 4  
     28791: 20  
     28792: 51  
     28793: 2  
     28801: 1  
     28805: 1  
     28806: 1

FJC

108

45 children total served by the CAC since July, 2015. The reason this number was not counted prior to then is the CAC did not begin staffing cases with the Multidisciplinary team until July 2015 once the Interagency Agreement, the Judicial order and the protocols were approved and signed.

Of those 24 are Hendersonville residents based on their zip codes and police agency with jurisdiction.

53%

## Henderson County CAC INTERAGENCY RESOLUTION

WHEREAS; the parties names below are committed to provide a coordinated community process of investigating cases in which children may have either the victims of a crime or witnesses to a crime; and,

WHEREAS, the parties named below are committed to a process which provides the least traumatic and disruptive investigative interventions with children; and,

WHEREAS, the parties named below are committed to coordinating and providing medical and mental health interventions for child victims/ witnesses and their families; and

WHEREAS, child sexual abuse and serious physical abuse are community problems and no single agency, individual or discipline has the necessary knowledge, skills or resources to provide the assistance needed by children who are victims of such abuse and neglect;

WHEREAS, the parties named below are committed to developing and maintaining a child advocacy center where interviews, treatment and other services may take place for children who may have been abused or neglected.

WHEREAS, interagency communication, cooperation, and coordination will promote a better understanding of and respect for one another's roles and expertise, and more informed decisions for dealing with children who are victims of such abuse and neglect, and their non-offending family members; and

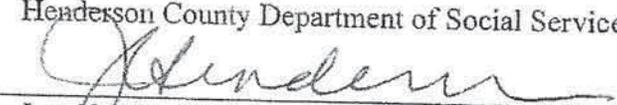
As of the 3<sup>rd</sup> day of June 2015 that the undersigned have agreed to coordinate their various efforts to support a multidisciplinary team whose goals are:

- To develop a comprehensive, multidisciplinary response to child victims of sexual abuse, physical abuse, emotional abuse, and neglect which is designed to expeditiously meet the needs of the child victims and their non-offending family members.
- To provide the child victims and their non-offending family members with needed services.
- To protect children from further harm.
- To support the child and non-offending caregiver during prosecution.
- To promote the growth of community awareness regarding issues of child abuse.
- To recognize the importance of and participate in cross-discipline training.

Henderson County CAC Interagency Resolution Signature Page

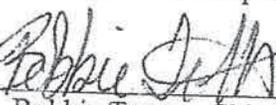
Date: \_\_\_\_\_ Signature:   
Charles McDonald, Sheriff  
Henderson County

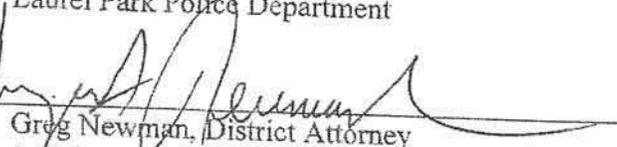
Date: 6/18/15 Signature:   
Eric Bush, Director  
Henderson County Department of Social Services

Date: 6/25/15 Signature:   
Jennifer Henderson, CEO  
Blue Ridge Community Health Center

Date: 6/24/2015 Signature:   
Steve Smith, Director  
Henderson County Department of Health

Date: 6.24.2015 Signature:   
Erik Summey, Chief  
Fletcher Police Department

Date: \_\_\_\_\_ Signature:   
Bobbie Trotter, Chief  
Laurel Park Police Department

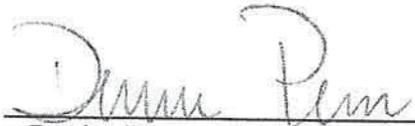
Date: 6.12.15 Signature:   
Greg Newman, District Attorney  
Judicial District 29B

Date: 6-10-2015 Signature:   
Tanya Blackford, Executive Director  
Mainstay, Inc.

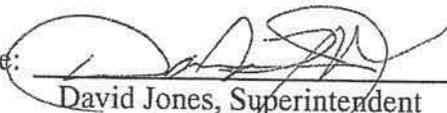
Date: 6-24-2015 Signature:   
Herbert Blake, Chief  
Hendersonville Police Department

**Henderson County CAC Interagency Resolution Signature Page, continued**

Date: 8/17/15

Signature:   
Denise Pesce  
The Mountain Community School

Date: 8/18/2015

Signature:   
David Jones, Superintendent  
Henderson County Public Schools

# Henderson County Family Justice Center

## Memorandum of Understanding

### Introduction

The Henderson County Family Justice Center (HCFJC) will bring together agencies serving victims interpersonal violent crimes throughout Henderson County in a collaborative effort to provide victims with greater support and access to resources. This Center will make the process of reporting domestic violence less intimidating and more efficient for victims by co-locating available services and by removing barriers that are inherent in the current multiple provider, multiple location system.

### Intent

The intent of the partnering organizations is to work in a synergistic fashion, to assist victims of violence by providing easily accessed services that will offer needed resources, secure their safety, reduce violent incidents, and decrease homicide rates within Henderson County. The result of the HCFJC will be increased collaboration among partner agencies, enhanced safety, efficiency, and justice for victims of violence across our community.

The intent of this MOU is to outline the agreements of the partner organizations in establishing the HCFJC. This MOU is intended to capture the general principles of the agreement and should be reviewed and updated by the Advisory Board created herein within six (6) months of the establishment of the HCFJC.

### Agreement

This Memorandum of Understanding (MOU) sets forth the basic terms under which the agencies listed herein will provide services to and participate in the HCFJC. The agencies hereby agree, except to the extent that any such agency listed herein is restricted by federal law, state law/rules, or policy, to pledge the resources and assistance to initiate and implement a successful program as described in the agency commitment section of this MOU, including the sharing of information as appropriate through a system of signed client releases. Shared client information should focus primarily on services required to keep victims safe and support them in the prosecution of criminal charges or seeking other legal remedies.

## Advisory Board

A representative of each of the partnering organizations shall serve on the HCFJC Advisory Board. The Advisory Board will meet regularly and develop, implement and review policies of the HCFJC. The Advisory Board shall establish a decision making process and further outline responsibilities of the Advisory Board and the lead partner organization within six (6) months of the establishment of the HCFJC.

## Agency Commitments

### Mainstay will:

- Serve as the lead agency for the HCFJC
- Serve as the leasing agency for the properties located at 103 South Grove St
- Fiscally manage the overhead cost for the HCFJC for one year, this is exclusive of those cost incurred by each agency to supply items necessary to provide services agreed upon by each partnering agency
- Assign no less than one employee to the HCFJC, additional staff as needed
- Coordinate and supervise the volunteer court navigators
- Supervise the coordination of volunteers to provide office coverage for the HCFJC
- Continue to assist victims of domestic violence with civil and criminal remedies
- Accept referrals for all eligible clients who may need services available through mainstay to address the needs for the family, this may include and not be limited to shelter, family violence intervention program, case management and crisis counseling
- Collaborate with other agencies to assist families to gain access to services needed.

**The Henderson County Sheriff's Office** is committed to an effective partnership with the family Justice Center.

- We agree to provide case appropriate investigative resources to victims of crime.
- We will also collaborate with community stakeholders to provide both victims and families with additional information to aid in the successful navigation of the justice system.

**The Office of the District Attorney for Prosecutorial District 29B will**

- Be involved with the HCFJC to the extent allowed by federal law, state law, state policy and other applicable policies. The District Attorney's Office is committed to serving victims as specifically listed in the N.C. G.S. Crime Victim's Rights Act 15A-830 et al

- Dedicate the full force and experience of this office to work with community partners to ensure the safety and understanding of the victims of crimes.
- Work with state and federal law enforcement agencies to thoroughly ensure investigation and prosecution are completed thoroughly and in a time efficient manner.
- Assist in training programs and enhance working relationships towards crime prevention, intervention and successful prosecution of applicable cases.
- Once prosecution is completed, the District Attorney's Office will continue to work with community programs and probation to ensure compliance with necessary requirements are completed.

**The Henderson County Department of Social Services will:**

- Work with the Family Justice Center on cases that involve both domestic violence and child abuse.
- Assist in establishing a referral system to expedite services provided to clients.
- Collaborating with other agencies for assuring the families get the services that they need.

