



CITY OF HENDERSONVILLE
CITY COUNCIL REGULAR MEETING
City Hall-2nd Floor Meeting Room | 160 6th Ave. E. | Hendersonville, NC 28792
Thursday, August 07, 2025 – 5:45 PM

AGENDA

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. PUBLIC COMMENT** - *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*
- 4. CONSIDERATION OF AGENDA**
- 5. CONSENT AGENDA** - *Items are considered routine, noncontroversial in nature and are considered approved by a single motion and vote.*
 - A. Approval of Minutes - *Jill Murray, City Clerk*

July 2, 2025 Regular Meeting

July 23, 2025 Second Monthly Meeting
 - B. Donation from Delia Jovel Dubon for Brooklyn Community Garden - *Caitlyn Gendusa, Public Works Superintendent-Sustainability*
 - C. Police Social Worker job description– *Jennifer Harrell, HR Director*
 - D. Small Business Infrastructure Grant Program for Helene related 7th Ave E sidewalk restoration.
 - E. Small Business Infrastructure Grant Opportunity for Cane Creek Industrial Park waterline connection.
 - F. Special Event: HHS HOCO 5k/1 Mile Fun Run - *Jamie Carpenter, Downtown Manager*
 - G. August 2025 Budget Amendments – *Jennifer Floyd, Management Analyst*
 - H. August 2025 Project Ordinances and Reimbursement Resolutions – *Jennifer Floyd, Management Analyst*
 - I. Engineering Services to Support the WTF Sludge Transfer and Backwash Pump Upgrade Project– *Devin Owen, Utilities Engineer*
 - J. Annexation: Certificate of Sufficiency- Mabry Woods (Holbert & Ponder) (25-46-ANX) – *Tyler Morrow, Current Planning Manager*
 - K. Policy Regarding the Purchase of Surplus Personal Property by City Employees– *Tom Wooten, Public Works Director*

- A. Approval of United Financial, a Division of HomeTrust Bank to Provide Installment Financing for Vehicles and Equipment in Fiscal Year 2026 – *Krystal Powell, Finance Director*

6. PRESENTATIONS

- A. Support Our Swimmers - *Stephen Bradshaw, SOS Committee*

7. PUBLIC HEARINGS

- A. Public Hearing: Consideration of Incentives to Project Energize – *Brittany Brady, President, Henderson County Partnership for Economic Development and Angie Beeker, City Attorney.*
- B. Annexation: Public Hearing- 412 McMurray Road (Gergi Logistics LLC) (25-42-ANX)– *Tyler Morrow, Current Planning Manager*
- C. ETJ Relinquishment of PINs 9670-03-8082 and 9670-12-8754 – Vulcan Lands INC. (25-39-ETJ) – *Tyler Morrow, Current Planning Manager*

8. NEW BUSINESS

- A. Annexation: Analysis and Advisement – 143 Thumper Woods Lane/Simple Life Farm (25-49-ANX) – *Matthew Manley, Long-Range Planning Manager*
- B. Consideration of Interlocal Agreement between the City of Hendersonville and Henderson County – *John Connet, City Manager*

9. BOARDS AND COMMITTEES

- A. Appointment to the Environmental Sustainability Board - *Jill Murray, City Clerk*

10. CITY MANAGER REPORT - John F. Connet, City Manager

- A. July 2025 Contingency and Adjustment Report – *John Connet, City Manager*

11. CITY COUNCIL COMMENTS

12. CLOSED SESSION

- A. Closed Session – *John Connet, City Manager*

13. ADJOURN

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.



MINUTES

July 2, 2025

REGULAR MEETING OF THE CITY COUNCIL

CITY HALL-2ND FLOOR MEETING ROOM | 160 6TH AVE. E. | 5:45 p.m.

Present: Mayor Barbara Volk; Mayor Pro Tem Dr. Jennifer Hensley and Council Members: Lyndsey Simpson, Melinda Lowrance and Gina Baxter

Staff Present: City Manager John Connet, Assistant City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Becker, Budget & Evaluation Director Adam Murr, Communications Director Allison Justus, Communications Coordinator Brandy Heatherly and others.

1. CALL TO ORDER

Mayor Barbara Volk called the meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The City Council observed a moment of silence for prayer or reflection followed by the Pledge of Allegiance to the Flag.

3. PUBLIC COMMENT *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

There was no public comment.

4. CONSIDERATION OF AGENDA

Council Member Melinda Lowrance moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.

5. CONSENT AGENDA

Council Member Gina Baxter moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

- A. Adoption of City Council Minutes – *Jill Murray, City Clerk*
City Council Regular Monthly Meeting – June 5, 2025
City Council Special Called Meeting – June 16, 2025

- B. Hurricane Helene Cash Flow Loan Amendment – *Krystal Powell, Finance Director*

Resolution #R-25-53

RESOLUTION TO APPROVE AMENDMENT TO LOAN AGREEMENT BETWEEN THE STATE OF NORTH CAROLINA (BY AND THROUGH THE NORTH CAROLINA DEPARTMENT OF STATE TREASURER) AND THE CITY OF HENDERSONVILLE

WHEREAS, the City of Hendersonville (“City”) previously approved and entered into a loan agreement (“Loan Agreement”) and promissory note with the State of North Carolina, by and through the North Carolina Department of State Treasurer (“NCDST”), in connection with the Hurricane Helene Cash Flow Loan Program created by the North Carolina General Assembly under the Disaster Recovery Act of 2024 – Part II (Session Law 2024-53, as amended by Session Law 2024-57); and

WHEREAS, NCDST has agreed to modify those provisions of the Loan Agreement pertaining to the repayment obligations of City upon City’s receipt of “Alternative Funding” (as that term is defined in the Amendment), towards the end of maximizing the cashflow liquidity available to City for disaster response activities in the months and years ahead (“Amendment to Loan Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

HENDERSONVILLE:

1. That the Amendment to Loan Agreement presented by the North Carolina Department of State Treasurer is hereby approved.
2. That the City Manager is authorized to execute the attached Amendment to Loan Agreement (or one substantially equivalent thereto) and to take such other actions as necessary to secure disaster recovery loan funding from the State of North Carolina.
3. All prior actions of the City Manager and Finance Director in furtherance of the Amendment to Loan Agreement are hereby ratified and approved.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

C. Open Investment Account with NC Class – Krystal Powell, Finance Director

Resolution #R-25-54

**RESOLUTION TO PARTICIPATE IN NORTH CAROLINA
COOPERATIVE LIQUID ASSETS SECURITIES SYSTEMS**

A resolution authorizing the City of Hendersonville, North Carolina (the "City") to join with other political subdivisions of the State of North Carolina as a Participant ("Participant") in the North Carolina Cooperative Liquid Assets Securities System (North Carolina CLASS) (the "Trust") to pool funds for investment.

WHEREAS, the provisions of Section 159-30 of the General Statutes of North Carolina, as amended ("N.C. Gen. Stat."), provide the guidelines for any local government or public authority of the State of North Carolina (a "Local Government" or "Local Government Unit") to invest idle funds; and

WHEREAS, under N.C. Gen. Stat. § 159-30(c)(10), moneys may be invested in a commingled investment pool established by interlocal agreement pursuant to N.C. Gen. Stat. § 160A-460 through 160A-464 (a "Local Government Investment Pool"), if the investments of the Local Government Investment Pool are limited to those qualifying for investment under N.C. Gen. Stat. § 159-30(c) or other laws of the State of North Carolina governing the investment of monies of a Local Government Unit ("Permitted Investments"); and

WHEREAS, certain Local Government Units have executed an Interlocal Agreement dated March 1, 2023 (the "Original Interlocal Agreement" and as supplemented and amended the "Interlocal Agreement") for the purpose of creating the Trust or executed a joinder agreement for purposes of joining the Original Interlocal Agreement; and

WHEREAS, the Trust is governed by the terms of an Indenture of Trust dated as of March 1, 2023 (the "Indenture"), which provides for the deposit of the pooled idle funds in the Trust and the investment of such funds in only Permitted Investments; and

WHEREAS, the City desires to become a party to the Interlocal Agreement and a Participant in the Trust.

NOW, THEREFORE, it is hereby RESOLVED by the Council of the City of Hendersonville, North Carolina that:

1. The Governing Body hereby approves the City becoming a party to the Interlocal Agreement and its participation in the Trust, which is governed by the Indenture.
2. The Governing Body authorizes the execution and delivery of a joinder agreement to Interlocal Agreement (the "Joinder Agreement") substantially in the form presented at this meeting, together with such changes, modifications and deletions as may be approved by the City's Finance Director (the "Finance Officer"). The approval of the Joinder Agreement will be evidenced conclusively by the execution and delivery of the Joinder Agreement by the Finance Officer.
3. The Finance Officer is hereby authorized to take or cause to be taken any and all such other actions as they may determine in their discretion to be to be necessary or advisable or in the best interest of the City in order to effectuate, complete and carry out the intent and purposes of the foregoing resolutions and the management, supervision, and investment of the City's idle funds, including, but not limited to, the execution of all depository forms or other documents required by the administrator, the custodian or the investment advisor of the Trust and execution of amendments to the Interlocal Agreement entered into for the purpose of (i) adding an additional Participant to the Trust or (ii) which do not have financial implications for the City.

4. The Governing Body hereby approves the Finance Officer to serve as the City's Authorized Representative under the Interlocal Agreement and the Indenture and in such capacity shall remain responsible for the management, supervision and investment of the City's idle funds.

The undersigned hereby certifies that the City Council has enacted this Resolution, or another form of Resolution, a copy of which is enclosed, and that such Resolution is a true and correct copy of the original which is in my possession.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

D. Construction Contract Award for the Wastewater Treatment Facility HVAC Systems Replacement Project – Devon Owen, Utilities Engineer

Resolution #R-25-43

RESOLUTION BY THE CITY OF HENDERSONVILLE OF AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE WASTEWATER TREATMENT FACILITY HVAC SYSTEMS REPLACEMENT PROJECT

WHEREAS, the City owns and operates a wastewater treatment facility (WWTF) and laboratory that was impacted by Hurricane Helene during the week of September 24, 2024; and

WHEREAS, the City intends to replace its heating, ventilation, and air conditioning (HVAC) systems at the WWTF administration building which were flooded during Hurricane Helene; and

WHEREAS, once completed the project will restore climate control within the WWTF administration building, allowing the laboratory to accurately ensure that treatment processes at the WWTF are operating as intended; and

WHEREAS, on May 15, 2025, formal bids for construction of the project were opened as follows:

Cooper Construction Company, Inc.: \$624,400.00

Hickory Mechanical, Inc.: \$771,676.00

WHEREAS, formal bids were reviewed for completeness and accuracy. Cooper Construction Company, Inc. is the lowest responsive, responsible bidder; and

WHEREAS, the project engineer and utility staff are recommending the award of the WWTF HVAC Systems Replacement Project to Cooper Construction Company, Inc.

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

The City Manager is authorized to award and execute a contract for the construction of the WWTF HVAC Systems Replacement Project to Cooper Construction Company, Inc., the lowest responsive and responsible bidder in the total amount of \$624,400.00.

The City Manager is authorized to approve change orders which cumulatively do not exceed 10% of the approved contract amount of \$624,400.00, provided however that any necessary budget ordinance or project ordinance amendments must be brought back to the City Council for approval.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of June, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

E. Purchase of Water & Sewer Operations Inventory and parts – Logan Hickey, Chad Freeman

Resolution #R-25-56

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE RATIFICATION OF A GPO CONTRACT IN FY25 FOR INVENTORY AND PART PURCHASES AND TO AUTHORIZE USE OF FOUR GPO CONTRACTS FOR THESE PURCHASES FOR THE CITY'S WATER AND SEWER OPERATIONS FOR FISCAL YEAR 2025/2026

WHEREAS, the City of Hendersonville Operations Department utilizes the following wide variety of inventory to ensure that the City continues to function effectively as inventory/parts become necessary (AMI products (Meters, Transmitters, Sensus Ancillary Parts), Brass fittings, Clamps, Ductile pipe, Hydrants, Gate valves, Other inventory as needed); and,

WHEREAS, for many years, the City has utilized various Group Purchasing Organization contracts to purchase this inventory as is permitted by GS 143-129(e)(3) and under various previous council approvals; and,

WHEREAS, over FY21, FY22, FY23, and FY24, between Repair/Maintenance and Capital accounts, the City has purchased an average of \$977,624.25 of inventory yearly; and,

WHEREAS, on April 4, 2024, we combined all inventory purchases under the same category of approval, and City Council ratified FY24 for all applicable contracts and vendors. On July 10, 2024, City Council approved utilization of three of these contracts per GS 143-129(e)(3) for budgeted inventory spending in FY25 up to \$1,000,000.00; and,

WHEREAS, here, we are requesting City Council to ratify the addition of Contract # 02-138 to the list of approved Group Purchasing Organization contracts for inventory/part procurement effective for FY25. We are also requesting approval of utilization of all four contracts per GS 143-129(e)(3) for budgeted inventory spending in FY26 up to \$1,000,000.00; and,

WHEREAS, below are the four contracts and corresponding vendors. These are Omnia Partners contracts. The approved amount can be utilized as needed under each contract; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that the City's Water and Sewer Operations Department is authorized to utilize Omnia Partners Contract # 02-138 for inventory/part inventory in FY25 and is authorized to purchase inventory items/parts up to \$1,000,000.00 under the contracts listed in this resolution to the vendors listed.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

F. Sole Source Purchase of Coagulant – Logan Hickey, Ricky Levi

Resolution #R-25-57

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE PURCHASE OF COAGULANT FOR THE WATER TREATMENT PLANT

WHEREAS, the City of Hendersonville's Finance Department is submitting this request on behalf of the City's Water Treatment Plant; and,

WHEREAS, the WTP utilizes Coagulant; and,

WHEREAS, Coagulant is required by the state for coagulation, flocculation, and sedimentation; and,

WHEREAS, the City ran into issues with its current vendor's solution where some of it precipitated out into the bottom of the bulk tanks and formed back into a solid; and,

WHEREAS, on 5/2/2024, the City is recommended use of a different Coagulant formula which is sole source thru a different vendor. Please see that agenda and resolution for full context; and,

WHEREAS, the new formula recommendation of Coagulant is a proprietary blend only available from one source of supply. While there are other alternative non-coagulant products, none have this particular blend which is required for the efficient operations of our facility. Standardization of this blend is required; and,

WHEREAS, While there are other alternative non-coagulant products, none have this particular blend which required for the efficient operations of our facility. NCDEQ would require us to do further studies and get their approval to change from one blend to another. Another challenge with changing blends is that it could cause problems with our lead copper numbers as well as our water quality parameter numbers. Thus, standardization of this blend is required; and,

WHEREAS, NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract; and,

WHEREAS, staff are requesting to continue to utilize Zeta Solutions on Coagulant City-wide by asking that Council approve this sole source and standardization request; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that city staff is authorized to purchase Coagulant from Zeta Solutions for FY25/26 within budgeted funds available.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

G. Purchase of Chlorine – Logan Hickey, Ricky Levi

Resolution #R-25-58

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE PURCHASE OF CHLORINE FOR THE WATER TREATMENT PLANT

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Water Treatment Plant; and,

WHEREAS, the City’s WTP utilizes Chlorine; and,

WHEREAS, chlorine is required by the state for certain levels in the treatment train for certain CT/Contact Times and a certain residual level must be maintained in the distribution system; and,

WHEREAS, there are no other suppliers in our region. If we did go outside of our region – product availability, cost, safety, and would be an issue; and,

WHEREAS, requesting department has been looking for additional chlorine suppliers each year. When the current staff took over position, staff was informed by other staff that there weren’t any suppliers/vendors close enough that could provide chlorine in the containers nor amount used by the City. Requesting department has made several attempts to locate additional suppliers and has inquired to everyone in the industry contacts – with no success. Additionally, the requesting department has also brought in Brenntag chemical in the past to look things over. It was learned that the vendor is unable to supply the amount needed by the City in ton containers and is not equipped to supply currently. This was basically the only lead requesting department had, and this vendor is not located in NC. The others with applicable capabilities were in either Florida or South Georgia. They, however, have to keep their regional customers supplied, so the City would not have a place of priority if that route was selected. The cost would also be higher due to shipping. In addition to increased cost, this distance is not in line with best safety practices; and,

WHEREAS, the City’s RMP Risk Management Plan (which is filed with the USEPA, NCDEQ) and Emergency Management require certain safety training along with training at City facilities to be documented. The inspectors are more pleased when you stick with the same vendor as much as possible from a safe handling aspect.; and,

WHEREAS, overall, there are no other viable options other than JCI Jones Chemical (out of Charlotte, NC) who can provide chlorine gas in the ton containers and in the volume the City requires for water treatment disinfection at the City’s 12 million per gallon a day rated water treatment facility. The City uses 2000 lb. cylinders and one ton will last about 10 days. The City’s maximum allowed facility storage amount at any one time is 8 tons/16,000 lbs. This is regulated by the State and Federal government. The current market price is \$2,203 per ton delivered. The volatile market is continuing at this time. The City also has email documentation regarding extensive market volatility and price increases. Due to the cost escalation in the current market, chlorine costs are now exceeding formal bid thresholds. Costs have nearly quadrupled over the past four years. Therefore, we are seeking council approval to continue use of JCI Jones Chemicals in order to ensure that we are able to consistently source this chemical safely and to ensure effective operation of our facilities; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that the City’s Water Treatment Plant is authorized to continue to utilize JCI Chemical as the source for Chlorine for Fiscal Year 2025/2026.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

H. Sole Source and Standardization Purchase of Orthophosphate – Logan Hickey, Ricky Levi

Resolution #R-25-59

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE AND STANDARDIZATION PURCHASE OF ORTHOPHOSPHATE FOR THE WATER TREATMENT PLANT

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Water Treatment Plant; and,

WHEREAS, the City’s WTP utilizes Orthophosphate; and,

WHEREAS, Orthophosphate is required by the state for corrosion control; and,

WHEREAS, Orthophosphate is a proprietary blend called 70/30 Ortho Poly with a total PO4 value of 36 percent; and,

WHEREAS, This Orthophosphate blend is only available from one source of supply and needs to be standardized for use at the City. While there are alternative products in the market, no other vendors offer this particular blend; and,

WHEREAS, the City has used this blend for roughly 15-20 years and utilizing a different blend would create a need to for an entirely new corrosion study with the state and the changeover would take 3-6 months to replace within the distribution system. This would significant budgetary overages, would cause regulatory issues with the state, and would cause issues with corrosion control (i.e.. Lead and copper); and,

WHEREAS, NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract; and,

WHEREAS, staff are requesting to continue to utilize Worx on Orthophosphate City-wide by asking that Council approve this sole source and standardization request; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that city staff is authorized to purchase Orthophosphate from Worx for FY25/26 within budgeted funds available.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

I. Sole Source Purchase of Polydyne – Logan Hickey, Ricky Levi

Resolution #R-25-60

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE AND STANDARDIZATION PURCHASE OF POLYDYNE FOR THE WATER TREATMENT PLANT

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Wastewater Treatment Plant; and,

WHEREAS, the WWTP utilizes Polydyne to coagulate with the City’s sludge profile; and,

WHEREAS, there is extensive jar testing involved to find the right product for our sludge profile. Due to the relative low quantities our WWTP has indicated that it is very challenging to find other sources to come to City facilities to jar test; and,

WHEREAS, it is vital for the City to continue use of the Polydyne from SNF Water Science for continuity/standardization and to prevent risks associated with a new formula; and,

WHEREAS, the product is sole source and trademarked; and,

WHEREAS, NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract; and,

WHEREAS, staff are requesting to continue to utilize SNF Water Science for Polydyne by asking that Council approve this sole source and standardization request; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that city staff is authorized to purchase Polydyne from SNF Water Science for FY25/26 within budgeted funds available.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

J. Sole Source Purchase of Sodium Bicarbonate – Logan Hickey, Ricky Levi

Resolution #R-25-61

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE AND STANDARDIZATION PURCHASE OF SODIUM BICARBONATE FOR THE WATER TREATMENT PLANT

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Water Treatment Plant; and

WHEREAS, the City’s WTP utilizes Sodium Bicarbonate; and

WHEREAS, Sodium Bicarbonate is required by the state for providing required alkalinity level; and

WHEREAS, Sodium Bicarbonate is a proprietary blend called Alkalinity First and is only available from one source of supply in this area as they are the only authorized area distributor; and

WHEREAS, this is a granular technical grade Sodium Bicarbonate, which ensures consistent levels of alkalinity that other products cannot offer. If we utilized other products with lesser alkalinity levels and lesser quality composition, this could clog our feed system and cause numerous maintenance issues. Thus, it is vital that we utilize this product as standardization is important; and

WHEREAS, NCGS 143-129(e) lists the authorized exceptions to the formal bid procedures. NCGS 143-129(e)(6) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. The governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract; and

WHEREAS, staff are requesting to continue to utilize Univar on Sodium Bicarbonate City-wide by asking that Council approve this sole source and standardization request; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that city staff is authorized to purchase Sodium Bicarbonate from Univar for FY25/26 within budgeted funds available.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

K. Waive Competition for Biosolid Sludge Transport and Disposal Services – Logan Hickey, Adam Steurer, Garrett Demoss, Ricky Levi

Resolution #R-25-62

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE AND STANDARDIZATION PURCHASE OF POLYDYNE FOR THE WATER TREATMENT PLANT

WHEREAS, the City of Hendersonville’s Finance Department is submitting this request on behalf of the City’s Water and Sewer Department; and

WHEREAS, the City of Hendersonville’s Water and Sewer Department owns and operates one water treatment facility and one wastewater treatment facility that combined currently produces approximately 6,500 wet tons of unclassified treatment solids residuals annually, however quantities produced fluctuate based on a variety of operational factors; and

WHEREAS, the City outsources the transport and disposal of these water and wastewater treatment solid residuals; and,

WHEREAS, for Fiscal Year 2025-2026, the City estimates a total expenditure of \$750,000.00 on these services; and

WHEREAS, North Carolina state law does not require competitive bidding for services such as this. Sections 5.F.1 and Sections 5.F.2 of the City’s Purchasing Policy Manual require competitive solicitations for professional and

non-professional services totaling \$50,000.00 or greater that do not pertain to N.C.G.S. § 143 64.31 and N.C.G.S. § 143 64.32. Per the policy, an exception to these requirements may be granted with the prior written approval of the City's Finance Director and City Manager. This letter serves as a justification for waiving competition for these services; and

WHEREAS, the City's Water and Sewer Department has elected to waive competition and to continue to utilize Southern Logistics, Inc. for these transport and disposal services. The City has identified the following reasons for the need to utilize Southern Logistics, Inc. for these services:

- Southern Logistics has successfully provided these services to the City for many years coordinating and managing multiple landfills and hauling companies. Based on historical volatility and the rejection of the material due to high water content, the valuable relationships maintained by Southern Logistics with the limited number of landfill owners in western North Carolina reduces City risk.
- The Wastewater Treatment Facility Thermal Dryer Project will produce a Class A Biosolid that can be beneficially reused in agriculture resulting in more outlets instead of landfilling for the material. The thermal dryer will also reduce the mass of material produced by approximately 82 percent. The dryer will be operational by fall 2026. Once operational, the need for these hauling and disposal services will be substantially diminished or eliminated.
- The proposed Thermal Dryer will be constructed within the existing covered drying shed, which substantially reduces storage capacity during construction. Changing vendors for a relatively short time until completion of the thermal dryer project has risks associated with the potential lack of continuity of services.
- The capital cost of the Biosolids Thermal Dryer is \$17.7 million, funded by a \$14.5 million state direct appropriation grant and \$3.2 million revenue bond. After implementation of the new dryer, the utility estimates operational saving of \$285,000 annually in the first year (including debt service costs).
- The utility plans to solicit a separate solids management contractor for water treatment facility residuals once the dryer is operational; and

WHEREAS, the signatures from the City's Utilities Director, Finance Director, and City Manager on the attached letter represent their formal written approval for this waiving of competition for these services in the current fiscal year. Since the total exceeds \$499,999.00 (the City Manager's dollar delegation), we are formally requesting Council's approval on this request; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that city staff is authorized to utilize Southern Logistics, Inc. for these services for FY25/26 within budgeted funds available.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

L. Annexation : Certificate of Sufficiency-412 McMurray Road (Gergi Logistics LLC)
(25-42-ANX) – Tyler Morrow, Current Planning Manager

Resolution #R-25-63

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the satellite area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the satellite area described herein will be held at City Hall located at 160 6th Ave E. Hendersonville NC, 28792 at 5:45 p.m. August 7th, 2025, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PIN 9588-32-9376 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9588-32-9376 being described by metes and bounds as follows:

Being a certain 14.22± acre tract of land situate in Blue Ridge Township of Henderson County, North Carolina as shown on Plat Book 2021, Page 13545 of the Henderson County Register of Deeds Office and being more particularly described by metes and bounds as follows:

Beginning at an existing 3/4" open top pipe in the margin the right of way of McMurray Road as shown in Plat Book 2021 Page 13545 of the Henderson County Register of Deeds Office; thence with the margin of said road N 04°19'51" E a distance of 127.60 feet to a unmarked point, herein after called: point, and said point standing S 84°55'09" E a distance of 9.11 feet from an existing 1/2" rebar; thence leaving the margin of said road and with the line of Troy and Frances Sherman as described in Deed Book 1475, Page 449 of said registry the following two courses and distances: (1) S 84°55'09" E a distance of 261.86 feet to an existing 1/2" rebar; thence (2) N 07°04'51" E a distance of 142.90 feet to an existing 1/2" rebar; thence with the margin of a private right of way as described in Deed Book 1474, Page 449 of said registry and continuing with the line of Troy and Frances Sherman S 83°36'46" W a distance of 271.33 feet to a point in the margin of said road; thence leaving the line of Troy and Frances Sherman and with the margin of said road and continuing with the line of the said private right of way N 06°06'05" E a distance of 29.31 feet to a point, and said point standing N 83°50'57" E a distance of 11.86 feet from an existing 1/2" rebar with cap; thence leaving the margin of said road and continuing with the line of the said private right of way and with the line of Owenby Trust as described in Deed Book 3285, Page 587 of said registry the following two courses and distances: (1) N 83°50'57" E a distance of 147.27 feet to an existing 3/4" open top pipe; thence (2) N 82°52'01" E a distance of 50.50 feet to an existing 3/4" open top pipe in concrete; thence leaving the said private right of way and continuing with the line of Owenby Trust the following two courses and distances: (1) N 08°36'24" E a distance of 84.34 feet to an existing 1/2" rebar, and said rebar standing S 02°15'47" W a distance of 33.33 feet from an existing 1/2" rebar in concrete with "Corn" cap; thence (2) N 83°17'47" W a distance of 196.57 feet to a point in the margin of said road, said point standing S 86°14'47" E a distance of 11.74 feet from an existing 1/2" rebar with cap; thence leaving the line of Owenby Trust and with the margin of said road N 05°57'31" E a distance of 201.00 feet to a new 1/2" rebar; thence leaving the margin of said road S 88°35'39" E a distance of 245.80 feet to an existing 1/2" rebar, said rebar standing S 09°09'22" E a distance of 119.33 feet from an existing 1/2" rebar with "2431" cap; thence S 88°32'52" E a distance of 1001.21 feet to a new 1/2" rebar; thence with the line now or formerly of Sarah H. Murray S 06°36'43" W a distance of 190.87 feet to a point, and said point standing N 48°22'59" W a distance of 686.06 feet from a found 6" axle; thence leaving the line of Sarah Murray and with the line of Billy and Catherine Hill as described in Deed Book 822, Page 275 of said registry and with the centerline of the creek the following five courses and distances: (1) S 60°11'06" W a distance of 38.67 feet to a point; thence (2) S 33°53'33" W a distance of 76.22 feet to a point; thence (3) S 31°02'29" W a distance of 103.25 feet to a point; thence (4) S 19°52'06" W a distance of 156.91 feet to a point; thence (5) S 05°14'30" W a distance of 53.00 feet to a point; thence leaving said creek and with the line of K-2 Properties LLC as described Deed Book 1285, Page 560 of said registry the following two courses and distances: (1) N 89°14'47" W a distance of 22.62 feet to an existing 5/8" rebar with BME cap, said rebar standing N 38°16'37" E a distance of 612.27 feet from an existing 5/8" rebar with BME cap; thence (2) N 88°59'20" W a distance of 1071.07' to the POINT AND PLACE OF BEGINNING, containing 14.22± acres.

Re: Petition for Satellite Annexation
Petitioner: Sergii Gergi, general manager of Gergi Logistics LLC
File No. 25-42-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

M. Adopt a Continuing Disclosure Policy – Krystal Powell

N. Utility Extension Agreement for the Mabry Woods Subdivision – Adela Gutierrez-Ramirez, Civil Engineer

Resolution # R-25-64

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH MPG HENDERSONVILLE, LLC, FOR THE MABRY WOODS SUBDIVISION

WHEREAS, the City of Hendersonville owns, operates, and maintains water and sewer systems to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water and public gravity sewer services as a part of their development projects; and

WHEREAS, the Developer extends public water and public sewer lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, MPG Hendersonville, LLC, the "Developer" and "Owner," will enter into a Utility Extension Agreement with the City to provide water and sewer services to the Mabry Woods Subdivision.

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

1. The Utility Extension Agreement with MPG Hendersonville, LLC, the “Developer” and “Owner” to provide water service to the Mabry Woods Subdivision is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

O. Utility Extension Agreement for the Cummings Cove Phase 8A Subdivision – Adela Gutierrez-Ramirez, Civil Engineer

Resolution #R-25-65

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH VISTA AT CUMMINGS COVE, LLC FOR THE CUMMINGS COVE PH 8A

WHEREAS, the City of Hendersonville owns, operates, and maintains a water system to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Developer extends public water lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, Vista at Cummings Cove, LLC, the “Developer” and “Owner,” will enter into a Utility Extension Agreement with the City to provide water service to the Cummings Cove PH 8A.

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

1. The Utility Extension Agreement with Vista at Cummings Cove, LLC, the “Developer” and “Owner” to provide water service to the Cummings Cove Ph 8A is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

P. Utility Extension Agreement for the Simple Life-The Farm Development – Adela Gutierrez-Ramirez, Civil Engineer

Resolution #R-25-66

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH THE VILLAGE AT FLAT ROCK OWNER, LLC, FOR THE SIMPLE LIFE - THE FARM DEVELOPMENT

WHEREAS, the City of Hendersonville owns, operates, and maintains a water system to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Developer extends public water lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, The Village at Flat Rock Owner, LLC, the “Developer” and “Owner,” will enter into a Utility Extension Agreement with the City to provide water service to the Simple Life – The Farm Development.

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

1. The Utility Extension Agreement with The Village at Flat Rock Owner, LLC, the “Developer” and “Owner” to provide water service to the Simple Life – The Farm development is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

Q. Utility Extension Agreement for the Wilmont Estates Subdivision – Adela Gutierrez-Ramirez, Civil Engineer

Resolution #R-25-67

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH CREEKSTONE HOLDINGS HENDERSONVILLE, LLC, FOR THE WILMONT ESTATES SUBDIVISION

WHEREAS, the City of Hendersonville owns, operates, and maintains water and sewer systems to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water and gravity sewer service as a part of their development projects; and

WHEREAS, the Developer extends public water and gravity sewer lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water and sewer line extension processes; and

WHEREAS, Creekstone Holdings Hendersonville, LLC, the “Developer” and “Owner,” will enter into a Utility Extension Agreement with the City to provide water and sewer services to the Wilmont Estates Subdivision.

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

1. The Utility Extension Agreement with Creekstone Holdings Hendersonville, LLC, the “Developer” and “Owner” to provide water and sewer service to the Wilmont Estates subdivision is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

R. Utility Extension Agreement for the Tracy Grove Road Subdivision – Adela Gutierrez-Ramirez, Civil Engineer

Resolution #R-25-68

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH CHRISTOPHER A. SMITH AND MICHAEL O’LEARY FOR THE TRACY GROVE ROAD SUBDIVISION

WHEREAS, the City of Hendersonville owns, operates, and maintains a water system to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Developer extends public water lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, Christopher A. Smith and Michael O’Leary, the “Developer” and “Owner,” will enter into a Utility Extension Agreement with the City to provide water service to the Tracy Grove Road Subdivision.

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

1. The Utility Extension Agreement with Christopher A. Smith and Michael O’Leary, the “Developer” and “Owner” to provide water service to the Tracy Grove Road Subdivision is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

S. Budget Amendments End-of-Year FY25 – Jennifer Floyd Budget and Management Analyst

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-01

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDG	INCREASE	DECREASE	REVISED BUDGE
010-0000-400101	Ad Valorem Taxes	15,582,810	250,000	-	15,832,810
010-0000-400102	Prior Years Ad Valorem Taxes	128,025	26,000	-	154,025
010-0000-400103	Prior Year Ad Valorem Taxes - Collected by COH	14,335	1,950	-	16,285
010-0000-400150	Tax - Interest	8,500	33,000	-	41,500
010-0000-400501	Rental Vehicle Tax	7,000	2,000	-	9,000
010-0000-400502	Beer & Wine License	500	3,400	-	3,900
010-0000-410001	Local Sales & Use Tax	6,312,335	287,665	-	6,600,000
010-0000-410110	ABC Revenues	367,500	82,500	-	450,000
010-0000-410200	Court Fees - Police	2,500	1,500	-	4,000
010-0000-410300	Electricity Utility Tax	1,000,000	65,000	-	1,065,000
010-0000-420003	SRO Reimbursement	249,920	90,300	-	340,220
010-0000-420050	Grant Revenue	-	7,400	-	7,400
010-0000-420051	Local/Private Grant Revenue	-	3,000	-	3,000
010-0000-430006	Boyd Park Golf Revenues	28,000	9,000	-	37,000
010-0000-430007	Boyd Park Concessions	2,200	670	-	2,870
010-0000-440010	Special Project Fees-Planning	15,000	9,000	-	24,000
010-0000-440011	Demo Fees	100	500	-	600
010-0000-440012	Street Sidewlk Encroachment	850	2,250	-	3,100
010-0000-440015	Payment In Lieu Of Sidewalks District 1,2,3	10,000	-	10,000	-
010-0000-450001	Interest Income	175,000	1,400	-	176,400
010-0000-450002	Powell Bill Interest	6,000	7,900	-	13,900
010-0000-460091	Police Contribution/Donation	19,750	740	-	20,490
010-0000-460120	Refunds/Rebates	26,955	112,000	-	138,955
010-0000-470030	Insurance Proceeds	1,603,745	-	1,500,000	-
010-0000-470050	Sale Of Capital Assets	578,250	-	575,625	2,625
010-0000-470100	Transfer In	564,354	38,316	-	602,670
010-0000-470900	Fund Balance Appropriated	593,612	834,219	-	1,427,831
010-0000-502005	Group Med & Life Ins	50,000	-	50,000	-
010-0000-598901	Transfer Out	2,378,883	66,537	-	2,445,420
010-1001-519200	Contract Services	50,000	-	48,600	1,400
010-1002-519104	Prof Services-Engring	1,000	-	1,000	-
010-1002-519200	Contract Services	16,205	9,000	-	25,205
010-1002-521010	Office Supplies	5,750	870	-	6,620
010-1002-521100	Uniforms	500	-	500	-
010-1002-523001	Utilities - Electricity	471,175	35,000	-	506,175
010-1002-531205	Advertising	7,600	-	2,400	5,200
010-1002-531210	Permits, License And Fees	13,000	-	9,000	4,000
010-1002-531215	Dues & Subscriptions	12,400	8,600	-	21,000
010-1002-531265	Drug Testing	2,500	2,000	-	4,500
010-1002-531280	Employee Events	6,000	680	-	6,680
010-1002-532260	Service Excellence	300	1,700	-	2,000
010-1002-532400	Miscellaneous	2,600	-	2,000	600
010-1002-534000	Non-Capital Equipment	1,000	671	-	1,671
010-1005-501001	Salaries - Regular	149,788	-	6,000	143,788
010-1005-502050	Retirement Expense	20,439	-	1,000	19,439
010-1005-519102	Prof Services-Legal	8,700	860	-	9,560
010-1005-531200	Postage	125	59	-	184
010-1005-531215	Dues & Subscriptions	8,000	265	-	8,265
010-1005-531225	Training/Training	6,250	1,500	-	7,750
010-1007-531225	Training/Training	26,775	-	15,000	11,775
010-1010-519200	Contract Services	476,531	-	9,000	467,531
010-1010-521010	Office Supplies	16,000	-	2,000	14,000
010-1010-534000	Non-Capital Equipment	83,801	-	3,900	79,901
010-1014-501001	Salaries - Regular	322,268	-	1,180	321,088
010-1014-501010	Salaries - Overtime	3,200	-	1,000	2,200
010-1014-519104	Prof Services-Engring	34,000	-	2,000	32,000
010-1014-521010	Office Supplies	8,000	-	1,000	7,000
010-1014-523003	Utilities - Telephone & Internet	5,000	350	-	5,350
010-1200-523003	Utilities - Telephone & Internet	4,500	500	-	5,000
010-1200-532100	Grant Expense	-	630	-	630
010-1300-501001	Salaries - Regular	3,898,199	-	46,701	3,851,498
010-1300-519200	Contract Services	73,360	13,700	-	87,060
010-1300-521100	Uniforms	82,850	-	20,000	62,850
010-1300-524030	R & M- Trucks	128,132	-	20,000	108,132
010-1300-531100	Fuel	152,000	-	17,967	134,033
010-1300-531600	Lease/Rental - Equipment	-	46,840	-	46,840
010-1300-554002	Capital Outlay - Vehicles	-	1,300	-	1,300
010-1400-501011	Salaries - Holiday Pay	106,926	44,000	-	150,926

010-1400-519103	Prof Services-Medical	44,500	-	1,000	43,500
010-1400-521010	Office Supplies	23,700	-	5,000	18,700
010-1400-521100	Uniforms	65,750	-	17,739	48,011
010-1400-524010	R & M - Bulidings	41,000	-	6,000	35,000
010-1400-524030	R & M - Trucks	149,864		20,000	129,864
010-1400-531100	Fuel	81,000		15,000	66,000
010-1400-531225	Training/Training	69,650	-	10,000	59,650
010-1400-532400	Miscellaneous	10,500	-	2,000	8,500
010-1400-534000	Non-Capital Equipment	97,900	-	10,000	87,900
010-1502-501001	Salaries - Regular	356,745	8,100	-	364,845
010-1502-519104	Prof Services-Engring	9,840	-	9,840	-
010-1502-519200	Contract Services	65,400	-	15,000	50,400
010-1502-532299	Miscellaneous Program Expenditures	6,000	-	2,500	3,500
010-1502-532400	Miscellaneous	3,000	-	3,000	-
010-1502-534000	Non-Capital Equipment	20,805	-	6,500	14,305
010-1521-501010	Salaries - Overtime	15,000	-	4,000	11,000
010-1521-519200	Contract Services	23,380	-	10,000	13,380
010-1521-521001	Supplies & Materials	30,000	-	5,000	25,000
010-1521-521010	Office Supplies	4,000	-	2,500	1,500
010-1521-524030	R & M - Trucks	38,000	-	10,000	28,000
010-1521-531100	Fuel	7,000	-	2,000	5,000
010-1521-554001	Capital Outlay - Equipment/Other Than Vehicles	20,200	-	9,000	11,200
010-1523-501012	Salaries - Standby Pay	2,500	-	1,500	1,000
010-1523-502001	Fica Tax Expense	10,531	-	1,000	9,531
010-1523-519200	Contract Services	155,000	18,400	-	173,400
010-1523-554001	Capital Outlay - Equipment/Other Than Vehicles	10,170	-	10,000	170
010-1525-501002	Salaries - Board/ Part Time/Temp/Aux	10,000	-	2,000	8,000
010-1525-502001	Fica Tax Expense	39,776	-	1,000	38,776
010-1525-502005	Group Med & Life Ins	101,611	-	7,000	94,611
010-1525-521100	Uniforms	6,500	-	1,000	5,500
010-1525-523003	Utilities - Telephone & Internet	5,000	-	1,000	4,000
010-1525-531225	Training/Training	8,000	-	5,000	3,000
010-1525-554001	Capital Outlay - Equipment/Other Than Vehicles	20,000	-	20,000	-
010-1535-519200	Contract Services	143,000	-	30,000	113,000
010-1535-521001	Supplies & Materials	9,500	-	8,000	1,500
010-1535-522001	Chemicals	5,000	-	5,000	-
010-1555-501001	Salaries - Regular	508,625	-	15,000	493,625
010-1555-519104	Prof Services-Engring	6,000	-	6,000	-
010-1555-521060	Educational Supplies	1,000	-	1,000	-
010-1555-531225	Training/Training	12,500	-	6,000	6,500
010-1555-531705	Damage Claims	-	1,200	-	1,200
010-1555-555001	Capital Outlay - Street/Bridge/Sidewalk/Greenway	-	6,500	-	6,500
010-1556-554001	Capital Outlay - Equipment/Other Than Vehicles	-	76,000	-	76,000
010-1560-501001	Salaries - Regular	200,760	-	10,000	190,760
010-1560-519200	Contract Services	10,000	-	5,000	5,000
010-1560-531705	Damage Claims	-	500	-	500
010-7855-502055	Retiree Insurance	-	150	-	150
FUND 010	TOTAL REVENUES	27,297,241	1,869,710	2,085,625	26,977,581
General Fund	TOTAL EXPENDITURES	11,082,464	345,912	561,827	10,866,549
A budget amendment in the General Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for prioritiy items within the General Fund Fund including salaries, benefits, and operating expenditures.					
The City Manager and City Clerk certify budget ordinance amendment 07022025-01 was approved by City Council on July 2, 2025.					