**Pisgah Legal Services will:**

- Assign at least one employee, volunteer or contractor to work at the HCFJC on days and during hours as agreed upon and as funding and staff time permits.
- Continue to assist victims of domestic violence and sexual in obtaining, enforcing and renewing Domestic Violence Protective Orders; to obtaining divorces, child custody orders, support orders, appropriate property settlements and other civil legal remedies; to obtain crime victims' compensation and other appropriate services as needed;
- Provide Bilingual Court Advocacy to domestic violence and sexual assault victims referred by the HCFJC as we are able.
- Accept referrals for all eligible victims who may need legal assistance to obtain public benefits for which they are eligible, in landlord/tenant and other housing matters, obtain healthcare to which they and their children are eligible, obtain assistance with bankruptcy, creditor harassment and other related matters.
- Continue to provide training to advocates and other domestic violence professionals on legal issues concerning domestic violence;
- Continue to develop Pro Bono, Mountain Area Volunteer Lawyer Program resources and referrals to assist additional victims of domestic violence;

## Terms of the MOU

**Indemnification:** The Agencies shall exercise reasonable business judgment and act in good faith in the performance of their duties, and shall take all necessary steps to correct any mistakes, errors or shortcomings in the performance and fulfillment of such Agency's duties and responsibilities. Each Agency (an "Indemnifying Party") shall indemnify, defend and hold harmless the other Parties and its directors, officers, employees and agents (each, an "Indemnified Party") against any loss, liability, claim or expense incurred or suffered by the Indemnified Party in connection with a claim by a third party as a result of the negligence or failure of performance by the Indemnifying Party or any of its directors, officers, employees and agents. The terms of this section are intended to apply only to losses and expenses incurred as a result of third party claims, and not to any direct monetary loss, damage, or expense suffered by one Party as a result of the failure of the other Party to perform under the MOU. Provided, however, that the State of North Carolina and its officers and/or employees, including the Department of Human Services, Adult Protective Services and the Division of Vocational Rehabilitation, and the Department of Children Services shall not be an Indemnifying Party.

**Term:** The MOU shall be effective beginning September 2014 and shall continue for a term of six (6) months unless renewed by a vote of the Advisory Board.

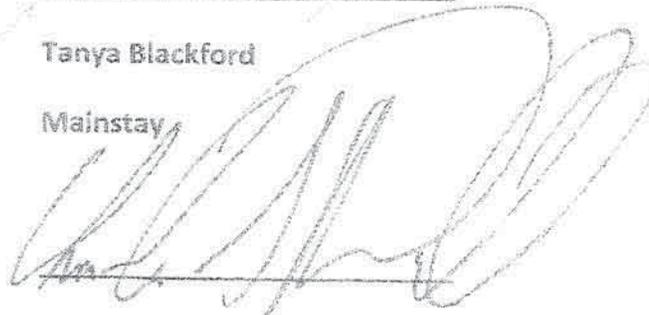
**Termination:** The Advisory Board may jointly terminate this MOU by unanimous action at any time. Any Agency shall have the authority to terminate its participation for its convenience upon thirty (30) days written notice to the Executive Board provided, however, that the withdrawal of less than all the agencies shall not act as a termination of the MOU.

**Modification:** This MOU may be amended or modified pursuant to a written agreement signed by the members of the Advisory Board of the Henderson County Family Justice Center and the parties involved in any modification if not represented on the Advisory Board.

**IN WITNESS WHEREOF,** the Parties have caused this Memorandum of Operation to be executed by their duly authorized representatives as of September 2014.

  
\_\_\_\_\_  
Tanya Blackford

Mainstay

  
\_\_\_\_\_  
Charles McDonald

Henderson County Sheriff's Office

  
\_\_\_\_\_  
Greg Newnan

District Attorney

  
\_\_\_\_\_  
Jim Barrett

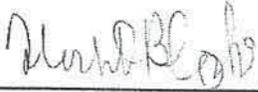
Pisgah Legal Services

  
\_\_\_\_\_  
Eric Bush (JMS)

Henderson County Department of

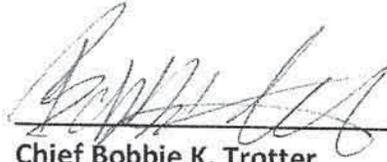
Social Services

Eric Bush



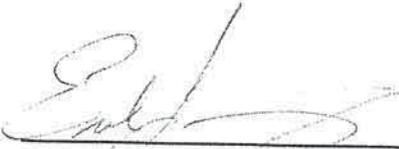
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Chief Herbert Blake  
Hendersonville Police Department



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Chief Bobbie K. Trotter  
Laurel Park Police Department



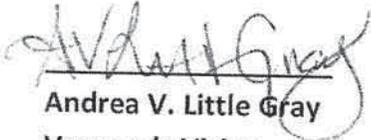
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Chief Erik Summey  
Fletcher Police Department



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Jessica Chitwood  
Chief Probation/Parole Office, NCDPS



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Andrea V. Little Gray  
Vanessa's Vision

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Pat Ashe  
Healing Place

↑ is a member  
Just have not  
been endorsed yet



# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** Lisa White

**Department:** Finance

**Date Submitted:** 07/22/16

**Presenter:** Lisa White

**Date of Council Meeting to consider this item:** August 4, 2016

**Nature of Item:** Presentation Only

### Summary of Information/Request:

**Item #** 17a

Per the City Investment policy, the investment officer shall provide the City Manager and City Council an investment report including a management summary that provides an analysis of the status of the current investment portfolio and a detail listing of the individual transactions executed. (attached).

Investment Report/Management Summary:

As of June 30, 2016 the City owned investment portfolio, held by First Citizens Bank (Custodian) consists of the following investments which all comply with the City Investment Policy and State Statute:

US Treasury Notes: \$ 1,006,700.00

Government Agencies: \$15,737,933.00

Municipal & NC: \$7,001,127.34

Cash & Commercial Paper: \$999,069.44

Total Market Value of Investments held at First Citizens: \$24,744,830 Cost basis \$24,743,693

Other City cash deposits per bank statements are as follows as of June 30, 2016: Wells Fargo Central Depository: \$8,332,964.60, Wells Fargo Health & Welfare Account \$47,063.10. Deposits held by the City for Bond Funds are required to be kept segregated. The City currently holds \$926,279 as of June 30, 2016 of proceeds from the 2008 Sidewalk Bond which is held by the NC Capital Management Trust. The City also holds cash to service the investment fees at First Citizens Money Market: \$5,399.34. Various City departments hold petty cash, totaling \$8,550 as of June 30, 2016. Total cash and investments as of June 30, 2016 are \$33,916,550.94.

Total Investment earnings for all funds were budgeted at \$278,710 for fiscal year 2016. Investment earnings received for the fiscal year 2016 came in at \$393,210 for all funds, which is a \$114,500 increase over the expected budget and a \$182,315 increase over the actual amount received for the previous fiscal year (2015) and a \$343,721 increase over investment earnings earned two years ago.

**Budget Impact:** \$0 Is this expenditure approved in the current fiscal year budget?  Yes  No. If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

No motion necessary. Staff Report only.

### Attachments:

Summary of Cash & Investments as of 6/30, Historical Investment Income Report, Bank Statement for First Citizens Custody Account 06/30/16, Required Detail of all Investment Activity for fiscal year, and Bank Statement for NCCMT Sidewalk Bond Fund 06/30/16

City of Hendersonville  
 Summary of Cash and Investments

30-Jun-16

| FUND | FUND DESCRIPTION    | FULL ACCOUNT      | ACCOUNT DESCRIPTION             | BOOK BALANCE:           | BANK BALANCE:           |
|------|---------------------|-------------------|---------------------------------|-------------------------|-------------------------|
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-110021- | 'CHANGE FUND R&B DOWNTOWN       | \$ 4,550.00             | \$ -                    |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-110030- | 'PETTY CASH & BUY MONEY-PD      | \$ 100.00               | \$ -                    |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-110050- | 'PETTY CASH PUBLIC WORKS        | \$ 250.00               | \$ -                    |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-110056- | 'PETTY CASH W/S OPER CTR        | \$ 500.00               | \$ -                    |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-110060- | 'CHANGE FUND W/S CUST SERVICE   | \$ 2,000.00             | \$ -                    |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-110070- | 'PETTY CASH PATTON POOL         | \$ 750.00               | \$ -                    |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-110072- | 'CHANGE FUND MULCH SALES        | \$ 400.00               | \$ -                    |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-113001- | 'HEALTH & WELFARE - WELLS FARGO | \$ 46,066.13            | \$ 47,063.10            |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-113003- | 'CENT DEPOSIT - WELLS FARGO     | \$ 8,186,563.43         | \$ 8,332,964.60         |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-117032- | 'NCCMT - 2008 S/WALK PROJECT    | \$ 926,279.17           | \$ 926,279.17           |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-117660- | '1ST CITZEN PUBLIC FUNDS MMA    | \$ 5,399.34             | \$ 5,399.34             |
| '01  | 'CENTRAL DEPOSITORY | '01 -0000-117661- | 'FIRST CITIZENS INVESTMENTS     | \$ 24,744,829.78        | \$ 24,744,829.78        |
|      |                     |                   |                                 | <u>\$ 33,917,687.85</u> | <u>\$ 34,056,535.99</u> |

**CITY OF HENDERSONVILLE  
INVESTMENT EARNINGS- HISTORICAL TREND**

| FUND          | DESC            | ORG    | OBJECT | 2016 TO DATE        | 2016 BUDGET         | 2015 ACTUAL         | 2014 ACTUAL        | 2013 ACTUAL        | 2012 ACTUAL        |
|---------------|-----------------|--------|--------|---------------------|---------------------|---------------------|--------------------|--------------------|--------------------|
| GENERAL FUND  | INTEREST INCOME | 100070 | 483100 | \$114,871.29        | \$83,600.00         | \$52,388.20         | \$15,062.01        | \$9,986.75         | \$12,001.21        |
| DOWNTOWN      | INTEREST INCOME | 200070 | 483100 | \$57.73             | \$50.00             | \$496.72            | \$146.06           | \$17.31            | \$20.97            |
| 7TH AVE       | INTEREST INCOME | 210070 | 483100 |                     | \$25.00             | \$13.29             | \$7.88             | \$0.31             | \$0.39             |
| SIDEWALK BOND | INTEREST INCOME | 320070 | 483100 | \$2,030.51          |                     | \$167.23            | \$112.21           | \$537.57           | \$873.06           |
| MAIN ST PROJ  | INTEREST INCOME | 380000 | 483100 |                     |                     |                     | \$133.56           | \$166.55           |                    |
| FIRE PROJ     | INTEREST INCOME | 590000 | 483100 |                     |                     | \$14.62             | \$630.90           | \$333.11           |                    |
| WATER & SEWER | INTEREST INCOME | 600070 | 483100 | \$268,312.09        | \$190,000.00        | \$153,112.52        | \$32,835.68        | \$9,083.81         | \$14,535.53        |
| ESF FUND      | INTEREST INCOME | 680070 | 483100 | \$8,053.64          | \$5,000.00          | \$4,654.13          | \$521.12           | \$9.58             | \$10.13            |
| METER PROJ    | INTEREST INCOME | 760090 | 483100 |                     |                     |                     |                    | \$3,761.78         | \$1,062.36         |
| H&W           | INTEREST INCOME | 800070 | 483100 |                     | \$35.00             | \$48.28             | \$38.89            | \$140.66           | \$137.40           |
|               |                 |        |        | <b>\$393,209.80</b> | <b>\$278,710.00</b> | <b>\$210,894.99</b> | <b>\$49,488.31</b> | <b>\$24,037.43</b> | <b>\$28,641.05</b> |

FY16Actual - Increase over Budget **\$114,499.80**

FY16 Increase over prior year actual **\$182,314.81**

2016 Increase over 2 years prior **\$343,721.49**

2016 Increase over 4 years prior **\$364,568.75**



SUMMARY OF ASSETS  
AS OF 06/30/16 PAGE 2

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

|                            | MARKET<br>VALUE | COST<br>BASIS | UNREALIZED<br>GAIN/LOSS | CURRENT<br>ACCRUAL |
|----------------------------|-----------------|---------------|-------------------------|--------------------|
| CASH                       | .00             | .00           | .00                     | .00                |
| DIRECT GOVERNMENT SECURITI | 1,006,700.00    | 999,134.52    | 7,565.48                | 3,763.73           |
| GOVERNMENT AGENCIES        | 15,737,933.00   | 15,703,679.78 | 34,253.22               | 51,416.23          |
| COMMERCIAL PAPER           | 999,069.44      | 999,069.44    | .00                     | 486.11             |
| OTHER INVESTMENTS          | 7,001,127.34    | 7,041,809.14  | 40,681.80-              | 38,613.74          |
| TOTAL INVESTMENTS          | 24,744,829.78   | 24,743,692.88 | 1,136.90                | 94,279.81          |
|                            | 24,744,829.78   | 24,743,692.88 | 1,136.90                | 94,279.81          |



SCHEDULE A - STATEMENT OF ASSETS  
AS OF 06/30/16 PAGE 3

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

| UNITS/<br>CUSIP NUMBER       | TICKER<br>UNIT/MKT PRC  | MARKET<br>VALUE   | COST<br>BASIS | UNREALIZED<br>GAIN/LOSS | CURRENT<br>ACCRUAL |           |
|------------------------------|---|-------------------|---------------|-------------------------|--------------------|-----------|
| CASH                         |   |                   |               |                         |                    |           |
| CASH                         |   | .00               | .00           |                         | .00                |           |
| CASH                         |   | .00               | .00           | .00                     | .00                |           |
| DIRECT GOVERNMENT SECURITIES |   |                   |               |                         |                    |           |
| 1,000,000<br>912828-H9-4     | UNITED STATES TREASURY NOTE<br>DTD 02/17/15 1.000% DUE 02/15/2018                                   | UNIT18<br>100.670 | 1,006,700.00  | 999,134.52              | 7,565.48           | 3,763.73  |
| DIRECT GOVERNMENT SECURITIES |   |                   | 1,006,700.00  | 999,134.52              | 7,565.48           | 3,763.73  |
| GOVERNMENT AGENCIES          |   |                   |               |                         |                    |           |
| 20,000<br>3130A3-J7-0        | FEDERAL HOME LOAN BANK<br>DTD 11/17/14 0.625% DUE 11/23/2016  | FEDE16<br>100.058 | 20,011.60     | 20,004.35               | 7.25               | 13.19     |
| 3,000,000<br>3130A6-J7-3     | FEDERAL HOME LOAN BANK<br>DTD 10/06/15 1.050% DUE 07/06/2018<br>CALLABLE 01/06/16 @100.00           | FEDE18<br>100.003 | 3,000,090.00  | 3,000,000.00            | 90.00              | 15,312.50 |
| 1,365,000<br>3130A7-K5-3     | FEDERAL HOME LOAN BANK<br>DTD 03/16/16 0.530% DUE 09/16/2016  | FEDE16<br>100.045 | 1,365,614.25  | 1,364,849.85            | 764.40             | 2,110.06  |
| 2,035,000<br>3133EF-EA-1     | FEDERAL FARM CREDIT BANK<br>DTD 09/21/15 1.370% DUE 03/21/2019<br>CALLABLE 9/21/16 @100.00          | FEDE19<br>100.113 | 2,037,299.55  | 2,035,000.00            | 2,299.55           | 7,744.30  |
| 1,335,000<br>3136G2-GR-2     | FEDERAL NATIONAL MORTGAGE ASSOC.<br>DTD 04/28/15 1.500% DUE 04/28/2020<br>CALLABLE 04/28/17 @100.00 | FEDE20<br>100.439 | 1,340,860.65  | 1,335,000.00            | 5,860.65           | 3,504.37  |
| 2,165,000<br>3136G2-H9-1     | FEDERAL NATIONAL MORTGAGE ASSOC.<br>DTD 05/20/15 1.250% DUE 11/20/2018<br>CALLABLE 11/20/15 @100.00 | FEDE18<br>101.036 | 2,187,429.40  | 2,165,000.00            | 22,429.40          | 3,082.11  |
| 3,889,000<br>3136G3-BB-0     | FEDERAL NATIONAL MORTGAGE ASSOC.<br>DTD 03/16/16 1.375% DUE 09/16/2019<br>CALLABLE 09/16/16 @100.00 | FEDE19<br>100.070 | 3,891,722.30  | 3,889,000.00            | 2,722.30           | 15,596.51 |
| 1,895,000<br>3137EA-DU-0     | FEDERAL HOME LOAN MORTGAGE CORP.<br>DTD 01/16/15 0.500% DUE 01/27/2017                              | FHLM17<br>99.995  | 1,894,905.25  | 1,894,825.58            | 79.67              | 4,053.19  |