TO MAYOR & COUNCIL			FISCAL YEAR 2025		
APPROVAL: July 2, 2025			FORM: 07022025-02		
BUDGET AMENDMENT					
FUND 060					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-430003	Rental Income-Non Taxable	7,760	4,700	-	12,460
060-0000-430501	Water Sales - General	17,050,000	92,900	-	17,142,900
060-0000-430502	Water Sales - Miscellaneous	7,120	2,833	-	9,953
060-0000-430701	Sewer Charges	7,700,000	250,000	-	7,950,000
060-0000-430702	Sewer Septic Tank Disposal	150,000	83,000	-	233,000
060-0000-431001	Lease Revenue	15,000	10,900	-	25,900
060-0000-444001	Water Permits & Fees	95,000	-	60,000	35,000
060-0000-444102	W&S Inspection Line Fees	50,000	12,300	-	62,300
060-0000-445201	Utility Billing Service Charges	67,000	55,000	-	122,000
060-0000-445202	Sewer Surcharges	139,000	97,000	-	236,000
060-0000-445401	Water Tap Fees	302,500	65,000	-	367,500
060-0000-450001	Interest Income	178,000	128,000	-	306,000
060-0000-460001	Miscellaneous Income	25,000	2,100	-	27,100
060-0000-460120	Refunds/Rebates	15,000	670	-	15,670
060-0000-460130	Warranty Fees - Service Partners	11,000	4,600	-	15,600
060-0000-470900	Fund Balance Appropriated	2,032,437	-	533,291	1,499,146
060-1001-502005	Group Med & Life Ins	15,140	1,650	-	16,790
060-1002-501001	Salaries - Regular	476,623	5,100	-	481,723
060-1002-501010	Salaries - Overtime	2,400	-	2,400	-
060-1002-502056	COH Match Retirement Expense	5,820	2,440	-	8,260
060-1002-502091	Worker's Comp Ins	2,899	260	-	3,159
060-1002-531215	Dues & Subscriptions	-	50	-	50
060-1002-531225	Training/Training	1,100	135	-	1,235
060-1002-531265	Drug Testing	-	255	-	255
060-1002-532260	Service Excellence	-	375	-	375
060-1002-551000	Capital Outlay - Land,Easements,Row	125,000	128,222	-	253,222
060-1005-519200	Contract Services	12,500	-	12,500	-
060-1005-531225	Training/Training	6,250	-	1,000	5,250
060-1007-501001	Salaries - Regular	186,831	2,900	-	189,731
060-1007-521010	Office Supplies	-	20	-	20
060-1007-531225	Training/Training	26,775	-	10,000	16,775
060-1008-501001	Salaries - Regular	901,267	-	50,000	851,267
060-1008-502005	Group Med & Life Ins	199,466	-	30,000	169,466
060-1008-531260	Credit Card Processing Fees	150,000	78,000	-	228,000
060-1010-501001	Salaries - Regular	197,556	33,000	-	230,556
060-1010-502001	Fica Tax Expense	16,613	100	-	16,713
060-1010-502005	Group Med & Life Ins	22,521	1,150	-	23,671
060-1010-502050	Retirement Expense	28,468	2,400	-	30,868
060-1010-519200	Contract Services	237,506	7,750	-	245,256
060-1010-523004	Cellphone Stipend	3,200	-	2,000	1,200
060-1010-531100	Fuel	-	90	-	90
060-1010-531225	Training/Training	4,000	-	4,000	-
060-1502-502005	Group Med & Life Ins	4,149	730	-	4,879
060-1521-519200	Contract Services	14,700	-	14,000	700
060-1523-501001	Salaries - Regular	106,532	-	2,000	104,532
060-1523-501010	Salaries - Overtime	3,200	1,020	-	4,220
060-1523-502005	Group Med & Life Ins	16,524	460	-	16,984
060-7002-519104	Prof Services-Engring	19,600	-	10,000	9,600
060-7002-519200	Contract Services	112,500	-	9,000	103,500
060-7002-523004	Cellphone Stipend	2,000	-	2,000	-
060-7002-524010	R & M - Bulidings	3,000	-	3,000	-
060-7002-524020	R & M - Equipment	2,500	-	2,500	-
060-7002-531225	Training/Training	25,000	-	6,000	19,000
060-7002-540001	Special Appropriations	5,000	-	5,000	-
060-7032-501010	Salaries - Overtime	12,000	3,700	-	15,700
060-7032-502001	Fica Tax Expense	34,870	2,000	-	36,870
060-7032-502005	Group Med & Life Ins	78,454	7,600	-	86,054
060-7032-502050	Retirement Expense	59,612	3,250	-	62,862
060-7032-502055	Retiree Insurance	17,486	7,100	-	24,586
060-7032-521001	Supplies & Materials	72,000	-	4,000	68,000
060-7032-521100	Uniforms	7,000	-	1,000	6,000
060-7032-523003	Utilities - Telephone & Internet	12,700	3,200	-	15,900
060-7032-524010	R & M - Bulidings	46,000	-	25,000	21,000
060-7032-531700	Liab & Prop Ins & Bonds	31,147	816	-	31,963
060-7032-539990	FEMA Reimbursable Expenditures	-	2,289	-	2,289
060-7035-502055	Retiree Insurance	-	12,500	-	12,500
060-7035-502056	COH Match Retirement Expense	6,207	415	-	6,622
060-7035-502091	Worker's Comp Ins	7,321	780	-	8,101

060-7035-552001	Capital Outlay - Buildings	35,000	-	35,000	-
060-7050-501001	Salaries - Regular	464,720	-	15,000	449,720
060-7050-501910	Salaries - FEMA Overtime	-	6,000	-	6,000
060-7050-502050	Retirement Expense	61,121	2,000	-	63,121
060-7050-502055	Retiree Insurance	-	13,800	-	13,800
060-7050-502056	COH Match Retirement Expense	2,155	1,550	-	3,705
060-7050-502910	FEMA Overtime - FICA & Benefits Expense	-	1,270	-	1,270
060-7050-521001	Supplies & Materials	15,000	8,600	-	23,600
060-7050-523003	Utilities - Telephone & Internet	21,000	4,700	-	25,700
060-7050-524030	R & M - Trucks	20,000	4,000	-	24,000
060-7050-531100	Fuel	23,000	2,500	-	25,500
060-7050-531700	Liab & Prop Ins & Bonds	2,187	350	-	2,537
060-7055-501025	Salaries - Uniform/Taxab	500	4,300	-	4,800
060-7055-502050	Retirement Expense	199,208	10,500	-	209,708
060-7055-502055	Retiree Insurance	-	12,500	-	12,500
060-7055-502056	COH Match Retirement Expense	10,344	2,150	-	12,494
060-7055-523003	Utilities - Telephone & Internet	900	13,000	-	13,900
060-7055-524030	R & M - Trucks	75,000	-	10,000	65,000
060-7055-531225	Training/Training	18,000	950	-	18,950
060-7055-531700	Liab & Prop Ins & Bonds	37,370	540	-	37,910
060-7055-555003	Capital Outlay - Plants, Pump Stations	-	2,600	-	2,600
060-7132-501001	Salaries - Regular	261,569	-	25,000	236,569
060-7132-501010	Salaries - Overtime	2,500	5,300	-	7,800
060-7132-502055	Retiree Insurance	8,612	12,500	-	21,112
060-7135-501001	Salaries - Regular	603,476	20,500	-	623,976
060-7135-501010	Salaries - Overtime	4,000	3,200	-	7,200
060-7135-501014	Salaries - Shift Diff	3,000	1,050	-	4,050
060-7135-501030	Salaries - Incentive Payments	9,000	1,000	-	10,000
060-7135-502001	Fica Tax Expense	47,721	1,500	-	49,221
060-7135-502005	Group Med & Life Ins	99,723	2,250	-	101,973
060-7135-502050	Retirement Expense	84,837	2,350	-	87,187
060-7135-502055	Retiree Insurance	-	11,750	-	11,750
060-7135-502056	COH Match Retirement Expense	3,485	1,250	-	4,735
060-7135-519200	Contract Services	66,000	10,300	-	76,300
060-7135-521050	Laboratory Supplies	25,000	3,000	-	28,000
060-7135-531210	Permits, License And Fees	8,000	2,600	-	10,600

060-7135-531225	Training/Training	5,000	610	-	5,610
060-7150-501910	Salaries - FEMA Overtime	-	3,010	-	3,010
060-7150-502001	Fica Tax Expense	18,008	580	-	18,588
060-7150-502050	Retirement Expense	32,014	1,180	-	33,194
060-7150-502056	COH Match Retirement Expense	1,352	770	-	2,122
060-7150-502910	FEMA Overtime - FICA & Benefits Expense	-	640	-	640
060-7150-519200	Contract Services	-	155	-	155
060-7155-502001	Fica Tax Expense	55,085	2,650	-	57,735
060-7155-502050	Retirement Expense	97,929	5,400	-	103,329
060-7155-502056	COH Match Retirement Expense	5,095	1,050	-	6,145
060-7155-502091	Worker's Comp Ins	4,298	3,050	-	7,348
060-7155-519104	Prof Services-Engring	20,000	-	2,600	17,400
FUND 060	TOTAL REVENUES	25,801,380	809,003	593,291	26,545,783
Water & Sewer	TOTAL EXPENDITURES	5,772,645	498,712	283,000	5,988,357

A budget amendment in the Water and Sewer Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priortiy items within the Water and Sewer Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 07022025-02 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-03

BUDGET AMENDMENT

FUND 020					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
020-0000-400102	Prior Years Ad Valorem Taxes	1,975	2,400	-	4,375
020-0000-400150	Tax - Interest	-	540	-	540
020-0000-450001	Vendor Permits	-	25	-	25
020-0000-410001	Local Sales & Use Tax	336,375	15,000	-	351,375
020-0000-460001	Interest Income	1,380	240	-	1,620
020-0000-470900	Fund Balance Appropriations	182,719	-	15,000	167,719
020-1002-501001	Salaries - Regular	7,883	65	-	7,948
020-1002-519200	Contract Services	68	2,345	-	2,413
020-1007-501001	Salaries - Regular	4,269	65	-	4,334
020-1008-501030	Salaries - Incentive Payments	40	40	-	80
020-1008-502005	Group Med & Life Ins	578	100	-	678
020-1010-501001	Salaries - Regular	903	20	-	923
020-1010-519200	Contract Services	12,489	500	-	12,989
020-1502-501001	Salaries - Regular	11,512	70	-	11,582
FUND 020	TOTAL REVENUES	339,730	18,205	15,000	357,935
Main St MSD Fund	TOTAL EXPENDITURES	37,742	3,205	-	40,947

A budget amendment in the Downtown Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priortiy items within the Downtown Fund including salaries, benefits, and operating expenditures.

The City Manager and City Clerk certify budget ordinance amendment 07022025-03 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-04

BUDGET AMENDMENT

FUND 021					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
021-0000-400110	Ad Valorem Taxes - DMV	3,900	2,300	-	6,200
021-0000-400150	Tax - Interest	-	210	-	210
021-0000-410001	Local Sales & Use Tax	63,000	7,340	-	70,340
021-0000-450001	Interest Income	830	500	-	1,330
021-0000-470900	Fund Balance Appropriation	46,543	-	7,340	39,203
021-2202-519200	Supplies & Materials	21,965	3,010	-	24,975
FUND 021	TOTAL REVENUES	114,273	10,350	7,340	117,283
7th Ave MSD Fund	TOTAL EXPENDITURES	21,965	3,010	-	24,975
A budget amendment in the 7th Avenue Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priority items within the 7th Avenue Fund including salaries, benefits, and operating expenditures.					

The City Manager and City Clerk certify budget ordinance amendment 07022025-04 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-05

BUDGET AMENDMENT

FUND 064					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
064-0000-450001	Interest Income	2,000	800	-	2,800
064-0000-460020	Parking Violations	28,700	50,360	-	79,060
064-0000-470100	Transfers In	-	38,570	-	38,570
064-1002-501001	Salaries - Regular	15,647	225	-	15,872
064-1002-501030	Salaries - Incentive Payments	-	155	-	155
064-1002-501901	Salaries - FEMA Regular	-	255	-	255
064-1002-501920	Salaries - FEMA Non-Reimbursable	-	600	-	600
064-1002-502920	FEMA Non-Reimbursable - FICA & Benefits Expense	-	150	-	150
064-1007-501001	Salaries - Regular	8,538	185	-	8,723
064-1010-502005	Group Med & Life Ins	174	20	-	194
064-1502-501030	Salaries - Incentive Payments	-	100	-	100
064-1560-501001	Salaries - Regular	32,955	4,650	-	37,605
064-1560-501010	Salaries - Overtime	1,250	500	-	1,750
064-1560-501012	Salaries - Standby Pay	3,000	170	-	3,170
064-1560-501030	Salaries - Incentive Payments	-	600	-	600
064-1560-502001	Fica Tax Expense	2,521	650	-	3,171
064-1560-502050	Retirement Expense	4,482	1,300	-	5,782
064-1560-502056	COH Match Retirement Expense	462	170	-	632
064-7455-531210	Permits, Licenses And Fees	80,000	80,000	-	160,000
FUND 064	TOTAL REVENUES	30,700	89,730	-	120,430
Parking Fund	TOTAL EXPENDITURES	149,028	89,730	-	238,758
A budget amendment in the Parking Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for priority items within the Parking Fund including salaries, benefits, and operating expenditures.					

The City Manager and City Clerk certify budget ordinance amendment 07022025-05 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-06

BUDGET AMENDMENT					
FUND 067					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
067-0000-447000	Stormwater Permits	1,000	2,500	-	3,500
067-0000-450001	Interest Income	50	1,110	-	1,160
067-0000-470030	Insurance Proceeds	43,517	2,970	-	46,487
067-1002-501001	Salaries - Regular	33,553	2,350	-	35,903
067-1002-501030	Salaries - Incentive Payments	-	310	-	310
067-1002-539005	Health And Welfare Expenditures	3,636	-	2,350	1,286
067-1005-501001	Salaries - Regular	8,466	500	-	8,966
067-1005-501030	Salaries - Incentive Payments	-	60	-	60
067-1005-502005	Group Med & Life Ins	530	160	-	690
067-1007-501001	Salaries - Regular	12,807	1,000	-	13,807
067-1008-501001	Salaries - Regular	39,372	-	3,000	36,372
067-1010-501030	Salaries - Incentive Payments	-	100	-	100
067-1014-501001	Salaries - Regular	41,512	600	-	42,112
067-1014-501030	Salaries - Incentive Payments	-	450	-	450
067-1014-502050	Retirement Expense	5,646	450	-	6,096
067-1014-502056	COH Match Retirement Expense	240	300	-	540
067-1014-502091	Worker's Comp Ins	338	250	-	588
067-1502-501030	Salaries - Incentive Payments	-	250	-	250
067-1502-502005	Group Med & Life Ins	3,279	1,300	-	4,579
067-1502-502056	COH Match Retirement Expense	210	250	-	460
067-1525-501001	Salaries - Regular	157,684	5,000	-	162,684
067-1525-501010	Salaries - Overtime	-	2,000	-	2,000
067-1525-501030	Salaries - Incentive Payments	-	3,250	-	3,250
067-1525-502056	COH Match Retirement Expense	520	600	-	1,120
067-1525-502091	Worker's Comp Ins	2,161	250	-	2,411
067-7555-501001	Salaries - Regular	163,088	10,000	-	173,088
067-7555-502050	Retirement Expense	22,180	1,000	-	23,180
067-7555-502056	COH Match Retirement Expense	2,160	1,350	-	3,510
067-7555-502091	Worker's Comp Ins	1,327	150	-	1,477
067-7555-519200	Contract Services	177,500	-	60,000	117,500
067-7555-521040	Construction & Repair Supplies	50,000	-	20,000	30,000
067-7555-551000	Capital Outlay - Land,Easements,Row	-	10,000	-	10,000
067-7555-553000	Capital Outlay - Land Improvements	-	50,000	-	50,000
FUND 067 Stormwater Fund	TOTAL REVENUES	44,567	6,580	-	51,147
	TOTAL EXPENDITURES	726,210	91,930	85,350	732,790
A budget amendment in the Stormwater Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for prioritiy items within the Stormwater Fund including salaries, benefits, and operating expenditures.					

The City Manager and City Clerk certify budget ordinance amendment 07022025-06 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-07

BUDGET AMENDMENT					
FUND 068					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
068-0000-430801	Waste Disposal Fees-Residential	1,540,000	20,000	-	1,560,000
068-0000-430802	Waste Disposal Fees-Commercial	260,000	-	7,500	252,500
068-0000-430803	Solid Waste Disposal Tax	3,370	6,400	-	9,770
068-0000-440014	Environmental Services Fee	420	480	-	900
068-1002-501001	Salaries - Regular	23,470	1,200	-	24,670
068-1002-502056	COH Match Retirement Expense	523	150	-	673
068-1007-502050	Retirement Expense	1,742	50	-	1,792
068-1007-523004	Cellphone Stipend	45	15	-	60
068-1502-501001	Salaries - Regular	63,991	1,100	-	65,091
068-1502-502005	Group Med & Life Ins	11,653	1,000	-	12,653
068-1502-502050	Retirement Expense	8,662	500	-	9,162
068-1521-519200	Contract Services	2,940	-	2,900	40
068-7855-519200	Contract Services	56,000	10,000	-	66,000
068-7855-524030	R&M Trucks	62,500	8,265	-	70,765
FUND 068 Env. Service Fund	TOTAL REVENUES	1,803,790	26,880	7,500	1,823,170
	TOTAL EXPENDITURES	231,525	22,280	2,900	250,905
A budget amendment in the Environmental Services Fund to increase revenues and expenditure accounts where appropriate as the City approaches end-of-year. Increased funds will be used for prioritiy items within the Environmental Services Fund including salaries, benefits, and operating expenditures.					

The City Manager and City Clerk certify budget ordinance amendment 07022025-07 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-08

BUDGET AMENDMENT

FUND 010 410					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470100	Transfer In (from 410,# 91019)	45,210	490,529	-	535,739
010-0000-470900	Fund Balance Appropriated	1,112,756	-	490,529	622,227
FUND 010 General Fund	TOTAL REVENUES	-	490,529	490,529	-
	TOTAL EXPENDITURES	-	-	-	-
410-0000-470100-19019	Transfer In (from 010)	415,529	-	-	415,529
410-0000-420050-19019	Grant Revenue (Stormwater)	70,000	-	-	70,000
410-0000-470010-19019	Bond Proceeds (2022 IFC)	13,587,606	-	-	13,587,606
410-1002-550102-19019	Capital Outlay - Services and Fees	-	-	-	-
410-1002-550103-19019	Capital Outlay - CIP	14,073,135	-	490,529	13,582,606
410-1002-598901-19019	Transfer Out (to 010)	-	490,529	-	490,529
FUND 410 (Fire Station #1)	TOTAL REVENUES	14,073,135	-	-	14,073,135
	TOTAL EXPENDITURES	14,073,135	490,529	490,529	14,073,135
A budget amendment to transferring remaining funds from the Fire Station 1 Project (19019) into the General Fund					
The City Manager and City Clerk certify budget ordinance amendment 07022025-08 was approved by City Council on July 2, 2025.					

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-09

BUDGET AMENDMENT

FUND 010 410					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470100	Transfer In (from 410,# 00023)	535,739	28,615	-	564,354
010-0000-470900	Fund Balance Appropriated	622,227	-	28,615	593,612
Fund 010 General Fund	TOTAL REVENUES	-	28,615	28,615	-
	TOTAL EXPENDITURES	-	-	-	-
410-0000-470010-00023	Debt Issued	559,650	-	-	559,650
410-0000-598901-00023	Transfer Out	-	28,615	-	28,615
410-1502-554001-00023	Capital Outlay Equipment (Pothole Patcher)	258,260	-	-	258,260
410-1300-554002-00023	Capital Outlay - Vehicles	301,390	-	28,615	272,775
FUND 410	TOTAL REVENUES	559,650	-	-	559,650
	TOTAL EXPENDITURES	559,650	28,615	28,615	559,650
A budget amendment to reflect the closeout of Project #00023, tranferring the remaining funds into the General Fund.					
The City Manager and City Clerk certify budget ordinance amendment 07022025-09 was approved by City Council on July 2, 2025.					

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-10

BUDGET AMENDMENT

FUND 301					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-470100-G2302	Transfer In (From 010)	-	261	-	261
301-0000-420050-G2302	Grant Revenue	25,000	-	-	25,000
301-1300-501010-G2302	Overtime (HPD)	20,720	261	-	20,981
301-1300-502001-G2302	FICA Tax Expenses	1,579	-	-	1,579
301-1300-502050-G2302	Retirement Expenses	2,701	-	-	2,701
FUND 410	TOTAL REVENUES	25,000	261	-	25,261
	TOTAL EXPENDITURES	25,000	261	-	25,261
A budget amendment reflecting a transfer in to project #G2302 to cover nonreimbursable expenditures.					
The City Manager and City Clerk certify budget ordinance amendment 07022025-10 was approved by City Council on July 2, 2025.					

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-11

BUDGET AMENDMENT

FUND 301					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-470100-G2303	Transfer In (From 010)	-	14,581	-	14,581
301-0000-420050-G2303	Grant Revenue	53,625	-	-	53,625
301-0000-519200-G2303	Contracted Services	53,625	14,581	-	68,206
FUND 301	TOTAL REVENUES	53,625	14,581	-	68,206
	TOTAL EXPENDITURES	53,625	14,581	-	68,206
A budget amendment reflecting a transfer in to project #G2303 to cover nonreimbursable expenditures.					
The City Manager and City Clerk certify budget ordinance amendment 07022025-11 was approved by City Council on July 2, 2025.					

TO MAYOR & COUNCIL

APPROVAL: July 2, 2025

FISCAL YEAR 2025

FORM: 07022025-12

BUDGET AMENDMENT

FUND 301

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-470100-G2304	Transfer In (From 010)	-	13,386	-	13,386
301-0000-420050-G2304	Grant Revenue	39,650	-	-	39,650
301-0000-519200-G2304	Contracted Services	39,650	13,386	-	53,036
FUND 301	TOTAL REVENUES	39,650	13,386	-	53,036
	TOTAL EXPENDITURES	39,650	13,386	-	53,036

A budget amendment reflecting a transfer in to project #G2304 to cover nonreimbursable expenditures.

The City Manager and City Clerk certify budget ordinance amendment 07022025-12 was approved by City Council on July 2, 2025.

T. July 2025 Budget Amendments – Jennifer Floyd Budget and Management Analyst

TO MAYOR & COUNCIL

APPROVAL: July 2, 2025

FISCAL YEAR 2025

FORM: 07022025-13

BUDGET AMENDMENT

FUND 010 | 060

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470900	Fund Balance Appropriated	1,427,831	71,264	-	1,499,095
010-1002-539005	Health & Welfare Expenditures	-	71,264	-	71,264
FUND 010	TOTAL REVENUES	1,427,831	71,264	-	1,499,095
	TOTAL EXPENDITURES	-	71,264	-	71,264
060-0000-470900	Fund Balance Appropriated	1,499,146	48,736	-	1,547,882
060-1002-598901	Health & Welfare Expenditures	-	48,736	-	48,736
FUND 060	TOTAL REVENUES	1,499,146	48,736	-	1,596,618
	TOTAL EXPENDITURES	-	48,736	-	48,736

A budget amendment reflecting increases to the Health & Welfare Expenditure Accounts in 010 and 060 to cover the costs associated with the Pardee Health Clinic and MERP Claims

The City Manager and City Clerk certify budget ordinance amendment 07022025-13 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL
APPROVAL: July 2, 2025

FISCAL YEAR 2025
FORM: 07022025-14

BUDGET AMENDMENT

FUND 410

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	REVISED BUDGET	INCREASE	DECREASE	REVISED BUDGET
410-0000-470010-21017	Debt Proceeds (2023 IFC)	2,032,000	-	-	2,032,000
410-0000-450001-21017	Interest Income	-	390,316		390,316
410-0000-470100-21017	Transfer In (from 060 & 067, FY23)	4,393,000	-	-	4,393,000
410-0000-470100-21017	Transfer In (from 060 FY24)	10,000		-	10,000
410-1002-550103-21017	Capital Outlay - CIP	5,271,000		-	5,271,000
410-1002-560900-21017	Cost of Issuance	80,000	-	-	80,000
410-1002-598901-21017	Transfer Out (to #23021)	90,000	40,000	-	130,000
410-1002-598901-21017	Transfer Out (to #23022)	994,000	350,316		1,344,316
FUND 410 #21017	TOTAL REVENUES	6,435,000	390,316	-	6,825,316
City Hall & Ops Imprv.	TOTAL EXPENDITURES	6,435,000	390,316	-	6,825,316
410-0000-470100-23021	Transfer In (from #21017)	90,000	40,000		130,000
410-1002-550103-23021	Capital Outlay - CIP	90,000	40,000		130,000
FUND 410 #23021	TOTAL REVENUES	150,000	40,000	-	130,000
City Hall 3rd Floor	TOTAL EXPENDITURES	150,000	40,000	-	130,000
410-0000-470100-23022	Transfer In (from #21017)	994,000	350,316		1,344,316
410-1002-550103-23022	Capital Outlay - CIP	994,000	350,316		1,344,316
FUND 410 #23022	TOTAL REVENUES	1,032,500	350,316	-	1,344,316
City Hall Ext. Phase II	TOTAL EXPENDITURES	1,032,500	350,316	-	1,344,316

A budget amendment reflecting the transfer of Interest Income out of Project, #21017 (\$360,316) into City Hall 3rd Floor Renovation Project, #23021 (\$40,000) and City Hall Exterior Phase II Project, #23022 (\$350,316) to help cover the cost of additional capital expenditures in each project.

The City Manager and City Clerk certify budget ordinance amendment 07022025-14 was approved by City Council on July 2, 2025.

TO MAYOR & COUNCIL

APPROVAL: July 2, 2025

FISCAL YEAR 2025

FORM: 07022025-15

BUDGET AMENDMENT

FUND 060

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-470030	Insurance Proceeds	76,060	27,235	-	103,295
060-7055-524030	R&M Trucks	65,000	27,235	-	92,235
FUND 010	TOTAL REVENUES	76,060	27,235	-	103,295
	TOTAL EXPENDITURES	65,000	27,235	-	92,235

A budget amendment reflecting insurance proceeds for the repair of assets #65-20 (\$25,769) and #14-72 (\$1,466)

The City Manager and City Clerk certify budget ordinance amendment 07022025-15 was approved by City Council on July 2, 2025.

U. Age-Friendly Community Action Plan – Matthew Manley, AICP – Long Range Planning Manager

Resolution #R-25-69

A RESOLUTION OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO ADOPT THE “CITY OF HENDERSONVILLE AGE-FRIENDLY COMMUNITY ACTION PLAN (2025)”

WHEREAS, North Carolina General Statute 143B-181.1A provides the establishment of state-level aging plans and support for local planning efforts addressing the needs of aging citizens; and

WHEREAS, 17% of the population of North Carolina is 65 years old or older, while 30.9% of the residents of the City of Hendersonville are 65 years old or older; and

WHEREAS, the City of Hendersonville applied for and was designated as an ‘Age-Friendly Community’ by AARP in February of 2024; and

WHEREAS, a distinction of an AARP Age-Friendly Community is that the designated community will develop an Age-Friendly Community Action Plan; and

WHEREAS, the City of Hendersonville recently developed and adopted the Gen H Comprehensive Plan which set forth goals, policies and programs intended to guide the present and future physical, social, and economic development of the municipality; and

WHEREAS, in the development the Gen H Comprehensive Plan, the City of Hendersonville engaged in a robust community engagement effort with special emphasis on reaching older adult residents; and

WHEREAS, City of Hendersonville staff, with the assistance of Susan Enwright-Hicks - a Western Carolina University Master of Public Affairs recipient, and in collaboration with key stakeholders, developed an Age-Friendly Community Action Plan for the City of Hendersonville built upon the recommendations of the Gen H Comprehensive Plan; and

WHEREAS, the draft plan was presented to City Council at the public workshop on May 28, 2025; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that the City of Hendersonville hereby adopts the City of Hendersonville Age-Friendly Community Action Plan.

Adopted this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

V. Resolution to Permit Alcoholic Beverages at Oklawaha Brewing Summer Events – Jamie Carpenter, Downtown Manager

Resolution #R-25-70

**HENDERSONVILLE, NORTH CAROLINA
RESOLUTION TO PERMIT THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES
AT THE 2025 OKLAWAHA BREWING OKTOBERFEST AND LAZR LUVR ROCK THE BLOCK
EVENTS**

WHEREAS, North Carolina General Statute 18B-300 (c)(3) permits a city or county, by local ordinance, to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events, and;

WHEREAS, Section 6-2 (d) of the City of Hendersonville Code of Ordinances establishes that it “shall not be unlawful for any person to possess or consume any alcoholic beverage on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events, if the city council has adopted a resolution making provisions for the possession and consumption of malt beverages or unfortified wine or both at such special event, to the extent permitted by such resolution.”

NOW THEREFORE BE IT RESOLVED by the city council of the City of Hendersonville, North Carolina, pursuant to the authority granted by general statute and according to the duly adopted local ordinance that,

Oklawaha Brewing Company is permitted to host 2 summer concert events on the following dates, July 5th and October 11th, 2025.

Furthermore, that the possession of alcohol in the form of malt beverages and unfortified wine, be permitted within the event footprint established by the City Special Events Committee and the associated North Carolina Alcohol Beverage Control Special Event Permit on the dates listed above.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

W. Comebaq Courts Grant to Rehabilitate the Sullivan Park Basketball Courts – Mark Stierwalt, Public Works Superintendent

Resolution #R-25-71

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL ACCEPTING A GRANT FROM RETAIL SPORTS MARKETING, INC. FOR THE PURPOSE OF REHABILITATING THE SULLIVAN PARK BASKETBALL COURTS

WHEREAS, the Comebaq Courts Foundation (the “Foundation”) has established a grant that provides funding to municipalities for the rehabilitation of the Sullivan Park Basketball Courts; and

WHEREAS, The Foundation, through Retail Sports Marketing, Inc. (“RSM”) has agreed to award the City \$45,000.00 to be used for rehabilitating the basketball courts, including fixing the court surface and replacing the basketball goals; and

WHEREAS, the City of Hendersonville desires to accept the grant funds, and authorize the execution of the grant funding agreement.

- NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hendersonville, North Carolina that:
1. The City hereby accepts the grant from the Foundation and RSM to be used for the rehabilitation of the Sullivan Park Basketball Courts; and
 2. The City Manager, or his designee, is authorized to execute the Grant Commitment Letter, with such changes as he deems appropriate, provided they are consistent with the terms of this Resolution; and
 3. City Staff are authorized and directed to proceed with the rehabilitation for the courts.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

6. PRESENTATIONS

A. Electric Vehicle Charger Program Overview – Caitlyn Gendusa, Public Works Superintendent-Sustainability

Caitlyn Gendusa shared a brief update of the Electric Vehicle Charger Program.



Current EV Charging Stations

- Publicly available:
- Two Level 2 stations at Parking Deck - Located at the corner of 5th Avenue and Church Street on the first level - four spaces available
 - One Level 2 station at Azalea Lot - Located at 301 North King Street Hendersonville, NC 28792 - one space available
 - One Level 2 station at Dogwood Lot - Located at 201-299 4th Ave W Hendersonville, NC 28792- one space available
- Private (for City fleet vehicles only):
- One Level 2 charging source at Motor Pool

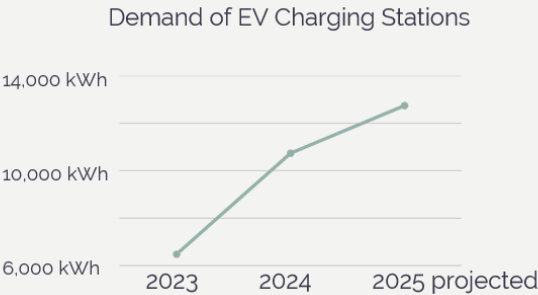


Current Energy Demand of Stations

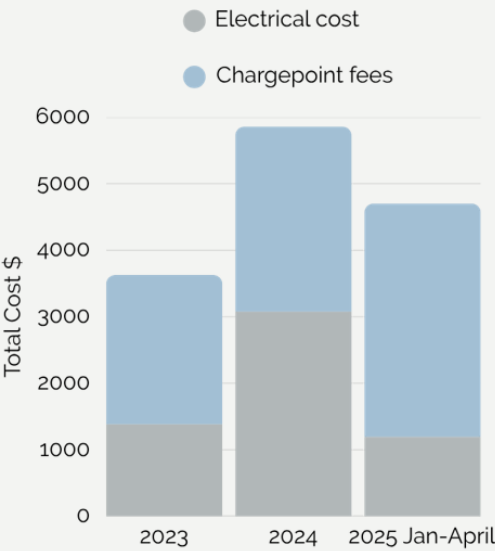
2023: 6,480 kWh used

2024: 10,736 kWh used (up 66% from 2023)

18 tons Greenhouse gas savings total - equivalent of planting 424 trees and letting them grow for 10 years



Maintenance Costs over time



Note: EV charging stations cost approximately \$7,000 and \$600 to install in house. Chargers last about 10 years.

Consideration for Implementing Fee

Fee to recoup costs:
\$0.95/kWh

Average rate in NC:
\$0.30-\$0.40/kWh

- Breakdown:
- \$2,700/year towards EV charger replacement for 3 current stations
 - \$3,500 current Chargepoint fee/year
 - \$3,079 estimated yearly electrical cost
 - + 10% fee from Chargepoint for payments

City Manager Connet said that this basically this shows how we’ve been operating thus far and is this something that Council wishes to continue to give to the public at no cost to them when they pay for parking and is this something that we want to continue because eventually these chargers will need to be replaced.

7. PUBLIC HEARINGS

A. Rezoning: Standard Rezoning-Old Sunset Hill Rd Rezoning | Albea & Taylor (25-38-RZO) – Matthew Manley, AICP-Long Range Planning Manager

Mr. Manley explained that the City of Hendersonville is initiating zoning for 4 properties totaling 21.32 acres that were recently annexed into the City Limits. The properties are owned by Gregory Albea, Julianne Albea, Jospheh Taylor, and Laura Taylor. The City is requesting to assign zoning to the subject properties, PINs: 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724, located off Old Sunset Hill Road. The properties were zoned under Henderson County as ‘Residential Two Rural’. The Planning Board has unanimously recommended an initial City zoning of R-6, High Density Residential to establish consistency with the Comprehensive Plan. R-15 was also given consideration given some of the surrounding land uses and existing densities. Future development of the subject property exceeding 51 units would require a rezoning to a Conditional Zoning District. There is no binding site plan for this initial zoning nor conditions placed on the site. All permitted uses within the R-6 district would be allowed on the site. The Planning Board voted unanimously to support recommending the assignment of R-6 zoning choosing this zoning district over the alternative R-15 zoning district.

OLD SUNSET HILL (ALBEA + TAYLOR)

INITIAL ZONING

(25-07-RZO)


Standard Rezoning

City of Hendersonville City Council

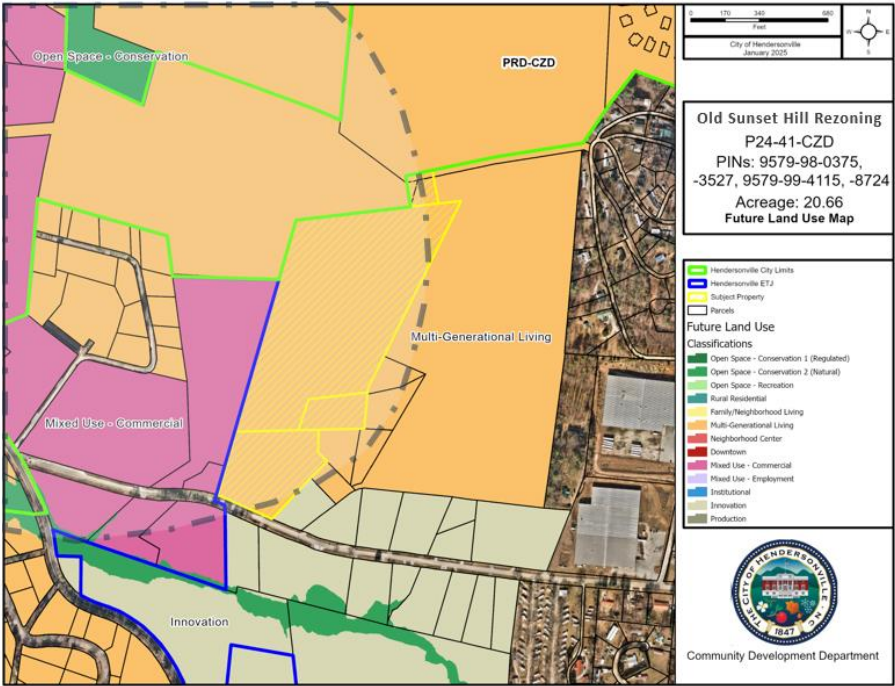
July 2, 2025

Community Development | Planning Division

Matthew Manley | Long-Range Planning Manager



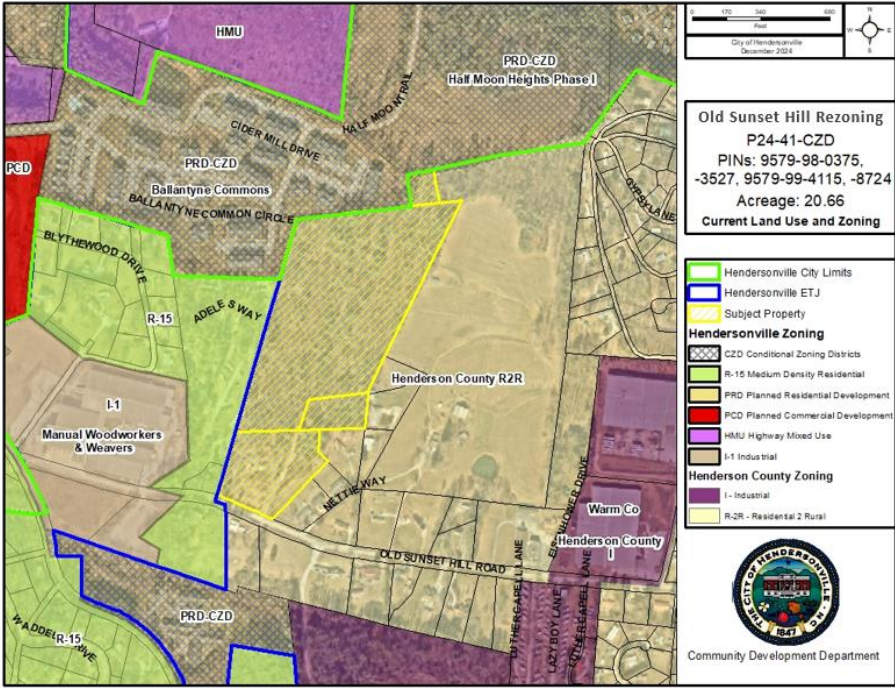




1) Comprehensive Plan Consistency: Future Land Use

- + MGL
- + MU-Commercial
- + Innovation

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<ul style="list-style-type: none">• Land Supply: The subject property is <u>outside</u> the study area of the land supply analysis• Land Suitability: The subject property was <u>not</u> evaluated.• Focused Intensity Node: The subject property <u>is</u> in a Focused Intensity Node centered at the intersection of Howard Gap Road and Chimney Rock Road.• Development Intensity: Highest• Focus Area: N/A
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none">• Designation: Multi-Generational Living• Character Area Description:• Zoning Crosswalk: <div><div>R-15 Inconsistent Inconsistent</div><div>R-6 Consistent Consistent</div></div>



Current Land Use & Zoning

- + County R2R
- + R-15
- + PRD

General Rezoning Standards: 2) COMPATIBILITY	EXISTING CONDITIONS	The subject property is located near four Planned Residential Developments, including three single-family developments and one multi-family development. Additionally, it is in close proximity to Chestnut Ridge, a subdivision under Henderson County's jurisdiction that was platted in 1988 and consists of approximately 118 lots on 62 acres. The US 64 corridor continues to experience growth, driven by the presence of large undeveloped and underdeveloped parcels in the surrounding area.	
	GEN H GOALS	<div><div>R-15 Compatibility</div><div>Vibrant Neighborhoods: Somewhat Inconsistent</div><div>Abundant Housing Choices: Inconsistent</div><div>Healthy & Accessible Natural Environment: Inconsistent</div><div>Authentic Community Character: N/A</div><div>Safe Streets and Trails: Somewhat Inconsistent</div><div>Reliable & Accessible Utility Services: Somewhat Con</div><div>Satisfying Work Opportunities: N/A</div><div>Welcoming & Inclusive Community: N/A</div><div>Accessible / Available Community Services: N/A</div><div>Resilient Community: N/A</div></div>	<div><div>R-6 Compatibility</div><div>Vibrant Neighborhoods: Somewhat Consistent</div><div>Abundant Housing Choices: Consistent</div><div>Healthy & Accessible Natural Environment: Somewhat Con</div><div>Authentic Community Character: N/A</div><div>Safe Streets and Trails: Somewhat Inconsistent</div><div>Reliable & Accessible Utility Services: Consistent</div><div>Satisfying Work Opportunities: N/A</div><div>Welcoming & Inclusive Community: N/A</div><div>Accessible / Available Community Services: N/A</div><div>Resilient Community: N/A</div></div>
	GEN H GUIDING PRINCIPLES	<div><div>R-15 Compatibility</div><div>Mix of Uses: Inconsistent</div><div>Compact Development: Inconsistent</div><div>Sense of Place: Inconsistent</div><div>Conserved/Integrated Open Spaces: Inconsistent</div><div>Desirable & Affordable Housing: Consistent</div><div>Connectivity: Inconsistent</div><div>Efficient & Accessible Infrastructure: Inconsistent</div></div>	<div><div>R-6 Compatibility</div><div>Mix of Uses: Inconsistent</div><div>Compact Development: Consistent</div><div>Sense of Place: Inconsistent</div><div>Conserved/Integrated Open Spaces: Inconsistent</div><div>Desirable & Affordable Housing: Consistent</div><div>Connectivity: Inconsistent</div><div>Efficient & Accessible Infrastructure: Inconsistent</div></div>

General Rezoning Standards: 2) COMPATIBILITY	DESIGN GUIDELINES ASSESSMENT (Chapter V)	<u>N/A</u>
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General Rezoning Standards	3) CHANGED CONDITIONS	<ul style="list-style-type: none">The subject property was recently annexed into the City.
	4) PUBLIC INTEREST	<ul style="list-style-type: none">Residential zoning allows for additional needed owner-occupied housing

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none">Howard Gap Road is a NCDOT maintained road, identified in the Comprehensive Transportation Plan as a boulevard in need of improvements. If approved, the site would be served by City of Hendersonville water and sewer services. Water infrastructure is already available on Old Sunset Hill Road, while sewer service would need to be extended from the Connor Creek Mobile Home Park to the west.
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none">No development is proposed at this time. <u>Therefore</u> there are no known impacts on the natural environment as a result of this rezoning. Approximately 19.5 acres of the 21+acre property are currently covered by an existing tree canopy. The site also includes blue-line streams. These streams would be required to be protected in compliance with the natural resource provisions of the zoning ordinance. Additionally, wetlands have been identified on the site; however, unlike blue-line streams, the zoning ordinance does not extend specific protections to wetlands.
	COMMITTEE RECOMMENDATION	The Current Planning Committee reviewed this item prior to today's meeting.

PLANNING BOARD: Comprehensive Plan Consistency Statement

R-6

The petition is found to be **Consistent** with the *City of Hendersonville Gen H Comprehensive Plan* based on the information from the staff analysis and the public hearing, and because:

R-6 Zoning is consistent with the Future Land Use and Conservation Map due to the subject property's designations as 'Multi-Generational Living' and due to the location of the subject property in a 'Focused Intensity Node' as established in Chapter 4 of the Gen H Comprehensive Plan.

The City Clerk confirmed this public hearing has been advertised in accordance with North Carolina General Statutes.

The public hearing was opened at 6:08 p.m.

There was no public comment.

The public hearing was closed at 6:08 p.m.

Council Member Jennifer Hensley moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724) from Henderson County Residential Two Rural to R-6, High Density Residential Zoning District based on the following:

- 1. The petition is found to be with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:*

R-6 Zoning is consistent with the Future Land Use and Conservation Map due to the subject property's designation as 'Multi-Generational Living' and due to the location of the subject property in a 'Focused Intensity Node' as established in Chapter 4 of the Gen H Comprehensive Plan.
- 2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:*

1. *The proposed zoning allows for the provision of additional housing to offset local demand.*
2. *The proposed zoning district's permitted uses are consistent with nearby developments*

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-37

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE, FOR CERTAIN PARCELS (POSSESSING PIN NUMBERS 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724), BY ASSIGNING THE ZONING DESIGNATION FROM HENDERSON COUNTY R2R, RESIDENTIAL TWO RURAL, TO R-6, HIGH DENSITY RESIDENTIAL

IN RE: Parcel Numbers: 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724
205 Old Sunset Hill Rd (Albea & Taylor) | File # 25-38-RZO

WHEREAS, Planning Board took up this application at its regular meeting on June 12, 2025; voting 7-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville; and

WHEREAS, City Council took up this application at its regular meeting on July 2, 2025; and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City's comprehensive plan, and that it is reasonable and in the public interest for the reasons stated; and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on July 2, 2025.

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

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: Parcel Numbers: 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724, by changing the zoning designation from Henderson County R2R, Residential Two Rural, to R-6, High Density Residential
2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

B. Rezoning: Conditional Zoning District – Spartanburg Highway Medical Office Building (25-23-CZD) – Tyler Morrow, Current Planning Manager

Tyler Morrow explained that the City of Hendersonville is in receipt of an application for a Conditional Rezoning from John Bryant, Vice President, Operations and Support Services for UNC Health Pardee, applicant and Bryan Rhodes, Capital Projects Construction Manager for Henderson County Government, property owner. The applicant is requesting to rezone the subject property, PINs 9578-41-6876 & 9578-42-5074 and located between Spartanburg Highway and Old Spartanburg Road, from C-3 SU, Highway Business Special Use to CHMU-CZD, Commercial Highway Mixed Use Conditional Zoning District for the construction of a 42,520 square foot medical office building. The site plan shows one building proposed at a height of 32'. The development will have access from both Spartanburg Highway and Old Spartanburg Road. The site plan shows the development providing 195 parking spaces to serve the development. There will be a public drop off area on the southern façade of the building and a pharmacy line on the eastern façade.