SCHEDULE A - STATEMENT OF ASSETS  
AS OF 06/30/16 PAGE 4

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

| UNITS/<br>CUSIP NUMBER   | TICKER<br>UNIT/MKT PRC  | MARKET<br>VALUE         | COST<br>BASIS | UNREALIZED<br>GAIN/LOSS | CURRENT<br>ACCRUAL |
|--------------------------|---|-------------------------|---------------|-------------------------|--------------------|
| GOVERNMENT AGENCIES      |   | 15,737,933.00           | 15,703,679.78 | 34,253.22               | 51,416.23          |
| COMMERCIAL PAPER         |   |                         |               |                         |                    |
| 1,000,000<br>04085M-H2-0 | ARKANSAS ELEC COOP COMMERCIAL PAPER<br>DTD 05/03/16 DUE 08/02/2016                                    | 999,069.44              | 999,069.44    |                         | 486.11             |
| COMMERCIAL PAPER         |   | 999,069.44              | 999,069.44    | .00                     | 486.11             |
| OTHER INVESTMENTS        |   |                         |               |                         |                    |
| 390,000<br>161037-T5-5   | CHARLOTTE NORTH CAROLINA COPS<br>DTD 06/01/16 2.050% DUE 12/01/2020<br>TXBL - COPS - SER B            | 102.240<br>398,736.00   | 400,861.50    | 2,125.50-               | 666.24             |
| 190,000<br>266705-C3-4   | DURHAM COUNTY NORTH CAROLINA<br>DTD 11/10/10 3.505% DUE 11/01/2019<br>BUILD AMERICA BONDS-DURHAM CNTY | 106.939<br>203,184.10   | 205,625.60    | 2,441.50-               | 1,109.91           |
| 110,000<br>271371-WN-2   | EAST CAROLINA UNIVERSITY NC<br>DTD 07/23/15 3.000% DUE 10/01/2017<br>REF - TXBL - SERIES B            | 102.625<br>112,887.50   | 114,606.80    | 1,719.30-               | 825.00             |
| 440,000<br>271371-WQ-5   | EAST CAROLINA UNIVERSITY NC<br>DTD 07/23/15 3.000% DUE 10/01/2019<br>REF - TXBL - B                   | 105.826<br>465,634.40   | 461,203.60    | 4,430.80                | 3,300.00           |
| 660,000<br>346622-7Y-3   | FORSYTH COUNTY NORTH CAROLINA<br>DTD 09/02/10 3.548% DUE 04/01/2020<br>BUILD AMERICA BOND - SER C     | 107.946<br>712,443.60   | 716,489.40    | 4,045.80-               | 5,854.20           |
| 1,585,000<br>367298-XK-7 | GASTON COUNTY NORTH CAROLINA<br>DTD 05/24/16 5.000% DUE 02/01/2020                                    | 114.719<br>1,818,296.15 | 1,818,201.05  | 95.10                   | 8,145.13           |
| 665,000<br>367298-XL-5   | GASTON COUNTY NORTH CAROLINA<br>DTD 05/24/16 5.000% DUE 02/01/2021                                    | 118.126<br>785,537.90   | 784,793.10    | 744.80                  | 3,417.36           |
| 250,000<br>429749-DD-3   | HIGH POINT NC COMB ENTER SYS REV<br>DTD 06/24/10 3.554% DUE 11/01/2016<br>BUILD AMERICA BONDS         | 100.914<br>252,285.00   | 255,025.00    | 2,740.00-               | 1,480.83           |



SCHEDULE A - STATEMENT OF ASSETS  
AS OF 06/30/16 PAGE 5

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

| UNITS/<br>CUSIP NUMBER  | TICKER<br>UNIT/MKT PRC   | MARKET<br>VALUE | COST<br>BASIS | UNREALIZED<br>GAIN/LOSS | CURRENT<br>ACCRUAL |
|-------------------------|--|-----------------|---------------|-------------------------|--------------------|
| 305,000<br>429749-DE-1  | HIGH POINT NC COMB ENTERPRISE SYS<br>DTD 06/24/10 3.904% DUE 11/01/2017<br>REV - BUILD AMERICA BOND<br>104.213 | 317,849.65      | 324,782.30    | 6,932.65-               | 1,984.53           |
| 575,000<br>658207-RK-3  | NORTH CAROLINA ST HSG FIN AGY<br>DTD 10/27/15 2.628% DUE 07/01/2021<br>HOMEOWNERSHIP REVENUE<br>102.588        | 589,881.00      | 617,877.75    | 27,996.75-              | 7,555.50           |
| 250,000<br>658289-A9-4  | NORTH CAROLINA ST UNIV AT RALEIGH<br>DTD 03/06/13 2.016% DUE 10/01/2020<br>102.501                             | 256,252.50      | 256,120.00    | 132.50                  | 1,260.00           |
| 25,000<br>65829Q-AC-8   | NORTH CAROLINA ST LTD OBLIG<br>DTD 10/26/11 5.000% DUE 11/01/2016<br>REF - SER B<br>101.447                    | 25,361.75       | 26,256.75     | 895.00-                 | 208.33             |
| 525,000<br>914713-K2-7  | UNIVERSITY OF NORTH CAROLINA NC<br>DTD 10/09/14 1.317% DUE 12/01/2017<br>AT CHAPEL HILL - REVENUE<br>101.197   | 531,284.25      | 532,739.00    | 1,454.75-               | 576.18             |
| 315,000<br>914716-XN-0  | UNIVERSITY OF NORTH CAROLINA<br>DTD 02/23/12 2.272% DUE 04/01/2019<br>AT CHARLOTTE<br>103.342                  | 325,527.30      | 324,283.05    | 1,244.25                | 1,789.20           |
| 200,000<br>975680-CZ-0  | WINSTON SALEM NC LTD OBLG<br>DTD 10/01/14 2.260% DUE 06/01/2019<br>REF - TXBL - SER B<br>102.980               | 205,960.00      | 202,938.00    | 3,022.00                | 376.66             |
| 6.240<br>99936K-MI-4    | NORTH CAROLINA CAP MANAGMNT FD#NCCMT<br>1.000  | 6.24            | 6.24          |                         | 64.67              |
|                         | OTHER INVESTMENTS  | 7,001,127.34    | 7,041,809.14  | 40,681.80-              | 38,613.74          |
| -----<br>24,189,006.240 | NET ASSETS<br>1.023  | 24,744,829.78   | 24,743,692.88 | 1,136.90                | 94,279.81          |
|                         | TOTAL ASSETS + ACCRUALS  | 24,839,109.59   |               |                         |                    |

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CITY OF HENDERSONVILLE FIRST CITIZENS BANK - CUSTODY ACCOUNT ACTIVITY

From Date 07/01/2015  
To Date 06/30/2016

| Date       | Description   | \$ Amount       |
|------------|---|-----------------|
| 07/01/2015 | PURCHASED 127.13 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-127.13       |
| 07/01/2015 | INT TO 06/30/15 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$127.13        |
| 07/06/2015 | PURCHASED 1250.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-1,250.00     |
| 07/06/2015 | INT 01/06/15 TO 07/06/15 ON 1000000 FEDERAL HOME LOAN BANK DTD 01/06/15 0.250% DUE 01/06/2016                                     | \$1,250.00      |
| 07/13/2015 | \$300.00 MONTHLY FEE TO 06/30/15 INVOICE #5051748   | \$300.00        |
| 07/22/2015 | PURCHASED 460000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-460,000.00   |
| 07/22/2015 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO  | \$460,000.00    |
| 07/23/2015 | PURCHASED 440000 07/01/15 @ 104.819 EAST CAROLINA UNIVERSITY NC DTD 07/23/15 3.000% DUE 10/01/2019 REF - TXBL - B                 | \$-461,203.60   |
| 07/23/2015 | SOLD 461203.60 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$461,203.60    |
| 08/03/2015 | PURCHASED .87 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-0.87         |
| 08/03/2015 | INT TO 07/31/15 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$0.87          |
| 08/05/2015 | PURCHASED 7100.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-7,100.00     |
| 08/05/2015 | INT 02/05/15 TO 08/05/15 ON 1000000 FEDERAL FARM CREDIT BANK DTD 02/05/15 1.420% DUE 02/05/2019 CALLABLE 02/05/16 @100.00         | \$7,100.00      |
| 08/12/2015 | \$300.00 MONTHLY FEE TO 07/31/15 INVOICE #5051862   | \$300.00        |
| 08/17/2015 | PURCHASED 5000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-5,000.00     |
| 08/17/2015 | INT TO 08/17/15 ON 1,000,000 UNITED STATES TREASURY NOTE DTD 02/17/15 1.000% DUE 02/15/2018                                       | \$5,000.00      |
| 08/26/2015 | PURCHASED 13234.38 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-13,234.38    |
| 08/26/2015 | INT 05/26/15 TO 08/26/15 ON 3850000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 05/26/15 1.375% DUE 02/26/2019 CALLABLE 02/26/16 @100.00 | \$13,234.38     |
| 09/01/2015 | PURCHASED .75 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-0.75         |
| 09/01/2015 | INT TO 08/31/15 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$0.75          |
| 09/14/2015 | \$300.00 MONTHLY FEE TO 08/31/15 INVOICE #5051988   | \$300.00        |
| 09/18/2015 | PURCHASED 2013707.78 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-2,013,707.78 |
| 09/18/2015 | INT TO 09/18/15 ON 2,000,000 FEDERAL FARM CREDIT BANK DTD 01/22/15 1.690% DUE 04/22/2019 CALLABLE 04/22/15 @100.00                | \$13,707.78     |
| 09/18/2015 | CALLED @ 100.00% FEDERAL FARM CREDIT BANK DTD 01/22/15 1.690% DUE 04/22/2019 CALLABLE 04/22/15 @100.00                            | \$2,000,000.00  |
| 09/21/2015 | PURCHASED 2035000 09/16/15 @ 100 FEDERAL FARM CREDIT BANK DTD 09/21/15 1.370% DUE 03/21/2019 CALLABLE 9/21/16 @100.00             | \$-2,035,000.00 |
| 09/21/2015 | SOLD 2035000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$2,035,000.00  |
| 09/30/2015 | PURCHASED 3016125.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-3,016,125.00 |
| 09/30/2015 | INT 06/30/15 TO 09/30/15 ON 3000000 FEDERAL HOME LOAN BANK DTD 06/30/15 2.150% DUE 06/30/2020 CALLABLE 09/30/15 @100.00           | \$16,125.00     |
| 09/30/2015 | CALLED @ FEDERAL HOME LOAN BANK DTD 06/30/15 2.150% DUE 06/30/2020 CALLABLE 09/30/15 @100.00                                      | \$3,000,000.00  |
| 10/01/2015 | PURCHASED 6872.80 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-6,872.80     |
| 10/01/2015 | INT TO 09/30/15 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$19.12         |
| 10/01/2015 | INT TO 10/01/15 ON 130,000 UNIVERSITY OF NORTH CAROLINA AT DTD 02/23/12 1.203% DUE 04/01/2016 CHARLOTTE                           | \$781.95        |
| 10/01/2015 | INT 07/23/15 TO 10/01/15 ON 440000 EAST CAROLINA UNIVERSITY NC DTD 07/23/15 3.000% DUE 10/01/2019 REF - TXBL - B                  | \$2,493.33      |
| 10/01/2015 | INT TO 10/01/15 ON 315,000 UNIVERSITY OF NORTH CAROLINA DTD 02/23/12 2.272% DUE 04/01/2019 AT CHARLOTTE                           | \$3,578.40      |

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CITY OF HENDERSONVILLE FIRST CITIZENS BANK - CUSTODY ACCOUNT ACTIVITY

From Date 07/01/2015  
To Date 06/30/2016

| Date       | Description  | \$ Amount       |
|------------|--|-----------------|
| 10/05/2015 | PURCHASED 25000 09/30/15 @ 105.027 NORTH CAROLINA ST LTD OBLIG DTD 10/26/11 5.000%<br>DUE 11/01/2016 REF - SER B                                   | \$-26,256.75    |
| 10/05/2015 | ACCRUED INT TO 10/05/15 PAID ON PURCHASE OF 25,000 NORTH CAROLINA ST LTD OBLIG<br>DTD 10/26/11 5.000% DUE 11/01/2016 REF - SER B                   | \$-534.72       |
| 10/05/2015 | SOLD 26791.47 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$26,791.47     |
| 10/06/2015 | PURCHASED 3000000 09/28/15 @ 100 FEDERAL HOME LOAN BANK DTD 10/06/15 1.050% DUE<br>07/06/2018  | \$-3,000,000.00 |
| 10/06/2015 | SOLD 3000000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$3,000,000.00  |
| 10/14/2015 | \$312.69 MONTHLY FEE TO 09/30/15 INVOICE #5052123  | \$312.69        |
| 10/28/2015 | PURCHASED 10012.50 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-10,012.50    |
| 10/28/2015 | INT 04/28/15 TO 10/28/15 ON 1335000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 04/28/15<br>1.500% DUE 04/28/2020 CALLABLE 04/28/17 @100.00               | \$10,012.50     |
| 10/29/2015 | PURCHASED 1095000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-1,095,000.00 |
| 10/29/2015 | RECEIPT OF INCOMING WIRE FROM WELLS FARGO BANK   | \$1,095,000.00  |
| 11/02/2015 | PURCHASED 9908.35 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-9,908.35     |
| 11/02/2015 | PURCHASED 37.79 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-37.79        |
| 11/02/2015 | INT TO 10/31/15 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$37.79         |
| 11/02/2015 | INT TO 11/02/15 ON 25,000 NORTH CAROLINA ST LTD OBLIG DTD 10/26/11 5.000% DUE<br>11/01/2016 REF - SER B  | \$625.00        |
| 11/02/2015 | INT TO 11/02/15 ON 190,000 DURHAM COUNTY NORTH CAROLINA DTD 11/10/10 3.505% DUE<br>11/01/2019 BUILD AMERICA BONDS-DURHAM CNTY                      | \$3,329.75      |
| 11/02/2015 | INT TO 11/02/15 ON 305,000 HIGH POINT NC COMB ENTERPRISE SYS DTD 06/24/10 3.904%<br>DUE 11/01/2017 REV - BUILD AMERICA BOND                        | \$5,953.60      |
| 11/03/2015 | PURCHASED 105000 10/29/15 @ 108.041 FORSYTH COUNTY NORTH CAROLINA DTD 09/02/10<br>3.548% DUE 04/01/2020 BUILD AMERICA BOND - SER C                 | \$-113,443.05   |
| 11/03/2015 | ACCRUED INT TO 11/03/15 PAID ON PURCHASE OF 105,000 FORSYTH COUNTY NORTH<br>CAROLINA DTD 09/02/10 3.548% DUE 04/01/2020 BUILD AMERICA BOND - SER C | \$-331.15       |
| 11/03/2015 | SOLD 113774.20 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$113,774.20    |
| 11/12/2015 | \$300.00 MONTHLY FEE TO 10/31/15 INVOICE #5052258  | \$300.00        |
| 11/20/2015 | PURCHASED 13531.25 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-13,531.25    |
| 11/20/2015 | INT 05/20/15 TO 11/20/15 ON 2165000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 05/20/15<br>1.250% DUE 11/20/2018 CALLABLE 11/20/15 @100.00               | \$13,531.25     |
| 11/27/2015 | PURCHASED 1000000 10/29/15 @ 100 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 11/27/15<br>1.875% DUE 11/27/2020 CALLABLE 05/27/16 @ 100.00                 | \$-1,000,000.00 |
| 11/27/2015 | SOLD 1000000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$1,000,000.00  |
| 11/30/2015 | PURCHASED 110000 11/24/15 @ 104.188 EAST CAROLINA UNIVERSITY NC DTD 07/23/15<br>3.000% DUE 10/01/2017 REF - TXBL - SERIES B                        | \$-114,606.80   |
| 11/30/2015 | PURCHASED 16058.52 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-16,058.52    |
| 11/30/2015 | ACCRUED INT TO 11/30/15 PAID ON PURCHASE OF 110,000 EAST CAROLINA UNIVERSITY NC<br>DTD 07/23/15 3.000% DUE 10/01/2017 REF - TXBL - SERIES B        | \$-540.83       |
| 11/30/2015 | SOLD 16058.52 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$16,058.52     |
| 11/30/2015 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO   | \$115,147.63    |
| 12/01/2015 | PURCHASED 5717.13 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-5,717.13     |
| 12/01/2015 | PURCHASED 74.81 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-74.81        |
| 12/01/2015 | INT TO 11/30/15 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$74.81         |
| 12/01/2015 | INT TO 12/01/15 ON 200,000 WINSTON SALEM NC LTD OBLG DTD 10/01/14 2.260% DUE<br>06/01/2019 REF - TXBL - SER B                                      | \$2,260.00      |
| 12/01/2015 | INT TO 12/01/15 ON 525,000 UNIVERSITY OF NORTH CAROLINA NC DTD 10/09/14 1.317% DUE<br>12/01/2017 AT CHAPEL HILL - REVENUE                          | \$3,457.13      |

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From Date 07/01/2015  
To Date 06/30/2016