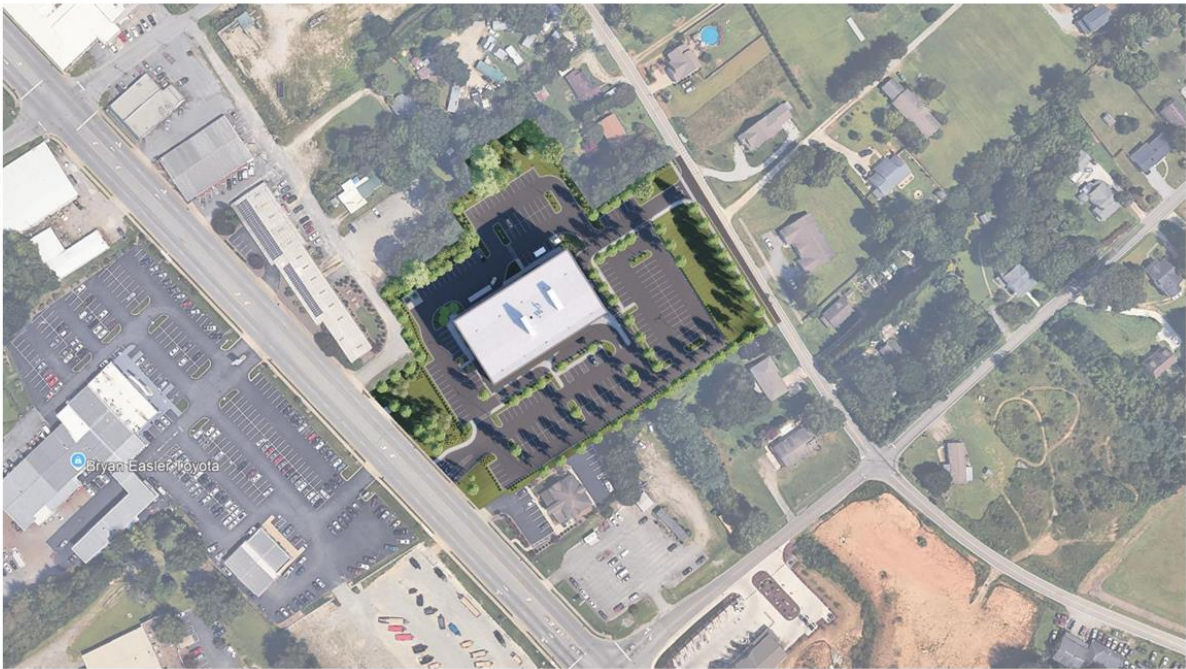
HENDERSON COUNTY GOVERNMENT & UNC HEALTH PARDEE
SPARTANBURG HIGHWAY MEDICAL OFFICE BUILDING

CITY COUNCIL MEETING
1427 Old Spartanburg Road
Hendersonville, NC 28792

07/02/2025



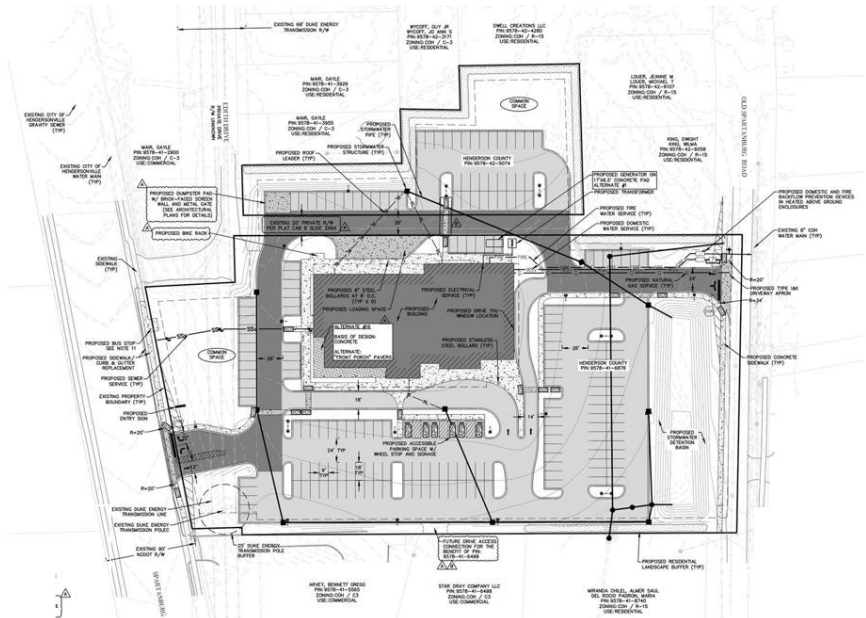
SPARTANBURG HIGHWAY MOB | SITE PLAN



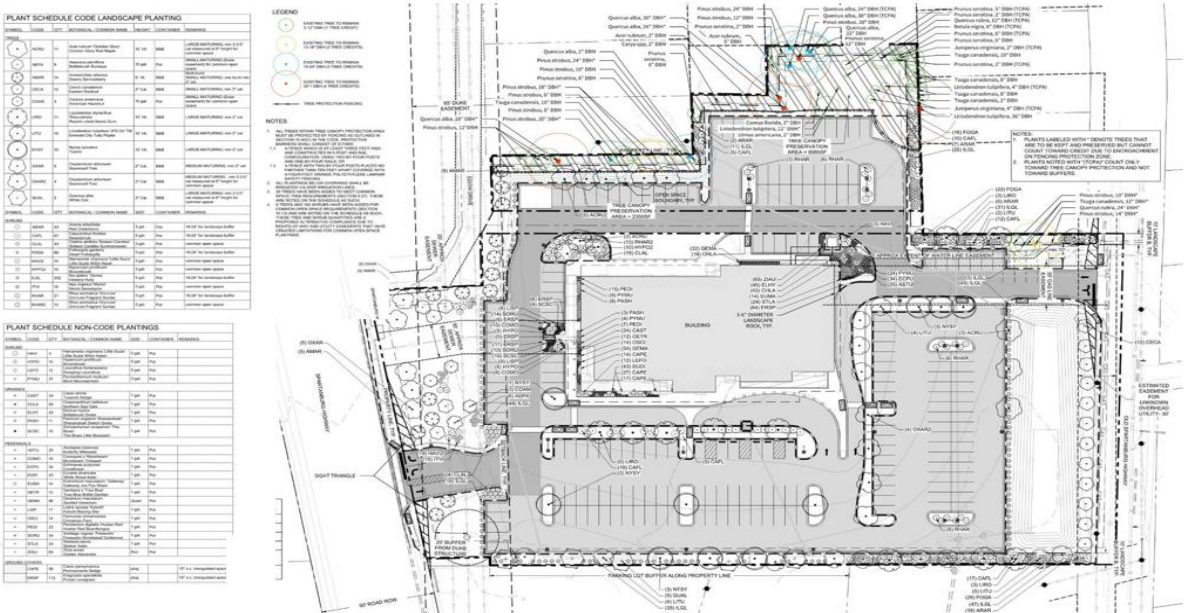
SPARTANBURG HIGHWAY MOB | SITE PLAN



SPARTANBURG HIGHWAY MOB | SITE PLAN



SPARTANBURG HIGHWAY MOB | LANDSCAPE PLAN



SPARTANBURG HIGHWAY MOB | BUILDING ELEVATION - SOUTH



SPARTANBURG HIGHWAY MOB | BUILDING ELEVATION - NORTH



NORTH ELEVATION - BUILDING



NORTH ELEVATION - SITE

SPARTANBURG HIGHWAY MOB | BUILDING ELEVATION - EAST



EAST ELEVATION - BUILDING



EAST ELEVATION - SITE

SPARTANBURG HIGHWAY MOB | BUILDING ELEVATION - WEST



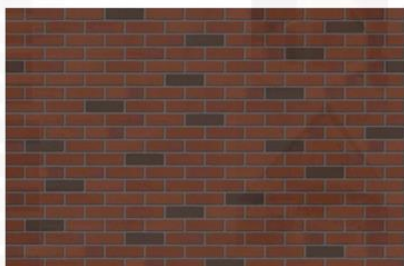
WEST ELEVATION - BUILDING







Dark Bronze Aluminum Windows with Insulated Glazing

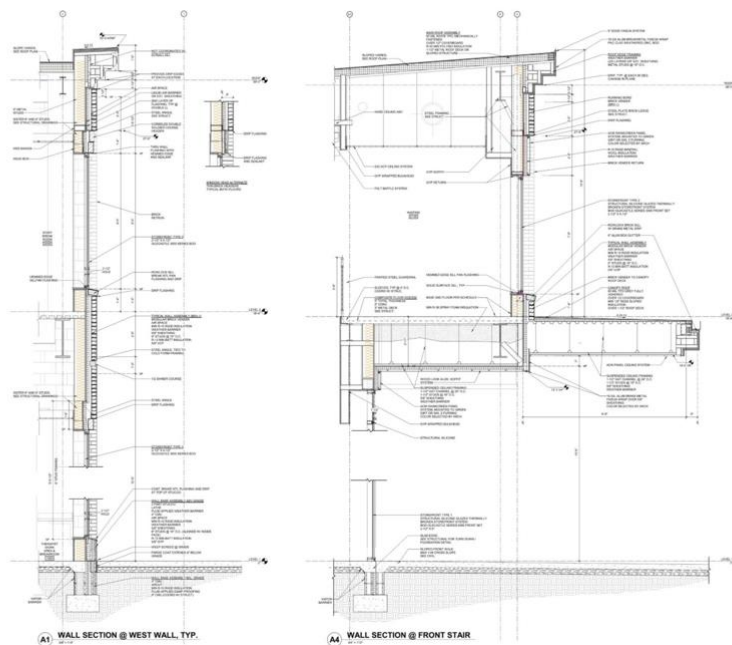


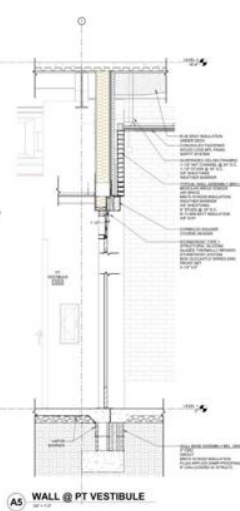
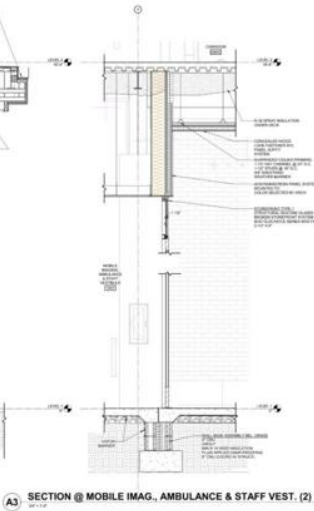
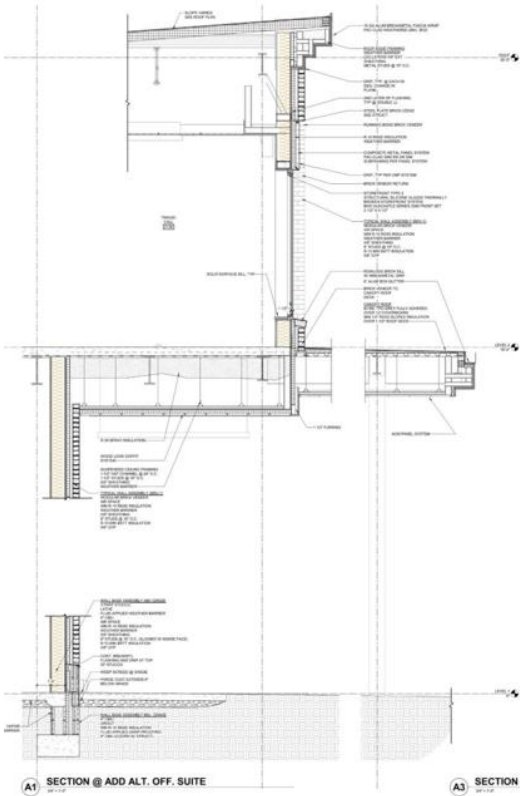
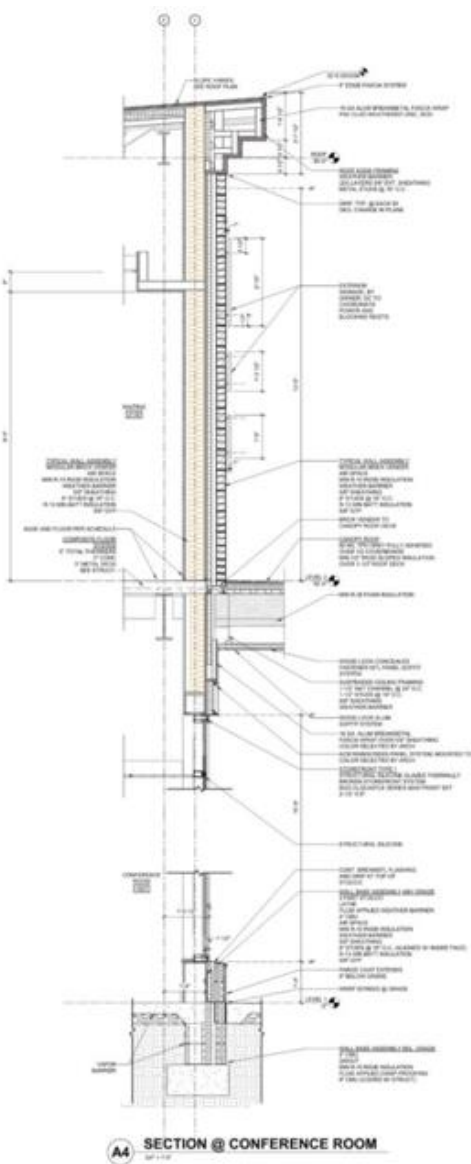
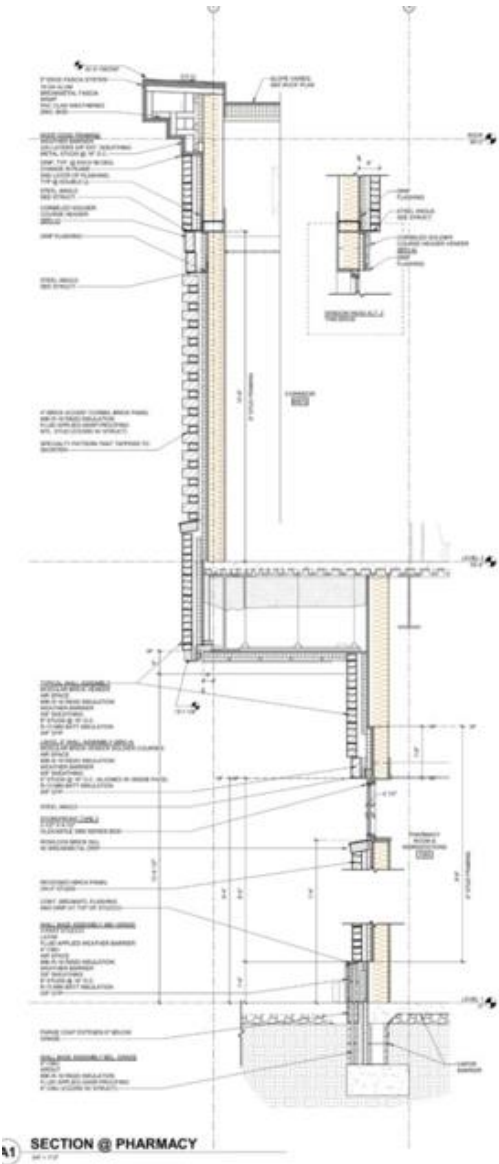
Red Ironspot Clay Brick Veneer Blend



Weathered Zinc Architectural Metal Panel Cladding







John Bryant, Vice President of Operations and Support Services with UNC Health Pardee, spoke and said he was grateful to be able to offer this service to the community and it will allow us to extend access to the southern part of the county. Our design team is here to answer any questions that you may have.

The City Clerk confirmed this public hearing has been advertised in accordance with North Carolina General Statutes.

The public hearing was opened at 6:22 p.m.

Via Zoom:

Ken Fitch spoke in favor of the project.

The public hearing was closed at 6:27 p.m.

Council Member Melinda Lowrance moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9578-41-6876 & 9578-42-5074) from C3-SU, Highway Business Special Use to CHMU-CZD, Commercial Highway Mixed Use Conditional Zoning District, for the construction of a 42,520 square foot medical office building based on the master site plan and list of conditions submitted by and agreed to by the applicant, [dated 6-4-25] and presented at this meeting and subject to the following:

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses

Permitted Uses:

1. Offices, business, professional and public

2. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with a range of Goals, Guiding Principles, and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

3. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

- 1. The proposed development would provide citizens who reside on the southern side of Henderson County the opportunity to have primary care, physical therapy, and pharmacy service within a closer proximity to where they live.***
- 2. The proposed development is within close proximity to other institutional uses along this corridor.***

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-38

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR A PARCELS POSSESSING PIN NUMBERS: 9578-41-6876 & 9578-42-5074 BY CHANGING THE ZONING DESIGNATION FROM C-3 SU, HIGHWAY BUSINESS SPECIAL USE TO CHMU-CZD, COMMERCIAL HIGHWAY MIXED USE CONDITIONAL ZONING DISTRICT

IN RE: Parcel Numbers: 9578-41-6876 & 9578-42-5074
Address: 0 Spartanburg Highway
Spartanburg Highway Medical Office Building: (File # 25-23-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, John Bryant, Vice President, Operations and Support Services for UNC Health Pardee, and property owner, Bryan Rhodes, Capital Projects Construction Manager for Henderson County Government, for the construction of a 42,520 square foot medical office building on approximately 4.54 acres; and

WHEREAS, the Planning Board took up this application at its regular meeting on June 12th 2025; voting 7-0 to recommend City Council approve an ordinance amending the official zoning map of the City of Hendersonville; and

WHEREAS, City Council took up this application at its regular meeting on July 2nd, 2025.

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

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: Parcel Numbers: 9578-41-6876 & 9578-42-5074, changing the zoning designation from C-3 SU, Highway Business Special Use to CHMU-CZD, Commercial Highway Mixed Use Conditional Zoning District.
2. Development of the parcel pursuant to this Ordinance is subject to the following.
 - a. Development shall comply with the master site plan submitted by the applicant dated June 4th, 2025, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant's execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Offices, business, professional and public
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 2nd day of July, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

C. Rezoning: Standard Rezoning-Quattlebaum Properties F LLC (25-37-RZO) – Sam Hayes, Planner II

Sam Hayes explained that the City of Hendersonville has initiated a standard rezoning for a property located along Upward Road. The property owner has submitted a petition to annex the parcel, identified as PIN 9588-40-7325. If annexed into the City, the property must be assigned a zoning designation. Because the applicant did not request a specific zoning district in the annexation petition, the City has proposed CHMU (Commercial Highway Mixed Use) zoning. CHMU was established specifically for properties along the Upward Road corridor. Surrounding parcels that have been annexed into the City through satellite annexations are also predominantly zoned CHMU.

Quattlebaum Properties F LLC

Henderson County RC to CHMU

(25-37-RZO)

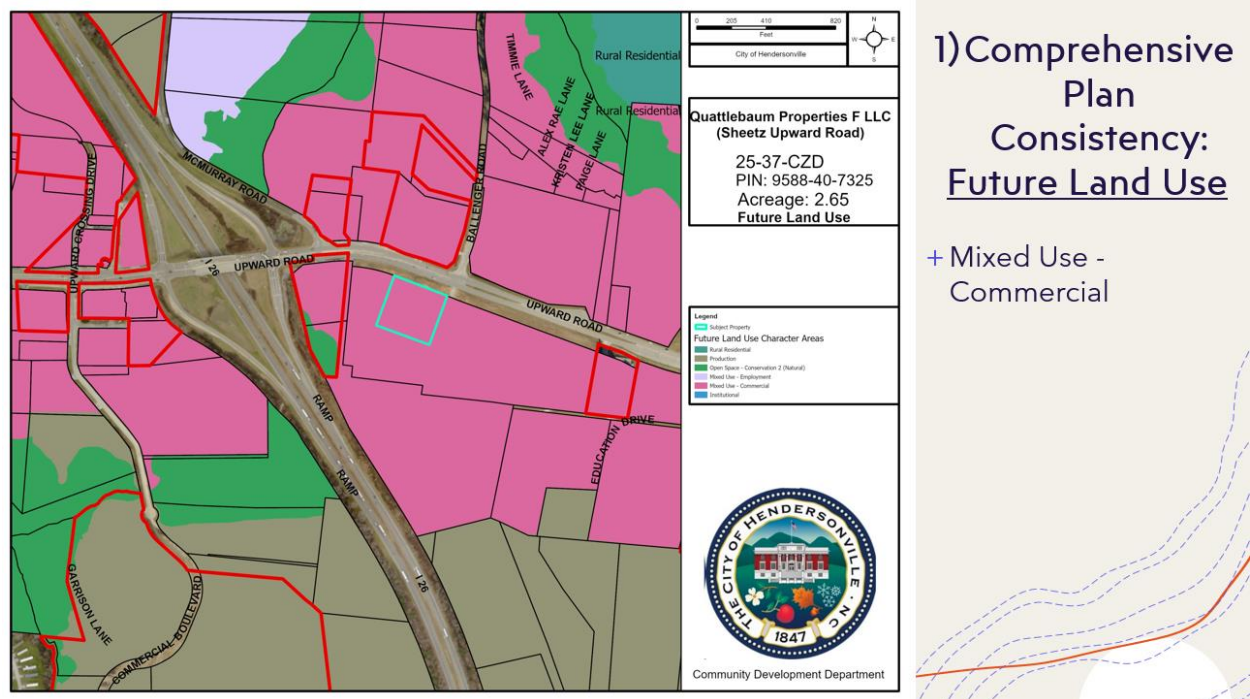
Standard Rezoning

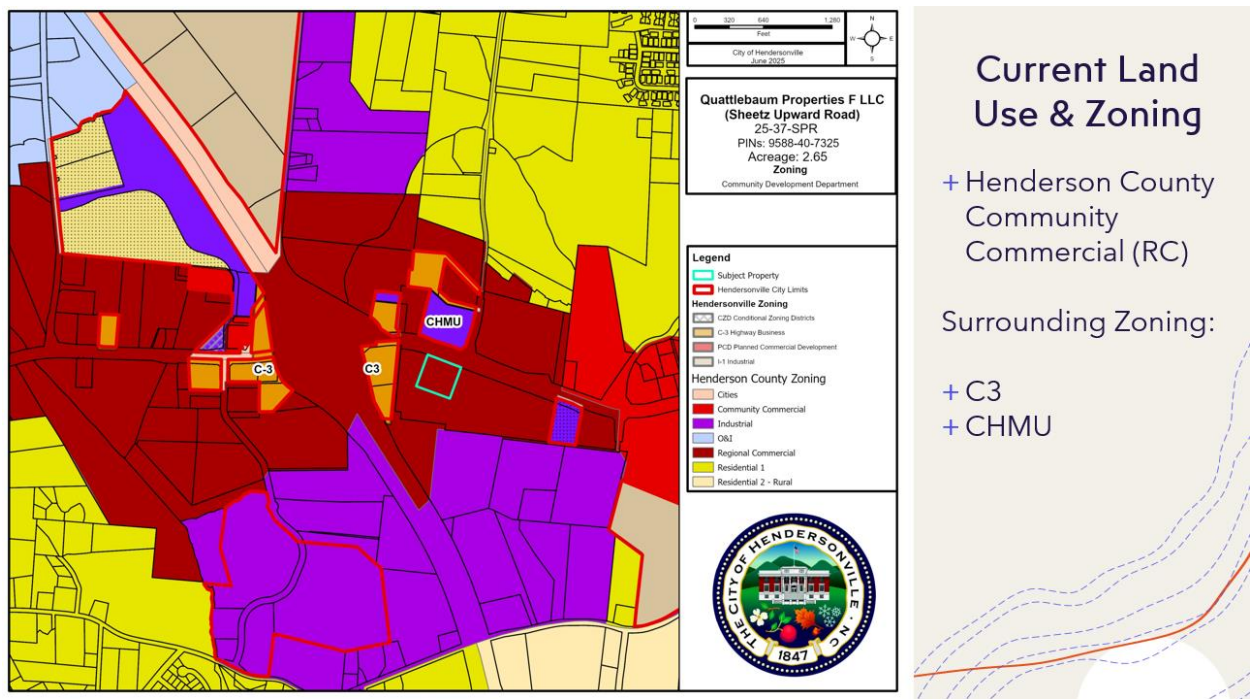
City of Hendersonville City Council

July 2nd, 2025

Community Development | Planning Division

Sam Hayes | Planner II





General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<ul style="list-style-type: none">It is not ranked in the Suitability Assessment maps.The subject property is located in an area designated as "High" for Development Intensity.The subject property is not located in one of the 5 Focus Areas. The subject property is located in a Focused Intensity Node.
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none">Designation: Mixed Use - CommercialCharacter Area Description: ConsistentZoning Crosswalk: ConsistentFocus Area Map: N/A
	COMMITTEE RECOMMENDATION	The Current Planning Committee reviewed this item prior to today's meeting.

General Rezoning Standards	2) Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
		<ul style="list-style-type: none">The proposed use as a gas station is compatible with other uses along this corridor. Additionally, the zoning to CHMU is compatible with the City's desire to utilize this zoning district along this corridor.
	3) Changed Conditions	<p>Whether and the extent to which there are changed conditions, trends or facts that require an amendment.</p> <ul style="list-style-type: none">The property was annexed at the June 5th City Council meeting.

General Rezoning Standards	4) Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
		<ul style="list-style-type: none">• Rezoning to this zoning district will enable this corridor to be developed in the same zoning district over time, ensuring cohesive progression of development.

General Rezoning Standards	5) Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
		<ul style="list-style-type: none">• Since the parcel has been annexed, the parcel will be connected to City water and sewer.

General Rezoning Standards	6) Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife.
		<ul style="list-style-type: none">• The development must comply with all the City of Hendersonville zoning ordinance provisions regarding the protection of the natural environment.

PLANNING BOARD: Comprehensive Plan Consistency Statement

The petition is found to be **consistent** with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

PLANNING BOARD RECCOMENDATION

+The City of Hendersonville Planning Board made a motion recommending **approval**, finding the petition to be consistent with the comprehensive plan and finding it to be reasonable and in the public interest based on the information from the staff analysis and the public comments presented at their meeting on June 12th, 2025.

+Voted 7-0 to approve

The City Clerk confirmed this public hearing has been advertised in accordance with North Carolina General Statutes.

The public hearing was opened at 6:33 p.m.

There were no public comments.

The public hearing was closed at 6:33 p.m.

Council Member Gina Baxter moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN 9588-40-7325) from Henderson County Zoning RC – Regional Commercial to CHMU – Commercial Highway Mixed Use, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with a range of Goals, Guiding Principles, and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. The proposed map amendment would rezone the property to an appropriate zoning district meant for the Upward Road corridor.

The adjacent property uses are congruent with the proposed zoning.

Local Historic Landmark Process

- +Application
- +Draft a designation report
- +Public hearing at the Historic Preservation Commission
- +Public hearing at City Council

- +Once designated, it will require a certificate of appropriates for any alterations on the exterior of the property

I wanted to briefly go over the process for becoming a local historic landmark.
First the applicant submits an application
Next a designation report is drafted. You all were given a copy of the designation report in your packet for today's meeting.
The historic preservation commission must hold a public hearing. For both of the landmarks you will hear today, the HPC held a hearing on June 18th and votes

unanimously to recommend for approval both the applications you have before you tonight.
The final step in the process if to hold a public hearing tonight at City Council.

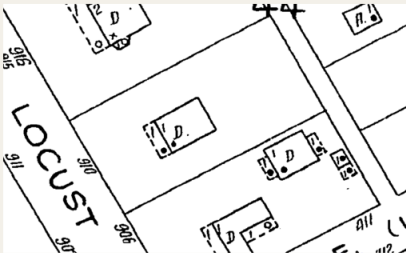
Once designated, a local landmark must receive a certificate of appropriateness for any work done on the exterior of the property.



Here you can see the subject property highlighted in orange. The property is located on Locust street. In the immediate vicinity, you can see Bruce Drysdale Elementary School and up the street is the City's mini golf course located at Edwards Park.

History

- + Constructed between 1923 and 1925.
- + Accessory structure construction date unknown but likely tied to the construction of the home.
- + Part of the Cold Spring Park Historic District which is known for its craftsman style homes.
- + James P. and Hattie Gregory original owners



The property was constructed between 1923 and 1925, with the most likely date of 1924 for completion of construction.
There is an accessory structure on the property (a shed) not depicted on the Sanborn maps and the date is unknown, however, it was likely constructed around the same time as the home.
The home was constructed by James P. and Hattie Gregory, who owned the home for 70 years.

This structure is a contributing structure for the Cold Spring Park National Historic District, which is known for its craftsman style homes. One question I want to address is why it would be necessary to landmark this building if its already in a historic district. The key is that the cold spring park historic district is a National Historic District as part of the National Register of Historic places.

Architectural Significance of the Property



Working our way from bottom to top, we have steps with capped cheek walls. A full width front porch. The balustrade and columns were likely replaced at some point, however, the brick piers are all original. The front porch showcases one of the original windows to the structure (a nine over over window). The roof is a hip-on-gable roof with decorative triangular knee braces located under the eaves.

Architectural Significance of the Property



Here you can see the rear of the home. At some point, the back corner of the home was likely enclosed. You can also see the outbuilding on the property, which does have original german siding.

Architectural Significance of the Property



A cut stone wall running along the front boundary of the property.

Questions



Property owner Barbara Grosso?? Thanked Council for looking at the house and wanted to point out that the truncated roof is very noticeable in Hendersonville but when you drive out of Hendersonville, you won't see it as much and I think it's a wonderful example of a Craftsman in Hendersonville and worth preserving for that reason.

The City Clerk confirmed this public hearing has been advertised in accordance with North Carolina General Statutes.

The public hearing was opened at 6:43 p.m.

There were no public comments.

The public hearing was closed at 6:43 p.m.

Council Member Jennifer Hensley moved that City Council approve the adoption of an ordinance designating the James P. and Hattie Gregory House (PIN 9569-70-9549) as a local historic landmark. A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-40

AN ORDINANCE DESIGNATING PROPERTY KNOWN AS THE JAMES P. AND HATTIE GREGORY HOUSE (PIN 9569-70-9549) AS A LOCAL HISTORIC LANDMARK

Re: Local Historic Landmark Designation
Property Owners: Norman Royo and Barbara M. Grosso
File No: 25-02-LL

WHEREAS, pursuant to N.C. General Statutes Sections. 160D-942 and Chapter 28 of the Code of Ordinances of the City of Hendersonville, the City has the authority for designation of a local historic landmark; and

WHEREAS, Henderson County Tax Records for Parcels # 9569-70-9549, located at 910 Locust Street and known as the James P. and Hattie Gregory House, lists Norman Royo and Barbara Grosso as the property owners; and

WHEREAS, The property owners have caused to be made an investigation and report on the historic, architectural, and cultural significance of the buildings and property proposed for designation located at 910 Locust Street; and

WHEREAS, the North Carolina Department of Cultural Resources has reviewed and commented on the proposed designation; and

WHEREAS, a public hearing on the designation of Lenox Spring as a local historic landmark was held by the Hendersonville Historic Preservation Commission on June 18th, 2025 and the following findings were made:

- a. The home was constructed between 1923-1925.

- b. The James P. and Hattie Gregory House is a contributing structure in the Cold Spring Park National Register of Historic Places historic district.
- c. The James P. and Hattie Gregory House is a well preserved example of a craftsman style home, with important craftsman architectural features; and

WHEREAS, a public hearing on the designation of Lenox Spring as a local historic landmark was held by the City of Hendersonville City Council on July 2nd, 2025 and approved an ordinance designating the .26 Acre site of the James P. and Hattie Gregory House as a Local Landmark; and

WHEREAS, the Hendersonville City Council has taken into full consideration all statements and information presented at its public hearing on July 2nd, 2025, and considered the recommendation of the Hendersonville Historic Preservation Commission after its public hearing held on June 18th, 2025, on the question of designating the property known as the James P. and Hattie Gregory House (PIN 9569-70-9549) as a local historic landmark.

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

Section 1. The findings set out above are hereby amending the adoption, and all of the property known as the James P. and Hattie Gregory House and located at and adjacent to 910 Locust Street, and further described in Exhibit A, is hereby designated as a local historic landmark pursuant to Part 942 Chapter 160D of the North Carolina General Statutes and Section 28 of the Code of Ordinances of the City of Hendersonville, and is subject to the conditions and restrictions set forth therein and below:

- a. The main structure and associated outbuilding, the front cut stone wall, and the stone wall in the backyard, and all of the historic acreage currently associated with the parcel (.26 acres), shall not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness issued by the Hendersonville Historic Preservation Commission.
- b. The Certificate of Appropriateness shall reference the Historic Preservation Commission Design Guidelines.
- c. Any application for demolition of the home or the outbuilding shall require the waiting period set forth in Part 942 of Chapter 160D of the North Carolina General Statutes.

Section 2. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3. All ordinances and clauses of ordinances in conflict herewith be and are hereby repealed, to the extent of such conflict.

Section 4. This ordinance shall be in full force and effect on the date of adoption.

Section 5. Violation of this ordinance shall be subject to the remedies set forth in Section 1-6 of the City Code, in addition to other remedies provided by law.

Adopted by the City Council at a meeting held on the 2nd day of July, 2025.

Barbara G. Volk, Mayor

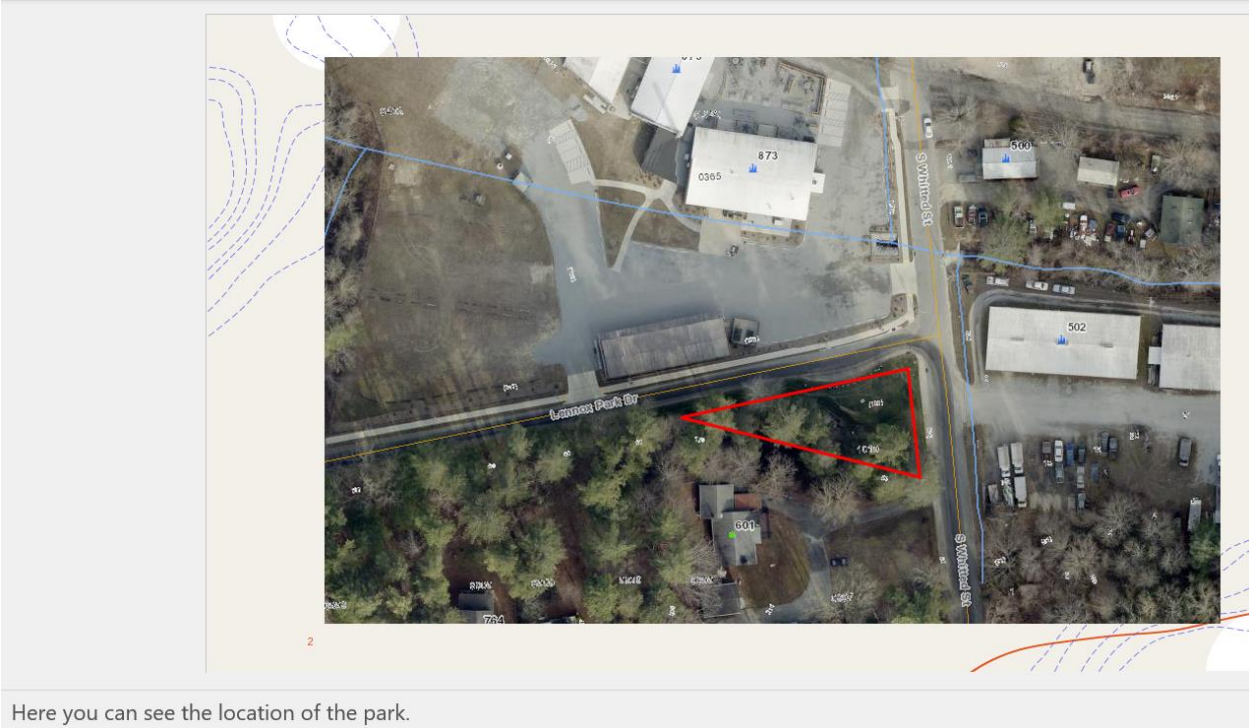
Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

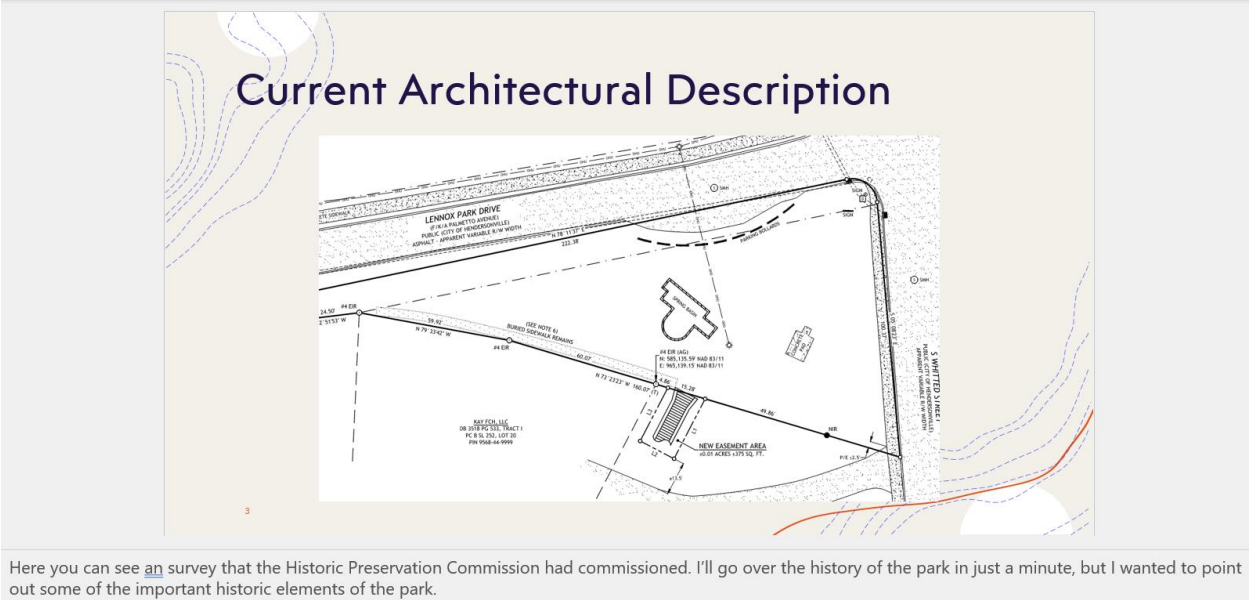
E. Landmark Nomination – Lenox Spring (25-01-LL) – Sam Hayes, Planner II

Sam Hayes explained that the Historic Preservation Commission initiated this landmark nomination for a city-owned property known as Lenox Spring after their last meeting.

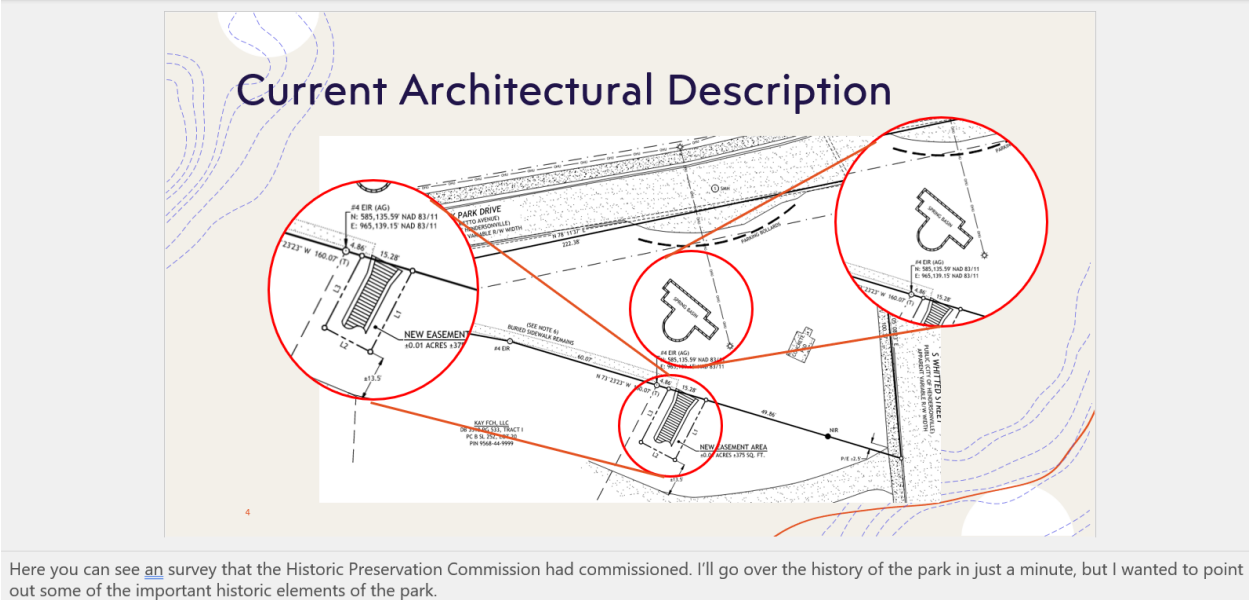




Here you can see the location of the park.



Here you can see an survey that the Historic Preservation Commission had commissioned. I'll go over the history of the park in just a minute, but I wanted to point out some of the important historic elements of the park.



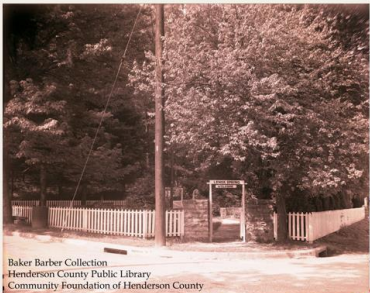
Here you can see an survey that the Historic Preservation Commission had commissioned. I'll go over the history of the park in just a minute, but I wanted to point out some of the important historic elements of the park.

Historical Overview

- + Period of Significance: 1917-1970
- + Platted in 1917 by real estate developer F.A. Sumner.
- + Originally platted as Columbia Park, the development was bounded by Palmetto Avenue (now Lennox Park Drive) on the north, Hebron Street on the south, and South Whitted Street on the east.
- + Spring was incorporated as its own tract.
- + Purchased by the City in 1942 establishing a public park



Description of the Site



Description:
From the French Broad Hustler article from April 18th, 1918
Steps were installed from Whitted spring to the top of the hill immediately in the rear of the spring. Concrete walks were being constructed at the time of the article.

A later documentation shows that seating and and archway were constructed.
I'll also point out that there appears to be a streetcar line in front of the stairs in this postcard.

Current Architectural Description



Semi-circular cut granite stone wall – 5 courses in height with flush mortar joints
Semi-circular concrete seating is set within the walls.

Current Architectural Description



Current Architectural Description



Questions



The City Clerk confirmed this public hearing has been advertised in accordance with North Carolina General Statutes.

The public hearing was opened at 6:49 p.m.

Via Zoom:

Ken Fitch spoke in favor of the ordinance adoption.

The public hearing was closed at 6:50 p.m.

Council Member Lyndsey Simpson moved that City Council approve the adoption of an ordinance designating Lenox Spring (PIN 9568-55-1019) as a local historic landmark.

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-25-41

**AN ORDINANCE DESIGNATING PROPERTY KNOWN AS LENOX SPRING
(PIN 9568-55-1019) AS A LOCAL HISTORIC LANDMARK**

Re: Local Historic Landmark Designation
Property Owner: City of Hendersonville
File No: 25-01-LL

WHEREAS, pursuant to N.C. General Statutes Sections. 160D-942 and Chapter 28 of the Code of Ordinances of the City of Hendersonville, the City has the authority for designation of a local historic landmark; and

WHEREAS, Henderson County Tax Records for Parcels # 9568-55-1019, located on Lennox Park Drive and known as Lenox Spring, lists the City of Hendersonville as the property owners; and

WHEREAS, The property owners have caused to be made an investigation and report on the historic, architectural, and cultural significance of the buildings and property proposed for designation located at/adjacent to Lennox Park Drive; and

WHEREAS, the North Carolina Department of Cultural Resources has reviewed and commented on the proposed designation; and

WHEREAS, a public hearing on the designation of Lenox Spring as a local historic landmark was held by the Hendersonville Historic Preservation Commission on June 18th, 2025 and the following findings were made:

- a. With stone structures first constructed around Lenox Spring in 1917, the spring is one of the few remaining springheads in City limits.
- b. Lenox Spring is significant for its association with Hendersonville's tourist and social history,
- c. Lenox Spring is significant in the area of cultural history for its connection to the tourism industry in early 20th century Hendersonville; and

WHEREAS, a public hearing on the designation of Lenox Spring as a local historic landmark was held by the City of Hendersonville City Council on July 2nd, 2025 and approved an ordinance designating the .18 Acre site of Lenox Spring as a Local Landmark; and

WHEREAS, the Hendersonville City Council has taken into full consideration all statements and information presented at its public hearing on July 2nd, 2025, and considered the recommendation of the Hendersonville Historic Preservation Commission after its public hearing held on June 18th, 2025, on the question of designating the property known as Lenox Spring (PIN 9568-55-1019) as a local historic landmark.