| Date       | Description   | \$ Amount       |
|------------|---|-----------------|
| 12/14/2015 | \$315.32 MONTHLY FEE TO 11/30/15 INVOICE #5052372   | \$315.32        |
| 12/16/2015 | PURCHASED 11943.75 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-11,943.75    |
| 12/16/2015 | INT 06/16/15 TO 12/16/15 ON 1365000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 06/16/15<br>1.750% DUE 12/16/2019 CALLABLE 09/16/15 @100.00                    | \$11,943.75     |
| 12/17/2015 | PURCHASED 20250.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-20,250.00    |
| 12/17/2015 | INT 06/17/15 TO 12/17/15 ON 3000000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 06/17/15<br>1.350% DUE 12/17/2018 CALLABLE 12/17/15 @100.00                    | \$20,250.00     |
| 12/23/2015 | PURCHASED 2958000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-2,958,000.00 |
| 12/23/2015 | RECEIPT OF INCOMING WIRE FROM WELLS FARGO BANK  | \$2,958,000.00  |
| 12/28/2015 | PURCHASED 2000000 11/30/15 @ 100 FEDERAL HOME LOAN BANK DTD 12/28/15 1.250% DUE<br>06/28/2018 CALLABLE 06/28/16 @ 100.00                                | \$-2,000,000.00 |
| 12/28/2015 | SOLD 2000000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$2,000,000.00  |
| 12/29/2015 | PURCHASED 1000000 12/01/15 @ 100 FEDERAL HOME LOAN MORTGAGE CORP. DTD 12/29/15<br>1.100% DUE 12/29/2017 CALLABLE 03/29/16 @ 100.00                      | \$-1,000,000.00 |
| 12/29/2015 | SOLD 1000000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$1,000,000.00  |
| 01/04/2016 | PURCHASED 108.94 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-108.94       |
| 01/04/2016 | INT TO 12/31/15 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$108.94        |
| 01/06/2016 | PURCHASED 1009125.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-1,009,125.00 |
| 01/06/2016 | INT TO 01/06/16 ON 1,000,000 FEDERAL HOME LOAN BANK DTD 01/06/15 0.250% DUE<br>01/06/2016   | \$1,250.00      |
| 01/06/2016 | INT 10/06/15 TO 01/06/16 ON 3000000 FEDERAL HOME LOAN BANK DTD 10/06/15 1.050% DUE<br>07/06/2018 CALLABLE 01/06/16 @100.00                              | \$7,875.00      |
| 01/06/2016 | RECD PROCEEDS ON MATURITY OF 1,000,000 PAR VALUE FEDERAL HOME LOAN BANK DTD<br>01/06/15 0.250% DUE 01/06/2016   | \$1,000,000.00  |
| 01/07/2016 | PURCHASED 1000000 01/06/16 @ 99.999872 FEDERAL HOME LOAN MORTGAGE CORP. DTD<br>12/29/15 1.100% DUE 12/29/2017 CALLABLE 03/29/16 @ 100.00                | \$-999,998.72   |
| 01/07/2016 | PURCHASED 20000 01/06/16 @ 100.02175 FEDERAL HOME LOAN BANK DTD 11/17/14 0.625%<br>DUE 11/23/2016   | \$-20,004.35    |
| 01/07/2016 | ACCRUED INT TO 01/07/16 PAID ON PURCHASE OF 1,000,000 FEDERAL HOME LOAN<br>MORTGAGE CORP. DTD 12/29/15 1.100% DUE 12/29/2017 CALLABLE 03/29/16 @ 100.00 | \$-244.44       |
| 01/07/2016 | ACCRUED INT TO 01/07/16 PAID ON PURCHASE OF 20,000 FEDERAL HOME LOAN BANK DTD<br>11/17/14 0.625% DUE 11/23/2016   | \$-15.28        |
| 01/07/2016 | SOLD 1020262.79 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$1,020,262.79  |
| 01/14/2016 | \$326.91 MONTHLY FEE TO 12/31/15 INVOICE #5052503   | \$326.91        |
| 02/01/2016 | PURCHASED 8.22 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-8.22         |
| 02/01/2016 | INT TO 01/31/16 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$8.22          |
| 02/05/2016 | PURCHASED 7100.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-7,100.00     |
| 02/05/2016 | INT TO 02/05/16 ON 1,000,000 FEDERAL FARM CREDIT BANK DTD 02/05/15 1.420% DUE<br>02/05/2019 CALLABLE 02/05/16 @100.00                                   | \$7,100.00      |
| 02/12/2016 | \$328.08 MONTHLY FEE TO 01/31/16 INVOICE #5052629   | \$328.08        |
| 02/16/2016 | PURCHASED 5000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-5,000.00     |
| 02/16/2016 | INT TO 02/15/16 ON 1,000,000 UNITED STATES TREASURY NOTE DTD 02/17/15 1.000% DUE<br>02/15/2018  | \$5,000.00      |
| 02/24/2016 | PURCHASED 260000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-260,000.00   |
| 02/24/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO  | \$260,000.00    |
| 02/25/2016 | PURCHASED 250000 02/22/16 @ 102.01 HIGH POINT NC COMB ENTER SYS REV DTD 06/24/10<br>3.554% DUE 11/01/2016 BUILD AMERICA BONDS                           | \$-255,025.00   |
| 02/25/2016 | ACCRUED INT TO 02/25/16 PAID ON PURCHASE OF 250,000 HIGH POINT NC COMB ENTER<br>SYS REV DTD 06/24/10 3.554% DUE 11/01/2016 BUILD AMERICA BONDS          | \$-2,813.58     |

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CITY OF HENDERSONVILLE FIRST CITIZENS BANK - CUSTODY ACCOUNT ACTIVITY

From Date 07/01/2015  
To Date 06/30/2016

| Date       | Description  | \$ Amount       |
|------------|--|-----------------|
| 02/25/2016 | SOLD 257838.58 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$257,838.58    |
| 02/26/2016 | PURCHASED 1984879.91 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-1,984,879.91 |
| 02/26/2016 | PURCHASED 1895000 02/24/16 @ 99.990796 FEDERAL HOME LOAN MORTGAGE CORP. DTD 01/16/15 0.500% DUE 01/27/2017   | \$-1,894,825.58 |
| 02/26/2016 | PURCHASED 12000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-12,000.00    |
| 02/26/2016 | ACCRUED INT TO 02/26/16 PAID ON PURCHASE OF 1,895,000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 01/16/15 0.500% DUE 01/27/2017                            | \$-763.26       |
| 02/26/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO   | \$4,000.00      |
| 02/26/2016 | INCOMING WIRE FROM WELLS FARGO   | \$12,000.00     |
| 02/26/2016 | INT TO 02/26/16 ON 3,850,000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 05/26/15 1.375% DUE 02/26/2019 CALLABLE 02/26/16 @100.00                           | \$26,468.75     |
| 02/26/2016 | CALLED @ 100.00% FEDERAL HOME LOAN MORTGAGE CORP. DTD 05/26/15 1.375% DUE 02/26/2019 CALLABLE 02/26/16 @100.00                                       | \$3,850,000.00  |
| 02/29/2016 | PURCHASED 2000000 02/26/16 @ 100.035 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 09/28/15 1.350% DUE 09/28/2018 CALLABLE 03/28/16 @ 100.00                  | \$-2,000,700.00 |
| 02/29/2016 | ACCRUED INT TO 02/29/16 PAID ON PURCHASE OF 2,000,000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 09/28/15 1.350% DUE 09/28/2018 CALLABLE 03/28/16 @ 100.00 | \$-11,325.00    |
| 02/29/2016 | SOLD 2012025.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$2,012,025.00  |
| 03/01/2016 | PURCHASED 59.63 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-59.63        |
| 03/01/2016 | INT TO 02/29/16 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$59.63         |
| 03/08/2016 | PURCHASED 1001301.67 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-1,001,301.67 |
| 03/08/2016 | INT TO 03/08/16 ON 1,000,000 FEDERAL FARM CREDIT BANK DTD 02/05/15 1.420% DUE 02/05/2019 CALLABLE 02/05/16 @100.00                                   | \$1,301.67      |
| 03/08/2016 | CALLED @ 100.00% FEDERAL FARM CREDIT BANK DTD 02/05/15 1.420% DUE 02/05/2019 CALLABLE 02/05/16 @100.00   | \$1,000,000.00  |
| 03/11/2016 | \$380.43 MONTHLY FEE TO 02/29/16 INVOICE #5052746  | \$380.43        |
| 03/14/2016 | PURCHASED 2892000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-2,892,000.00 |
| 03/14/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO   | \$2,892,000.00  |
| 03/16/2016 | PURCHASED 3889000 02/19/16 @ 100 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 03/16/16 1.375% DUE 09/16/2019 CALLABLE 09/16/16 @100.00                       | \$-3,889,000.00 |
| 03/16/2016 | PURCHASED 1365000 03/11/16 @ 99.989 FEDERAL HOME LOAN BANK DTD 03/16/16 0.530% DUE 09/16/2016  | \$-1,364,849.85 |
| 03/16/2016 | PURCHASED 10000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-10,000.00    |
| 03/16/2016 | INT TO 03/16/16 ON 1,365,000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 06/16/15 1.750% DUE 12/16/2019 CALLABLE 09/16/15 @100.00                           | \$5,971.88      |
| 03/16/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO   | \$10,000.00     |
| 03/16/2016 | CALLED @ 100.00% FEDERAL HOME LOAN MORTGAGE CORP. DTD 06/16/15 1.750% DUE 12/16/2019 CALLABLE 09/16/15 @100.00                                       | \$1,365,000.00  |
| 03/16/2016 | SOLD 3882877.97 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$3,882,877.97  |
| 03/21/2016 | PURCHASED 13939.75 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-13,939.75    |
| 03/21/2016 | INT 09/21/15 TO 03/21/16 ON 2035000 FEDERAL FARM CREDIT BANK DTD 09/21/15 1.370% DUE 03/21/2019 CALLABLE 9/21/16 @100.00                             | \$13,939.75     |
| 03/28/2016 | PURCHASED 13500.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-13,500.00    |
| 03/28/2016 | INT 09/28/15 TO 03/28/16 ON 2000000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 09/28/15 1.350% DUE 09/28/2018 CALLABLE 03/28/16 @ 100.00                   | \$13,500.00     |
| 03/31/2016 | PURCHASED 3026700.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-3,026,700.00 |
| 03/31/2016 | ACCRUED INT TO 03/31/16 RECD ON SALE OF 3,000,000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 06/17/15 1.350% DUE 12/17/2018 CALLABLE 12/17/15 @100.00      | \$11,700.00     |
| 03/31/2016 | SOLD 3000000 03/30/16 @ 100.5 FEDERAL HOME LOAN MORTGAGE CORP. DTD 06/17/15 1.350% DUE 12/17/2018 CALLABLE 12/17/15 @100.00                          | \$3,015,000.00  |

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FISCAL YEAR  
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CITY OF HENDERSONVILLE FIRST CITIZENS BANK - CUSTODY ACCOUNT ACTIVITY

From Date 07/01/2015  
To Date 06/30/2016

| Date       | Description   | \$ Amount       |
|------------|---|-----------------|
| 04/01/2016 | FUNDS WIRED TO WELLS FARGO BANK CHARLOTTE, NC ABA#121000248 ACCT# 2004511045545 REQ. DTD. 03/31/16  | \$-3,074,700.00 |
| 04/01/2016 | PURCHASED 173.13 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-173.13       |
| 04/01/2016 | INT TO 03/31/16 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$173.13        |
| 04/01/2016 | INT TO 04/01/16 ON 130,000 UNIVERSITY OF NORTH CAROLINA AT DTD 02/23/12 1.203% DUE 04/01/2016 CHARLOTTE   | \$781.95        |
| 04/01/2016 | INT TO 04/01/16 ON 110,000 EAST CAROLINA UNIVERSITY NC DTD 07/23/15 3.000% DUE 10/01/2017 REF - TXBL - SERIES B                                 | \$1,650.00      |
| 04/01/2016 | INT TO 04/01/16 ON 105,000 FORSYTH COUNTY NORTH CAROLINA DTD 09/02/10 3.548% DUE 04/01/2020 BUILD AMERICA BOND - SER C                          | \$1,862.70      |
| 04/01/2016 | INT TO 04/01/16 ON 315,000 UNIVERSITY OF NORTH CAROLINA DTD 02/23/12 2.272% DUE 04/01/2019 AT CHARLOTTE   | \$3,578.40      |
| 04/01/2016 | INT TO 04/01/16 ON 440,000 EAST CAROLINA UNIVERSITY NC DTD 07/23/15 3.000% DUE 10/01/2019 REF - TXBL - B  | \$6,600.00      |
| 04/01/2016 | RECD PROCEEDS ON MATURITY OF 130,000 PAR VALUE UNIVERSITY OF NORTH CAROLINA AT DTD 02/23/12 1.203% DUE 04/01/2016 CHARLOTTE                     | \$130,000.00    |
| 04/01/2016 | SOLD 2930226.95 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$2,930,226.95  |
| 04/05/2016 | PURCHASED 111500.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-111,500.00   |
| 04/05/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO  | \$111,500.00    |
| 04/07/2016 | PURCHASED 250000 04/04/16 @ 102.448 NORTH CAROLINA ST UNIV AT RALEIGH DTD 03/06/13 2.016% DUE 10/01/2020  | \$-256,120.00   |
| 04/07/2016 | ACCRUED INT TO 04/07/16 PAID ON PURCHASE OF 250,000 NORTH CAROLINA ST UNIV AT RALEIGH DTD 03/06/13 2.016% DUE 10/01/2020                        | \$-84.00        |
| 04/07/2016 | SOLD 256204.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$256,204.00    |
| 04/11/2016 | PURCHASED 603045.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-603,045.00   |
| 04/11/2016 | FUNDS WIRED FROM WELLS FARGO  | \$603,045.00    |
| 04/14/2016 | PURCHASED 555000 04/11/16 @ 108.657 FORSYTH COUNTY NORTH CAROLINA DTD 09/02/10 3.548% DUE 04/01/2020 BUILD AMERICA BOND - SER C                 | \$-603,046.35   |
| 04/14/2016 | ACCRUED INT TO 04/14/16 PAID ON PURCHASE OF 555,000 FORSYTH COUNTY NORTH CAROLINA DTD 09/02/10 3.548% DUE 04/01/2020 BUILD AMERICA BOND - SER C | \$-711.08       |
| 04/14/2016 | \$368.78 MONTHLY FEE TO 03/31/16 INVOICE #5052865   | \$368.78        |
| 04/14/2016 | MISCELLANEOUS RECEIPT FUNDS TRANSFERRED FROM CHECKING   | \$707.26        |
| 04/14/2016 | SOLD 603050.17 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$603,050.17    |
| 04/28/2016 | PURCHASED 10012.50 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-10,012.50    |
| 04/28/2016 | INT TO 04/28/16 ON 1,335,000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 04/28/15 1.500% DUE 04/28/2020 CALLABLE 04/28/17 @100.00                      | \$10,012.50     |
| 05/02/2016 | FUNDS WIRED TO WELLS FARGO BANK ACCT# 2004511045545 PER REQUISITION DTD 04/02/16  | \$-24,000.00    |
| 05/02/2016 | PURCHASED 14350.85 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-14,350.85    |
| 05/02/2016 | INT TO 04/30/16 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$23.35         |
| 05/02/2016 | INT TO 05/01/16 ON 25,000 NORTH CAROLINA ST LTD OBLIG DTD 10/26/11 5.000% DUE 11/01/2016 REF - SER B  | \$625.00        |
| 05/02/2016 | INT TO 05/01/16 ON 190,000 DURHAM COUNTY NORTH CAROLINA DTD 11/10/10 3.505% DUE 11/01/2019 BUILD AMERICA BONDS-DURHAM CNTY                      | \$3,329.75      |
| 05/02/2016 | INT TO 05/01/16 ON 250,000 HIGH POINT NC COMB ENTER SYS REV DTD 06/24/10 3.554% DUE 11/01/2016 BUILD AMERICA BONDS                              | \$4,442.50      |
| 05/02/2016 | INT TO 05/01/16 ON 305,000 HIGH POINT NC COMB ENTERPRISE SYS DTD 06/24/10 3.904% DUE 11/01/2017 REV - BUILD AMERICA BOND                        | \$5,953.60      |
| 05/02/2016 | SOLD 23976.65 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$23,976.65     |
| 05/20/2016 | PURCHASED 13531.25 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-13,531.25    |
| 05/20/2016 | INT TO 05/20/16 ON 2,165,000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 05/20/15 1.250% DUE 11/20/2018 CALLABLE 11/20/15 @100.00                      | \$13,531.25     |

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CITY OF HENDERSONVILLE FIRST CITIZENS BANK - CUSTODY ACCOUNT ACTIVITY