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

Section 1. The findings set out above are hereby amending the adoption, and all of the property known as Lenox Spring and located at and adjacent to Lennox Park Drive, and further described in Exhibit A, is hereby designated as a local historic landmark pursuant to Part 942 Chapter 160D of the North Carolina General Statutes and Section 28 of the Code of Ordinances of the City of Hendersonville, and is subject to the conditions and restrictions set forth therein and below:

- a. The stone structures and all of the historic acreage currently associated with the parcel (.18 acres), shall not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness issued by the Hendersonville Historic Preservation Commission.
- b. The Certificate of Appropriateness shall reference the Historic Preservation Commission Design Guidelines.
- c. Any application for demolition of any stone structure shall require the waiting period set forth in Part 942 of Chapter 160D of the North Carolina General Statutes.

Section 2. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3. All ordinances and clauses of ordinances in conflict herewith be and are hereby repealed, to the extent of such conflict.

Section 4. This ordinance shall be in full force and effect on the date of adoption.

Section 5. Violation of this ordinance shall be subject to the remedies set forth in Section 1-6 of the City Code, in addition to other remedies provided by law.

Adopted by the City Council at a meeting held on the 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

8. UNFINISHED BUSINESS

9. NEW BUSINESS

A. Annexation: Analysis and Advisement – 412 McMurray Road (25-42-ANX) – Sam Hayes, Planner II


Sam Hayes explained that the City of Hendersonville has received a petition from CDP Acquisitions LLC for a satellite annexation of PIN 9588-32-9376 located at 412 McMurray Road that is approximately 14.22 acres.

412 McMurray Road
(25-42-ANX)

Annexation Analysis and Advisement

City of Hendersonville City Council
July 2nd, 2025

Community Development | Planning Division
Sam Hayes | Planner II



The city has received an annexation petition. I will be presenting our annexation analysis and advisement.

Background

PINs:

• 9588-32-9376

Acreage:

• 14.22 acres

Request:

• Multi-Family



412 McMurray Road
25-42-ANX
PIN: 9588-32-9376
Acreage: 14.22
Satellite Annexation Map

Subject Property

Municipal Borders

Flat Rock

Hendersonville



Community Development Department

The property is located at 412 McMurray Road on the eastern side of I-26. The property is 14.22 acres. The proposed use of the property is multi-family apartments. The map on the right shows the property highlighted in yellow. You can see it is approximately 6.903 miles from the contiguous city limits.

Comprehensive Plan



Agricultural/Rural






Mixed Use Employment




The County's Comprehensive Plan has this parcel designated as Agricultural/Rural and the City's comprehensive plan has this property designated as Mixed-Use Employment.


54




Zoning




Henderson County Industrial




Commercial Highway Mixed Use (CHMU)



Henderson County currently has this property Zoned as industrial. The city would likely advise zoning this property as Commercial Highway Mixed use given that it sits directly adjacent to the Upward road planning district that the CHMU zoning district was established for use in.




Annexation Options



Annexation Required and Sewer Provided


a. Project proceeds as presented under County zoning district, subject to a County agreement to zone.

b. If no County action, the project proceeds as presented under CHMU zoning district.



No Annexation Required but City Sewer Provided:

a. Project proceeds as presented and would require a rezoning under County zoning.



No Annexation with No City Sewer Provided:

a. Project proceeds as presented and would require a rezoning under County zoning and County sewer provision.

1. You all can require annexation and provide sewer. Under this circumstance, you could allow the project proceed however, allow county zoning to be used. This is subject to county agreement to zone. If no County action is taken, the project would proceed likely under the CHMU zoning district.

Council Member Lyndsey Simpson moved that Council direct staff to move forward in reviewing the annexation petition submitted by CDP Acquisitions LLC. A unanimous vote of the Council followed. Motion carried.

B. 2025 Water & Sewer Revenue Bond Order – Adam Murr, Budget & Evaluation Director

Adam Murr explained that the City of Hendersonville has determined it is necessary and desirable to finance certain water and sewer system improvements related to the following projects: (1) the Water Treatment Facility 15 Million-Gallon/Day (MGD) Expansion project, (2) a portion of the Biosolids Thermal Dyer project, (3) the Wastewater Treatment Facility Residuals Storage project, (4) the Mills River Intake Scour System project, (5) the NCDOT Highland Lake Road project, (6) the CCTV Truck Acquisition project, and (7) the 110 Williams Street Water and Sewer Expansion project (“the projects”). The City intends to complete a public sale debt issuance not to exceed \$11,500,000 to support the projects. The City is not required by general statute to hold a public hearing for revenue bond issuances. Staff recommends the City Council adopt the attached bond order/approving resolution, drafted by Special/Bond Counsel, Parker Poe Adams & Bernstein, LLP.

Council Member Jennifer Hensley moved that City Council approve the Bond Order authorizing the issuance of not to exceed \$11,500,000 City of Hendersonville, North Carolina Water and Sewer System Revenue Bonds, Series 2025; authorizing the approval, execution, and delivery of various documents in connection with the issuance of such 2025 bonds; providing for the sale of the 2025 bonds; and providing for certain other matters in connection with the

issuance, sale, and delivery of the 2025 bonds – as presented. A unanimous vote of the Council followed. Motion carried.

#R-25-72

BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$11,500,000 CITY OF HENDERSONVILLE, NORTH CAROLINA WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2025; AUTHORIZING THE APPROVAL, EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH 2025 BONDS; PROVIDING FOR THE SALE OF THE 2025 BONDS; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE 2025 BONDS

WHEREAS, the City of Hendersonville, North Carolina (the “City”) is authorized by the State and Local Government Revenue Bond Act, General Statutes of North Carolina, Section 159-80 *et seq.* (the “Act”), to issue, subject to the approval of the Local Government Commission of North Carolina (the “LGC”), at one time or from time to time, revenue bonds of the City for the purposes as specified in the Act;

WHEREAS, the City has previously issued its water and sewer system revenue bonds under the terms of a General Trust Indenture dated as of December 1, 2019 (the “General Indenture”) between the City and The Bank of New York Mellon Trust Company, N.A., as trustee (the “Trustee”);

WHEREAS, the City has determined to issue its Water and Sewer System Revenue Bonds, Series 2025 (the “2025 Bonds”) in a principal amount not to exceed \$11,500,000 under the General Indenture and Series Indenture, Number 4 (the “Series Indenture”) between the City and the Trustee, to provide funds to (1) finance improvements to the City’s water and sewer system, including, without limitation (a) the replacement, improvement and maintenance of water and sewer mains, pipes and pump stations, (b) the expansion and improvement of its Water Treatment Facility to provide additional capacity to its residents and businesses, (c) the construction of the Wastewater Treatment Biosolids Thermal Dryer, (d) improvements to a water intake scour system, (e) payments to the North Carolina Department of Transportation related to improvements to Highland Lake Road of certain city-owned water and sewer lines completed by the North Carolina Department of Transportation and (f) the acquisition of a CCTV inspection truck (collectively, the “2025 Projects”) and (2) to pay the costs of issuing the 2025 Bonds;

WHEREAS, the City Council adopted an initial resolution on May 1, 2025 authorizing the City to file with the LGC an application for the approval and private sale without advertisement of the 2025 Bonds in accordance with Section 159-85 of the General Statutes of North Carolina, as amended, and the LGC approved the application of the City at its July 1, 2025 meeting for the issuance of the 2025 Bonds;

WHEREAS, the City and the LGC have arranged for the private sale without advertisement of the 2025 Bonds to Robert W. Baird & Co., Incorporated (the “Underwriter”), under the terms of a Bond Purchase Agreement to be dated as the date of delivery thereof (the “Purchase Agreement”) among the LGC, the Underwriter and the City, pursuant to which the City and the LGC will sell the 2025 Bonds to the Underwriter in accordance with the terms and conditions set forth therein; and

WHEREAS, copies of the forms of the following documents relating to the transactions described above have been or will be filed with the City and are available to the City Council:

- (1) the General Indenture;
- (2) the Series Indenture;
- (3) the Purchase Agreement; and
- (4) a Preliminary Official Statement (the “Preliminary Official Statement”) with respect to the 2025 Bonds, which after the inclusion of certain pricing and other information will become the final Official Statement (the “Official Statement”) relating to the 2025 Bonds.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA, AS FOLLOWS:

Section 1. The 2025 Bonds are hereby authorized and will be issued pursuant to the Act, the General Indenture and the Series Indenture to raise the money required, in addition to any funds which may be made available for such purpose from any other source, to (1) finance the 2025 Projects and (2) pay the costs of issuing the 2025 Bonds. The use of the proceeds of the 2025 Bonds, as described, is necessary to meet the demands of the users of the City’s Water and Sewer System (as defined in the General Indenture).

Section 2. The aggregate principal amount of the 2025 Bonds authorized by this order will not exceed \$11,500,000. The 2025 Bonds hereby authorized will be a special obligation of the City, secured by and paid solely from the proceeds thereof or from revenues, income, receipts and other money received or accrued by or on behalf of the City from or in connection with the operation of the City’s Water and Sewer System.

Section 3. The City’s issuance of the 2025 Bonds, in substantially the form to be set forth in the Series Indenture, is hereby in all respects approved and confirmed, and the provisions of the General Indenture and the Series

Indenture with respect to the 2025 Bonds are hereby approved and confirmed and are incorporated herein by reference. The proceeds from the sale of the 2025 Bonds will be deposited in accordance with the Series Indenture.

The principal of, premium, if any, and interest on the 2025 Bonds will not be payable from the general funds of the City, nor will the 2025 Bonds constitute a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon any of its income, receipts or revenues except the funds which are pledged under the General Indenture. Neither the credit nor the taxing power of the State of North Carolina or the City are pledged for the payment of the principal of, premium, if any, purchase price or interest on the 2025 Bonds, and no holder of the 2025 Bonds has the right to compel the exercise of the taxing power by the State of North Carolina or the City or the forfeiture of any of its property in connection with any default thereon.

Section 4. The form and content of the Series Indenture, including the exhibits thereto, are hereby in all respects approved and confirmed. The Mayor, the City Manager, the Assistant City Manager, the City Attorney, the Finance Director and the City Clerk, including anyone serving as such in an interim capacity, and their respective designees (collectively, the “*Authorized Officers*”), are hereby authorized, empowered and directed, individually or collectively, to execute and deliver the Series Indenture for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City Council’s approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Series Indenture, the Authorized Officers are hereby authorized, empowered and directed, individually or collectively, to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the General Indenture and the Series Indenture as executed. The Trustee is hereby appointed as Registrar and Paying Agent under the Series Indenture.

Section 5. The 2025 Bonds will be sold to the Underwriter pursuant to the terms of the Purchase Agreement. The form and content of the Purchase Agreement are in all respects approved and confirmed, and the Authorized Officers are hereby authorized, empowered and directed to execute and deliver the Purchase Agreement for and on behalf of the City, including necessary counterparts, in substantially the form and content presented to the City, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the City’s approval of any and all such changes, modifications, additions or deletions therein. From and after the execution and delivery of the Purchase Agreement, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Agreement as executed.

Section 6. The form, terms and content of the Preliminary Official Statement are in all respects authorized, approved and confirmed, and the use of the Preliminary Official Statement and the Official Statement by the Underwriter, in connection with the sale of the 2025 Bonds with investors is hereby in all respects authorized, approved and confirmed. The Mayor, City Manager, the Assistant City Manager and the Finance Director of the City are hereby each authorized, empowered and directed to deliver the Official Statement for and on behalf of the City in substantially the form and content of the Preliminary Official Statement presented to the City Council but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate.

Section 7. The City Manager, the Assistant City Manager and the Finance Director of the City, or their respective designees, are each hereby authorized to execute a tax certificate to comply with Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder.

Section 8. No stipulation, obligation or agreement contained in this Bond Order or contained in the 2025 Bonds, the General Indenture, the Series Indenture, the Purchase Agreement, or any other instrument related to the issuance of the 2025 Bonds is a stipulation, obligation or agreement of any officer, agent or employee of the City in his or her individual capacity, and no such officer, agent or employee is personally liable on the 2025 Bonds or be subject to personal liability or accountability by reason of the issuance thereof.

Section 9. The Authorized Officers are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by (1) this Bond Order, (2) the General Indenture, (3) the Series Indenture and (4) the Purchase Agreement (collectively, the “*Instruments*”), except that none of the above is hereby authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of the Instruments, (b) any agreement to which the City is bound, (c) any rule or regulation of the City or (d) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 10. The Authorized Officers are hereby authorized, empowered and directed to prepare and furnish, when the 2025 Bonds are issued, certified copies of all the proceedings and records of the City Council relating to the 2025 Bonds, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2025 Bonds as such facts appear on the books and records in such party’s custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, constitute representations of the City as to the truth of all statements contained therein.

From and after the execution and delivery of the documents hereinabove authorized, the Authorized Officers, or their respective designees, are hereby authorized, empowered, and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed, and are further authorized to take any and all further actions to execute and deliver any and all other

documents as may be necessary in the issuance and on-going administration of the 2025 Bonds.

Section 11. All acts and doings of the Authorized Officers previously taken and required to be taken in the future that are in conformity with the purposes and intent of this Bond Order and in furtherance of the issuance of the 2025 Bonds, the execution, delivery and performance of the Series Indenture and the Purchase Agreement described herein are hereby in all respects ratified, approved and confirmed. Any provision in this Bond Order that authorizes more than one Authorized Officer to take certain actions will apply to the respective designees of the Authorized Officers, including any person serving in an interim capacity, and will be read to permit such persons to take the authorized actions either individually or collectively.

Section 12. If any one or more of the covenants, agreements or provisions contained in this Bond Order is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such covenants, agreements or provisions will be null and void and will be deemed separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions of this Bond Order or of the 2025 Bonds authorized hereunder.

Section 13. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 14. This Bond Order is effective immediately on its adoption and pursuant to Section 159-88 of the General Statutes of North Carolina, as amended, need not be published or subjected to any procedural requirements governing the adoption of ordinances or resolutions by the City Council other than the procedures set out in the Act.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

10. CITY MANAGER REPORT

In accordance with North Carolina General Statute (NCGS) 159-13(b) it is required that all expenditures resulting from a contingency appropriation budget be reported to the governing board at its next regular meeting and recorded in the minutes.

NCGS 159-15 permits the Budget Officer (City Manager), to transfer budget from one appropriation to another within the same fund, provided any such transfers are reported to the Governing Board. The City of Hendersonville refers to transfers of budget from one appropriation to another within the same fund as a “budget adjustment.” City Council authorizes budget adjustments each year with the adoption of the annual budget ordinance (SECTION 4).

This agenda item serves to fulfill the reporting requirements of both NCGS 159-13(b) and 159-15 by providing City Council a summary of all amendments and adjustments occurring thus far in the fiscal year.

FISCAL YEAR 2024 - 2025 (FY25)									
BUDGET AMENDMENTS AND ADJUSTMENTS						Completed		Corrected	
				Proposed		Denied			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
060-7155-534000	Non-Capital Equipment	10,000	-	10,000	-	Vactor Truck Repairs	yes	Adjustment	6/3/2025
060-7155-524030	R&M Trucks	40,000	10,000		50,000	Vactor Truck Repairs	yes	Adjustment	6/3/2025
060-7155-554001	Capital Outlay Other Than	111,000	-	35,000	76,000	Vactor Truck Repairs	yes	Adjustment	6/3/2025
060-7155-524030	R&M Trucks	50,000	35,000		85,000	Vactor Truck Repairs	yes	Adjustment	6/3/2025
010-0000-534999	Contingency	86,514	-	1,685	84,829	Worker's Comp 05/31 Invoice	yes	Adjustment	6/4/2025
010-1300-502091	Worker's Comp. Insurance	31,460	1,240	-	32,700	Worker's Comp 05/31 Invoice	yes	Adjustment	6/4/2025
010-1400-502091	Worker's Comp. Insurance	45,232	300	-	45,532	Worker's Comp 05/31 Invoice	yes	Adjustment	6/4/2025
010-1521-502091	Worker's Comp. Insurance	2,577	145	-	2,722	Worker's Comp 05/31 Invoice	yes	Adjustment	6/4/2025

11. CITY COUNCIL COMMENTS - None

12. CLOSED SESSION

Council Member Lyndsey Simpson moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) and (4) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations

13. **ADJOURN**

City Council entered closed session at 6:59 p.m.

There being no further business, closed session adjourned at 7:04 p.m.

There being no further business, the meeting adjourned at 7:04 p.m. upon unanimous assent of the Council.

ATTEST:

Jill Murray, City Clerk

Barbara G. Volk, Mayor



MINUTES

July 23, 2025

SECOND MONTHLY MEETING OF THE CITY COUNCIL

CITY HALL - 2ND FLOOR MEETING ROOM | 160 6TH AVENUE E. | 4:00 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Dr. Jennifer Hensley and Council Members Lyndsey Simpson, Melinda Lowrance and Gina Baxter

Staff Present: Deputy City Manager Brian Pahle, City Attorney Angela Beeker, City Clerk Jill Murray, Communications Manager Allison Justus, Communications Coordinator II Brandy Heatherly and others.

Absent: City Manager John Connet, Budget & Evaluation Director Adam Murr

1. **CALL TO ORDER**

Mayor Barbara Volk called the meeting to order at 4:00 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. **CONSIDERATION OF AGENDA**

Council Member Lyndsey Simpson moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.

3. **CONSENT AGENDA**

Council Member Lyndsey Simpson moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

4. **PRESENTATIONS**

A. City Council Strategic Plan Update – Brian Pahle, Deputy City Manager

Deputy City Manager Brian Pahle gave an update on the strategic plan and gave the following PowerPoint presentation.



AGENDA

01

Review each goal area for significant updates, COAN, and Trees.

02

Introduce the next 3-year planning process.

STRATEGIC PLANNING & BUDGET

The Strategic Mindset – City of Hendersonville Way

- A means to bridge the gap between an organization’s current position and desired future state
- Future-focused impacts at the daily operations level
- Leadership that reverse engineer long-term aspirations to impact day-to-day decisions and operations on the ground
- Avoids short-termism, just checking a box, and the pull and shoot mentality that cripple long-term progress



STRATEGIC PLANNING & BUDGET

Vision & Mission



Vision

Hendersonville is a vibrant mountain city where the government and citizens work together for a high quality of life.

Mission

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.



STRATEGIC PLAN FY25

Goal Tracking



Vision: Hendersonville is a vibrant mountain city where the government and citizens work together for a high quality of life.
Mission: 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.

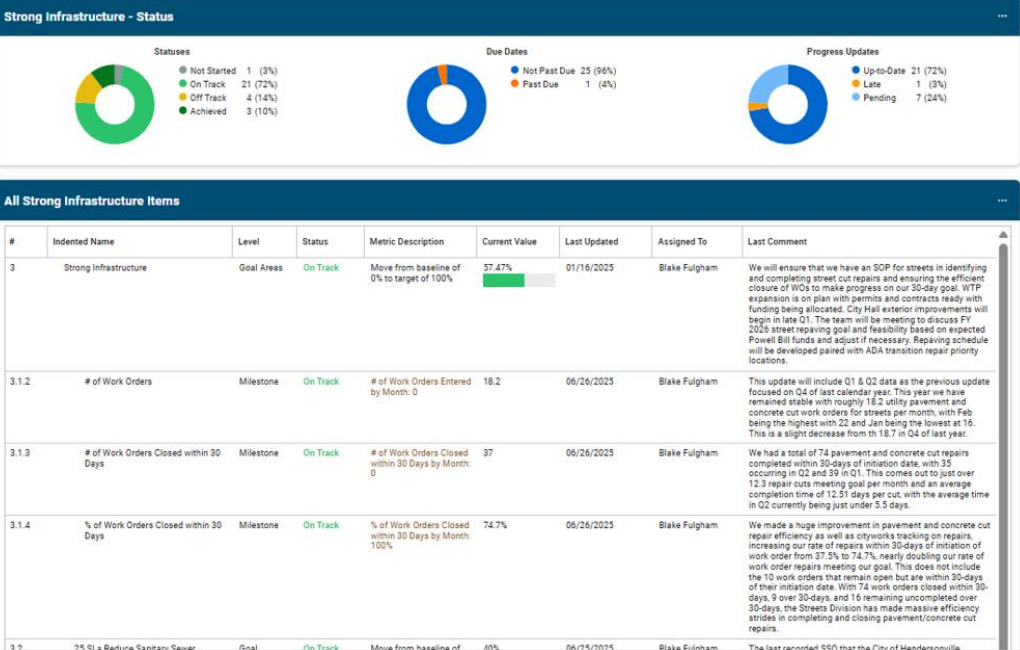
On March 15, 2023, City Council developed an updated list of goals for the City of Hendersonville. Council Members devised a plan for the City's future growth and strategized on working through competing interests and decision-making points. The list was clarified by City Council with final FY25 ranked goals listed below:

Rank #1	Public Safety	Rank #6	Invest in Parks
Rank #2	Compensation, Benefits, & Staff Development	Rank #7	Enhance Sustainability Citywide
Rank #3	Strong Infrastructure	Rank #8	Transportation Planning
Rank #4	Strategic Housing Plan	Rank #9	City Boards & Volunteers
Rank #5	Growth Management & Community Character	Rank #10	Support Downtown Businesses



STRATEGIC PLAN FY25

Goal Tracking



STRATEGIC PLAN FY25

Goal Tracking

#1 – Public Safety

Significant Updates

- Still unable to advertise for DT Police Officer
- New Downtown Security Installation Aug. 2025

Achievements

- Perf. Indicators for FS#3
- QRV Deployment & KPIs

COAN

- HFD Min. Staffing
- DT HPD
- Vacant Prop. Registry, Comm. Maint. Code Update, and Burned Prop. Procedures



STRATEGIC PLAN FY25

Goal Tracking

#2 – Compensation, Benefits, & Staff Development

Significant Updates


- Lead Position in FY26 Budget COLA/Merit
 - COLA +4% (2.89% Inflation; 1.11% LW)
- Determining Calculation

Achievements

- 401k Match Increase
- New Perf. Review System

COAN

- % Making > Living Wage
 - 62.6% Classifications
 - 74.5% FTE Salaries



STRATEGIC PLAN FY25

Goal Tracking

#3 – Strong Infrastructure

Significant Updates

- Helene + FEMA
- MVF Adoption
- SW Master Plan + Rate

Achievements

- City Hall 1st + 3rd Floors
- Paving Plan + Fee
- Cut Efficiency

COAN

- City Hall Exterior
- Resurfacing Sq. Ft.



STRATEGIC PLAN FY25

Goal Tracking

#4 – Strategic Housing Plan

Significant Updates

- Housing Plan Finalization

Achievements

- Zoning Text Amendments

COAN

- Housing Authority Resolution



Goal Tracking

#5 – Growth Management & Community Character

Significant Updates

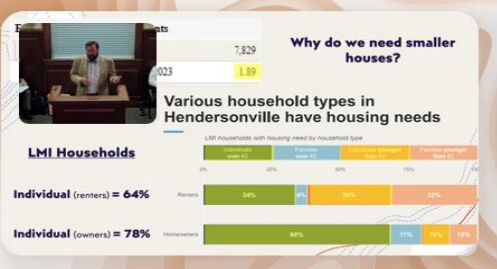
- No Down Zoning Law Creates Difficulty for UDO Development
- Modify Future Tracking to Gen H Implementation Plan % Completion

Achievements

- Comp Plan Adoption
- Zoning Text Amendments

COAN

- Pursue Form Based Code
- Start UDO
- Floodplain Ordinance Updates



Goal Tracking

#6 – Invest in Parks

Significant Updates


- Helene + FEMA
- Bond Moved to FY29
- Above the Mud Grant Not Received Project of Merit Designation

Achievements

- Funding Strategy for Bond
- BUILD Grant Submitted
- New Bike Racks
- S. Main St. + Ecusta
- Pickleball Courts at Patton

COAN

- Issue a Parks Bond
- 1% Occupancy Tax
- S. Main St. Park
- Construct a Splash Pad
- Disc Golf
- Signage/Branding Manual



Goal Tracking

#7 – Enhance Sustainability Citywide

Significant Updates


- Budget CIP Constraints for New Facility Upgrades
- Majority of Goal Area Achieved (>80%)

Achievements

- FY25 Sus. Plan Goals Accomplished
- Incorporate Sus. in Comp. Plan
- Planted 100 Trees

COAN

- Tree Planting Goals + Data Integrity
- Energy Efficiency Upgrades at HPD



64

STRATEGIC PLAN FY25

Goal Tracking

#8 – Transportation Planning

Significant Updates

- GO Bond Strategy in Place
- NCDOT Project Delays + Funding Availability

Achievements

- City Traffic Impact Analysis for New Developments
- NCDOT Confirmation for King Street Narrowing

COAN

- Narrow King Street



STRATEGIC PLAN FY25

Goal Tracking

#9 – City Boards & Volunteers

Significant Updates

- Annual Appreciation Dinners Continue with Improvements
- Citizens Academy is Slow to Start

Achievements

- Clarify Ordinances and Roles
- Hold Annual Appreciation Dinner

COAN

- Start a Citizens Academy
- Staff Lead Training Sessions for Boards



STRATEGIC PLAN FY25

Goal Tracking

#10 – Support Downtown Business

Significant Updates

- Helene Response
- 7th Avenue Streetscape Celebration
- Working on Public Art and Business Incubator Programs

Achievements

- Create DT Opportunity Fund
- Pivot Grants (Helene) = \$15k
- Façade Grants = \$12k
- Public Art Grants = \$6k
- Loans Opp Fund = \$1.2m

COAN

- n/a





B. DEI Legislation Update – Angie Beeker, City Attorney

City Attorney Angie Beeker gave a brief update on the new Diversity, Equity & Inclusion (DEI) legislation and executive orders and gave the following PowerPoint presentation.

Executive Orders issued early 2025:

• **EO 14173 – Ending Illegal Discrimination and Restoring Merit-Based Opportunity**

- Terminate DEI in federal departments and agencies
- Enforce civil-rights laws and combat illegal private-sector DEI preferences mandates, policies, programs and activities
- Requires certification that grantee/contractor does not operate programs promoting DEI that violate anti-discrimination laws and their compliance with federal antidiscrimination laws is material to the contract.

No clear definitions; very broad; doesn’t have the force of law but still has serious implications.

E.g., In EEOC investigatory letter to law firms, telling recruiting committees or recruiting firms that you want “diverse” candidates is considered unlawful discriminatory DEI practices.

• **EO 14151 – Ending Radical Government DEI Programs and Preferencing**

Directs federal agencies to end “equity-related grants or contracts.”

• **EO 14281 – Restoring Equality of Opportunity and Meritocracy**

Seeks to eliminate use of disparate-impact theory of discrimination, unintentional violations of anti-discrimination laws. (vs. disparate treatment, intentional)

February 5, 2025 – Memo from US Office of Personnel Management

“Unlawful discrimination related to DEI includes taking action motivated, in whole or in part, by protected characteristics.” Examples: Diversity requirements for hiring panels, and candidate pools, any type of preferences

April 24, 2025 – USDOT to All Recipients of USDOT Funding

Recipients of USDOT funding prohibited from engaging in discriminatory actions, programs or activities

- “Whether or not described in neutral terms, any policy, program, or activity that is premised on a prohibited classification, including discriminatory policies or practices designed to achieve so-called “diversity, equity and inclusion,” or “DEI” goals presumptively violated Federal law.”
- Breach of grant agreement

May 19, 2025 – Memo from US Department of Justice, Deputy Attorney General.

Implements the **Civil Rights Fraud Initiative** – using False Claims Act to “investigate and pursue claims against any recipient of federal funds that knowingly violates federal civil rights laws.”

House Bill 171 – Ratified June 30, 2025, vetoed July 3, 2025 (If overturned, effective 7/1/26)

- Can’t use state funds or public monies to promote, support, fund, implement, or maintain DEI initiative or programs.
- **DEI** – A program, policy, initiative or activity designed or implemented to:
 - “Promote (i) **differential treatment** of or providing **special benefits** to individuals on the basis of race, sex, color, ethnicity, nationality, country of origin, or sexual orientation; or (ii) a difference in policy, practice or action that **impairs equal access to opportunities or benefits** based on a protected characteristic.
 - Includes DEI practices in hiring, employment or awarding of contracts, DEI training, DEI offices or staff
- \$10,000 civil penalty per violation plus personal liability for damages suffered by local government as a result; also removal from office.
- Annual report on activities to remove DEI/comply with this law.
- State auditor to conduct compliance audits.
- Individual cause of action

C. Discussion Regarding Towing of Vehicles Prior to Special Events – Jamie Carpenter, Downtown Manager and Blair Myhand, Police Chief

Downtown Manager Jamie Carpenter explained that the Downtown Advisory Board requested a review of the towing policy for special events, and they brought it to the Board in November of last year and we have also brought it to the subcommittee with Lieutenant Cantwell and they have a few recommendations and we wanted to bring those to Council as it is a policy decision.

Issues:

- When the street is closed for special events midday during lunch hour, it cuts off business and that is a problem.
- Typically, so as not to tow people, a police officer will go up and down the street with a speaker and let people know that towing would be occurring soon if they do not move their vehicle and they do not like that.
- People are not moving their vehicles at the designated times on the sign. For example, if it says 1:00, people are waiting until they see a tow truck coming and then move.
- The length of time between the street closure and when vendors move in is too long.

Through those meetings, Lieutenant Cantwell and I went through what the current process is for towing.

Current Process:

- We make significant notifications on what time the streets close through press releases, social media, a public notification on the Park Mobile app, we place signs on all the kiosks on Main Street, we have sandwich boards on all corners of the prominent areas, we do newsletters to

downtown businesses that give street closure information, and we hand out physical newsletters about five times a year that have street closures in them and we do a text alert.

- The night before an event, the police department night shift will put out signs on each block.
- On the morning of an event, the police will call a tow company and notify them of the timing.
- We do a soft closure so if the time is 1:00 we begin to close incoming lanes as a visual reminder.
- Vehicles that are parked after the advertised time are subject to tickets the first 30 minutes, then towed after. However, there are issues with the towing company as there is no guarantee that the truck will arrive because they may be called to a wreck.
- When we tow a vehicle, it is usually to the City Ops parking lot instead of the towing company’s storage yard as their storage yards are all over the county. Most of the cars that we tow are from out of state.
- Lieutenant Cantwell said he was able to work out a deal with a towing company that they can guarantee two trucks at every event as long as he notifies them 24 hours ahead of time. I do not know how that is going to pan out, but it is a step in the right direction.
- It takes about two hours for Main Street to clear out before we can allow vendors to come in.

Board Suggestions

- We start towing immediately so if the signs say 1:00, a truck is there at 1:00 to begin towing.
- Incentivize towing company response time OR the city can contract with the towing company for yearly event towing.
- Prioritize replacing the water barricades with vehicle rated modular barricades, however, we have found that there are more resources needed to get those in place than we thought there would be.

Council Consensus is that the downtown team is doing everything they can do to try to make this a smooth transition and there is not much more they can do.

D. Patton Pool & Whitmire Center Update & Discussion – Richard Shook, Civil Engineer

Richard Shook explained that staff seeks to review the progress of the Patton Pool and Whitmire Center conceptual designs and outreach strategies and gather initial feedback from Council to help guide the process.





Concept Design Check-in

**Whitmire Center
Patton Park & Pool**

July 23rd, 2025



CPL
ARCHITECTURE
ENGINEERING
PLANNING
CPLteam.com

How did we get here?



Second Community Engagement Meeting

July 15th, 2025



Park Feedback

Stakeholders	Community Engagement	Online Survey
<ul style="list-style-type: none">• Walking Trails• Playgrounds• Skate Park• Bathrooms• Pickleball• Bocce• Basketball• Parkour/Ninja Warrior Park• Pump Track	<ul style="list-style-type: none">• Interaction with Nature• Restoration/ Sustainability• Constructed Wetlands• Stream Restoration• Walking Trails	<ul style="list-style-type: none">• Playground Areas• Walking & Biking Trails• Community space & Multigenerational areas• Picnic Areas• Pickleball/Tennis• Yard Games• Skate Park• BMX/Pump Track

Community Center Feedback

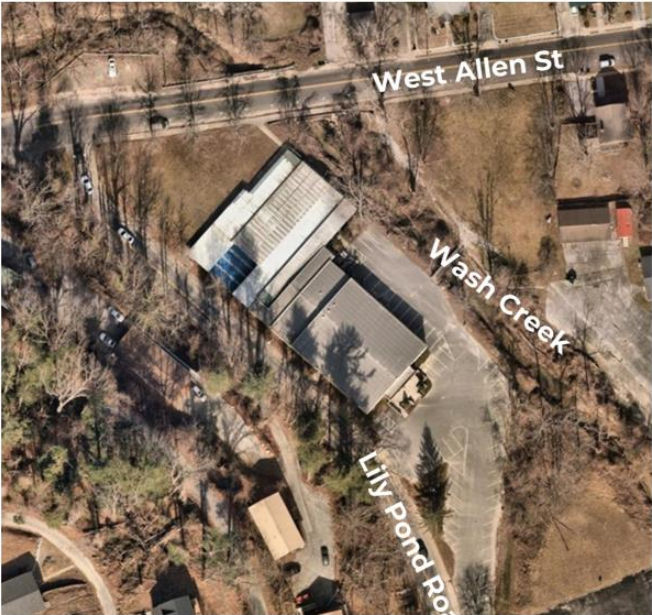
Stakeholders	Community Engagement	Online Survey
<ul style="list-style-type: none">• Intergenerational• Accessibility• Multi-Use Spaces• Event Spaces• Volleyball• Community Meal• Classroom Space	<ul style="list-style-type: none">• Multi-Purpose Rooms• Flexible Recreation Areas• Intergenerational• Classrooms• Senior Center• Card Games	<ul style="list-style-type: none">• Accessibility• Large meeting spaces• Low cost• Indoor activities• Games• Sports• Educational classes• Community events

Aquatics Feedback

Stakeholders	Community Engagement	Online Survey
<ul style="list-style-type: none">Teams Sports25-Y Competition LanesLessonsCampsOpen swim/creative playDiving	<ul style="list-style-type: none">Lap LanesSplash PadSwim LessonsZero Depth EntryShallow Play AreaSlideLazy River/Current ChannelWater Aerobic Area	<ul style="list-style-type: none">Zero Depth EntryLazy River/Current ChannelSplash DeckSwim LessonsShallow Depth Play AreaLap LanesSlideWater Aerobics

Whitmire Activity Center with Toms Park Existing Conditions

- 2.5 Acres
- 50 parking spots
- 14 Shuffleboard Courts
- 3200 sf large Flex Space
- 8250 sf footprint
- Park trails



Patton Park Existing Conditions

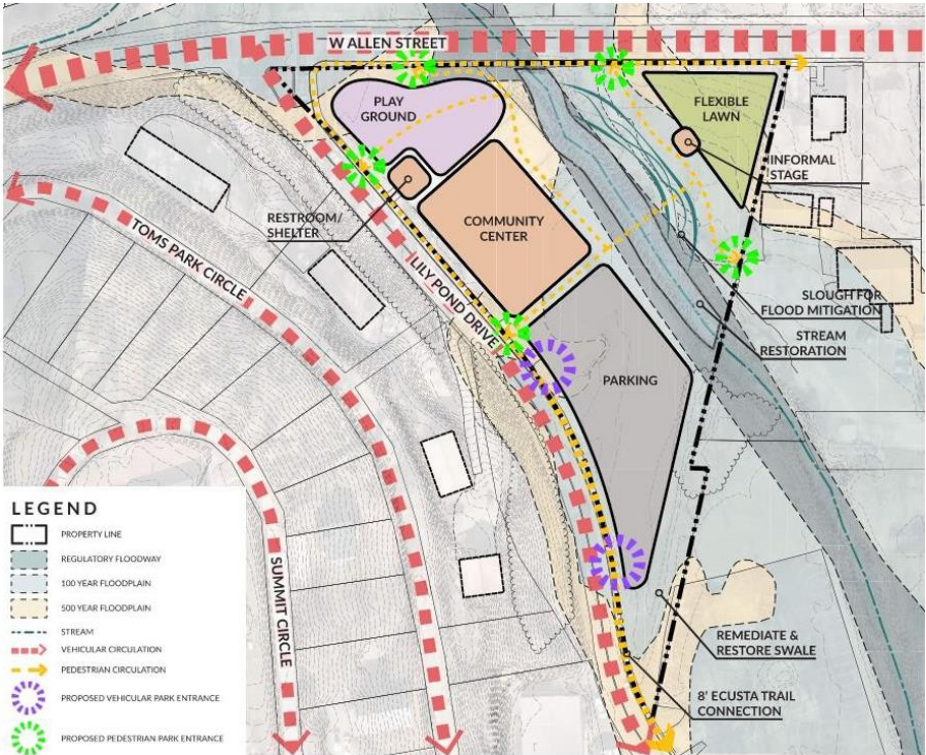
- 18 Acres
- 145 Parking Spots
- 47,000 sf Pool Facilities (~7,000 sf Support Buildings)
- 50-meter 8 Lane Outdoor Pool with Diving Board
- Outdoor Kiddie Pool
- Playground
- 1 Tennis Court
- 4 Pickleball Courts
- Dog Park (prev. baseball field)
- Skate Park
- Basketball Court
- Open Field Area



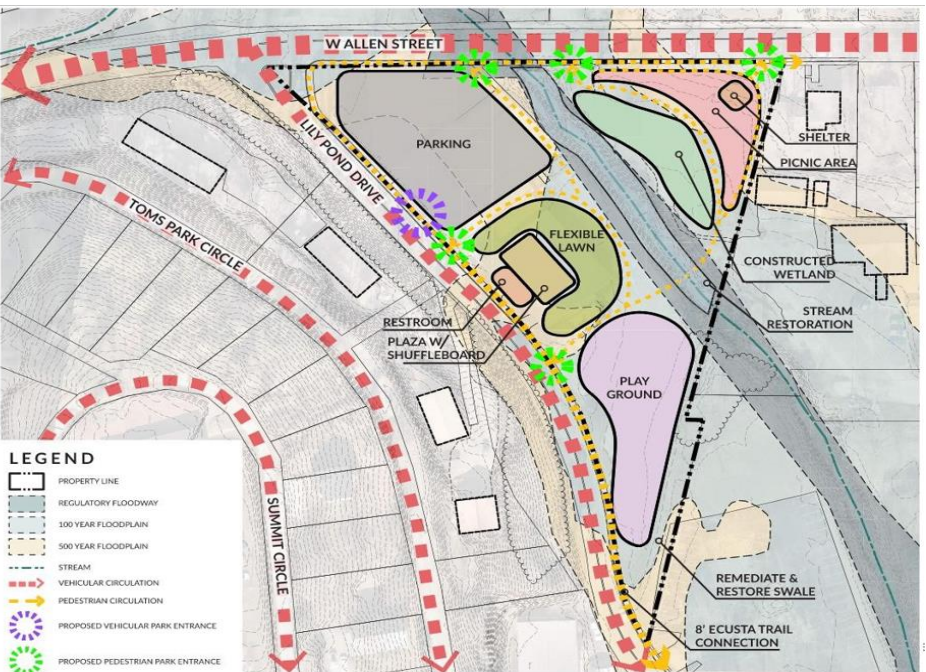


- **Recreation**
 - Medium Flex Space – 3,500 sf
 - Dedicated Rec. Storage – 600 sf
- **Education**
 - Small Classroom – 300 sf
- **Social Gathering**
 - Party Room – 350 sf
 - Warming Kitchen – 200 sf
- **Support Spaces**
 - Lobby
 - Restrooms
 - Office
 - Storage

New Whitmire Community Center 1A- Site Layout

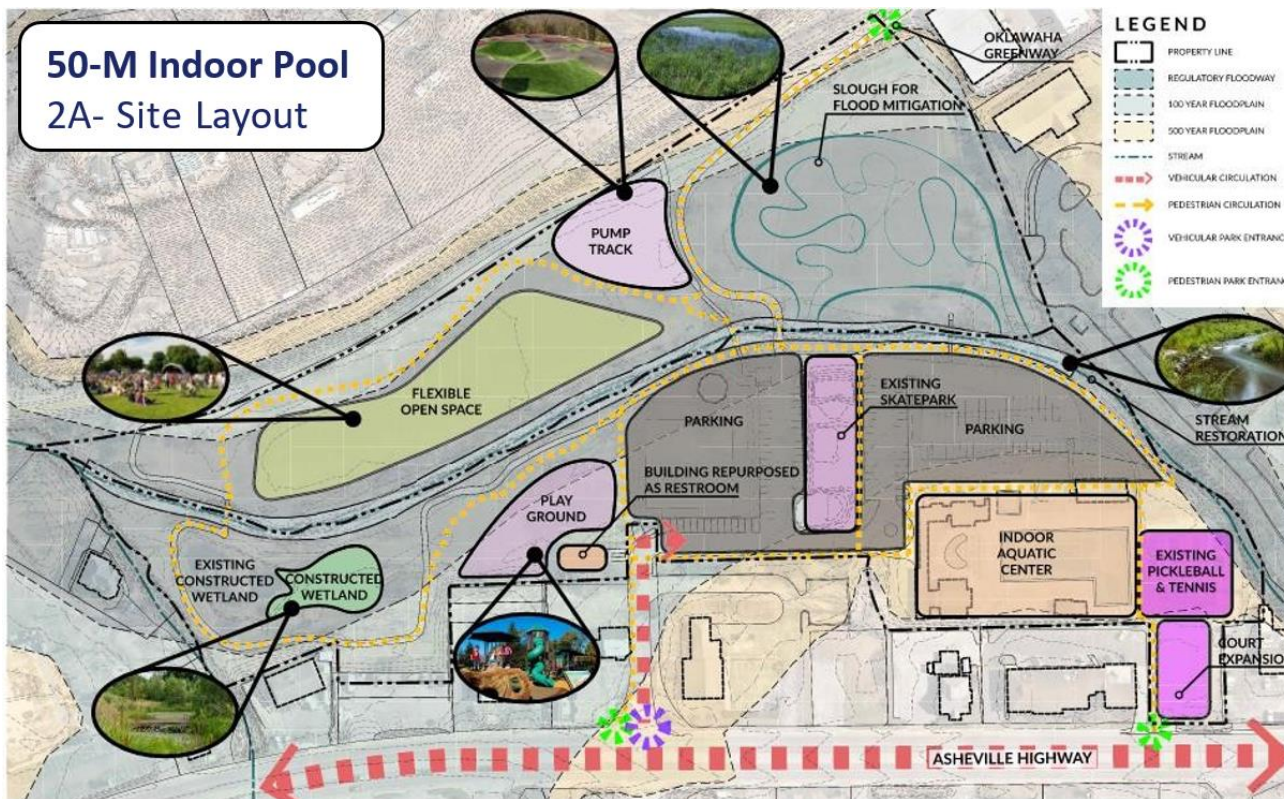
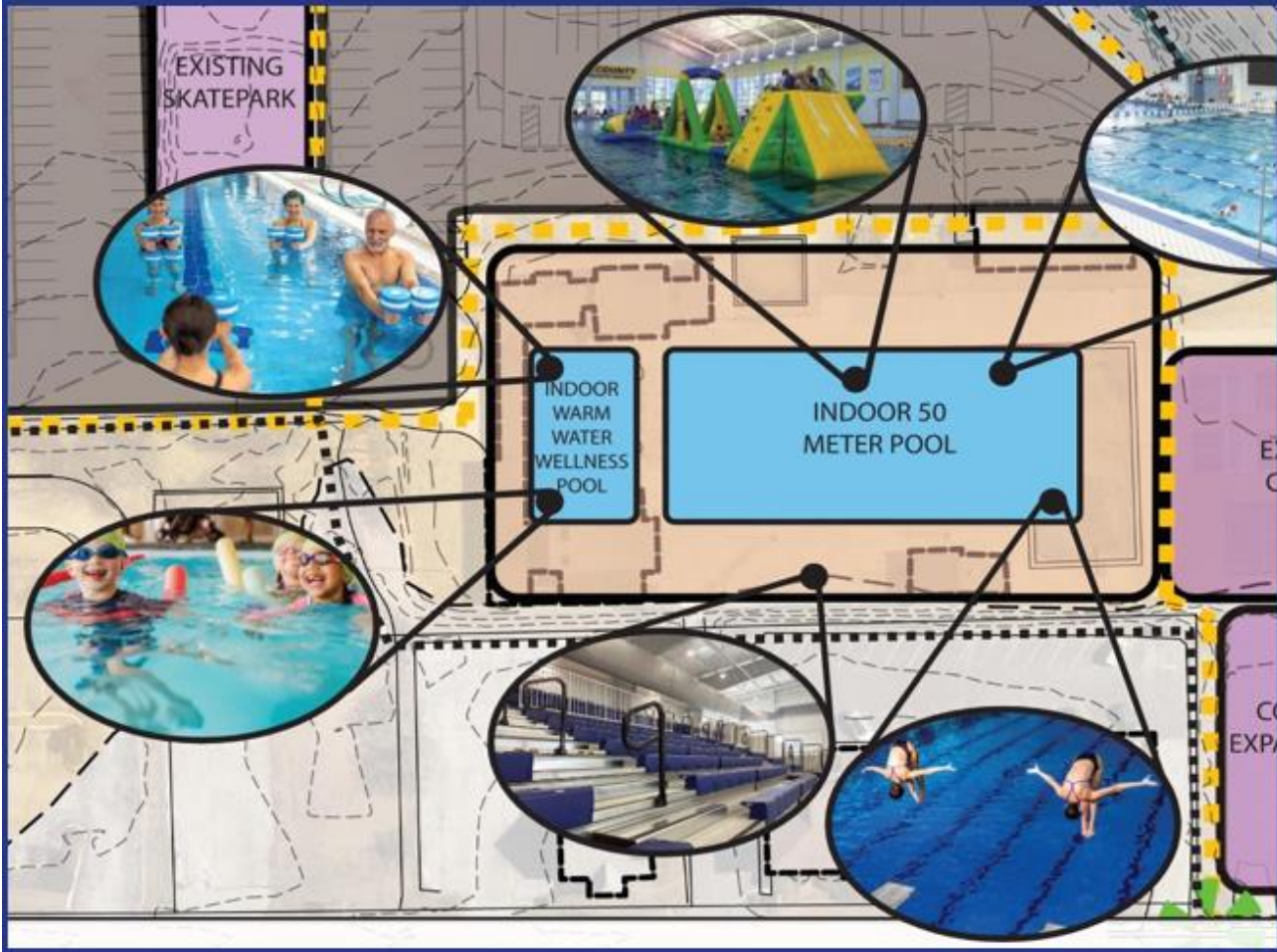


Park Expansion 1B- Site Layout



50M Indoor Pool

2A Program

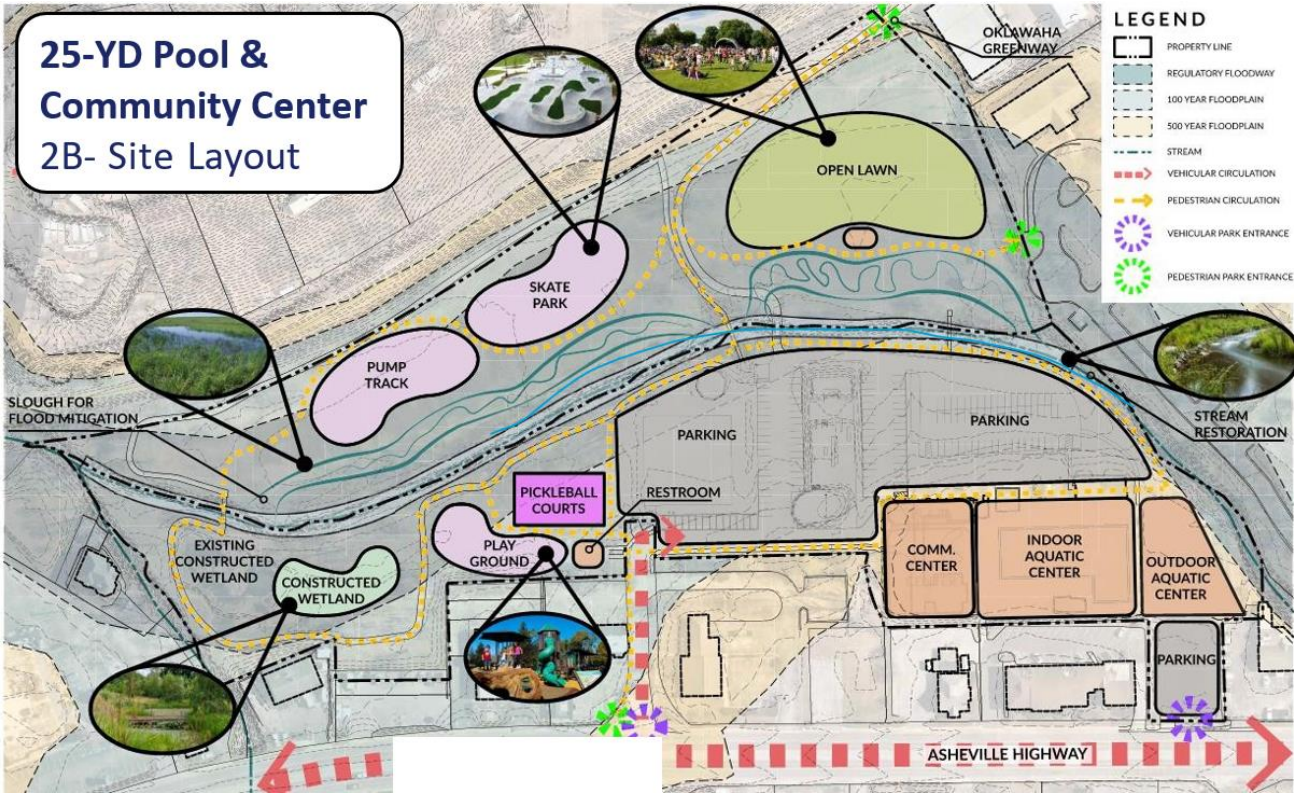


25YD Indoor Pool & Community Center
2B Program



- **Indoor Aquatics – 34,500 sf**
 - 25-yard pool
 - 3 Lane Warm Water Wellness Pool
 - Event Seating
- **Outdoor Aquatics– 17,000 sf**
 - Spray/Splash Play
 - Zero Depth Entry
 - Recreational Swim
 - Shade Features
- **Community Center– 20,000 sf**
 - Large Flex Space 7,000 sf
 - Classroom and Multipurpose Room
 - Concessions
 - Support Spaces

25-YD Pool & Community Center
2B- Site Layout



Conceptual Building Costs

• 1A- New Community Center Base Community Center, Trail Restrooms	12,800 SF	\$5 – \$8 million
• 1B- Park Expansion Trail Restrooms	800 SF	\$500 – \$800 thousand
• 2A- 50M Indoor Pool 50 Meter Indoor Pool, Indoor Warm Water Wellness Pool, Trail Restrooms	72,600 SF	\$35 – \$45 million
• 2B- 25YD Indoor Pool & CC Outdoor Recreational Aquatics, Indoor 25 Yard Pool with Warm Water Wellness Pool, Large Community Center, Trail Restrooms	82,300 SF	\$45 – \$60 million

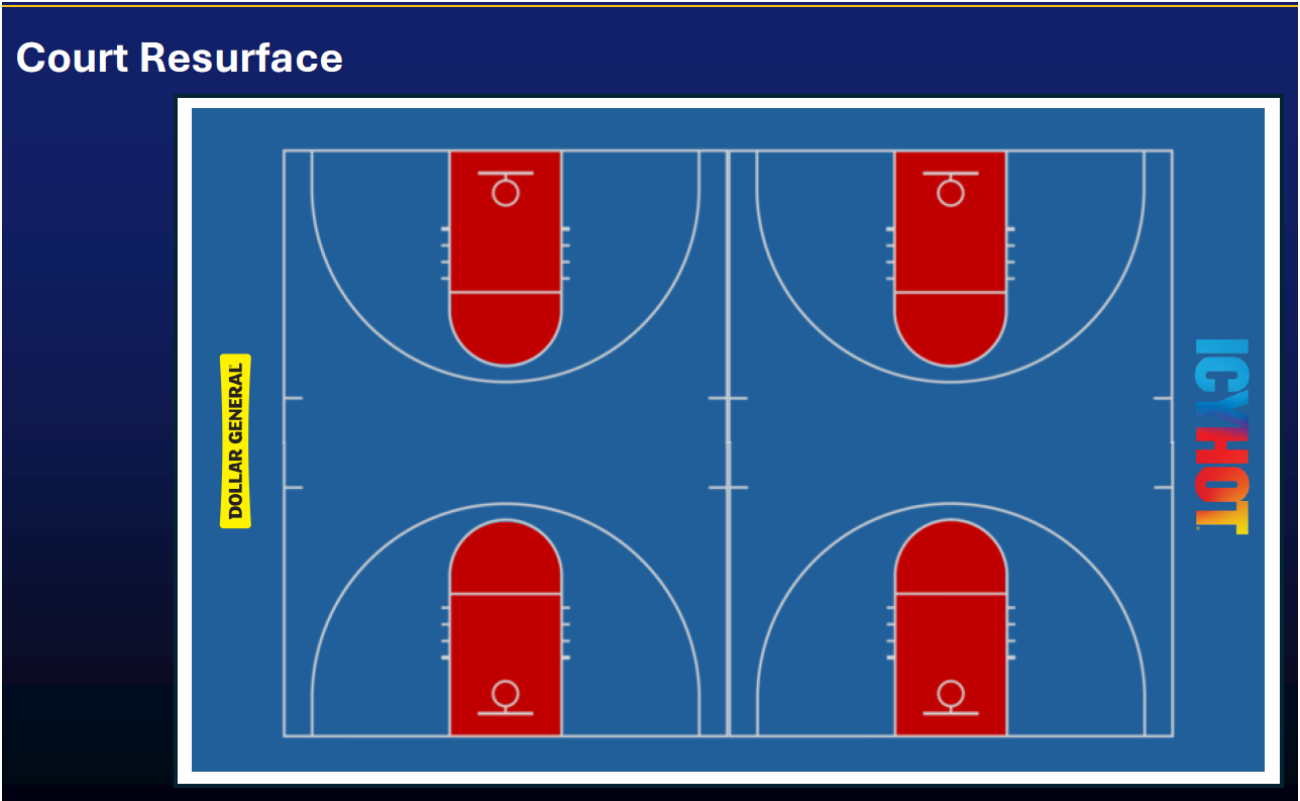
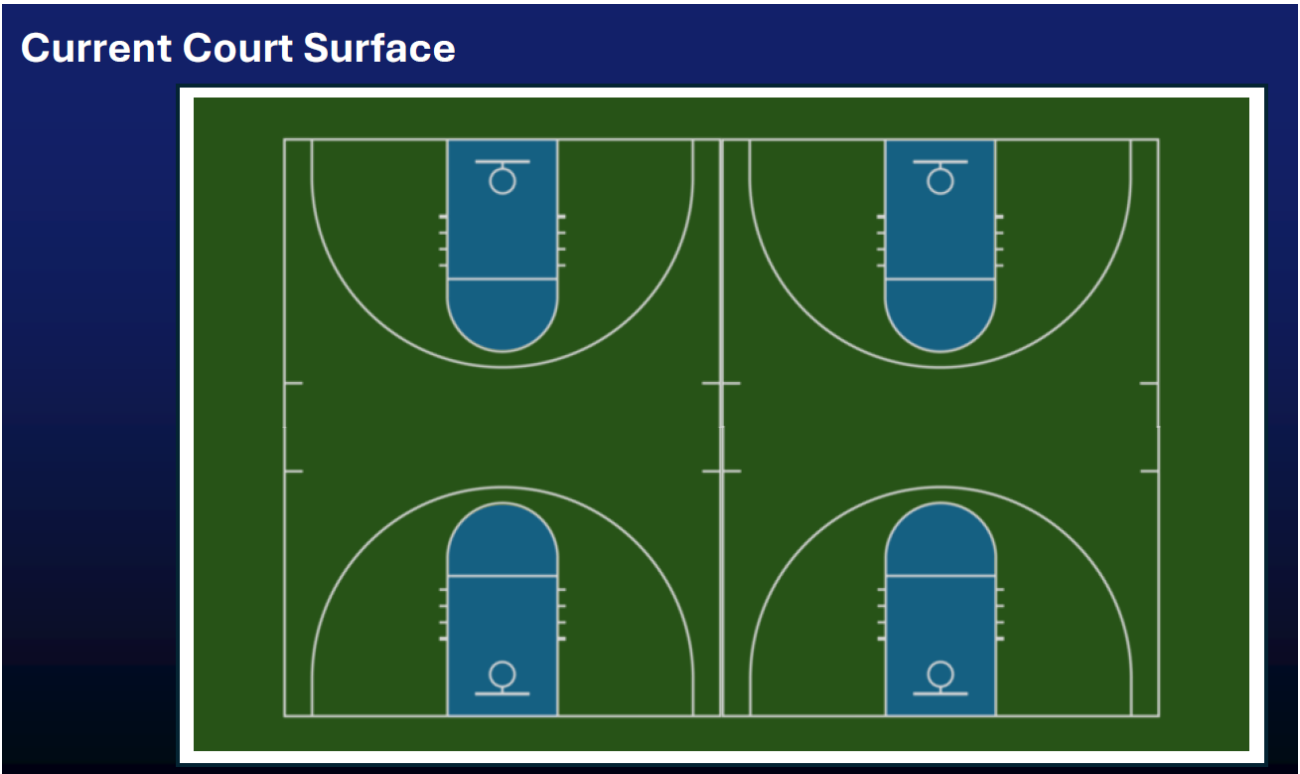
Deputy City Manager Pahle confirmed that he heard that basketball, a skate park, and shuffleboard are all important to City Council. He added that our next move is to get cost indicators on this as we have to keep moving on the FEMA front.

Council Member Hensley added that she would like to possibly partner with Henderson County and other partners and consider the one penny occupancy tax that was dicussed before specifically for park development.

5. NEW BUSINESS

A. **Approval of Resolution to Accept Combaq Courts Grant** – *Brent Detwiler, Assistant City Manager*

Brent Detwiler explained that the City of Hendersonville and the Henderson County Boys and Girls Club have received a grant to renovate the basketball courts at Sullivan Park. One of the grant stipulations is that grant sponsors allow their logos to be placed on the basketball goals. These logos are depicted in the attached renderings. In accordance with the City’s Sponsorship Policy, the City Manager may ask the City Council to approve the use of logos at City facilities. Therefore, we are submitting a request that City Council approve the use logos on the basketball goals.



Basketball Court Rendering



Basketball Court Rendering



Incremental Branding Options



Council Member Jennifer Hensley moved that the City Council accept the Combaq Courts Grant and approve the placement of sponsorship names as shown in the provided renderings. A unanimous vote of the Council followed. Motion carried.

B. Approval of Special Event Permit for Hendersonville Splash Day – Brian Pahle, Deputy City Manager and Allison Justus, Communications Director

Deputy City Manager Brian Pahle explained that per Council Member Hensley’s suggestion, City staff has planned a Hendersonville Splash Day for Saturday, August 2, 2025. Splash Day will include water fun with the Fire Department 10:00 AM – 1:00 PM, free mini-golf (All Day), snow cones, hot dogs, snacks, and drinks (lunch time hours). We request City Council approve closing a portion of Locust Street from 9:00 AM – 2:00 PM.



Council Member Jennifer Hensley moved that the City Council approve the Hendersonville Splash Day Special Event Permit. . A unanimous vote of the Council followed. Motion carried.

6. ADJOURN

There being no further business, Council Member Jennifer Hensley moved to adjourn the meeting. The meeting was adjourned at 5:32 p.m. upon unanimous assent of the Council.

Barbara Volk, Mayor

ATTEST:

Jill Murray, City Clerk



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Caitlyn Gendusa, Public Works Superintendent - Sustainability **MEETING DATE:** 8/7/2025

AGENDA SECTION: CONSENT AGENDA **DEPARTMENT:** Public Works

TITLE OF ITEM: Donation from Delia Jovel Dubon for Brooklyn Community Garden

SUGGESTED MOTION(S):

NA

SUMMARY:

Delia Jovel Dubon would like to donate \$500 to the Brooklyn Community Garden. If approved, these funds will be recorded to an account specifically for the ongoing maintenance, supplies, and improvements of the Brooklyn Community Garden.

BUDGET IMPACT: + \$500 which must be used within FY26

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

None



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Jennifer Harrell

MEETING DATE: August 7, 2025

AGENDA SECTION: CONSENT

DEPARTMENT: Human Resources

TITLE OF ITEM: Police Social Worker job description– *Jennifer Harrell, HR Director*

SUGGESTED MOTION(S):

I move City Council adopt the Police Social Worker position as presented.

SUMMARY:

Staff has determined a Police Social Worker position will create a key connection point between individuals identified by law enforcement needing additional assistance and community services. The Police Social Worker is a non-sworn position designed to provide Officers with an alternative approach to persons in crisis by connecting individuals with available community resources. The Police Social Worker responds to calls for service when requested by officers employing non-traditional strategies to de-escalate stressful situations. The position interacts with individuals under the direct supervision of the Shift Watch Commander and generally under the supervision of a Police Lieutenant. The position will be in Grade 17 of the COH Pay & Classification Scale

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS: Police Social Worker job description and COH Pay & Classification Scale

City of Hendersonville
Pay and Classification Schedule

Market Increase = 4.00% - July 1, 2025 to June 30, 2026 (FY26)

Grade	Position Title	Minimum	Midpoint	Maximum
1	Not Assigned	26,193.71	33,029.77	39,860.03
2	Not Assigned	27,503.40	34,681.26	41,853.01
3	Not Assigned	28,878.57	36,415.32	43,945.67
4	Not Assigned	30,322.50	38,236.08	46,142.96
5	Not Assigned	31,838.63	40,147.89	48,450.09
6	Not Assigned	33,430.56	42,155.29	50,872.60
7	Not Assigned	35,102.08	44,263.03	53,416.22
8	Not Assigned	36,857.18	46,476.19	56,087.04
9	Administrative Assistant I	38,700.05	48,800.01	58,891.39
9	Customer Service Representative I	38,700.05	48,800.01	58,891.39
9	Police Support Specialist I	38,700.05	48,800.01	58,891.39
10	Building Maintenance Apprentice	40,635.04	51,240.01	61,835.97
10	Customer Service Representative II	40,635.04	51,240.01	61,835.97
10	Downtown Services Worker I	40,635.04	51,240.01	61,835.97
10	Environmental Services Worker I	40,635.04	51,240.01	61,835.97
10	Facilities Maintenance Apprentice	40,635.04	51,240.01	61,835.97
10	Fleet Maintenance Apprentice	40,635.04	51,240.01	61,835.97
10	Line Maintenance Mechanic I	40,635.04	51,240.01	61,835.97
10	Meter Maintenance Technician I	40,635.04	51,240.01	61,835.97
10	Parking Services Ambassador	40,635.04	51,240.01	61,835.97
10	Police Support Specialist II	40,635.04	51,240.01	61,835.97
10	Property Maintenance Worker I	40,635.04	51,240.01	61,835.97
10	Street Maintenance Worker I	40,635.04	51,240.01	61,835.97
10	Traffic Engineering Apprentice	40,635.04	51,240.01	61,835.97
10	WTP Operator I	40,635.04	51,240.01	61,835.97
10	WWTP Operator I	40,635.04	51,240.01	61,835.97
11	Customer Service Representative III	42,666.79	53,802.00	64,927.76
11	Equipment Operator I - CCTV	42,666.79	53,802.00	64,927.76
11	Equipment Operator I - Sewer Cleaning	42,666.79	53,802.00	64,927.76
11	Operations Support Specialist I	42,666.79	53,802.00	64,927.76
11	Police Operations Specialist	42,666.79	53,802.00	64,927.76
11	Utility Billing Specialist I	42,666.79	53,802.00	64,927.76
12	Administrative Assistant II	44,800.13	56,492.10	68,174.14
12	Building Maintenance Technician I	44,800.13	56,492.10	68,174.14
12	Civilian Animal Control Officer	44,800.13	56,492.10	68,174.14
12	Downtown Services Worker II	44,800.13	56,492.10	68,174.14
12	Environmental Services Worker II	44,800.13	56,492.10	68,174.14
12	Equipment Operator II - CCTV	44,800.13	56,492.10	68,174.14
12	Equipment Operator II - Sewer Cleaning	44,800.13	56,492.10	68,174.14
12	Evidence Technician	44,800.13	56,492.10	68,174.14

City of Hendersonville

Pay and Classification Schedule

Market Increase = 4.00% - July 1, 2025 to June 30, 2026 (FY26)

Grade	Position Title	Minimum	Midpoint	Maximum
12	Facilities Maintenance Mechanic I	44,800.13	56,492.10	68,174.14
12	Firefighter in Training	44,800.13	56,492.10	68,174.14
12	Fleet Technician I	44,800.13	56,492.10	68,174.14
12	Inflow and Infiltration Technician I	44,800.13	56,492.10	68,174.14
12	Leak Detection Technician I	44,800.13	56,492.10	68,174.14
12	Line Maintenance Mechanic II	44,800.13	56,492.10	68,174.14
12	Meter Maintenance Technician II	44,800.13	56,492.10	68,174.14
12	Operations Support Specialist II	44,800.13	56,492.10	68,174.14
12	Payment Posting Specialist	44,800.13	56,492.10	68,174.14
12	Police Telecommunicator I	44,800.13	56,492.10	68,174.14
12	Property Maintenance Worker II	44,800.13	56,492.10	68,174.14
12	Street Maintenance Worker II	44,800.13	56,492.10	68,174.14
12	Traffic Engineering Technician I	44,800.13	56,492.10	68,174.14
12	Utilities Compliance Technician I	44,800.13	56,492.10	68,174.14
12	Utility Billing Specialist II	44,800.13	56,492.10	68,174.14
12	Utility Location Specialist I	44,800.13	56,492.10	68,174.14
12	Utility Production Specialist	44,800.13	56,492.10	68,174.14
12	Warehouse Specialist	44,800.13	56,492.10	68,174.14
12	WTP Laboratory Technician I	44,800.13	56,492.10	68,174.14
12	WTP Operator II	44,800.13	56,492.10	68,174.14
12	WWTP Laboratory Technician I	44,800.13	56,492.10	68,174.14
12	WWTP Operator II	44,800.13	56,492.10	68,174.14

13	Building Maintenance Technician II	47,040.14	59,316.70	71,582.85
13	Code Enforcement Officer I	47,040.14	59,316.70	71,582.85
13	Downtown Services Worker III	47,040.14	59,316.70	71,582.85
13	Environmental Services Worker III	47,040.14	59,316.70	71,582.85
13	Equipment Operator III - CCTV	47,040.14	59,316.70	71,582.85
13	Equipment Operator III - Sewer Cleaning	47,040.14	59,316.70	71,582.85
13	Event Coordinator I	47,040.14	59,316.70	71,582.85
13	Facilities Maintenance Mechanic II	47,040.14	59,316.70	71,582.85
13	Firefighter/EMT In Training	47,040.14	59,316.70	71,582.85
13	Fleet Technician II	47,040.14	59,316.70	71,582.85
13	Generator Maintenance Technician I	47,040.14	59,316.70	71,582.85
13	Inflow and Infiltration Technician II	47,040.14	59,316.70	71,582.85
13	Leak Detection Technician II	47,040.14	59,316.70	71,582.85
13	Line Maintenance Mechanic III	47,040.14	59,316.70	71,582.85
13	Meter Maintenance Technician III	47,040.14	59,316.70	71,582.85
13	Operations Support Specialist III	47,040.14	59,316.70	71,582.85
13	Police Officer In Training	47,040.14	59,316.70	71,582.85
13	Police Telecommunicator II	47,040.14	59,316.70	71,582.85
13	Property Maintenance Worker III	47,040.14	59,316.70	71,582.85
13	Senior Utility Production Specialist	47,040.14	59,316.70	71,582.85
13	Senior Warehouse Specialist	47,040.14	59,316.70	71,582.85
13	Street Maintenance Worker III	47,040.14	59,316.70	71,582.85
13	Traffic Engineering Technician II	47,040.14	59,316.70	71,582.85
13	Utilities Compliance Technician II	47,040.14	59,316.70	71,582.85
13	Utility Billing Analyst	47,040.14	59,316.70	71,582.85
13	Utility Location Specialist II	47,040.14	59,316.70	71,582.85
13	WTP Laboratory Technician II	47,040.14	59,316.70	71,582.85
13	WWTP Laboratory Technician II	47,040.14	59,316.70	71,582.85

City of Hendersonville

Pay and Classification Schedule

Market Increase = 4.00% - July 1, 2025 to June 30, 2026 (FY26)

Grade	Position Title	Minimum	Midpoint	Maximum
14	Accounting Coordinator I	49,392.15	62,282.54	75,161.99
14	Administrative Assistant III	49,392.15	62,282.54	75,161.99
14	Building Maintenance Technician III	49,392.15	62,282.54	75,161.99
14	Event Coordinator II	49,392.15	62,282.54	75,161.99
14	Facilities Maintenance Mechanic III	49,392.15	62,282.54	75,161.99
14	Fire and Life Safety Educator	49,392.15	62,282.54	75,161.99
14	Fire Inspector I	49,392.15	62,282.54	75,161.99
14	Firefighter/EMT I	49,392.15	62,282.54	75,161.99
14	Fleet Technician III	49,392.15	62,282.54	75,161.99
14	Generator Maintenance Technician II	49,392.15	62,282.54	75,161.99
14	Inflow and Infiltration Technician III	49,392.15	62,282.54	75,161.99
14	Leak Detection Technician III	49,392.15	62,282.54	75,161.99
14	Parking Services Supervisor	49,392.15	62,282.54	75,161.99
14	Police Telecommunicator III	49,392.15	62,282.54	75,161.99
14	Project Coordinator I	49,392.15	62,282.54	75,161.99
14	Utilities Compliance Technician III	49,392.15	62,282.54	75,161.99
14	Utility Location Specialist III	49,392.15	62,282.54	75,161.99
14	WTP Laboratory Technician III	49,392.15	62,282.54	75,161.99
14	WTP Operator III	49,392.15	62,282.54	75,161.99
14	WWTP Laboratory Technician III	49,392.15	62,282.54	75,161.99
14	WWTP Operator III	49,392.15	62,282.54	75,161.99
15	Accounting Coordinator II	51,861.75	65,396.67	78,920.09
15	Asset Management Coordinator I	51,861.75	65,396.67	78,920.09
15	Assistant Fire Marshal	51,861.75	65,396.67	78,920.09
15	Building Maintenance Crew Leader	51,861.75	65,396.67	78,920.09
15	Code Enforcement Officer II	51,861.75	65,396.67	78,920.09
15	Crew Leader CCTV	51,861.75	65,396.67	78,920.09
15	Crew Leader Sewer Cleaning	51,861.75	65,396.67	78,920.09
15	Downtown Services Crew Leader	51,861.75	65,396.67	78,920.09
15	Environmental Services Crew Leader	51,861.75	65,396.67	78,920.09
15	Event Coordinator III	51,861.75	65,396.67	78,920.09
15	Facilities Maintenance Crew Leader	51,861.75	65,396.67	78,920.09
15	GIS Technician I	51,861.75	65,396.67	78,920.09
15	Instrumentation & Electrical Technician I	51,861.75	65,396.67	78,920.09
15	Line Maintenance Crew Leader	51,861.75	65,396.67	78,920.09
15	Police Investigator	51,861.75	65,396.67	78,920.09
15	Police Officer I	51,861.75	65,396.67	78,920.09
15	Police Telecommunications Supervisor	51,861.75	65,396.67	78,920.09
15	Property Maintenance Crew Leader	51,861.75	65,396.67	78,920.09
15	Senior Firefighter	51,861.75	65,396.67	78,920.09
15	Senior Generator Maintenance Technician	51,861.75	65,396.67	78,920.09
15	Street Maintenance Crew Leader	51,861.75	65,396.67	78,920.09
16	Accountant I	54,454.83	68,666.50	82,866.10
16	Communications Coordinator I	54,454.83	68,666.50	82,866.10
16	Downtown Coordinator I	54,454.83	68,666.50	82,866.10
16	Engineering Technician I	54,454.83	68,666.50	82,866.10
16	Fire Engineer	54,454.83	68,666.50	82,866.10

City of Hendersonville

Pay and Classification Schedule

Market Increase = 4.00% - July 1, 2025 to June 30, 2026 (FY26)

Grade	Position Title	Minimum	Midpoint	Maximum
16	Fleet Coordinator	54,454.83	68,666.50	82,866.10
16	Human Resources Coordinator I	54,454.83	68,666.50	82,866.10
16	Instrumentation & Electrical Technician II	54,454.83	68,666.50	82,866.10
16	Management Analyst I - Budget	54,454.83	68,666.50	82,866.10
16	Management Analyst I - Strategy & Performance	54,454.83	68,666.50	82,866.10
16	Planner I	54,454.83	68,666.50	82,866.10
16	Police Detective I	54,454.83	68,666.50	82,866.10
16	Police Officer II	54,454.83	68,666.50	82,866.10
16	Project Coordinator II	54,454.83	68,666.50	82,866.10
16	Stormwater Technician I	54,454.83	68,666.50	82,866.10
16	Traffic Signal Bench/Electronics Technician III	54,454.83	68,666.50	82,866.10

17	Accountant II	57,177.58	72,099.83	87,009.40
17	Asset Management Coordinator II	57,177.58	72,099.83	87,009.40
17	Code Enforcement Officer III	57,177.58	72,099.83	87,009.40
17	Construction Inspector I	57,177.58	72,099.83	87,009.40
17	Downtown Coordinator II	57,177.58	72,099.83	87,009.40
17	Engineering Technician II	57,177.58	72,099.83	87,009.40
17	GIS Technician II	57,177.58	72,099.83	87,009.40
17	Police Detective II	57,177.58	72,099.83	87,009.40
17	Police Officer III	57,177.58	72,099.83	87,009.40
17	Police Social Worker	57,177.58	72,099.83	87,009.40
17	Senior Instrumentation & Electrical Technician	57,177.58	72,099.83	87,009.40
17	Utilities Compliance Coordinator	57,177.58	72,099.83	87,009.40
17	Utilities Inventory & Purchasing Coordinator	57,177.58	72,099.83	87,009.40

18	Building Maintenance Supervisor	60,036.46	75,704.82	91,359.87
18	Communications Coordinator II	60,036.46	75,704.82	91,359.87
18	Construction Inspector II	60,036.46	75,704.82	91,359.87
18	Downtown Coordinator III	60,036.46	75,704.82	91,359.87
18	Engineering Technician III	60,036.46	75,704.82	91,359.87
18	Environmental Services Supervisor	60,036.46	75,704.82	91,359.87
18	Facilities Maintenance Supervisor	60,036.46	75,704.82	91,359.87
18	Fire Lieutenant	60,036.46	75,704.82	91,359.87
18	Fleet Shop Foreman	60,036.46	75,704.82	91,359.87
18	Human Resources Coordinator II	60,036.46	75,704.82	91,359.87
18	Management Analyst II - Budget	60,036.46	75,704.82	91,359.87
18	Management Analyst II - Strategy & Performance	60,036.46	75,704.82	91,359.87
18	Meter Services Supervisor	60,036.46	75,704.82	91,359.87
18	Planner II	60,036.46	75,704.82	91,359.87
18	Police Detective III	60,036.46	75,704.82	91,359.87
18	Police Officer IV	60,036.46	75,704.82	91,359.87
18	Property Maintenance Supervisor	60,036.46	75,704.82	91,359.87
18	Stormwater Technician II	60,036.46	75,704.82	91,359.87
18	Street Maintenance Supervisor	60,036.46	75,704.82	91,359.87
18	Traffic Engineering Supervisor	60,036.46	75,704.82	91,359.87
18	Utility Systems Supervisor	60,036.46	75,704.82	91,359.87
18	WTP Chief Operator	60,036.46	75,704.82	91,359.87
18	WTP Laboratory Supervisor	60,036.46	75,704.82	91,359.87
18	WWTP Chief Operator	60,036.46	75,704.82	91,359.87
18	WWTP Laboratory Supervisor	60,036.46	75,704.82	91,359.87

City of Hendersonville

Pay and Classification Schedule

Market Increase = 4.00% - July 1, 2025 to June 30, 2026 (FY26)

Grade	Position Title	Minimum	Midpoint	Maximum
19	Asset Management Coordinator III	63,038.27	79,490.06	95,927.87
19	Billing Supervisor	63,038.27	79,490.06	95,927.87
19	Construction Inspector III	63,038.27	79,490.06	95,927.87
19	Customer Service Supervisor	63,038.27	79,490.06	95,927.87
19	ERP Business Analyst	63,038.27	79,490.06	95,927.87
19	GIS Specialist I	63,038.27	79,490.06	95,927.87
19	IT System Administrator	63,038.27	79,490.06	95,927.87
19	Police Sergeant	63,038.27	79,490.06	95,927.87
19	Purchasing Administrator	63,038.27	79,490.06	95,927.87
20	Civil/Utilities Engineer I	66,190.19	83,464.56	100,724.26
20	Communications Coordinator III	66,190.19	83,464.56	100,724.26
20	Deputy Fire Marshal	66,190.19	83,464.56	100,724.26
20	GIS Specialist II	66,190.19	83,464.56	100,724.26
20	Human Resources Coordinator III	66,190.19	83,464.56	100,724.26
20	Management Analyst III - Budget	66,190.19	83,464.56	100,724.26
20	Management Analyst III - Strategy & Performance	66,190.19	83,464.56	100,724.26
20	Planner III	66,190.19	83,464.56	100,724.26
20	Stormwater Technician III	66,190.19	83,464.56	100,724.26
21	Fire Captain	69,499.71	87,637.79	105,760.48
21	Fire Training Officer	69,499.71	87,637.79	105,760.48
21	Fleet Manager	69,499.71	87,637.79	105,760.48
21	Wastewater Treatment Manager	69,499.71	87,637.79	105,760.48
21	Water Treatment Manager	69,499.71	87,637.79	105,760.48
22	Civil/Utilities Engineer II	72,974.68	92,019.68	111,048.49
22	Police Lieutenant	72,974.68	92,019.68	111,048.49
22	Senior Accountant	72,974.68	92,019.68	111,048.49
22	Utilities Technology Manager	72,974.68	92,019.68	111,048.49
23	Fire Battalion Chief	76,623.42	96,620.67	116,600.91
23	Fire Marshal	76,623.42	96,620.67	116,600.91
23	Public Works Superintendent	76,623.42	96,620.67	116,600.91
24	Assistant Finance Director	80,454.59	101,451.70	122,430.96
24	Assistant Human Resources Director	80,454.59	101,451.70	122,430.96
24	City Clerk	80,454.59	101,451.70	122,430.96
24	Civil/Utilities Engineer III	80,454.59	101,451.70	122,430.96
24	Construction Division Manager	80,454.59	101,451.70	122,430.96
24	Downtown Division Manager	80,454.59	101,451.70	122,430.96
24	GIS Division Manager	80,454.59	101,451.70	122,430.96
24	Information Technology (IT) Manager	80,454.59	101,451.70	122,430.96
24	Planning Division Manager	80,454.59	101,451.70	122,430.96
24	Police Captain	80,454.59	101,451.70	122,430.96
25	Assistant Police Chief	84,477.32	106,524.28	128,552.51
25	Assistant Utilities Director	84,477.32	106,524.28	128,552.51
25	Deputy Fire Chief	84,477.32	106,524.28	128,552.51

City of Hendersonville
Pay and Classification Schedule

Market Increase = 4.00% - July 1, 2025 to June 30, 2026 (FY26)

Grade	Position Title	Minimum	Midpoint	Maximum
26	Staff Attorney	88,701.19	111,850.50	134,980.14
27	Assistant City Attorney	93,136.25	117,443.02	141,729.13
28	Budget & Evaluation Director	97,793.06	123,315.16	148,815.60
28	City Engineer	97,793.06	123,315.16	148,815.60
28	Communications Director	97,793.06	123,315.16	148,815.60
28	Community Development Director	97,793.06	123,315.16	148,815.60
28	Finance Director	97,793.06	123,315.16	148,815.60
28	Fire Chief	97,793.06	123,315.16	148,815.60
28	Human Resources Director	97,793.06	123,315.16	148,815.60
28	Police Chief	97,793.06	123,315.16	148,815.60
28	Public Works Director	97,793.06	123,315.16	148,815.60
28	Stormwater Director	97,793.06	123,315.16	148,815.60
28	Utilities Director	97,793.06	123,315.16	148,815.60
29	Not Assigned	102,682.71	129,480.92	156,256.37
30	Not Assigned	107,816.85	135,954.97	164,069.19
31	Not Assigned	113,207.69	142,752.72	172,272.65
32	Assistant City Manager	118,868.07	149,890.35	180,886.29
33	Deputy City Manager	124,811.47	157,384.87	189,930.59
34	Not Assigned	131,052.04	165,254.11	199,427.13
35	Not Assigned	137,604.64	173,516.82	209,398.49
36	Not Assigned	144,484.88	182,192.66	219,868.41

City of Hendersonville

Pay and Classification Schedule

Market Increase = 4.00% - July 1, 2025 to June 30, 2026 (FY26)

Grade	Minimum	Probation Completion (Minimum + 5.0%)	Midpoint
1	26,193.71	27,503.40	33,029.77
2	27,503.40	28,878.57	34,681.26
3	28,878.57	30,322.50	36,415.32
4	30,322.50	31,838.62	38,236.08
5	31,838.63	33,430.56	40,147.89
6	33,430.56	35,102.08	42,155.29
7	35,102.08	36,857.19	44,263.03
8	36,857.18	38,700.04	46,476.19
9	38,700.05	40,635.05	48,800.01
10	40,635.04	42,666.78	51,240.01
11	42,666.79	44,800.13	53,802.00
12	44,800.13	47,040.14	56,492.10
13	47,040.14	49,392.15	59,316.70
14	49,392.15	51,861.75	62,282.54
15	51,861.75	54,454.83	65,396.67
16	54,454.83	57,177.58	68,666.50
17	57,177.58	60,036.46	72,099.83
18	60,036.46	63,038.28	75,704.82
19	63,038.27	66,190.19	79,490.06
20	66,190.19	69,499.70	83,464.56
21	69,499.71	72,974.70	87,637.79
22	72,974.68	76,623.42	92,019.68
23	76,623.42	80,454.59	96,620.67
24	80,454.59	84,477.32	101,451.70
25	84,477.32	88,701.19	106,524.28
26	88,701.19	93,136.25	111,850.50
27	93,136.25	97,793.06	117,443.02
28	97,793.06	102,682.71	123,315.16
29	102,682.71	107,816.85	129,480.92
30	107,816.85	113,207.69	135,954.97
31	113,207.69	118,868.07	142,752.72
32	118,868.07	124,811.47	149,890.35
33	124,811.47	131,052.04	157,384.87
34	131,052.04	137,604.64	165,254.11
35	137,604.64	144,484.87	173,516.82
36	144,484.88	151,709.12	182,192.66

	FY26 COLA			
Maximum	4.00%			
39,860.03	26,193.71	27,503.40	33,029.77	39,860.03
41,853.01	27,503.40	28,878.57	34,681.26	41,853.01
43,945.67	28,878.57	30,322.50	36,415.32	43,945.67
46,142.96	30,322.50	31,838.62	38,236.08	46,142.96
48,450.09	31,838.63	33,430.56	40,147.89	48,450.09
50,872.60	33,430.56	35,102.08	42,155.29	50,872.60
53,416.22	35,102.08	36,857.19	44,263.03	53,416.22
56,087.04	36,857.18	38,700.04	46,476.19	56,087.04
58,891.39	38,700.05	40,635.05	48,800.01	58,891.39
61,835.97	40,635.04	42,666.78	51,240.01	61,835.97
64,927.76	42,666.79	44,800.13	53,802.00	64,927.76
68,174.14	44,800.13	47,040.14	56,492.10	68,174.14
71,582.85	47,040.14	49,392.15	59,316.70	71,582.85
75,161.99	49,392.15	51,861.75	62,282.54	75,161.99
78,920.09	51,861.75	54,454.83	65,396.67	78,920.09
82,866.10	54,454.83	57,177.58	68,666.50	82,866.10
87,009.40	57,177.58	60,036.46	72,099.83	87,009.40
91,359.87	60,036.46	63,038.28	75,704.82	91,359.87
95,927.87	63,038.27	66,190.19	79,490.06	95,927.87
100,724.26	66,190.19	69,499.70	83,464.56	100,724.26
105,760.48	69,499.71	72,974.70	87,637.79	105,760.48
111,048.49	72,974.68	76,623.42	92,019.68	111,048.49
116,600.91	76,623.42	80,454.59	96,620.67	116,600.91
122,430.96	80,454.59	84,477.32	101,451.70	122,430.96
128,552.51	84,477.32	88,701.19	106,524.28	128,552.51
134,980.14	88,701.19	93,136.25	111,850.50	134,980.14
141,729.13	93,136.25	97,793.06	117,443.02	141,729.13
148,815.60	97,793.06	102,682.71	123,315.16	148,815.60
156,256.37	102,682.71	107,816.85	129,480.92	156,256.37
164,069.19	107,816.85	113,207.69	135,954.97	164,069.19
172,272.65	113,207.69	118,868.07	142,752.72	172,272.65
180,886.29	118,868.07	124,811.47	149,890.35	180,886.29
189,930.59	124,811.47	131,052.04	157,384.87	189,930.59
199,427.13	131,052.04	137,604.64	165,254.11	199,427.13
209,398.49	137,604.64	144,484.87	173,516.82	209,398.49
219,868.41	144,484.88	151,709.12	182,192.66	219,868.41

FY25

0.00%

25,186.26	26,445.57	31,759.39	38,326.94
26,445.57	27,767.85	33,347.36	40,243.28
27,767.85	29,156.24	35,014.73	42,255.44
29,156.24	30,614.05	36,765.46	44,368.22
30,614.06	32,144.76	38,603.73	46,586.62
32,144.76	33,752.00	40,533.93	48,915.96
33,752.00	35,439.60	42,560.61	51,361.75
35,439.59	37,211.57	44,688.64	53,929.84
37,211.58	39,072.16	46,923.08	56,626.33
39,072.15	41,025.75	49,269.23	59,457.66
41,025.76	43,077.05	51,732.69	62,430.53
43,077.05	45,230.90	54,319.32	65,552.06
45,230.90	47,492.45	57,035.29	68,829.66
47,492.45	49,867.06	59,887.05	72,271.14
49,867.06	52,360.41	62,881.41	75,884.70
52,360.41	54,978.44	66,025.48	79,678.94
54,978.44	57,727.36	69,326.75	83,662.88
57,727.36	60,613.73	72,793.09	87,846.02
60,613.72	63,644.41	76,432.74	92,238.33
63,644.41	66,826.63	80,254.38	96,850.25
66,826.64	70,167.97	84,267.10	101,692.76
70,167.96	73,676.36	88,480.46	106,777.39
73,676.36	77,360.18	92,904.48	112,116.26
77,360.18	81,228.19	97,549.70	117,722.07
81,228.19	85,289.60	102,427.19	123,608.17
85,289.60	89,554.08	107,548.55	129,788.59
89,554.08	94,031.78	112,925.98	136,278.01
94,031.78	98,733.37	118,572.27	143,091.92
98,733.37	103,670.04	124,500.88	150,246.51
103,670.04	108,853.54	130,725.92	157,758.84
108,853.54	114,296.22	137,262.23	165,646.77
114,296.22	120,011.02	144,125.33	173,929.12
120,011.02	126,011.57	151,331.60	182,625.57
126,011.57	132,312.15	158,898.18	191,756.85
132,312.15	138,927.76	166,843.09	201,344.69
138,927.77	145,874.15	175,185.24	211,411.92



JOB DESCRIPTION

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performance of their duties just as though they were written out in this job description.

Police Social Worker

Department: Police
Pay Grade: 17
FLSA Status: Non-Exempt

JOB SUMMARY

Responsible for serving as a key connection point between individuals identified by law enforcement needing additional assistance and community services. An employee in this class performs specialized community support for the City of Hendersonville Police Department with emphasis on connecting people with resources where traditional policing services are not effective. Operational work is generally performed under the supervision of the Shift Watch Commander and administratively under the supervision of an assigned Lieutenant. Work is evaluated based on the attainment of individual performance objectives, observation of work, and feedback from staff and the public.