From Date 07/01/2015  
To Date 06/30/2016

| Date       | Description   | \$ Amount       |
|------------|---|-----------------|
| 05/23/2016 | PURCHASED 62.50 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-62.50        |
| 05/23/2016 | INT TO 05/23/16 ON 20,000 FEDERAL HOME LOAN BANK DTD 11/17/14 0.625% DUE 11/23/2016   | \$62.50         |
| 05/24/2016 | PURCHASED 1585000 05/04/16 @ 114.713 GASTON COUNTY NORTH CAROLINA DTD 05/24/16<br>5.000% DUE 02/01/2020                                       | \$-1,818,201.05 |
| 05/24/2016 | PURCHASED 665000 05/04/16 @ 118.014 GASTON COUNTY NORTH CAROLINA DTD 05/24/16<br>5.000% DUE 02/01/2021  | \$-784,793.10   |
| 05/24/2016 | SOLD 13974.15 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$13,974.15     |
| 05/24/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO  | \$2,589,020.00  |
| 05/27/2016 | PURCHASED 1000000 05/26/16 @ 99.9069444 ARKANSAS ELEC COOP COMMERCIAL PAPER<br>DTD 05/03/16 DUE 08/02/2016                                    | \$-999,069.44   |
| 05/27/2016 | PURCHASED 10311.86 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-10,311.86    |
| 05/27/2016 | SOLD 6.30 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$6.30          |
| 05/27/2016 | INT 11/27/15 TO 05/27/16 ON 1000000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 11/27/15<br>1.875% DUE 11/27/2020 CALLABLE 05/27/16 @ 100.00         | \$9,375.00      |
| 05/27/2016 | CALLED @ 100.00% FEDERAL NATIONAL MORTGAGE ASSOC. DTD 11/27/15 1.875% DUE<br>11/27/2020 CALLABLE 05/27/16 @ 100.00                            | \$1,000,000.00  |
| 06/01/2016 | PURCHASED 5717.13 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-5,717.13     |
| 06/01/2016 | PURCHASED 1.07 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-1.07         |
| 06/01/2016 | INT TO 05/31/16 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$1.07          |
| 06/01/2016 | INT TO 06/01/16 ON 200,000 WINSTON SALEM NC LTD OBLG DTD 10/01/14 2.260% DUE<br>06/01/2019 REF - TXBL - SER B                                 | \$2,260.00      |
| 06/01/2016 | INT TO 06/01/16 ON 525,000 UNIVERSITY OF NORTH CAROLINA NC DTD 10/09/14 1.317% DUE<br>12/01/2017 AT CHAPEL HILL - REVENUE                     | \$3,457.13      |
| 06/16/2016 | PURCHASED 609000.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-609,000.00   |
| 06/16/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO  | \$609,000.00    |
| 06/20/2016 | PURCHASED 575000 06/15/16 @ 107.457 NORTH CAROLINA ST HSG FIN AGY DTD 10/27/15<br>2.628% DUE 07/01/2021 HOMEOWNERSHIP REVENUE                 | \$-617,877.75   |
| 06/20/2016 | ACCRUED INT TO 06/20/16 PAID ON PURCHASE OF 575,000 NORTH CAROLINA ST HSG FIN<br>AGY DTD 10/27/15 2.628% DUE 07/01/2021 HOMEOWNERSHIP REVENUE | \$-7,093.78     |
| 06/20/2016 | SOLD 624971.53 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$624,971.53    |
| 06/22/2016 | PURCHASED 401320.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$-401,320.00   |
| 06/22/2016 | MISCELLANEOUS RECEIPT FUNDS WIRED FROM WELLS FARGO  | \$401,320.00    |
| 06/24/2016 | PURCHASED 390000 06/21/16 @ 102.785 CHARLOTTE NORTH CAROLINA COPS DTD 06/01/16<br>2.050% DUE 12/01/2020 TXBL - COPS - SER B                   | \$-400,861.50   |
| 06/24/2016 | ACCRUED INT TO 06/24/16 PAID ON PURCHASE OF 390,000 CHARLOTTE NORTH CAROLINA<br>COPS DTD 06/01/16 2.050% DUE 12/01/2020 TXBL - COPS - SER B   | \$-510.79       |
| 06/24/2016 | SOLD 401372.29 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$401,372.29    |
| 06/28/2016 | PURCHASED 4019250.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT   | \$-4,019,250.00 |
| 06/28/2016 | INT TO 06/28/16 ON 2,000,000 FEDERAL NATIONAL MORTGAGE ASSOC. DTD 09/28/15 1.350%<br>DUE 09/28/2018 CALLABLE 03/28/16 @ 100.00                | \$6,750.00      |
| 06/28/2016 | INT 12/28/15 TO 06/28/16 ON 2000000 FEDERAL HOME LOAN BANK DTD 12/28/15 1.250% DUE<br>06/28/2018 CALLABLE 06/28/16 @ 100.00                   | \$12,500.00     |
| 06/28/2016 | CALLED @ 100.00% FEDERAL HOME LOAN BANK DTD 12/28/15 1.250% DUE 06/28/2018  | \$2,000,000.00  |
| 06/28/2016 | CALLED @ 100.00% FEDERAL NATIONAL MORTGAGE ASSOC. DTD 09/28/15 1.350% DUE<br>09/28/2018 CALLABLE 03/28/16 @ 100.00                            | \$2,000,000.00  |
| 06/29/2016 | FUNDS WIRED TO WELLS FARGO BANK CITY OF HENDERSONVILLE, DEPOSITORY<br>ACCOUNT ABA 12000248 ROUTING 107005432                                  | \$-6,030,250.00 |
| 06/29/2016 | \$339.27 MONTHLY FEE TO 04/30/16 INVOICE #5052975   | \$339.27        |
| 06/29/2016 | \$371.20 MONTHLY FEE TO 05/31/16 INVOICE #5053134   | \$371.20        |

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CITY OF HENDERSONVILLE FIRST CITIZENS BANK - CUSTODY ACCOUNT ACTIVITY

From Date 07/01/2015  
To Date 06/30/2016

| Date       | Description   | \$ Amount      |
|------------|---|----------------|
| 06/29/2016 | ORDINARY INCOME ON DISPOSITION OF FEDERAL HOME LOAN MORTGAGE CORP. DTD<br>12/29/15 1.100% DUE 12/29/2017 CALLABLE 03/29/16 @ 100.00   | \$0.31         |
| 06/29/2016 | INT 12/29/15 TO 06/29/16 ON 2000000 FEDERAL HOME LOAN MORTGAGE CORP. DTD 12/29/15<br>1.100% DUE 12/29/2017 CALLABLE 03/29/16 @ 100.00 | \$11,000.00    |
| 06/29/2016 | CALLED @ 100.00% FEDERAL HOME LOAN MORTGAGE CORP. DTD 12/29/15 1.100% DUE<br>12/29/2017 CALLABLE 03/29/16 @ 100.00                    | \$1,999,999.69 |
| 06/29/2016 | SOLD 4019250.00 UNITS @ 1 NORTH CAROLINA CAP MANAGMNT FD#NCCMT  | \$4,019,250.00 |

IF YOU HAVE ANY QUESTIONS ON YOUR ACCOUNT, PLEASE CALL 800-222-3232



c/o Capital Management of the Carolinas, LLC  
 1520 South Boulevard, Suite 230  
 Charlotte, NC 28203

# STATEMENT

Env # S 466001428 I4  
 CITY OF HENDERSONVILLE  
 2008 SIDEWALK BOND FUND  
 ATTN: LISA WHITE  
 145 5TH AVE E  
 HENDERSONVILLE, NC 28792-4328

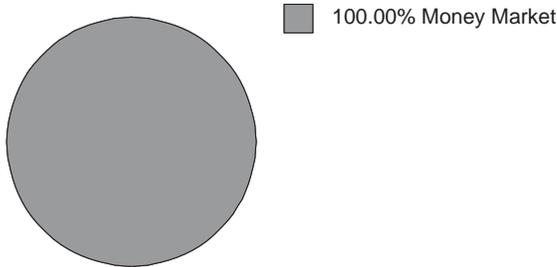
CAPITAL MANAGEMENT OF THE CAROLINAS  
 1520 SOUTH BOULEVARD  
 CHARLOTTE, NC 28203  
 Rep. Name:  
 Rep. #:

Client/Master #: 301N  
 Branch #: 0000



**Account Number - 00047317359**

**PORTFOLIO ALLOCATION BY ASSET CLASS**



**PORTFOLIO SUMMARY**

|                                       |           |                   |
|---------------------------------------|-----------|-------------------|
| <b>Portfolio Value as of 05/31/16</b> | \$        | <b>926,025.81</b> |
| Additions                             | \$        | 0.00              |
| Withdrawals                           | \$        | 0.00              |
| Change In Investment Value            | \$        | 253.36            |
| <b>Ending Value as of 06/30/16</b>    | <b>\$</b> | <b>926,279.17</b> |

**ACCOUNT SUMMARY**

| Fund Name                              | Fund - Account # | Market Value        |                     | Units Held  | NAV      | % of          |
|--|------------------|---------------------|---------------------|-------------|----------|---------------|
|  |                  | 05/31/16            | 06/30/16            | 06/30/16    | 06/30/16 | Total         |
| NORTH CAROLINA CAPITAL MGMT TRUST-CASH | 0047-00047317359 | 926,025.81          | 926,279.17          | 926,279.170 | 1.00     | 100.00        |
| <b>TOTAL</b>                           |                  | <b>\$926,025.81</b> | <b>\$926,279.17</b> |             |          | <b>100.00</b> |



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake

**Department:** Admin

**Date Submitted:** 07.27.16

**Presenter:** Tammie Drake

**Date of Council Meeting to consider this item:** 08.04.16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 18

### APPOINTMENTS:

**DOWNTOWN ADVISORY COMMITTEE:** At your July meeting, you (re)appointed Michelle Sparks and Lori Dorsey. One vacant position remains (Scott Moore's resignation). Council wished to hold the stakeholder position open until their next meeting. We have applications on file from Ashley Pirsig, Ian Edwards (currently serving on the ESB), and Carole Sitzer.

**BOARD OF ADJUSTMENT:** The term of Roger Woolsey will expire 09-01-16. He would like to be reappointed.

**HISTORIC PRESERVATION COMMISSION:** An announcement of a vacancy (Kuester's resignation) on the HPC was made previously. Please see the application from Laura Flores.

### ANNOUNCEMENTS:

There are vacancies on: BOARD OF ADJUSTMENT (alternate position) and the HISTORIC PRESERVATION COMMISSION and the WALK OF FAME. With the change in the Bylaws for this Committee, Mr. Wooten now serves as a non-voting ex-officio member of the Committee thus leaving a vacancy. There are no new applications on file.

**Budget Impact:** \$ n/a Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I nominate ... to serve on the [Downtown Advisory Committee] [Board of Adjustment] ...

### Attachments:

board membership lists