ESSENTIAL JOB FUNCTIONS

- Serves as a crisis response specialist when responding to law enforcement calls for service. Primary responsibilities in the field will be de-escalation through crisis intervention and appropriate referrals.
- Acts as a liaison between patrol officers, partner agencies, and the public.
- Determines the best course of action and provides short-term crisis intervention services in situations that may include domestic violence, child abuse, sexual abuse, suicide, serious or fatal accidents, other cases involving emotional trauma, and people experiencing a mental health crisis.
- Maintains records and confidential case files.
- Compiles and maintains statistical data related to law enforcement calls for service related to social work needs and highlights gaps in available services.
- Builds rapport and effective working relationships with city staff.
- Provides input to Chief of Police and senior leadership of Police Department related to social work incidents and awareness.
- Informs victims of available resources and acts as a liaison in obtaining services.
- Assesses and reviews crime reports and ensures victims are contacted within established time frames.
- Maintains working knowledge of available resources in the community.

- Performs needs assessments, coordinates referrals and collaborates with external partners to provide comprehensive support services.
- Complete all necessary training sessions.
- Attend court when necessary.
- Night and weekend hours may be necessary depending on workload.

QUALIFICATIONS

Education and Experience:

Bachelor of Social Work (BSW) required, Master of Social Work (MSW) preferred. One (1) to three (3) years' experience in the social work field is preferred. Experience working in the law enforcement field that provides the required knowledge, skills, and abilities is preferred, but not required.

Special Qualifications:

- Possession of a valid driver's license to operate a motor vehicle. Requirement exists at the time of hire and as a condition of continued employment.

Knowledge, Skills and Abilities:

- Ability to maintain confidential and sensitive information.
- Knowledge of the criminal justice process and victims' rights; community resources available to victims for shelter, treatment, education, legal assistance, and financial aid.
- Ability to maintain and track data and records effectively.
- Ability to interpret information and prepare and present clear reports and program recommendations.
- Knowledge of, or ability to learn and apply, interactive theories and principles in complex and volatile situations, initiate appropriate solutions, and offer empathy to emotionally charged clients.
- Knowledge of, or ability to learn and apply, computer and electronic data processing skills, modern legal terminology, format of and standard legal instruments pertaining to victim rights, criminal justice system and court procedure, and crisis intervention and counseling techniques.
- Knowledge of MS Word, Excel, Publisher, and PowerPoint software programs and Police Department database/report management software.
- Knowledge of, or ability to learn and comprehend, law enforcement, criminal justice, social services systems.
- Knowledge of fundamentals of record keeping and methods of performing basic business mathematic calculations.
- Ability to understand law enforcement culture, procedures, and general orders; function effectively within a law enforcement environment; and establish and maintain rapport with Police Officers and the community.
- Empathy to identify with and understand another person's experience and point of view.

- Ability to communicate effectively and sensitively in person, by phone, and in writing with peers, supervisors, citizens, other law enforcement agencies and entities, and various community resources.
- Ability to identify and utilize community resources to ensure that appropriate referrals occur.

PHYSICAL DEMANDS

Work in this classification is defined as light work requiring the physical exertion of up to 20 pounds of force occasionally, and/or up to 10 pounds frequently, and/or a negligible amount of force constantly to move objects. Sedentary work involves sitting most of the time. Work requires climbing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, handling and repetitive motions. Work requires dexterity in the hands for typing and operation of standard office equipment and visual acuity is necessary to read handwritten and typewritten materials and to operate a computer terminal. Vocal communication is required to express or exchange ideas. Hearing is required to perceive information at normal spoken word levels. Visual acuity is required for depth perception, preparing and analyzing written or computer data, visual inspection of products, operation of machines, determining the accuracy and thoroughness of work, and observing general surroundings and activities. The worker is subject to environmental conditions.

WORK ENVIRONMENT

Work is performed primarily in an office with a controlled environment as well as outside environment without exposure to harmful conditions.

The City of Hendersonville has the right to revise this job description at any time. This description does not represent in any way a contract of employment.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst II **MEETING DATE:** 08/07/2025

AGENDA SECTION: Consent Agenda **DEPARTMENT:** Administration

TITLE OF ITEM: Grant Opportunity

SUGGESTED MOTION(S):

I move City Council to adopt the *Resolution by the City of Hendersonville City Council in support of the second Application for the NCDOC Small Business Infrastructure Grant Program (SmBIZ).*

SUMMARY:

The City of Hendersonville staff are seeking approval to apply for the Small Business Infrastructure Grant Program through the NC Department of Commerce to fund a sidewalk restoration project which will include repairing, replacing, and or restoring roughly 1,000 linear feet of sidewalk along 7th Avenue E between Elm St. and Victory Heir St. This grant does not require a match. This project has the opportunity to benefit the still recovering small businesses in the area economically while increasing the accessibility and safety of our existing pedestrian travel network. Currently multiple sections of the sidewalk are of safety risk due to missing pieces of sidewalk and a section of the foundation being washed out and removed.

BUDGET IMPACT: N/A

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. SmBIZ Grant

ATTACHMENTS:

Applications

Small Business Infrastructure Grant Program (SmBIZ)

I. FUND OVERVIEW

[North Carolina Session Law 2025-02](#) transferred funds from the State Emergency Response and Disaster Relief Fund (“SERDRF”) to the Hurricane Helene Disaster Recovery Fund and allocated \$55 million from the Disaster Recovery Act of 2025 – Part I to the North Carolina Department of Commerce (the Department), Rural Economic Development Division (the REDD) for the **Small Business Infrastructure Grant program (SmBIZ)** to help local governments and small businesses impacted by Hurricane Helene rebuild and repair critical infrastructure, restore and resume functions and operations, and support economic recovery and sustainability. The **SmBIZ** program will offer grants to local governments for infrastructure projects that will target and support small businesses that employ 150 or fewer employees and that were adversely impacted by Hurricane Helene. Funding will be awarded on a first-come, first-served basis.

Grants awarded under this program must be used by local governments to address qualifying infrastructure needs that the Department, in consultation with applicant local governments and small businesses, determines were damaged by Hurricane Helene and adversely affect access to, or operations of, the identified small businesses.

REDD will administer SmBIZ in accordance with State law.

II. PURPOSE OF THE FUND

- Provide financial assistance for **community recovery and resilience** to communities specifically impacted by Hurricane Helene, helping to bring back vital services for small businesses and entrepreneurs.
- **Restore and repair critical infrastructure**, allowing small businesses to resume function and operations to support economic recovery and sustainability.
- Assist in **restoring or expanding small businesses’** ability to attract customers to business districts to help retain business, expand access, spur private investment to create stability, and leverage resources to create resiliency and economic growth.

III. ELIGIBLE APPLICANTS

Eligible applicants are those local governments impacted by Hurricane Helene and designated before, on, or after March 19, 2025, under a major disaster [declaration](#) by the President of the United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene (the “[Affected Area](#)”). Special consideration will be given to local governments in Tier 1 and Tier 2 Counties.

For the purposes of this program, a local government is defined as a city or county within the state of North Carolina.

IV. ELIGIBLE PROJECTS AND EXPENSES

Qualifying infrastructure must serve one or more businesses within the Affected Area, must have been damaged by Hurricane Helene, and must not be owned or maintained by the small business or businesses. Infrastructure may include but will not be limited to the following activities:

- water;
- sewer;
- gas;
- telecommunications;
- high-speed broadband;
- electric utility; and
- sidewalk and curb infrastructure.

Eligible expenses may also include planning, material, labor, and administration to complete public infrastructure improvements.

Ineligible expenses include:

- improvements to privately owned infrastructure;
- projects that address building construction; and
- land acquisition costs or fees.

V. FUNDING AMOUNTS

The maximum grant amount is **\$1M per grantee**, with some restrictions on specific activities. There is no minimum grant amount. The total grant amount per county in the Affected Area will not exceed ten percent (10%) of the total funds appropriated for the SmBIZ program.

Applicants should consider feasibility as it relates to the overall cost of any project. Grant administration costs are limited to one and a half percent (1.5%) of the awarded grant total. Applicants that receive funding approval for project(s) may charge the cost of application preparation. No more than \$3,500 may be charged to the SmBIZ program for the preparation of the application if a grant is awarded. This cost would be included in the maximum of one and a half percent (1.5%) allowed for administration. No other costs incurred prior to grant awards are eligible for reimbursement.

VI. APPLICATION PROCESS

Local governments seeking funds from the SmBIZ program are required to submit a formal application to the North Carolina Department of Commerce through the online grants management portal, [Rural Connect Portal](#).

Funding is awarded on a first come, first served basis. A full and complete application, including all necessary supporting documentation, can be submitted beginning May 1, 2025.

Upon receipt of a full application and consideration of the application relative to the criteria set forth in [NC Session Law 2025-02](#) and these Guidelines, the REDD shall determine whether the proposed project should receive an award of a grant under the SmBIZ program.

Applications will be reviewed in the order they are received, according to the submission time and date, as recorded in the portal.

Awards will be granted on or before the dates listed in the schedule below and are subject to available funding.

Incomplete or ineligible applications may be disqualified.

Applicants will be notified in writing regarding the status of their project via an award or declination letter. If a grant is awarded, the REDD then will provide grantees with grant administration contracts in order to execute the terms of the grant. Projects must be completed within thirty-six (36) months of the award, unless an extension is granted by REDD in writing.

Award Schedule:

June 30, 2025
October 31, 2025
February 28, 2026
June 30, 2026

VII. APPLICATION REQUIREMENTS

In the [Rural Connect Portal](#), grantees should use the following as guidance to complete the SmBIZ program application.

DESCRIBE THE INFRASTRUCTURE IMPACTS ON YOUR COMMUNITY:

Provide a detailed description of the qualifying infrastructure needs. Descriptions must include:

- summary of the detrimental impact on the named small business or businesses and how the business or businesses will benefit from the grant;
- description of infrastructure affected (water, sewer, sidewalks, etc.), including ownership information;
- details of damage to infrastructure and immediate risks due to damage; and
- explanation of any proposed repairs to improve durability and sustainability of infrastructure;

DESCRIBE THE SCOPE OF THE PROPOSED PROJECT:

Provide a detailed work plan that includes a description of all major project activities. Include in detail how the anticipated repairs, in the applicable cost categories, will promote restored infrastructure in the project area:

- water;
- sewer;
- gas;
- telecommunications;
- high-speed broadband;
- electric utility; and
- sidewalk and curb infrastructure.

DESCRIBE THE PROJECT TIMELINE: (Submit as an Attachment)

Please provide a detailed timeline that includes a description of all major project activities and the projected completion date in the applicable cost categories:

- water;
- sewer;
- gas;
- telecommunications;
- high-speed broadband;
- electric utility; and
- sidewalk and curb infrastructure.

DESCRIBE THE ANTICIPATED OUTCOMES:

Identify the anticipated outcomes that will result in repaired infrastructure as a direct result of the project.

- Outcomes could include but are not limited to the number of feet or miles of water or sewer lines being replaced or repaired served, number of feet or miles of sidewalk or curb improvements, number of small businesses improved or assisted in the following applicable cost categories:
 - water;
 - sewer;
 - gas;
 - telecommunications;
 - high-speed broadband;
 - electric utility; and
 - sidewalk and curb infrastructure.

DESCRIBE THE PROJECT SUSTAINABILITY:

Describe how this project will provide long-term and sustainable solutions for recovery of the business or businesses involved in the project.

VII. PROCUREMENT

Grantees must follow all local, state, and federal laws and ordinances as they pertain to procurement. More information on the State of NC procurement can be found [here](#).

VIII. MONITORING PROCESS

REDD will monitor the project through various mechanisms, including review of semi-annual reports received from the grant recipient; phone, email, and/or letter correspondence; receipt of all published press articles about the project as provided to REDD by the local government; and on-site monitoring visits by REDD staff, as necessary.

IX. REPORTING REQUIREMENTS

Progress reports will be due on January 15th and July 15th for each year the grant remains open. The final report will be due at the time of project completion or no later than thirty (30) days after the grant end-date, whichever is sooner. The reporting schedule remains in effect for the duration of the grant, including time extensions.

Failure to submit progress reports as required:

1. will result in non-payment of payment requests;
2. may result in the immediate termination of the grant;
3. may result in the demand for immediate repayment of any funds paid by REDD; and
4. will negatively impact the grantee's eligibility for future Commerce grants.

All forms, including reporting and request for payment, can be found via the [Rural Connect Portal](#).

X. LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

The local government will be responsible for managing the day-to-day operations of the activities funded by the SmbIZ program to ensure the funds are used in accordance with all program requirements and written agreements and will take action when performance problems arise. Specifically, the local government will be responsible for the following:

- **Management and Oversight:** The local government is legally, financially, contractually, and programmatically responsible for the project. The local government is responsible to the State of North Carolina, even if the local government employs a contract administrator or contracts with a sub-recipient for the project.
- **Financial Management:** The local government must ensure proper accounting of funds to avoid disallowed costs. This includes accurately identifying project costs and cash balances and maintaining proper internal controls.
- **Statement of Assurances and Certifications:** The local government's elected officials and administrators should read and understand these documents and the implementation obligations.
- **Grant Agreement:** If awarded, the local government will receive a grant agreement and funding approval from the State. These documents are contractually binding and cannot be changed without the State's written approval.

XI. PROJECT AMENDMENTS

Prior to making any change to the approved application, grantees should contact the program manager to discuss any proposed changes.

XII. USE OF NC LICENSED PROFESSIONALS

REDD strongly recommends the use of North Carolina licensed professionals on construction projects. This includes housing inspectors, electricians, HVAC installers and repairers, plumbers, and general contractors. However, it is important to note that bids and dwellings that are \$30,000 and greater can ONLY BE ACCEPTED BY A LICENSED GENERAL CONTRACTOR, licensed by the [State of North Carolina per Article 1 of Chapter 87 of the General Statute](#).

XIII. OTHER REQUIREMENTS AND ATTACHMENTS

Recipients will be required to comply with any subsequent requirements issued by REDD. Consult the Required Attachments section in the application. Please note that if key items are not submitted with the application, your project could be disqualified.

XIV. APPLICATION CHECKLIST

Applicants should review the Grant Application Checklist to verify the information and documentation needed to apply for funds.

1. Local Government Information

- Local Government name
- Local Government contact name, title, telephone, address, email
- Unique Entity ID

2. Project Contact Information (if applicable)

- Project Contact name
- Project Contact title, telephone, address, email

3. Project Information

- Project Title
- Project Description – Provide a short description of your project.

4. Property Information (if applicable)

- Census Tract Number
- Property Address
- Legal Name of Property Owner
- National Register of Historic Places Listing

5. Narrative Questions:

1. Provide a detailed description of the qualifying infrastructure needs. Description must include:
 - summary of the detrimental impact on the named small business or businesses and how the business or businesses will benefit from the grant;
 - list of each business affected, including business address or addresses;
 - description of infrastructure affected (water, sewer, sidewalks, etc.), including ownership information;
 - details of damage to infrastructure and immediate risks due to damage; and
 - explanation of any proposed repairs to improve durability and sustainability of infrastructure.
2. Provide a detailed work plan that includes a description of all major project activities. Include in detail how the anticipated repairs, in the applicable cost categories, will promote restored infrastructure in the project area:
 - water;
 - sewer;
 - gas;
 - telecommunications;
 - high-speed broadband;
 - electric utility; and
 - sidewalk and curb infrastructure.
3. Identify the anticipated outcomes that will result in repaired infrastructure as a direct result of the project.
 - Outcomes could include but are not limited to the number of feet or miles of water or sewer lines being replaced or repaired served, number of feet or miles of sidewalk or curb improvements, number of small businesses improved or assisted in the applicable cost categories:
 - water;
 - sewer;
 - gas;
 - telecommunications;
 - high-speed broadband;
 - electric utility; and
 - sidewalk and curb infrastructure.
4. Describe how this project will provide long-term and sustainable solutions for recovery of the business or businesses involved in the project.



5. Budget

Project Expense	Activity	Federal	State	Local	Total
Water					
Sewer					
Gas					
Telecommunications					
High-speed broadband					
Electric Utility					
Sidewalk and curb infrastructure					
Administration					
TOTAL					

6. Upload Documents

- Map of project area
 - Attach detailed color maps or schematics that show the project area. This may include the route of utility systems, diagrams of building sites, etc. Please label the map clearly and appropriately to identify the infrastructure to be repaired as well as each small business associated with the project.
- Project Timeline
 - Provide a detailed timeline that includes a description of all major project activities and the projected completion date in the applicable cost categories.
- Certified Cost Estimates
 - Include a professional project budget including all revenue and expenditures allocated for each of the applicable cost categories.
- Local Government Resolution
 - Sample available in the Program Documents section of the following link:
<https://www.commerce.nc.gov/smBIZ>
- Preliminary Engineering Report (PER)
- List of Small Businesses
 - Provide information for each business that will be supported or where services will be provided by your project. Please complete all fields for each business. Click the Small Business List [link](#) to download, complete, and upload as an attachment.
- NCUI101 Forms
 - Include a form from the most recent quarter for each small business included in the project and listed above.
- Executed Local Government Certifications Document
 - Form available in the Program Documents section of the following link:
<https://www.commerce.nc.gov/smBIZ>
- State Historic Preservation Office documentation/ National Registry of Historic Places documentation or provide a statement of explanation if these do not apply to your project.
- Photos of damage and infrastructure to be repaired.

Small Business Infrastructure Grant Program (SmBIZ)

I. FUND OVERVIEW

[North Carolina Session Law 2025-02](#) transferred funds from the State Emergency Response and Disaster Relief Fund (“SERDRF”) to the Hurricane Helene Disaster Recovery Fund and allocated \$55 million from the Disaster Recovery Act of 2025 – Part I to the North Carolina Department of Commerce (the Department), Rural Economic Development Division (the REDD) for the **Small Business Infrastructure Grant program (SmBIZ)** to help local governments and small businesses impacted by Hurricane Helene rebuild and repair critical infrastructure, restore and resume functions and operations, and support economic recovery and sustainability. The **SmBIZ** program will offer grants to local governments for infrastructure projects that will target and support small businesses that employ 150 or fewer employees and that were adversely impacted by Hurricane Helene. Funding will be awarded on a first-come, first-served basis.

Grants awarded under this program must be used by local governments to address qualifying infrastructure needs that the Department, in consultation with applicant local governments and small businesses, determines were damaged by Hurricane Helene and adversely affect access to, or operations of, the identified small businesses.

REDD will administer SmBIZ in accordance with State law.

II. PURPOSE OF THE FUND

- Provide financial assistance for **community recovery and resilience** to communities specifically impacted by Hurricane Helene, helping to bring back vital services for small businesses and entrepreneurs.
- **Restore and repair critical infrastructure**, allowing small businesses to resume function and operations to support economic recovery and sustainability.
- Assist in **restoring or expanding small businesses’** ability to attract customers to business districts to help retain business, expand access, spur private investment to create stability, and leverage resources to create resiliency and economic growth.

III. ELIGIBLE APPLICANTS

Eligible applicants are those local governments impacted by Hurricane Helene and designated before, on, or after March 19, 2025, under a major disaster [declaration](#) by the President of the United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene (the “[Affected Area](#)”). Special consideration will be given to local governments in Tier 1 and Tier 2 Counties.

For the purposes of this program, a local government is defined as a city or county within the state of North Carolina.

IV. ELIGIBLE PROJECTS AND EXPENSES

Qualifying infrastructure must serve one or more businesses within the Affected Area, must have been damaged by Hurricane Helene, and must not be owned or maintained by the small business or businesses. Infrastructure may include but will not be limited to the following activities:

- water;
- sewer;
- gas;
- telecommunications;
- high-speed broadband;
- electric utility; and
- sidewalk and curb infrastructure.

Eligible expenses may also include planning, material, labor, and administration to complete public infrastructure improvements.

Ineligible expenses include:

- improvements to privately owned infrastructure;
- projects that address building construction; and
- land acquisition costs or fees.

V. FUNDING AMOUNTS

The maximum grant amount is **\$1M per grantee**, with some restrictions on specific activities. There is no minimum grant amount. The total grant amount per county in the Affected Area will not exceed ten percent (10%) of the total funds appropriated for the SmBIZ program.

Applicants should consider feasibility as it relates to the overall cost of any project. Grant administration costs are limited to one and a half percent (1.5%) of the awarded grant total. Applicants that receive funding approval for project(s) may charge the cost of application preparation. No more than \$3,500 may be charged to the SmBIZ program for the preparation of the application if a grant is awarded. This cost would be included in the maximum of one and a half percent (1.5%) allowed for administration. No other costs incurred prior to grant awards are eligible for reimbursement.

VI. APPLICATION PROCESS

Local governments seeking funds from the SmBIZ program are required to submit a formal application to the North Carolina Department of Commerce through the online grants management portal, [Rural Connect Portal](#).

Funding is awarded on a first come, first served basis. A full and complete application, including all necessary supporting documentation, can be submitted beginning May 1, 2025.

Upon receipt of a full application and consideration of the application relative to the criteria set forth in [NC Session Law 2025-02](#) and these Guidelines, the REDD shall determine whether the proposed project should receive an award of a grant under the SmBIZ program.

Applications will be reviewed in the order they are received, according to the submission time and date, as recorded in the portal.

Awards will be granted on or before the dates listed in the schedule below and are subject to available funding.

Incomplete or ineligible applications may be disqualified.

Applicants will be notified in writing regarding the status of their project via an award or declination letter. If a grant is awarded, the REDD then will provide grantees with grant administration contracts in order to execute the terms of the grant. Projects must be completed within thirty-six (36) months of the award, unless an extension is granted by REDD in writing.

Award Schedule:

June 30, 2025
October 31, 2025
February 28, 2026
June 30, 2026

VII. APPLICATION REQUIREMENTS

In the [Rural Connect Portal](#), grantees should use the following as guidance to complete the SmBIZ program application.

DESCRIBE THE INFRASTRUCTURE IMPACTS ON YOUR COMMUNITY:

Provide a detailed description of the qualifying infrastructure needs. Descriptions must include:

- summary of the detrimental impact on the named small business or businesses and how the business or businesses will benefit from the grant;
- description of infrastructure affected (water, sewer, sidewalks, etc.), including ownership information;
- details of damage to infrastructure and immediate risks due to damage; and
- explanation of any proposed repairs to improve durability and sustainability of infrastructure;

DESCRIBE THE SCOPE OF THE PROPOSED PROJECT:

Provide a detailed work plan that includes a description of all major project activities. Include in detail how the anticipated repairs, in the applicable cost categories, will promote restored infrastructure in the project area:

- water;
- sewer;
- gas;
- telecommunications;
- high-speed broadband;
- electric utility; and
- sidewalk and curb infrastructure.

DESCRIBE THE PROJECT TIMELINE: (Submit as an Attachment)

Please provide a detailed timeline that includes a description of all major project activities and the projected completion date in the applicable cost categories:

- water;
- sewer;
- gas;
- telecommunications;
- high-speed broadband;
- electric utility; and
- sidewalk and curb infrastructure.

DESCRIBE THE ANTICIPATED OUTCOMES:

Identify the anticipated outcomes that will result in repaired infrastructure as a direct result of the project.

- Outcomes could include but are not limited to the number of feet or miles of water or sewer lines being replaced or repaired served, number of feet or miles of sidewalk or curb improvements, number of small businesses improved or assisted in the following applicable cost categories:
 - water;
 - sewer;
 - gas;
 - telecommunications;
 - high-speed broadband;
 - electric utility; and
 - sidewalk and curb infrastructure.

DESCRIBE THE PROJECT SUSTAINABILITY:

Describe how this project will provide long-term and sustainable solutions for recovery of the business or businesses involved in the project.

VII. PROCUREMENT

Grantees must follow all local, state, and federal laws and ordinances as they pertain to procurement. More information on the State of NC procurement can be found [here](#).

VIII. MONITORING PROCESS

REDD will monitor the project through various mechanisms, including review of semi-annual reports received from the grant recipient; phone, email, and/or letter correspondence; receipt of all published press articles about the project as provided to REDD by the local government; and on-site monitoring visits by REDD staff, as necessary.

IX. REPORTING REQUIREMENTS

Progress reports will be due on January 15th and July 15th for each year the grant remains open. The final report will be due at the time of project completion or no later than thirty (30) days after the grant end-date, whichever is sooner. The reporting schedule remains in effect for the duration of the grant, including time extensions.

Failure to submit progress reports as required:

1. will result in non-payment of payment requests;
2. may result in the immediate termination of the grant;
3. may result in the demand for immediate repayment of any funds paid by REDD; and
4. will negatively impact the grantee's eligibility for future Commerce grants.

All forms, including reporting and request for payment, can be found via the [Rural Connect Portal](#).

X. LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

The local government will be responsible for managing the day-to-day operations of the activities funded by the SmbIZ program to ensure the funds are used in accordance with all program requirements and written agreements and will take action when performance problems arise. Specifically, the local government will be responsible for the following:

- **Management and Oversight:** The local government is legally, financially, contractually, and programmatically responsible for the project. The local government is responsible to the State of North Carolina, even if the local government employs a contract administrator or contracts with a sub-recipient for the project.
- **Financial Management:** The local government must ensure proper accounting of funds to avoid disallowed costs. This includes accurately identifying project costs and cash balances and maintaining proper internal controls.
- **Statement of Assurances and Certifications:** The local government's elected officials and administrators should read and understand these documents and the implementation obligations.
- **Grant Agreement:** If awarded, the local government will receive a grant agreement and funding approval from the State. These documents are contractually binding and cannot be changed without the State's written approval.

XI. PROJECT AMENDMENTS

Prior to making any change to the approved application, grantees should contact the program manager to discuss any proposed changes.

XII. USE OF NC LICENSED PROFESSIONALS

REDD strongly recommends the use of North Carolina licensed professionals on construction projects. This includes housing inspectors, electricians, HVAC installers and repairers, plumbers, and general contractors. However, it is important to note that bids and dwellings that are \$30,000 and greater can ONLY BE ACCEPTED BY A LICENSED GENERAL CONTRACTOR, licensed by the [State of North Carolina per Article 1 of Chapter 87 of the General Statute](#).

XIII. OTHER REQUIREMENTS AND ATTACHMENTS

Recipients will be required to comply with any subsequent requirements issued by REDD. Consult the Required Attachments section in the application. Please note that if key items are not submitted with the application, your project could be disqualified.

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Applicants should review the Grant Application Checklist to verify the information and documentation needed to apply for funds.

1. Local Government Information

- Local Government name
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3. Project Information

- Project Title
- Project Description – Provide a short description of your project.

4. Property Information (if applicable)

- Census Tract Number
- Property Address
- Legal Name of Property Owner
- National Register of Historic Places Listing

5. Narrative Questions:

1. Provide a detailed description of the qualifying infrastructure needs. Description must include:
 - summary of the detrimental impact on the named small business or businesses and how the business or businesses will benefit from the grant;
 - list of each business affected, including business address or addresses;
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 - water;
 - sewer;
 - gas;
 - telecommunications;
 - high-speed broadband;
 - electric utility; and
 - sidewalk and curb infrastructure.
4. Describe how this project will provide long-term and sustainable solutions for recovery of the business or businesses involved in the project.



5. Budget

Project Expense	Activity	Federal	State	Local	Total
Water					
Sewer					
Gas					
Telecommunications					
High-speed broadband					
Electric Utility					
Sidewalk and curb infrastructure					
Administration					
TOTAL					

6. Upload Documents

- Map of project area
 - Attach detailed color maps or schematics that show the project area. This may include the route of utility systems, diagrams of building sites, etc. Please label the map clearly and appropriately to identify the infrastructure to be repaired as well as each small business associated with the project.
- Project Timeline
 - Provide a detailed timeline that includes a description of all major project activities and the projected completion date in the applicable cost categories.
- Certified Cost Estimates
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- Local Government Resolution
 - Sample available in the Program Documents section of the following link:
<https://www.commerce.nc.gov/smBIZ>
- Preliminary Engineering Report (PER)
- List of Small Businesses
 - Provide information for each business that will be supported or where services will be provided by your project. Please complete all fields for each business. Click the Small Business List [link](#) to download, complete, and upload as an attachment.
- NCUI101 Forms
 - Include a form from the most recent quarter for each small business included in the project and listed above.
- Executed Local Government Certifications Document
 - Form available in the Program Documents section of the following link:
<https://www.commerce.nc.gov/smBIZ>
- State Historic Preservation Office documentation/ National Registry of Historic Places documentation or provide a statement of explanation if these do not apply to your project.
- Photos of damage and infrastructure to be repaired.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

Blake Fulgham, Management Analyst II

MEETING DATE:

08/07/2025

AGENDA SECTION:

Consent Agenda

DEPARTMENT:

Administration

TITLE OF ITEM:

Grant Opportunity

SUGGESTED MOTION(S):

I move City Council to adopt the *Resolution by the City of Hendersonville City Council in support of the Application for the NCDOC Small Business Infrastructure Grant Program (SmBIZ).*

SUMMARY:

We will be applying for a second project grant under the NC Department of Commerce Small Business Grant Program that will be creating a waterline connection along Mills Gap Rd that will support the Cane Creek Industrial region. This waterline will increase reliability and redundancy for the current waterline that runs across Cane Creek Industrial Park Rd., which received damage due to Hurricane Helene and lays at the bottom of Mudd Creek. Currently we have only completed a temporary repair. During Helene, when this current waterline was damaged, the Cane Creek Industrial Park was without water and was greatly affected, so this additional waterline provides resiliency providing an opportunity for this area to remain in water if the other nearby line is damaged or taken out completely. This grant does not require a local municipal match in funding. This waterline replacement project will likely require us to replace between 2,700-3,000 feet of waterline but could be up to 4,000 feet of waterline if determined needing to extend the connection point based on the size of the current waterline connection points in relation to the new line. Discussion about the extension point is ongoing and will be updated before grant submittal.

BUDGET IMPACT:

N/A

Is this expenditure approved in the current fiscal year budget?

N/A

If no, describe how it will be funded.

SmBIZ Grant

ATTACHMENTS:

Applications



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

Jamie Carpenter, Downtown Manager

MEETING DATE:

August 7, 2025

AGENDA SECTION:

CONSENT AGENDA

DEPARTMENT:

Community Development

TITLE OF ITEM:

Special Event: HHS HOCO 5k/1 Mile Fun Run *Jamie Carpenter, Downtown Manager*

SUGGESTED MOTION(S): I move that City Council approve the special event permit for the HHS HOCO 5k/1 Mile Fun Run.

SUMMARY: The HHS HOCO 5k/1 Mile fun Run is a community outreach promoting health, wellness and fun to benefit the Hendersonville High School Senior Celebration, an event that provides a safe place(alcohol & drug free) for seniors to celebrate after graduation.

The main footprint of this event is located at Hendersonville High School. This event does not have any road closures and does not use the services of Public Works, Police or Fire, other than one officer through Extra Duty Solutions.

Tentative schedule:

- 7:00am: Vendor Load In
- 7:30am: Event Start
- 10:00am: Event Wrap Up
- 10:30am: Vendor Load Out

BUDGET IMPACT: NA

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded.

ATTACHMENTS:

Event Application with Site Map

TO MAYOR & COUNCIL
APPROVAL: August 7, 2025

FISCA
FORM:

BUDGET AMENDMENT

FUND 010

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE
010-0000-470030	Insurance Proceeds	-	685	-
010-1300-524030	R&M Trucks	-	685	-
FUND 010	TOTAL REVENUES	-	685	-
	TOTAL EXPENDITURES	-	685	-

A budget amendment reflecting insurance proceeds for the repair of asset #14-145

The City Manager and City Clerk certify budget ordinance amendment 08072025-01 was approved by City Council on August 7, 2025.

City Manager

City Clerk

L YEAR 2026
08072025-01

REVISED BUDGET
685
685
685
685

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 7, 2025

FISCA
FORM:

BUDGET AMENDMENT

FUND 064

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE
064-0000-470030	Insurance Proceeds	-	19,079	-
064-7455-554001	Capital Outlay- Equipment Other Than	-	19,079	-
FUND 010	TOTAL REVENUES	-	19,079	-
	TOTAL EXPENDITURES	-	19,079	-

A budget amendment reflecting insurance proceeds for the repair of a parking kiosk at the Church Street parking garage exit.

The City Manager and City Clerk certify budget ordinance amendment 08072025-02 was approved by City Council on August 7, 2025.

City Manager

City Clerk

IL YEAR 2026
08072025-02

REVISED BUDGET
19,079
19,079
19,079
19,079

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 7, 2025

FISCA
FORM:

BUDGET AMENDMENT

FUND 060 / 460

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE
060-7032-555003	Capital Outlay- Plants, Pump Stations	204,560	-	42,400
060-0000-598901	Transfer Out (to 460 #25003)	825,657	42,400	
FUND 060	TOTAL REVENUES	204,560	-	42,400
	TOTAL EXPENDITURES	825,657	42,400	-
460-0000-470010-25003	Debt Proceeds	500,000	-	-
460-0000-470100-25003	Transfer In (From 060)	-	42,400	-
460-1014-550103-25003	Capital Outlay - CIP	500,000	42,400	-
FUND 460	TOTAL REVENUES	500,000	42,400	-
	TOTAL EXPENDITURES	500,000	42,400	-

A budget amendment increasing the revenues in Project #25003 to cover the demolition costs of 110 Williams Street Property. Total Project B For FY25

The City Manager and City Clerk certify budget ordinance amendment 08072025-03 was approved by City Council on August 7, 2025.

City Manager

City Clerk

IL YEAR 2025
08072025-03

REVISED BUDGET
162,160
868,057
162,160
868,057
500,000
42,400
542,400
542,400
542,400
udget \$542,400.

Date

Date

TO MAYOR & COUNCIL
APPROVAL: August 7, 2025

FISCA
FORM:

BUDGET AMENDMENT

FUND 360

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE
360 - Revenues	FEMA Grants/Reimb. (Helene)	5,000,000	5,000,000	-
360 - Expenditures	FEMA Grants/Reimb. Expenditures (Helene)	5,000,000	5,000,000	-
FUND 360 FEMA	TOTAL REVENUES	5,000,000	5,000,000	-
	TOTAL EXPENDITURES	5,000,000	5,000,000	-
360 - Revenues	NCEM Loan (Helene)	1,172,004	-	-
360 - Expenditures	NCEM Loan Expenditures (Helene)	1,172,004	-	-
FUND 360 NCEM/Insurance	TOTAL REVENUES	1,172,004	-	-
	TOTAL EXPENDITURES	1,172,004	-	-

An amendment increasing anticipated FEMA reimbursements for Hurricane Helene Response and Recovery projects. This amendment increases budget availability for Helene appropriations to \$11,172,004.

The City Manager and City Clerk certify budget ordinance amendment 08072025-04 was approved by City Council on August 7, 2025.

City Manager

City Clerk

IL YEAR 2026
08072025-04

REVISED BUDGET
10,000,000
10,000,000
10,000,000
10,000,000
1,172,004
1,172,004
1,172,004
1,172,004
ises the total

Date

Date

Good afternoon,

I'm providing the direction we discussed on Hurricane Helene budgeting below.

If there are things you'd like to change or add, please feel free to drop them in this email chain.

Fund 360= Revenues and expenditures related to **general government** operating and personnel items. **to include C;**

Fund 410= Revenues and expenditures related to **general government** capital and "quasi-capital" (i.e., non-capital

Fund 460= Revenues and expenditures related to **W&S** capital and "quasi-capital" (i.e., non-capital and R&M) items

Fund 467= Revenues and expenditures related to **Stormwater** capital and "quasi-capital" (i.e., non-capital and R&M

Fund 468= Revenues and expenditures related to **ESF** capital and "quasi-capital" (i.e., non-capital and R&M) items.

Fund 060= Revenues and expenditures related to **W&S** operating and personnel items. **to include Cat B**

Fund 064 – Revenues and expenditures related to Parking operating and personnel items to includ

Fund 067= Revenues and expenditures related to **Stormwater** operating and personnel items. **to include Cat A & Ca**

Fund 068= Revenues and expenditures related to **ESF** operating and personnel items. **to include Cat A and Cat B**

at A & Cat B & Cat Z (Governmental) non-capital
and R&M) items.

5.
4) items.

le Cat A & Cat B
it B

TO MAYOR & COUNCIL
APPROVAL: August 7, 2025

FISCA
FORM:

BUDGET AMENDMENT

FUND 010				
----------	--	--	--	--

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE
010-0000-470900	Fund Balance Appropriation	3,132,656	48,000	-
010-1010-531210	Permits Licenses, and Fees	177,600	48,000	-
FUND 010	TOTAL REVENUES	3,132,656	48,000	-
	TOTAL EXPENDITURES	177,600	48,000	-

A budget amendment to cover the cost of Dark Trace software.

The City Manager and City Clerk certify budget ordinance amendment 08072025-05 was approved by City Council on August 7, 2025.

City Manager

City Clerk

IL YEAR 2026
08072025-05

REVISED BUDGET
3,180,656
225,600
3,180,656
225,600

Date

Date

Ordinance # _____

**CAPITAL PROJECT ORDINANCE FOR
THE EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE
WTP MILLS RIVER INTAKE SCOUR SYSTEM PROJECT, #xxxxx**

BE IT ORDAINED by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is a City project described as the WTP Mills River Intake Scour System Project, #XXXX.

Section 2: The following amounts are appropriated for the project(s):

Account Codes				Account Name	Total Budget
Fund	Dept.	Account	Project		
460	7035	550103	HH24-F03	Capital Outlay- CIP	\$540,000

Total Project Appropriation \$540,000

Section 3: The following revenues are anticipated to be available via debt issuance proceeds:

Account Codes				Account Name	Total Budget
Fund	Dept.	Account	Project		
460	0000	470010	HH24-F03	Debt Issuance (2025 Revenue Bond)	(\$540,000)

Total Project Appropriation (\$540,000)

Section 4: The Finance Director is hereby directed to maintain within the Water and Sewer Fund and Capital Project Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 5: Funds may be advanced from the Water and Sewer Fund and Capital Project Fund, as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 6: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 7: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 8: Copies of this capital project shall be furnished to the City Clerk, Finance Director, and City Manager for direction in carrying out this project.

Section 9: The City Manager, or designee, is authorized to declare the project completed, close the project ordinance, and distribute remaining project funds to the appropriate operating fund or reserve fund.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this
7th day of August 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

Resolution # _____

**HENDERSONVILLE, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina, this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE MILLS RIVER INTAKE SCOUR SYSTEM PROJECT (#HH24-F03), ORDINANCE # _____ (the "Projects").

Plan of Finance. The Issuer intends to finance the costs of the Project(s) with the grant revenue to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$540,000.

Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 7th day of August 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Becker, City Attorney

SOLICITATION EVALUATION SCORECARD									
Engineering Services to Support the WTF Sludge Transfer an Backwash Pump Upgrade									
REQUEST FOR PROPOSAL # 240097035001									
EVALUATION CRITERIA		Goodwyn Mills Cawood		HDR		KCI		McKim & Creed	
A. EVALUATION CRITERIA #1	Project Team Qualifications [30 Possible Points]	24.75		27.75		25		28.25	
B. EVALUATION CRITERIA #2	Project Approach and Management [20 Possible Points]	14		17.75		15.75		19.5	
C. EVALUATION CRITERIA #3	Similar Projects [40 Possible Points]	31.25		37		33.75		37.5	
D. EVALUATION CRITERIA #4	Timely Service/Efficiency [10 Possible Points]	7		8.75		7.25		9	
FINAL SCORES AND RANKINGS		TOTAL SCORE	77		91.25		81.75		94.25
		RANK	4		2		3		1

		Goodwyn Mills Cawood	HDR	KCI	McKim & Creed
REVIEWER #1:	A.	25	28	25	27
	B.	13	18	15	20
	C.	31	35	33	35
	D.	6	7	6	9
	Total Score	75	88	79	91
	Rank	4	2	3	1
REVIEWER #2:	A.	24	27	24	29
	B.	14	17	15	20
	C.	29	37	33	39
	D.	7	9	7	10
	Total Score	74	90	79	98
	Rank	4	2	3	1
REVIEWER #3:	A.	25	28	23	27
	B.	14	18	16	19
	C.	30	38	32	36
	D.	7	9	7	8
	Total Score	76	93	78	90
	Rank	4	1	3	2
REVIEWER #4:	A.	25	28	28	30
	B.	15	18	17	19
	C.	35	38	37	40
	D.	8	10	9	9
	Total Score	83	94	91	98
	Rank	4	2	3	1

All electronic copies received prior to the 3/11/2025 at 11:00 AM EST deadline.

EXHIBIT A
PROFESSIONAL ENGINEERING SERVICES
for the
CITY OF HENDERSONVILLE
WTF SLUDGE TRANSFER AND BACKWASH PUMP UPGRADE PROJECT

I. PROJECT UNDERSTANDING AND PURPOSE

The following presents the scope of work to provide professional engineering services for the City of Hendersonville Water Treatment Facility (WTF) Sludge Transfer and Backwash Pump Upgrades Project. McKim & Creed, Inc. will provide the following major services for this Project:

- Funding Assistance
- Condition Assessment of Existing Facilities
- Engineering Alternatives Analysis
- Preparation of a Basis of Design Report
- Preliminary Design
- Final Design
- Permitting Assistance
- Prequalification of Bidders Assistance
- Formal Bidding & Award Services
- Construction Administration
- Construction Observation
- Post-Construction Services

The scope of services described herein is based on providing design, permitting, and construction phase services for replacing the existing sludge transfer pump and installing a new redundant backwash pump at the City of Hendersonville WTF. The existing sludge transfer and backwash pump systems are approximately 45 years old, each consist of only one pump, and would result in major operational challenges if either one of these systems were to fail. As a result, the City is in need to new redundant pumps for each system to improve the redundancy, reliability, and energy efficiency of these systems. In addition, the WTF Filter Expansion project is currently underway which will increase the permitted capacity to 15.0 MGD, and future expansions to 18 MGD and ultimately 21 MGD are also planned. The new pump systems shall be designed to accommodate the expanded capacity to 15 MGD and provide accommodations for the future planned expansions to 18 and 21 MGD.

The City intends to replace the existing sludge transfer pump with two new dry pit submersible pumps. This will allow a simplification of the existing sludge transfer pump station arrangement by eliminating the need for elevated motor mounting. The City also intends to replace the existing backwash pump in the existing finished water pump station, and construct a new backwash pump station east of the existing Clearwell to provide a second redundant backwash pump.

Major components of the project are anticipated to include:

- Sludge transfer pump system upgrades
 - Replacement of existing vertical end suction dry pit solids handling pump with two (2) new dry pit submersible solids handling pumps
 - Piping modifications as needed to connect the new pumps
 - Structural Repair and rehabilitation as needed
 - Electrical and I&C modifications to accommodate the replacement of the existing pump, installation of a redundant pump, and installation of variable frequency drives for each pump.
 - Ventilation improvements
 - Lighting improvements
 - Pump station door replacement
- Backwash pump system upgrades
 - Replacement of the existing vertical turbine backwash pump in Finished Water Pump Station with a new backwash pump in like kind.
 - Construction of a new backwash pump station east of the existing Clearwell with connection to the existing finished water piping between the Clearwell and Finished Water Pump Station, to provide a second redundant backwash pump.
 - Piping modifications as needed to connect the new backwash pump station discharge piping to the existing 16" washwater piping.
 - Electrical and I&C modifications to accommodate the replacement of the existing backwash pump, construction of a new backwash pump station, and installation of variable frequency drives for each pump.

The services required to assist the City will generally include funding assistance, preliminary evaluations, surveying, subsurface utility engineering, geotechnical investigations, final design, permitting, bidder prequalification assistance, bidding and award assistance, construction administration, construction observation, and post-construction services. The project is composed of the following phases and tasks:

PHASE 1: PRELIMINARY, DESIGN, AND BID SERVICES

1. Funding Assistance
2. Preliminary Engineering
3. Final Design
4. Permitting
5. Bidder Prequalification Assistance
6. Bidding and Award Phase
7. Unallocated Project Budget (Phase 1)

PHASE 2: CONSTRUCTION SERVICES

8. Construction Phase Services
9. Post-Construction Phase Services
10. Unallocated Project Budget (Phase 2)

This scope of services is to provide Phase 1 professional engineering services only. Phase 2 services are to be provided as a future amendment to this contract. Phase 2 services are estimated and are subject to change depending on project requirements at the time of amendment execution.

II. SCOPE OF SERVICES

PHASE 1 DESIGN AND BID SERVICES

TASK 1: FUNDING ASSISTANCE

McKim & Creed will assist the City in preparing and submitting funding applications through the NCDEQ Division of Water Infrastructure (DWI). The City will provide financial and other supporting information as required by the funding applications. Additional assistance with other funding options may be provided as additional services if requested by the City. The scope of services for the NCDEQ DWI funding applications is detailed further below.

1.1 NCDEQ DWI Funding Application

It is assumed that McKim & Creed will assist the City in preparing and submitting a funding application to NCDEQ DWI during the Fall 2025 funding round. NCDEQ DWI may automatically reconsider the project for funding in subsequent funding rounds using the previously prepared funding application packages without modification. Additional assistance with additional funding round applications may be provided as additional services if requested by the City. Each funding application will consist of the completed application forms and priority rating system forms, engineering calculations, opinions of probable project costs, anticipated schedules, and permit requirements.

TASK 2: PRELIMINARY ENGINEERING

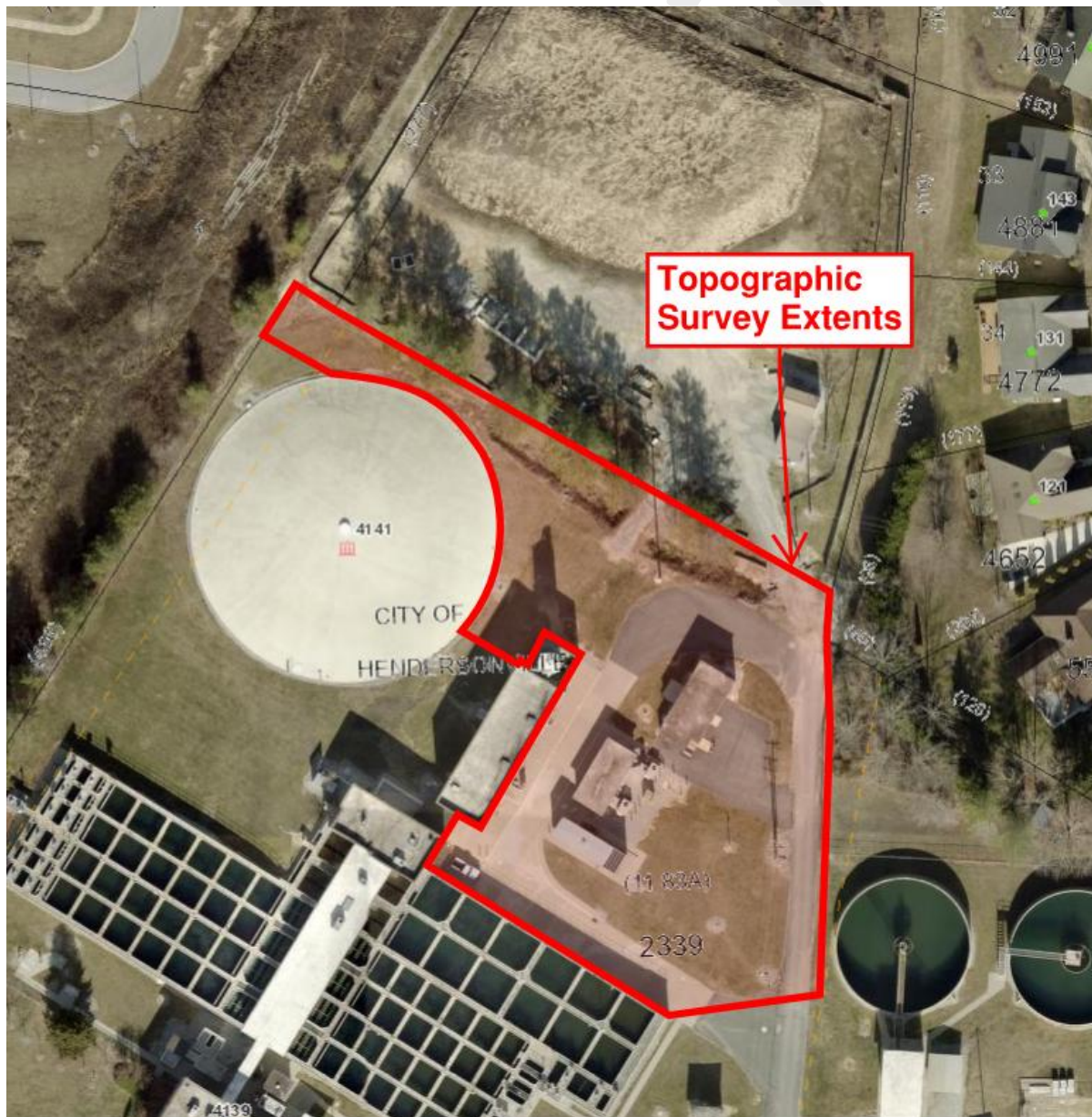
2.1 Design Survey Services

McKim & Creed will provide design survey services as described below. Survey work will be performed to the Standards of Practice for Land Surveying in North Carolina. Horizontal survey control will be referenced to NC Grid NAD 83 or otherwise specified. Vertical control will be referenced to NAVD88 or otherwise specified. The scope of survey shall include:

1. Set horizontal and vertical control at the WTF.
2. Topographic survey of existing grade throughout the existing WTF property to the general extents shown in Figure 1 below.
3. Perform 3D laser scanning of the existing Electrical Building, Finished Water Pump Station, and the existing Sludge Transfer Pump Station to collect existing dimensional data for the existing structures and document as-built conditions for the purposes of design. McKim & Creed will utilize the 3D scans of the existing structures to develop base drawings with sufficient accuracy to allow completion of engineered design drawings for the specific infrastructure designs described by this agreement. The scope of 3D scanning shall include:
 - a. All interior and exterior areas of the Electrical Building to 5-feet outside the building footprint.

- b. All interior and exterior areas of the Finished Water Pump Station to 5-feet outside the building footprint, excluding the interior of the existing wet well or vaults.
- c. All interior and exterior areas of the Sludge Transfer Pump Station to 5-feet outside the building footprint, excluding the interior of the existing wet well.
- d. Deliverables in Autodesk Revit format.

Figure 1 – General Topographic Survey Extents



DRAFT

2.2 Design Subsurface Utility Engineering (SUE) Services

McKim & Creed will coordinate with our SUE subconsultant Stewart to provide SUE services as described below:

1. Provide SUE Level B and A services to determine horizontal and vertical locations of existing utilities throughout the project footprint at the existing WTF as described below.
2. SUE Level A services is based on providing up to ten (10) test holes to locate critical underground infrastructure at the existing WTF site for integration of the new facility design with the existing infrastructure. It is assumed that all Level A test holes will be completed in one (1) trip with a duration of up to three (3) days.
3. The subsurface utilities will be identified with inverted spray paint and flagging using the following color code:
 - a. Red = Electric
 - b. Blue = Water
 - c. Purple = Non-Potable Water
 - d. Orange = Telecommunications
 - e. Yellow = Natural Gas
 - f. Green = Sanitary Sewer
 - g. White = Unknown utility
4. SUE services will be performed in accordance with the standards as set forth by the American Society of Civil Engineers in publication CI/ASCE 38-02 – Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data.
5. Collection of horizontal and vertical location of existing utilities located by SUE services generally within the boundary shown in Figures 2 and 3 below, including inverts of gravity utilities, including the following:
 - a. Storm Drain:
 - i. Drain lines as shown on Figure 2 below.
 - ii. MH 1, MH 2, MH 2A, MH 4, MH 5JB #1, CB#1. Note, structure numbering from *Water Treatment Plant Renovation "Record Drawings"* Sheet 13 of 143 prepared by Arcadis, dated 12/7/2006.
 - b. Process Water:
 - i. Existing 30" and 42" finished water line lines from clearwell to Finished Water Pump Station.
 - ii. Existing 16" washwater line from Finished Water Pump Station to blue boundary near the Filter Building as Shown on Figure 2 below.

- iii. Existing 24" finished water from Finished Water Pump Station to blue boundary near the Sedimentation Basin 3 as shown on Figure 2 below.
 - iv. All miscellaneous small diameter lines highlighted in red as shown on Figure 2 below.
- c. Power:
- i. All power duct banks and conduits highlighted in red within the dashed blue boundary shown on Figure 3.
 - ii. Electrical manhole EMH 1, handholes HH 1, HH 2, HH 3, and HH 5. Note, structure numbering from *Water Treatment Plant Renovation "Record Drawings" Sheets E-3 and E-4 of E-58* prepared by Arcadis, dated 12/7/2006.
- d. Communications:
- i. All communications duct banks and conduits highlighted in red within the dashed blue boundary shown on Figure 3.
- e. Other
- i. Gas, telecommunications, and other utilities on site as marked by SUE.
6. Horizontal and vertical locations of located utilities will be incorporated into the design drawings.

Figure 2 – Existing Piping to be located within SUE Extents

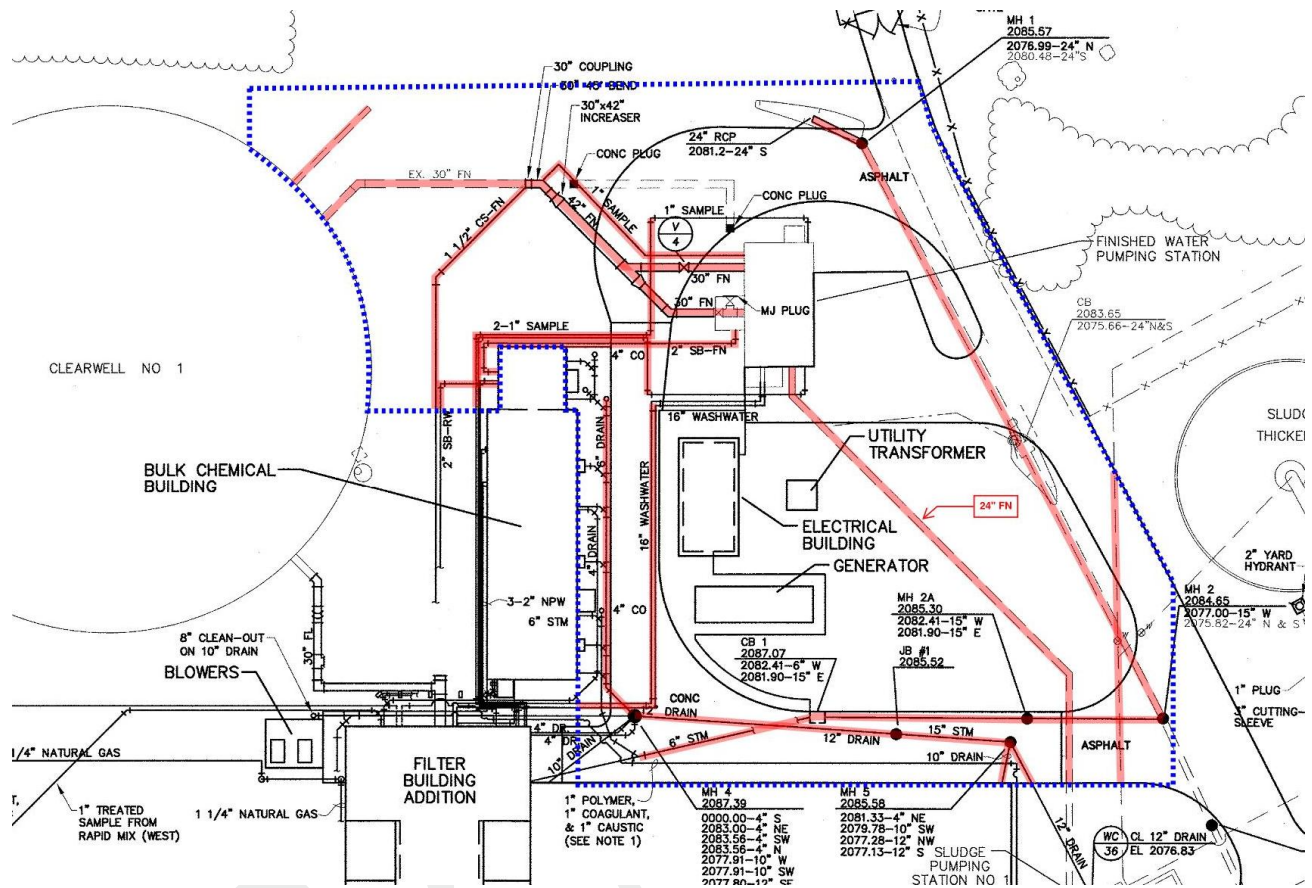
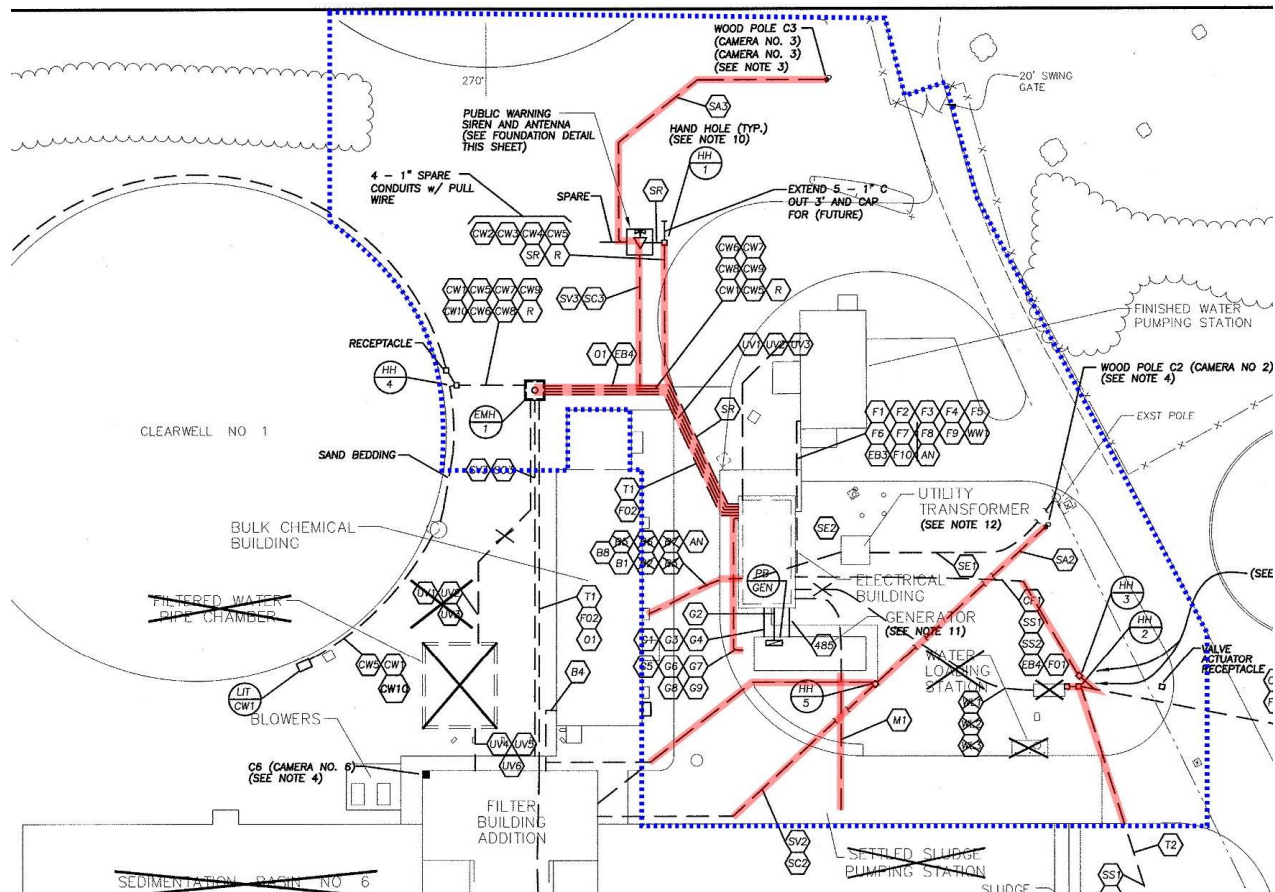


Figure 3 – Existing Electrical utilities to be located within SUE Extents



2.3 Geotechnical Investigations

McKim & Creed will coordinate with our geotechnical subconsultant, S&ME, to provide a limited geotechnical investigation of the subgrade conditions to provide data needed to design structural foundations. The geotechnical investigations will include:

1. Explore subsurface conditions by performing soil test borings:
 - a. One (1) soil test boring in the grass area north of the existing Bulk Chemical Building, east of the clearwell, and west of the Finished Water Pump Station to depths of 30 feet, including rock coring if rock is encountered.
 - b. One (1) soil test boring to locate the buried abandoned clearwell foundations in the grass area north of the existing Bulk Chemical Building, east of the clearwell, and west of the Finished Water Pump Station to depths of 30 feet, including rock coring if rock is encountered.

- c. One (1) soil test boring in the grass area north of existing Sedimentation Basin No. 3 between the basin, generator, and 24" finished water line to a depth of 25 feet.
- 2. Laboratory testing will be performed to verify soil classification and obtain soil strength parameters for construction and structure foundation design recommendations.
- 3. A findings report will be prepared which will include the following:
 - a. Site and exploration location plan
 - b. Soil test boring logs and generalized subsurface profiles
 - c. Recommendations for foundation bearing for the structures and equipment
 - d. Recommendations for site preparation and construction of structural compacted fills
 - e. Recommendations for control of groundwater or drainage systems if necessary

2.4 Basis of Design Report

McKim & Creed will prepare a Basis of Design Report which will include the following tasks:

- 1. Confirm Design Parameters: Review the City's available record drawings, specifications, historical operational data, and master plan to confirm design and operational parameters and requirements for the backwash and sludge transfer pump systems. This task is assumed to include the following:
 - a. Review of the City's record drawings, specifications, and historical operation data to confirm understanding of current operational requirements of both sludge transfer and backwash pump systems.
 - b. Confirm future capacity requirements based on the latest draft of the Hendersonville Water System Master Plan Report.
 - c. Confirmation of critical design parameters with the City prior to submission of the Draft Basis of Design Report.
 - d. The findings of this task will be summarized in the Basis of Design Report.
- 2. Condition Assessment of Existing Structures and Equipment: Conduct a condition assessment of the existing Sludge Transfer Pump Station, sludge transfer piping, wash water piping, electrical distribution equipment, and instrumentation and controls equipment. It is understood that both the sludge transfer pump and backwash pump are in a deteriorated condition and will be excluded from the condition assessment, which will instead focus on the ancillary systems,

equipment, and structures that support the sludge transfer and backwash pumping systems. The scope of the condition assessments will include:

- a. PIPING: Review of existing sludge transfer piping, wash water piping, and associated valves and appurtenances within the Sludge Transfer Pump Station to determine whether existing components can be used or require replacement.
- b. STRUCTURAL: Review of associated existing the Sludge Transfer Pump Station structural elements, including cast-in-place reinforced concrete slabs, walls, vertical and horizontal structural members, supporting beams, CMU walls, fascia, pipe supports, and other exposed structural components to identify repairs or modifications needed to ensure adequate support of the new sludge transfer pumps and the existing facilities intended to remain. This scope excludes structural assessment of the Sludge Transfer Pump Station wet well due to access and confined space entry limitations.
- c. ELECTRICAL: Review of existing power distribution equipment that serves the sludge transfer and backwash pump systems to identify potential reuse of existing power distribution feeders, duct banks, and equipment, and identify modifications and improvements needed to power the new equipment and systems required for the project. This effort will also include review of existing lighting circuits and fixtures to identify modifications and improvements needed. Emphasis will be placed on the following:
 - i. Review of the existing Electrical Building and other potential locations where power distribution equipment may be retrofitted, replaced, or installed new to service the new backwash pumping system. The existing Electrical Building will also be reviewed to identify potential mounting locations for a new variable frequency drive for the replacement of the existing backwash pump.
 - ii. Review of the existing Finished Water Pump Station to evaluate the condition and arrangement of power distribution feeders and equipment for the existing backwash pump to identify any potential modifications or improvements necessary to facilitate replacement of the existing backwash pump with a new VFD-driven backwash pump.
 - iii. Review of the existing Sludge Pump Station to ensure power distribution feeders and equipment is adequately sized for the replacement of the existing pump with two (2) new pumps, and to determine requirements for modifications.

- iv. Review of the existing lighting circuits and fixtures within the Sludge Pump Station to identify necessary modifications and improvements.
 - d. SCADA: Review of existing controls and SCADA communication systems to identify modifications necessary to accommodate new equipment, including review of the WTF's existing fiber optic (FO) network, controls termination cabinets, instrumentation, and other associated SCADA equipment and hardware.
3. Backwash Pumping System Upgrades Alternatives Evaluation: Perform an evaluation of alternatives for replacement and improvement of the existing backwash pumping system, pump sizing and selection, and site layout alternatives. McKim & Creed will evaluate preliminary design concepts to replace the existing backwash pumping system for the future design capacity. It is assumed that only one (1) filter will be backwashed at a time. The preliminary design concepts will be reviewed with the City to determine the basis of design equipment and site layout selections. The scope of the alternatives evaluation will include:
- a. Comparison of location alternatives for the proposed backwash pumping facilities. Siting alternatives will be developed to identify the location that presents minimal impacts to existing utilities and structures, provides space for future expansion, and minimizes constructability issues. It is assumed that a maximum of three (3) siting alternatives will be developed for comparison. Preliminary site layouts will be reviewed with the City for selection of the basis of design site layout.
 - b. Comparison of vertical turbine pumps located in a cast-in-place concrete wet well versus the installation of canned vertical turbine pumps. This may include computation fluid dynamics (CFD) modeling.
 - c. Coordination with pump manufacturers to develop preliminary pump selections.
 - d. Review of potential opportunities to utilize the existing Finished Water Pump Station and 24" finished water line modifications to provide redundant backwashing capacity. This would include evaluating the replacement of the existing backwash pump in place to maintain maximum control of the backwash supply through pumped supply, with the high service backwash supply line as a backup source. This alternative would require the installation of a new tap onto the existing 24" high service main tying into the existing 16" washwater line with dedicated backflow prevention, pressure regulation, and flow regulation. Prevention and mitigation of hydraulic transients in the distribution system that could potentially result from backwashing would be

- evaluated. This would include evaluation and preliminary sizing of a surge tank on the backwash water supply.
- e. Comparisons of electrical power supply configurations to identify the configuration that presents minimal impacts to existing utilities and structures, provides space for future expansion, and minimizes constructability issues.
 - f. Rough order-of-magnitude (RoM) conceptual construction cost opinion for the alternatives evaluated.
4. Conduct Process/Equipment Selection Workshops: Meet with the City to review the findings of the alternatives analyses, discuss, and receive owner input on the unit process and equipment selections. It is assumed that two (2) separate process/equipment selection workshops will be attended prior to the submittal of the draft Basis of Design Report.
 5. Process Design Computations: Develop process design computations for unit treatment processes. These shall include backwash pumping and sludge transfer pumping system computations.
 6. Basis of Design Report Preparation and Submittal: Prepare the Basis of Design Report including the information, findings, and recommendations developed from the tasks described above. The Basis of Design Report will be prepared in accordance with NCDEQ DWI Drinking Water State Revolving Funds (DWSRF) guidelines and requirements for the preparation of an Engineering Report/Environmental Information Document (ER/EID), if applicable subject to project funding requirements. The Basis of Design Report meeting ER/EID requirements will be submitted to NCDEQ DWI for review and comments, if applicable. Comments received from NCDEQ DWI will be incorporated and a final Basis of Design Report will be prepared and submitted.

2.5 30% Preliminary Design

McKim & Creed will develop the 30% Preliminary Design, which will consist of the following tasks:

1. Process Flow Diagram: Prepare a system schematic and flow diagram for the proposed WTF Backwash and Sludge Transfer Pumping System Improvements.
2. Site Plan: Prepare a preliminary site plan showing the location of the proposed pumping systems, piping modifications, associated structures, and yard piping on the site.
3. Electrical: Prepare preliminary sizing, one-line diagrams and/or schematics for electrical design of the proposed equipment.
4. Preliminary Engineer's Opinion of Probable Construction Cost: Prepare a preliminary construction cost opinion for the overall project that incorporates and improves the accuracy of the initial RoM conceptual construction cost opinion for

the backwash pump upgrade alternative recommended in the Basis of Design Report.

5. Submit Preliminary Design Documents for Review: Compile and submit the Basis of Design Report, 30% design drawings, and cost opinion to the City for review and approval as part of the 30% stage of design completion. Technical specifications are not included as part of the 30% preliminary design submittals.
6. Conduct Workshop Meeting to Review 30% Submittal with City: Meet with the City staff to review, discuss, and receive owner input on the 30% preliminary design submittals.
7. Revise & Address City Comments on 30% Submittal: Revise the appropriate preliminary design documents (as necessary within the original scope of the Project) to address the City's 30% design review comments. The Basis of Design Report will be finalized and included as part of the Authorization to Construct (ATC) application package to be submitted at final design.

2.6 *Summary of Preliminary Engineering Project Meetings:*

1. Project Kickoff Meeting: One (1) virtual workshop with City staff to review the project scope, schedule, critical drivers, and primary objectives.
2. Process/Equipment Selection Workshops: Two (2) virtual workshops with City staff to review process/equipment alternatives to obtain concurrence on basis of design equipment selections and process layouts. Process/equipment alternatives to be reviewed include the backwash pumping system and sludge transfer pumping system. The basis of design selections made during these workshops will be used to identify detailed design criteria, equipment sizing requirements, and site layout requirements.
3. Preliminary Design Review Workshop: One (1) in-person workshop to receive comments from City staff on the BODR and 30% preliminary design submittal.

TASK 3: FINAL DESIGN

Upon receiving authorization from the City, McKim & Creed will proceed with the Final Design Phase, including the following efforts:

3.1 60%, 90%, Final - Issued for Review, and Issued For Bids

1. Prepare 60%, 90%, Final – Issued for Review, and final Issued For Bids design drawings and construction documents based on a single prime construction contract. The final design documents will generally include the following:
 - a. General
 - i. Cover
 - ii. Sheet Index

- iii. Legends and Abbreviations
 - iv. Piping Schedule
 - v. Process Flow Diagram
 - vi. Hydraulic Profile
 - b. Civil
 - i. Overall Site Layouts and Existing Conditions
 - ii. Erosion & Sedimentation Control Plans and Details
 - iii. Grading & Drainage
 - iv. Yard Piping Plans & Profiles
 - v. Details
 - c. Building
 - i. Code Data Summary
 - ii. Plans and Elevations
 - d. Structural
 - i. General Notes, Design Loads, Design Criteria, and Legends
 - ii. Plans, Sections, and Details
 - iii. Demolition/Decommissioning Plans, Sections and Details
 - e. Process Mechanical
 - i. Plans, Sections, and Details
 - ii. Demolition/Decommissioning Plans, Sections, and Details
 - f. HVAC
 - i. Schedules, Plans, and Details
 - g. Electrical
 - i. General Notes, Legends, Abbreviations, and Symbols
 - ii. Diagrams and Schedules
 - iii. Power and Grounding Plans
 - iv. Site Lighting Plans
 - v. Building Power, Grounding, and Lightning Protection Plans
 - vi. Details
 - h. Instrumentation & Controls
 - i. General Notes, Symbols, and Abbreviations
 - ii. Network Architecture
 - iii. Process & Instrumentation Diagrams
 - iv. Security Plans and Details
- 2. 60%, 90%, Final Design – Issued for Review – Not for Construction, and Issued For Bid Design Submittals: Prepare and submit design drawings and construction documents at completion stages for review by the City at 60%, 90%, Final Design – IFR – NFC (permit submittal), and final Issued For Bid design stages.
- 3. Workshop Review Meetings: McKim & Creed will conduct formal in-person workshop review meetings with the City's staff at the 60% and 90% design stages to provide status updates, review project submittal documents, and receive City comments on project submittal documents.

4. Prepare Opinions of Probable Cost: Updated opinions of probable cost will be prepared for the project to be submitted at the 60%, 90%, Final Design – IFR – NFC, and final Issued for Bid design submittal stages.
5. Prepare Technical Specifications: Technical specifications will be prepared for the construction contract. The documents shall include a comprehensive table of contents followed by technical specifications to be included in the Construction Documents.
6. Bidding & Contract Documents: Prepare appropriate bid and contract documents for the construction contract based on current City of Hendersonville standards and requirements.
7. Final Design – Issued for Review – Not for Construction Submittal: McKim & Creed will prepare and submit signed and sealed Final Design – IFR – NFC documents to permitting agencies based upon City review comments from the 90% design submission. These submittal documents will also be submitted to NCDEQ DWI as the “Bid and Design Package” per project funding requirements, if applicable.
8. Issued For Bid Submittal: Upon completion of the 90% submittal and responses to the City’s comments and concerns on the 90% submittal, and following the project permitting process, McKim & Creed will finalize contract documents for procurement. This task will include the following:
 - a. Incorporate permit approval conditions in contract documents
 - b. Prepare the final Engineer’s Opinion of Probable Construction Cost
 - c. Prepare recommended schedule for bidding and construction
 - d. Submit final Issued For Bid contract documents to the City

3.2 *Quality Assurance and Quality Control*

The Consultant will include an in-house quality assurance/quality control (QA/QC-Value Engineering Review) review with staff members not involved in the project. The QA/QC review will be entirely separate from the normal in-house reviews conducted by the project team and the City’s staff. The QA/QC review will be conducted after the 30%, 60%, and 90% design submittals and its findings presented to the design team along with comments from the City’s 30%, 60%, and 90% design review. Prior to bid, a final QA/QC will be conducted for the Contract Documents.

TASK 4: PERMITTING

The Consultant will assist the City with submitting all permit applications required for the project. The Consultant will prepare the applications and following execution by the City of Hendersonville, will submit the applications to the appropriate agency for approval. The Consultant will address comments from the agencies and assist the City with negotiations concerning permitting issues that may arise. The cost of all application fees will be paid for by the

Consultant and will be reimbursed by the City. The permits required for this project are anticipated to include the following:

4.1 PWSS Authorization to Construct

The PWSS Authorization to Construct (ATC) permit will be applied for prior to advertisement for bids. The Final Design – IFR – NFC documents will be submitted to NCDEQ Division of Water Resources PWSS permitting unit for review and approval along with the permit application and all associated documentation required. The current permit application fee is \$300.

TASK 5: BIDDER PREQUALIFICATION ASSISTANCE

The Consultant will assist the City in conducting a prequalification process for potential bidders to develop a list of qualified general contractors for the project. The prequalification process will adhere to the City's standard processes. Specific tasks include the following:

1. Assist in the preparation of an Invitation to Prequalify for Bidding advertisement for the project.
2. Provide recommendations to the City to determine criteria for projects to be considered similar in size and nature to the WTF Sludge Transfer And Backwash Pump Upgrade Project.
3. Review the list of prequalification requirements with City staff and incorporate suggested revisions to the list that may be beneficial to the project.
4. Place formal advertisement of the prequalification package in the agreed upon advertisement media. McKim & Creed will pay for all fees associated with advertisement of the prequalification package, which will be reimbursed by the City.
5. Issue electronic prequalification documents to prospective bidders via the City's QuestCDN on-line advertisement and bidding service.
6. Schedule and conduct a virtual pre-submittal meeting, receive questions from prospective attendees, prepare and distribute minutes.
7. Respond to prospective bidder inquiries and prepare Addenda as required.
8. Receive prospective bidder submittals on specified and appropriate closing date.
9. Review prospective bidder documentation and request clarifications to determine if prospective bidder has met the requirements of the prequalification solicitation.
10. Review the list of proposed prequalified bidders with the City and make any final edits and revisions to the list of prequalified bidders. McKim & Creed will work jointly with City staff to assist in developing the prequalified bidders list; however, the City shall be responsible for the final determination of which bidders will be deemed as prequalified. Additional assistance or responses to protests from prospective contractors is not included in this scope of work and is considered an additional service. If required, additional services will be provided utilizing the Unallocated Project Budget phase upon written authorization from the City, or through the execution of an amendment to this Agreement.

11. Notify all prospective bidders of the final approved list of pre-qualified bidders.

TASK 6: BIDDING AND AWARD PHASE

The bid documents will consist of the plans (drawings) and specifications for the WTF Sludge Transfer And Backwash Pump Upgrade Project. The bid documents will be used by contractors to prepare bids for the work detailed on the plans and described in the specifications. The bid documents will include specifications and contractual requirements associated with pre-purchased equipment as applicable. Other tasks to be performed by the Consultant will include preparation of a final opinion of probable construction cost.

Our scope of work for Bid Phase services is premised on our understanding that McKim & Creed will be responsible for managing the bids and contracting process for one (1) single prime construction contract.

Bidding and Award Phase tasks performed by the Consultant will include:

1. Provide necessary information to the City for the preparation of the project bid advertisement.
2. Issue electronic bid documents to plan rooms and the City's QuestCDN on-line advertisement and bidding service.
3. Conduct the pre-bid conference and prepare and issue minutes.
4. Assist in answering bidders' questions concerning elements designed by McKim & Creed and prepare technical information as necessary for inclusion in addenda if required.
5. Prepare addenda as appropriate to interpret, clarify, or further define the Contract Documents. Addenda will be issued by McKim & Creed upon the City's approval.
 - a. It is assumed that up to three (3) addenda will be prepared and issued.
6. Consult with and advise the City to determine the acceptability of substitute materials and equipment proposed by bidders when substitution prior to the award of contracts is allowed by the contract documents.
7. Attend and/or conduct the bid opening.
8. Review bid packages and prepare the certified bid tabulations.
9. Provide written letter of recommendation of award to the City.
10. Assist the City in the contract award process.
11. Compile and submit the Project Bid Information package to NCDEQ DWI per project funding requirements, if applicable.
12. Prepare and issue conformed documents to incorporate addenda issued during the bidding process into the contract documents to be used by the contractor for construction.
13. Provide for three (3) sets of conformed documents for execution for the City, Engineer, and Contractor.

The Bidding and Award Phase will conclude upon the City's issuance of a notice of award to the selected construction contractor. If a re-bid is required, this effort shall be considered additional

services. If required, additional services will be provided utilizing the Unallocated Project Budget phase upon written authorization from the City, or through the execution of an amendment to this Agreement.

TASK 7: UNALLOCATED PROJECT BUDGET (PHASE 1)

Task 7 is included as a contingency for unforeseen conditions or changes in the scope of work. McKim & Creed will not utilize or expend effort on Task 7 without prior written authorization from the City of Hendersonville. The City may request McKim & Creed to perform the following services upon written request if deemed necessary. The following list of services is not an all inclusive list of services that may be performed under this task.

PHASE 2 CONSTRUCTION SERVICES

Construction Services are to be provided as a future amendment to this contract. Phase 2 services are briefly summarized below; a detailed scope of services and fee estimate shall be provided upon written request from the City near the completion of final design. Phase 2 Services shall include:

1. Task 8: Construction Phase Services
 - a. Construction Administration
 - b. Construction Observation
 - c. Special Inspections and Construction Materials Testing
2. Task 9: Post-Construction Services
3. Task 10: Unallocated Project Budget

III. COMPENSATION

McKim & Creed will perform the services outlined in this Exhibit A as indicated below. Services will be billed monthly on an hourly time and expense basis in accordance with the hourly rate schedule included as an attachment to this Exhibit A.

Item	Fee	Fee Type
PHASE 1 – Design and Bid Services		
Task 1: Funding Assistance	\$12,442	Hourly, NTE
Task 2: Preliminary Engineering	\$213,875	Hourly, NTE
Task 3: Final Design	\$245,698	Hourly, NTE
Task 4: Permitting	\$9,842	Hourly, NTE
Task 5: Bidder Prequalification Assistance	\$10,768	Hourly, NTE
Task 6: Bidding and Award Phase	\$33,782	Hourly, NTE
Task 7: Unallocated Project Budget (Phase 1)	\$40,000	Allowance
Total Estimated Fee (PHASE 1 ONLY)	\$566,407	
PHASE 2 – Construction Services		
Task 8: Construction Phase Services	TBD	
Task 9: Post-Construction Services	TBD	
Task 10: Unallocated Project Budget (Phase 2)	TBD	
Total Estimated Fee (PHASE 2 ONLY)	TBD	

TBD = To be determined and provided for in a future amendment for Phase 2 services

IV. ANTICIPATED PROJECT SCHEDULE

The following is the estimated schedule for the scope outlined above:

Task	Anticipated Start Date	Anticipated Completion Date	Approximate Duration	Remarks
PHASE 1				
Notice to Proceed	July 2025	N/A		
PER and 30% Design Submittal	July 2025	November 2025	4.5 months	PER and 30% Design Concurrent
Alternatives Evaluation Workshop #1	August 2025	N/A	N/A	
Alternatives Evaluation Workshop #2	September 2025	N/A	N/A	
City Review and 30% Review Workshop	November 2025	November 2025	14 days	
60% Design Submittal	November 2025	January 2026	3 months	
City Review and 60% Review Workshop	January 2026	February 2026	14 days	
90% Design Submittal/Submit Permit Applications	February 2026	April 2026	3 months	
City Review and 90% Review Workshop	April 2026	May 2026	14 days	
Final Design – Issued for Review Submittal	May 2026	June 2026	1 month	Submit ATC, DWI Bid & Design Package (if applicable)
Receive Permits	June 2026	August 2026	2 months	Expected approval timeline, subject to change
Bid Documents Submittal	August 2026	August 2026	1 month	Advertise for bids upon submittal
Advertise/Open Bids	August 2026	September 2026	1 month	
Evaluate Bids, Issue Notice of Award, and Contract Execution	September 2026	November 2026	3 months	Resolution of Tentative Award, DWI Bid Information Submittal (If Applicable), Authority to Award, Notice of Award, and Contract Execution
PHASE 2				
Construction NTP	TBD	TBD	TBD	
Construction Substantially Complete/Equipment Start-up	TBD	TBD	TBD	

Construction Final Completion	TBD	TBD	2 months	
Record Drawings Submittal	TBD	TBD	2 months	
Warranty Period Complete	TBD	TBD	1 year	1 year from Substantial Completion

Note: The schedule provided is approximate and may vary depending on City review, regulatory approval, equipment and material lead times, and unforeseen conditions.

V. ADDITIONAL SERVICES

If authorized in writing by the City, McKim & Creed shall furnish or obtain from others Additional Services of the types listed below. If required, additional services will be provided utilizing the Unallocated Project Budget phase upon written authorization from the City or through the execution of an amendment to this Agreement.

1. Expert witness or technical support concerning property surveying or engineering matters for which the Engineer has no direct liability.
2. Assistance with protests by prospective bidders associated with the City's prequalification process.
3. Easement mapping or easement surveys.
4. Providing for additional soil borings or geotechnical analyses beyond the identified scope of work.
5. Providing for detailed investigations and/or surveys for archeological sites, protected/threatened/endangered species of shellfish, fish, wildlife, and natural vegetation.
6. Providing for determining, evaluating, and assistance with contaminated soils for the project area.
7. Providing assistance for wetland mitigation.
8. Providing for assistance with easement acquisitions.
9. Preparing for, coordinating with, participating in and responding to structured independent review processes for construction management, cost estimating, value engineering and constructability reviews requested by the City and performing or furnishing services required to revise studies, reports, drawings, specifications, or other bidding documents as a result of such review processes.
10. Providing for any re-designs requested by the City after final design drawings have been approved.
11. Boundary or easement surveys for the wastewater treatment facility site.
12. Construction survey and staking.

13. Preparing for multi-prime contracts and bidding.
14. Preparing and submitting funding applications and supporting documents for NCDEQ DWI funding rounds other than Fall 2025.
15. Development of design or bid documents to comply with alternate funding agencies or other funding mechanisms.
16. Engineer-led operator training on equipment, processes, or other miscellaneous training related to the existing or proposed facilities.
17. Assistance in connection with Bid protest, re-bidding, or renegotiating contracts for construction, materials, equipment, or services.
18. Preparing to serve or serving as a consultant or witness for the City in any litigation, arbitration or other dispute resolution process related to the project.
19. Non-destructive testing or concrete coring based on observations made of visible elements and review of structural record drawings.
20. Other services performed or furnished by McKim & Creed not otherwise provided for in this Agreement. These services are to be identified as additional services for City approval prior to McKim & Creed performing the service.

VI. OWNER'S RESPONSIBILITIES

The following items shall be the responsibility of the City:

1. Provide McKim & Creed with all criteria and full information as to the City's requirements for the project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which the City will require to be included in the Drawings and Specifications; and furnish copies of the City's standard forms, conditions and related documents for McKim & Creed to include in the Bidding Documents, when applicable.
2. The timely provision of all available information, data, reports, records, and maps to which the City has access and which are needed by McKim & Creed for the performance of the services provided herein.
3. Providing assistance and cooperation for McKim & Creed in obtaining any other needed material which the City does not have in its possession.
4. Making available the services of the City as may be necessary to obtain information as needed to perform the work program set forth in the Scope of Services.
5. The designation of a single representative who will be authorized to make necessary decisions required on behalf of the City and will serve to provide the necessary direction and coordination for the project.

6. Advise McKim & Creed of the identity and scope of services of any independent consultants employed by the City to perform or furnish services in regard to the project, including, but not limited to, cost estimating, project peer review, value engineering and constructability review.
7. Attend the pre-bid conference, bid opening, pre-construction conferences, construction progress and other job-related meetings and Substantial Completion, final payment, and warranty reviews.

VII. MISCELLANEOUS PROVISIONS

1. Opinion of Probable Construction Costs: Engineer's opinions of probable construction costs are based on assumed labor costs and approximate quantities of material and equipment, and therefore is of a conditional character. The Engineer cannot and does not guarantee the cost of work to be performed by others since market or bidding conditions can change at any time and changes in the scope or quality of the project may affect estimates. The City waives and releases McKim & Creed from any loss, liability, or claim arising out of or in any way related to the Engineer's opinion of probable construction costs.
2. McKim & Creed's current hourly rate schedule is attached. Hourly rates are subject to adjustment on January 1st of each calendar year.

END OF EXHIBIT A

Resolution # -_____

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ENTER
INTO A CONTRACT FOR ENGINEERING SERVICES TO SUPPORT THE WTF
SLUDGE TRANSFER AND BACKWASH PUMP UPGRADE PROJECT**

WHEREAS, the City owns and operates a water treatment facility (WTF) that has a current permitted capacity of 12.0 million gallons per day; and

WHEREAS, the WTF has a need for additional Sludge Transfer and Backwash Pumps as identified in the existing WTF Masterplan; and

WHEREAS, the project improves resiliency, reduces single points of failure, and provides redundancy; and

WHEREAS, City Staff have performed a qualifications-based selection, determined McKim & Creed, Inc. as most qualified, and have received and negotiated a scope of work and fee from McKim & Creed, Inc. to provide Engineering Services to support the project.

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

1. McKim & Creed, Inc. is most qualified to provide professional engineering services for the project, as recommended by Staff.
2. The scope of professional engineering services from McKim & Creed, Inc. is approved in the not-to-exceed amount of \$566,407.
3. The City Manager is authorized to execute an agreement with McKim & Creed, Inc. consistent with the terms of this Resolution, as approved by the City Attorney.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____, 20____.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Becker, City Attorney

CERTIFICATE OF SUFFICIENCY

Re: Petition for Contiguous Annexation
Petitioner: Wanda Ponder, Eugene Holbert, Edgar Holbert, and John Holbert
File No. 25-46-ANX

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:
I, Jill Murray, City Clerk, being first duly sworn, hereby certify that:

1. A petition has been received for contiguous annexation of property consisting of +/- 6.94 acres located on Brooklyn Ave. in Hendersonville, NC, being tax parcels PINs 9578-43-7077, 9578-53-0013, and 9578-43-9238 and being more particularly described on Exhibit A, attached hereto and incorporated by reference, hereinafter "Petition."
2. An investigation has been completed as required by N.C.G.S. § 160A-31 of the Petition for compliance with the requirements of N.C.G.S. § 160A-31.

Based upon this investigation, I find that

1. The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein.
2. The Petition was prepared in substantially the form prescribed by 160A-31(b).
3. The area described in the petition is contiguous to the City of Hendersonville’s primary corporate limits, as defined by N.C.G.S. 160A-31(f).
4. The area for annexation meets all other requirements defined in NC 160A-31 regarding the character of the area to be annexed.

Having made the findings stated above, I hereby certify the Petition appears to be valid.

In witness hereof, I have set my hand and the City Seal on this the ____ day of _____, 2025.

(City Seal)

Jill Murray, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

Being all of that real property consisting of PINs 9578-43-7077, 9578-53-0013, and 9578-43-9238 described in the plat recorded in Book 2025- _____[to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9578-43-7077, 9578-53-0013, and 9578-43-9238 being described by metes and bounds as follows:

Being three existing tracts of land described in Deed Book 3270, Pages 287, 291, and 295, being PIN 9578-43-7077, PIN 9578-53-0013, and PIN 9578-43-9238, located on Brooklyn Avenue, S.R. 1775, in Hendersonville Township, Henderson County, North Carolina, surveyed by C. Neil Shepherd, PLS of Survey Pros PLLC, Project #22-163. A metes and bounds description taken from said survey is as follows:

BEGINNING on a 1/2 inch iron found at the northeast corner of BK 1540 PG 404, said iron having NC Grid coordinates of N=583,016.10' and E=974,552.98'; thence from the POINT OF BEGINNING, with the existing city limits of the City of Hendersonville, N 37° 23' 15" E for a distance of 640.64 feet to a 1/2 inch iron found with yellow cap; thence with the proposed city limit line the following eight courses: (1) S 35° 11' 06" E for a distance of 548.83 feet to a point in the center of Brooklyn Avenue; (2) thence with the center line of Brooklyn Avenue, S 57° 53' 13" W for a distance of 471.24 feet to a point; (3) thence continuing S 57° 32' 24" W a distance of 400.18 feet to an iron found under the asphalt; (4) thence with the eastern margin of the right-of-way of Old Spartanburg Road, SR 1722, N 37° 29' 08" W for a distance of 82.50 feet to a 1/2 inch rebar set; (5) thence leaving the road, N 41° 13' 06" E for a distance of 207.27 feet to a 1-1/2 inch iron pipe found; (6) thence N 37° 27' 56" W for a distance of 69.55 feet to a 1 inch iron pipe found; (7) thence N 41° 01' 23" E for a distance of 70.05 feet to a 3/8 inch iron pipe found; (8) thence N 37° 48' 07" W for a distance of 95.42 feet to the point of beginning, having an area of 6.94 acres, more or less.

Resolution #__-____

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF
PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the City Operations Center located at 305 William St. or at City Hall located 160 6th Ave E. Hendersonville NC, 28792 at 5:45 p.m. September 4th, 2025, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PINs 9578-43-7077, 9578-53-0013, and 9578-43-9238 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9578-43-7077, 9578-53-0013, and 9578-43-9238 being described by metes and bounds as follows:

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Re: Petition for Contiguous Annexation
Petitioner: Wanda Ponder, Eugene Holbert, Edgar Holbert, and John Holbert
File No. 25-46-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

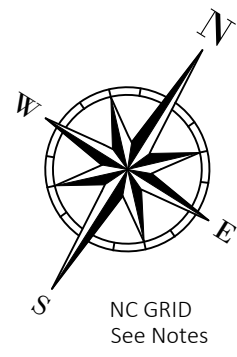
Adopted by the City Council of the City of Hendersonville, North Carolina on this _____day of _____
20_____.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

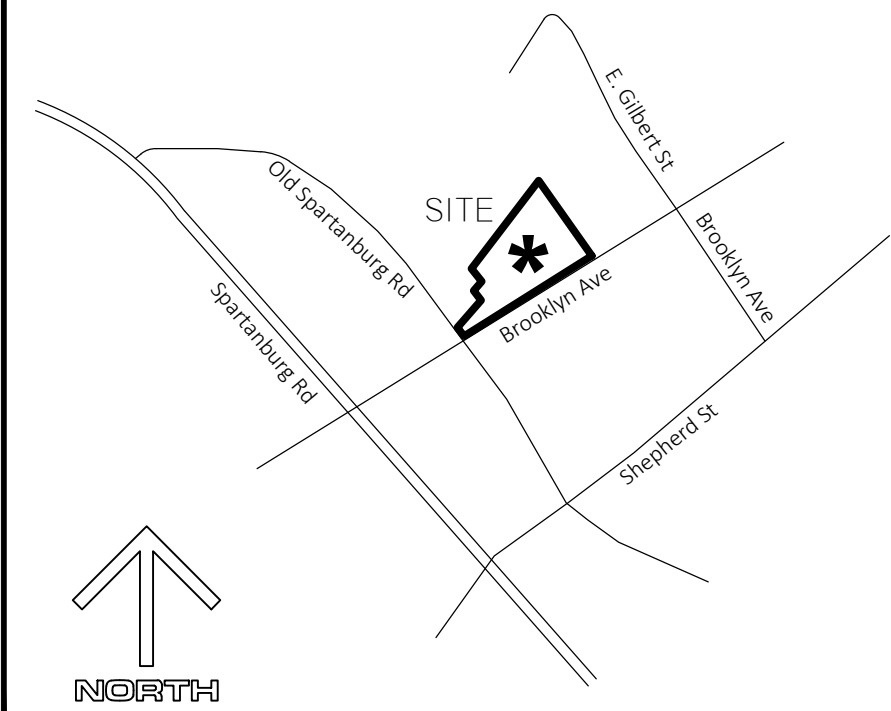
Angela S. Beeker, City Attorney



This plat represents the area being annexed to the City of Hendersonville, NC pursuant to NCGS 160A-31, by ordinance duly adopted (Annexation Ordinance _____).

This the _____ day of _____, 2025.

Jill Murray, City Clerk



Vicinity Map

Surveyor's Certification

I certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description and/or deed references below); that the boundaries not surveyed are indicated as drawn from the information noted on this plat of survey; that this survey is classified as an Urban Land Survey (Class A) having a calculated ratio of precision better than 1:10,000 before adjustments, and/or neither axis of the 95 percent confidence level error ellipse for any control point or property corner exceeds 0.10 feet; that this plat meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1603).

The provisions of G.S. 47-30 do not apply to the boundary plat of areas annexed by municipalities nor to plats of municipal boundaries, whether or not required by law to be recorded in the State of North Carolina.

Witness my signature, seal and date.

C. Neil Shepherd, PLS #L-4746

- Surveyor's Notes:**
- The property which is the subject of this survey is described in Deed Book 3270, Page 287, Deed Book 3270, Page 291, Deed Book 3270, Page 295, and shown in Plat Book 2000, Slide 3343, Buncombe County Registry; being Tax Parcels 9578437077, 9578530013, 9578439238. The property owners shown in the deeds at the time of survey was: Eugene S. Holbert, Edgar M. Holbert, John T. Holbert, and Wanda H. Ponder.
 - This plat reflects information discovered by the surveyor in the normal course of work and does not necessarily show every possible condition affecting the property. A complete title abstract was not performed by Survey Pros. Underground utilities were not marked at time of survey. Underground utilities may exist which are not shown. The exact location of underground utilities cannot be accurately, completely, and reliably depicted without excavation. This property may be subject to easements and/or rights-of-way of record not shown. Other easements, rights-of-way, building ordinances, zoning, and other legal encumbrances may also exist. Adjoining property owner information was obtained from the local GIS. Title information is based on Commitment for Title Insurance from ChicagoTitle Insurance Company.
 - GPS Certification: The grid tie shown on this map was taken from an actual GPS survey made under my supervision. The GPS portion of this survey meets the classification requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1607) for an Urban Land Survey (Class A) such that neither axis of the 95 percent confidence level error ellipse for the project control point(s) exceeds 0.10 feet. The static GPS survey was performed on 9-14-2022 with Trimble R8s receivers. National Geodetic Survey (NGS) CORS station "NCHE" was used as the fixed control station having published NC Grid coordinates NAD83(2011) and orthometric height (elevation) NAVD 88 as shown hereon. Vectors were adjusted utilizing Trimble Geomatics Office Business Solutions software. The geoid model used was GEOID12A. The horizontal positional accuracy relative to the remote control station was 0.06 feet prior to adjustment. The vertical positional accuracy relative to the remote control station was 0.3 feet prior to adjustment. The combined grid factor at the project control point is 0.9997763600. All bearings shown are relative to NC Grid, NAD 83(2011). All elevations shown are relative to NAVD 88. All distances shown are horizontal distances in U.S. Survey Feet unless otherwise noted. All areas shown were computed by coordinate computation.

PRELIMINARY
PLAT NOT FOR RECORDATION
CONVEYANCES, OR SALES

- LEGEND**
- Property Line (surveyed)
 - Tie Line (surveyed)
 - Adjoiner Line (not surveyed)
 - Easement
 - Overhead Electric
 - Right-of-Way
 - Computed Point

Purpose Statement

The purpose of this plat is to annex PIN 9578-43-7077, PIN 9578-53-0013, PIN 9578-43-9238, being 6.94 contiguous acres, into the City of Hendersonville as shown on this survey.

Scale: 1 inch
0 40'

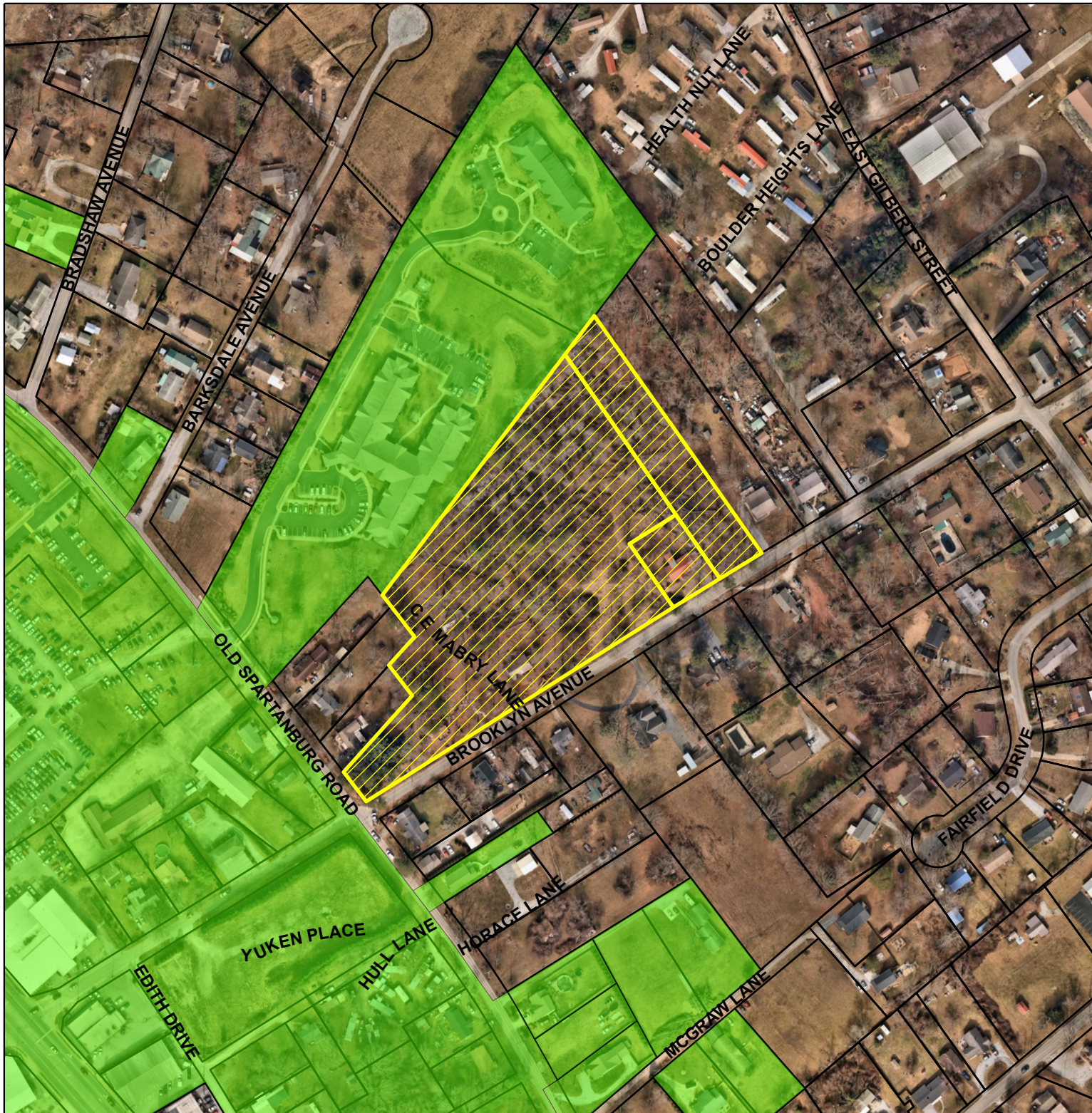
Property Owners (for the index): Eugene S. Holbert, Edgar M. Holbert, John T. Holbert, and Wanda H. Ponder.

Annexation Plat for the
City of Hendersonville

Property Location:
Brooklyn Avenue, Hendersonville, NC
Hendersonville Township, Henderson County, North Carolina

SurveyPros
(336) 667-5533

Survey Pros, PLLC 924 Main Street, Suite 300 North Wilkesboro, NC 28659	Firm Number: P-2218 File Number: 22-163 Date: 06-27-2025
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Mabry Woods Annexation
 25-46-ANX
 PINs: 9578-43-7077,
 9578-53-0013, 9578-43-9238
 Acreage: 6.94
 Satellite Annexation Map

 Subject Property
Municipal Borders
 Hendersonville



**Area to be Annexed
into the City of Hendersonville
6.94 Acres**

Being three existing tracts of land described in Deed Book 3270, Pages 287, 291, and 295, being PIN 9578-43-7077, PIN 9578-53-0013, and PIN 9578-43-9238, located on Brooklyn Avenue, S.R. 1775, in Hendersonville Township, Henderson County, North Carolina, surveyed by C. Neil Shepherd, PLS of Survey Pros PLLC, Project #22-163. A metes and bounds description taken from said survey is as follows:

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**CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

160 6th Ave. E., Hendersonville, NC 28792

Phone (828) 697-3010 | Fax (828) 698-6185

www.hendersonvillenc.gov

Petition Requesting Annexation

The following are the **required** submittals for a complete application for a Voluntary Annexation. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☒ 1. Completed Application Form
- ☒ 2. A copy of the deed indicating ownership of the property.
- ☒ 3. A Survey Plat of the property prepared by a registered surveyor licensed to practice in the state of North Carolina.
- ☐ 4. A typed boundary description of the property.

A. Property Information

PIN(s): 957-853-0013, 957-843-9238 & 957-843-7077

Address(es) / Location of Property: 914 & 924 Brooklyn Ave., Hendersonville, nC

Does this property adjoin the present City Limits? ☒ Yes ☐ No

Is the property within the ETJ? ☒ Yes ☐ No

Are you declaring any site-specific vested right with respect to the properties subject to this petition as established under G.S. 160D-108.1? ☐ Yes ☐ No

Reason for Annexation:

Subdivision Development

Office Use:

Date Received: _____ **By:** _____ **Fee Received? Y/N**

B. Property Owner Contact Information

WANDA H. PONDER

7/15/2025

* Printed Applicant Name

Date

N/A

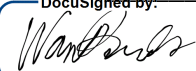
Printed Company Name (if applicable)

☐ Corporation☐ Limited Liability Company☐ Trust☐ Partnership

Other:

INDIVIDUAL

DocuSigned by:



BA160C1683E84E9...

Property Owner Signature

Property Owner Title (if applicable)

P.O. BOX 292

Address of Property Owner

DANA, NC 28724

City, State, and Zip Code

Telephone

IAM911WANDA@MORRISBB.NET

Email

C. Additional Property Owner Contact Information

EUGENE S. HOLBERT

7-15-2025

* Printed Applicant Name

Date

Printed Company Name (if applicable)

☐ Corporation ☒ INDIVIDUAL ☐ Limited Liability Company ☐ Trust ☐ Partnership☐ Other: INDIVIDUAL

Signed by:

Gene Holbert

Property Owner Signature

Property Owner Title (if applicable)

PO BOX 292

Address of Property Owner

DANA, NC 28724

City, State, and Zip Code

Telephone

GHOLBERT1@GMAIL.COM

Email

C. Additional Property Owner Contact Information

EDGAR M. HOLBERT

7/15/2025

* Printed Applicant Name

Date

Printed Company Name (if applicable)

☐ Corporation


☐ Limited Liability Company

☐ Trust

☐ Partnership

☒ Other: INDIVIDUAL

DocuSigned by:



Property Owner Signature

Property Owner Title (if applicable)

PO BOX 292

Address of Property Owner

DANA, NC 28724

City, State, and Zip Code

Telephone

EMHOLB@GMAIL.COM

Email

C. Additional Property Owner Contact Information

JOHN T. HOLBERT

7/15/2025

* Printed Applicant Name

Date

Printed Company Name (if applicable)

☐ Corporation

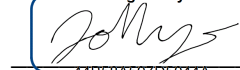
☐ Limited Liability Company

☐ Trust

☐ Partnership

☒ Other: INDIVIDUAL

DocuSigned by:



Property Owner Signature

Property Owner Title (if applicable)

PO BOX 292

Address of Property Owner

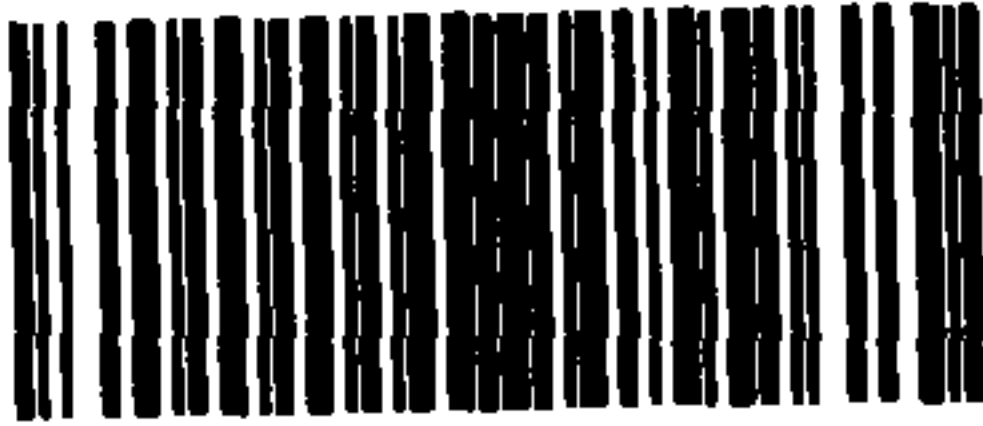
DANA, NC 28724

City, State, and Zip Code

Telephone

JH148013@GMAIL.COM

Email



This document presented and filed:
11/15/2018 11:20:41 AM

WB

WILLIAM LEE KING, Henderson COUNTY, NC
Transfer Tax: \$0.00

✓

Survivorship Deed

Mail after recording to Mary Holbert, P.O. Box 292 Dana, NC 28724

Tax parcel ID: 9966087

This instrument prepared by Edgar M Holbert 490 Pierce Rd Landrum, SC 29356

Brief description for the index:

Grantors: Mary M Holbert

Grantees: Eugene S Holbert, Wanda H Ponder, John T Holbert and Edgar M. Holbert

THIS DEED made this 9th day of November, 2018, by and between

GRANTOR

Mary M Holbert, not married, of 924 Brooklyn Ave, Hendersonville, NC 28724

GRANTEE

Eugene S Holbert, married, of 256 JRJ Dr Seneca, SC 29678

Edgar M Holbert, married, of 490 Pierce Rd Landrum, SC 29356

John T Holbert, not married, of 924 Brooklyn Ave H'ville, NC 28792

Wanda H Ponder, not married, of 178 Pace Rd, Hendersonville, NC 28792

The collective designations of Grantor and Grantee as used within this document will include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

IN WITNESS WHEREOF, the said Grantors, for and in consideration of the sum of 1% of the county tax value and other consideration to them in hand paid, the receipt of which is hereby acknowledged, have remised and released and by these presents do remise and release, with general warranty covenants, unto the Grantee as joint tenants with full right of survivorship, and his heirs and assigns all right, title, claim, and interest of the said Grantors in and to a certain tract or parcel of land lying and being in the County of Henderson, and State of North Carolina, in Hendersonville Township, and more particularly described as follows:

Beginning at a new iron pin, said pin being the Southern line of the Hugh Morrison property as described in Deed recorded in deed Book 773, page 463, Henderson County Registry and running thence from said iron pin South 35 deg. 11 min. 32 sec. East 548.54 feet to an unmarked point in the center of Brooklyn Avenue (SR1775), thence with the center line of Brooklyn Avenue South 57 deg. 51 min. 24 sec. West 89.66 feet to an unmarked point in Brooklyn Avenue; thence North 34 deg. 38 min. 36 sec. West 517.06 feet to a new iron pin in the Southern line of the Hazel E. Morrison property as described in Deed recorded in Deed Book 576, Page 567, Henderson County registry; thence North 37 deg. 15 min. 55 sec. East 88.07 feet to the point and place of Beginning and containing 1.064 acres more or less according to a survey by Clarence A. Jenkins. R.L.S., Captioned Survey for C.E. Mabry and Malcomb and Mary Ellen Holbert and Eugene Simpson Holbert dated November 23, 1999.

Being a portion of that real property described in Deed recorded in Deed Book 251, Page 103, Henderson County Registry.

The property hereinabove described was acquired by the Grantor by instrument recorded in Henderson County Register of Deeds. The property hereinabove described was acquired by the Grantor by instrument recorded. A map showing the above-described property is recorded in Map Book 1129 at Page 49.

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

And the Grantor covenants with the Grantee, that the Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever

Title to the property hereinabove described is subject to the following exceptions if any:

IN TESTIMONY WHEREOF, the Grantors have hereunto set their hands and seals the day and year first above written.

Signed in the presence of:

Signature

Name

Mary M Holbert

Mary M. Holbert

Grantor Acknowledgement

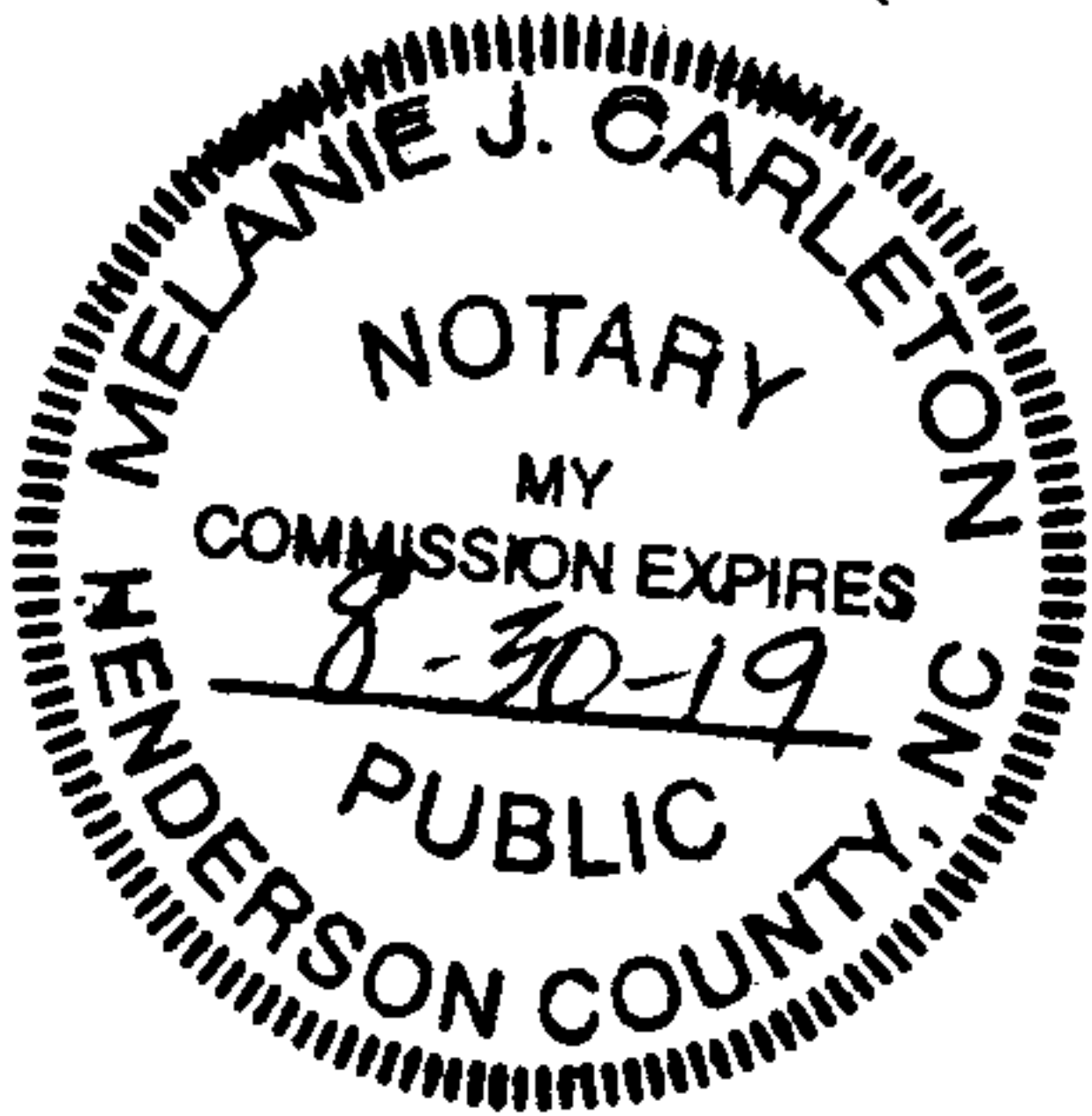
STATE OF NORTH CAROLINA

COUNTY OF Henderson

I Melanie J. Carleton a Notary Public of the aforesaid County and State, certify that Mary M Holbert, the Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 15TH day of Nov, 2018

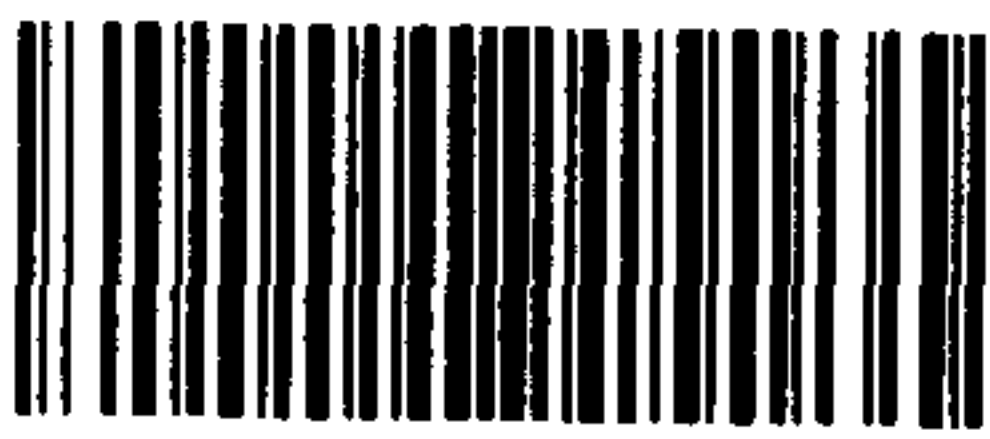
My commission expires: 8-30-19

Notary Public Melanie J. Carleton



BOOK 3270 PAGE 295 (4)

894061



This document presented and filed:
11/15/2018 11:20:42 AM

WB

WILLIAM LEE KING, Henderson COUNTY, NC
Transfer Tax: \$0.00

✓

Survivorship Deed

Mail after recording to Mary Holbert, P.O. Box 292 Dana, NC 28724

Tax parcel ID: 9966086

This instrument prepared by Edgar M. Holbert 490 Pierce Rd Landrum, SC 29356

Brief description for the index:

Grantors: Mary M Holbert

Grantees: Eugene S Holbert, Wanda H Ponder, John T Holbert and Edgar M. Holbert

THIS DEED made this 9th day of November, 2018, by and between

GRANTOR

Mary M Holbert, not married, of 924 Brooklyn Ave, Hendersonville, NC 28724

GRANTEE

Eugene S Holbert, married, of 256 JRJ Dr Seneca, SC 29678

Edgar M Holbert, married, of 490 Pierce Rd Landrum, SC 29356

John T Holbert, not married, of 924 Brooklyn Ave H'ville, NC 28792

Wanda H Ponder, not married, of 178 Pace Rd, Hendersonville, NC 28792

The collective designations of Grantor and Grantee as used within this document will include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

IN WITNESS WHEREOF, the said Grantors, for and in consideration of the sum of 1% of the county tax value and other consideration to them in hand paid, the receipt of which is hereby acknowledged, have remised and released and by these presents do remise and release, with general warranty covenants, unto the Grantee as joint tenants with full right of survivorship, and his heirs and assigns all right, title, claim, and interest of the said Grantors in and to a certain tract or parcel of land lying and being in the County of Henderson, and State of North Carolina, in Hendersonville Township, and more particularly described as follows:

Beginning at a stake in the centre of Brooklyn Avenue and in the East margin of the Upward Road, and runs with said Road North 39 deg. West 82 1/2 feet to a stake; thence North 40 deg. East 279 feet to a stake; thence North 39 deg. West 165 1/2 feet to a stake, Morrison's corner; thence with Morrison's line North 36 deg. East 835 feet to a stake, Morrison's corner on Patton's line, thence South 37 1/2 deg. East 225 feet to a stake, Mabry's and Heaton's corner; thence with mabry's line South 36 deg. West 1104 feet to the beginning, and containing 4.7 acres more or less.

The property hereinabove described was acquired by the Grantor by instrument recorded in Henderson County Register of Deeds. The property hereinabove described was acquired by the Grantor by instrument recorded. A map showing the above-described property is recorded in Map Book 251 at Page 103.

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

And the Grantor covenants with the Grantee, that the Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever

Title to the property hereinabove described is subject to the following exceptions if any:

IN TESTIMONY WHEREOF, the Grantors have hereunto set their hands and seals the day and year first above written.

Signed in the presence of:

Kim A. Newman

Signature

Kim A. Newman

Name

Mary M Holbert *guarding for Mary*

Mary M Holbert

M. Holbert

Grantor Acknowledgement

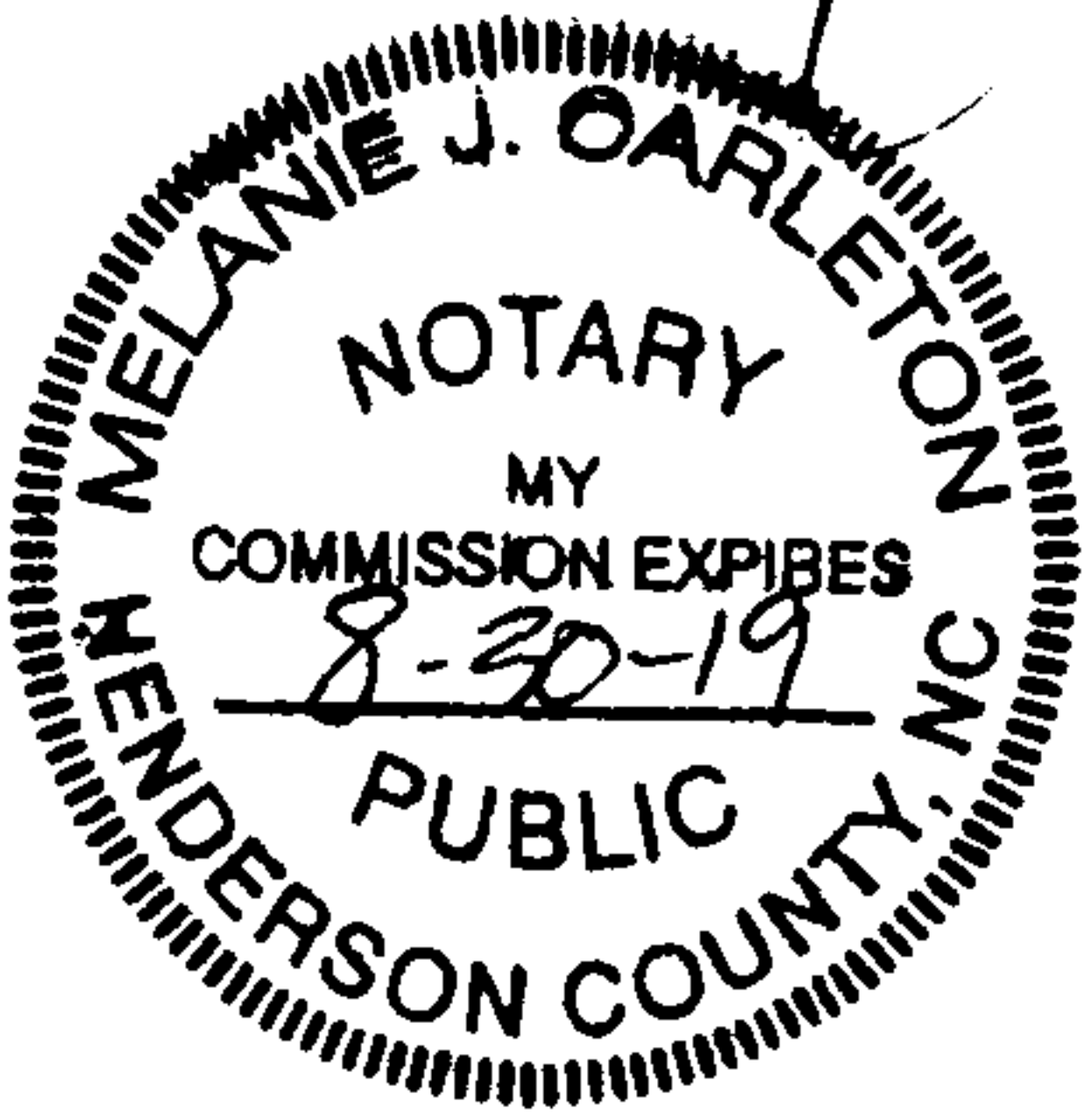
STATE OF NORTH CAROLINA

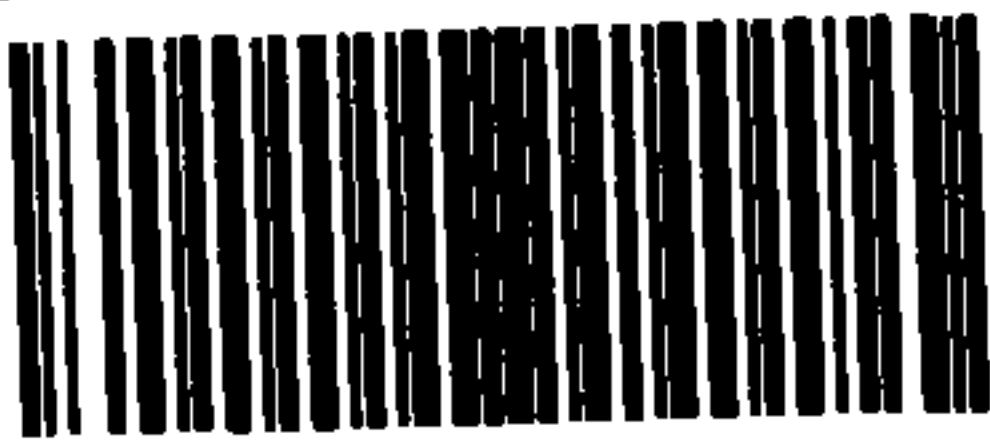
COUNTY OF HENDERSON

I MELANIE J CARLETON a Notary Public of the aforesaid County and State, certify that Mary M Holbert, the Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 15TH day of NOV, 2018.

My commission expires: 8-30-19

Notary Public Melanie J Carleton





This document presented and filed:
11/15/2018 11:20:40 AM

WB

WILLIAM LEE KING, Henderson COUNTY, NC
Transfer Tax: \$0.00

Survivorship Deed



Mail after recording to Mary Holbert, P.O. Box 292 Dana, NC 28724
Tax parcel ID: 105349
This instrument prepared by Edgar M Holbert 490 Pierce Rd Landrum, SC 29356
Brief description for the index:
Grantors: Mary M Holbert
Grantees: Eugene S Holbert, Wanda H Ponder, John T Holbert and Edgar M. Holbert

THIS DEED made this 9th day of November, 2018, by and between

GRANTOR

Mary M Holbert, not married, of 924 Brooklyn Ave, Hendersonville, NC 28724

GRANTEE

Eugene S Holbert, married, of 256 JRJ Dr Seneca, SC 29678

Edgar M Holbert, married, of 490 Pierce Rd Landrum, SC 29356

John T Holbert, not married, of 924 Brooklyn Ave H'ville, NC 28792

Wanda H Ponder, not married, of 178 Pace Rd, Hendersonville, NC 28792

The collective designations of Grantor and Grantee as used within this document will include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

IN WITNESS WHEREOF, the said Grantors, for and in consideration of the sum of 1% of the county tax value and other consideration to them in hand paid, the receipt of which is hereby acknowledged, have remised and released and by these presents do remise and release, with general warranty covenants, unto the Grantee as joint tenants with full right of survivorship, and his heirs and assigns all right, title, claim, and interest of the said Grantors in and to a certain tract or parcel of land lying and being in the County of Henderson, and State of North Carolina, in Hendersonville Township, and more particularly described as follows:

BEGINNING at an iron pin in the North margin of Brooklyn Avenue (12.5 feet from center) said iron pin standing South 56 deg.30 min. West 268.5 feet from the Southeast corner of the C.E.Mabry tract as recorded in Book 226 at page 294 of the records for Henderson County, N.C., and runs thence with the margin of Brooklyn Avenue South 56 deg.30.min West 100 feet to an iron pin; thence North 36 deg. West 150 feet to an iron pin; thence North 56 deg. 30 min. East 100 feet to an iron pin; thence South 36 deg. East 150 feet to the beginning.

The property hereinabove described was acquired by the Grantor by instrument recorded in Henderson County Register of Deeds. The property hereinabove described was acquired by the Grantor by instrument recorded. A map showing the above-described property is recorded in Map Book 352 at Page 535.

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

And the Grantor covenants with the Grantee, that the Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever

Title to the property hereinabove described is subject to the following exceptions if any:

IN TESTIMONY WHEREOF, the Grantors have hereunto set their hands and seals the day and year first above written.

Signed in the presence of:

Kim A. Newman
Signature

Kim A. Newman
Name

Mary M Holbert, guardian
for Mary M.
Holbert

Grantor Acknowledgement

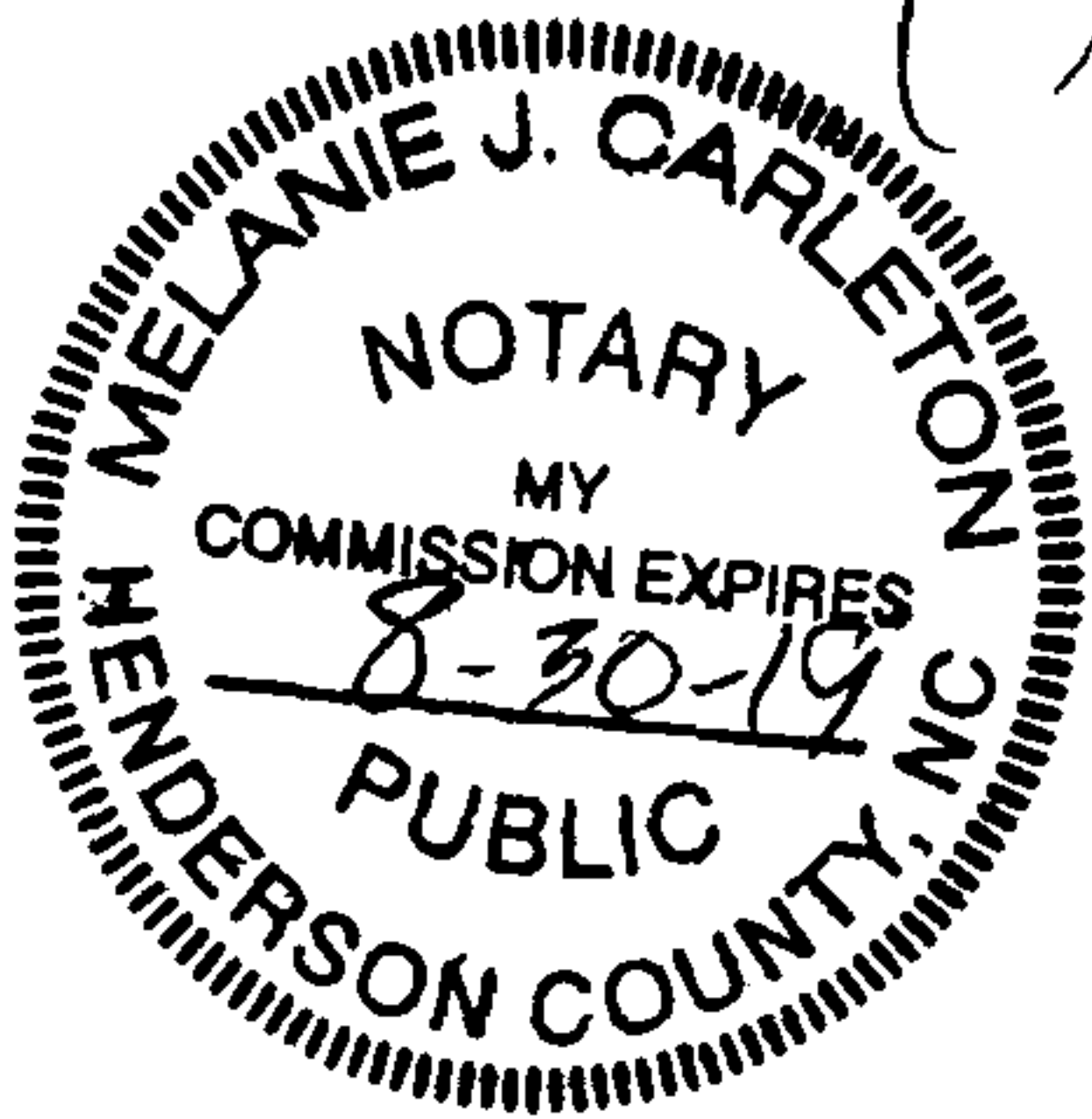
STATE OF NORTH CAROLINA

COUNTY OF Henderson

I Melanie J. Carleton a Notary Public of the aforesaid County and State, certify that Mary M Holbert, the Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 15th day of Nov, 2018

My commission expires: 8-30-19

Notary Public Melanie J. Carleton





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Tom Wooten, Public Works
Director

MEETING DATE: August 7, 2025

AGENDA SECTION: CONSENT AGENDA

DEPARTMENT: Public Works

TITLE OF ITEM: Policy Regarding the Purchase of Surplus Personal Property by City Employees—
Tom Wooten, Public Works Director

SUGGESTED MOTION(S):

I move that City Council adopt the Policy Regarding the Purchase of Surplus Personal Property by City Employees, as presented.

SUMMARY:

Attached for City Council's consideration is the proposed **Policy Regarding the Purchase of Surplus Personal Property by City Employees**

City Council is requested to adopt this policy as presented.

ATTACHMENTS:

Draft Policy



POLICY REGARDING THE PURCHASE OF SURPLUS PERSONAL PROPERTY BY CITY EMPLOYEES

I. Purpose

The purpose of this Policy is to avoid conflicts of interest during the surplus property disposal process.

From time to time the City disposes of surplus personal property that is no longer required by the City. The City may use one of several authorized methods to dispose of surplus personal property, including private sale and public auction. The City recognizes that City employees may have access to information regarding surplus property that may not be available to the general public.

II. Applicability and Definitions

1. This Policy is applicable to surplus personal property disposed of by any method.
2. This Policy is not applicable to disposal of real property.
3. For purposes of this Policy, “employee” includes full-time exempt and non-exempt, part-time, temporary, and permanent employees and officials of the City of Hendersonville.
4. For purposes of this Policy, “immediate family member” includes a spouse, parent, step-parent, sibling, step-sibling, grandparent, step-grandparent, child, stepchild, grandchild, step-grandchild, parent-in-law, and sibling-in-law.

III. Certain Employees Prohibited from Purchasing Surplus Personal Property by Public Auction

Employees, and their immediate family members, are prohibited from bidding on or purchasing City of Hendersonville surplus personal property by public auction when ANY of the following apply:

1. The employee has involvement with the day-to-day operation or use of the personal property;
2. The employee supervises another who has involvement with the day-to-day operation of the personal property;
3. The employee is a department head of the department in which the personal property is kept;
4. The employee has specialized knowledge of the personal property and/or its condition (for example, the employee uses the personal property daily, or repairs or maintains the personal property);
5. The employee has involvement with preparing said personal property for sale, including but not limited to: declaring the property surplus, determining the method

- of disposal, inspecting its condition, or determining a listing price, or accepting a sale price;
6. The employee has direct or indirect involvement with a procurement that causes said personal property to be declared surplus. (For example: An employee who is involved with the purchase of Truck #2 that replaces another in service, Truck #1, may not thereafter bid on or purchase Truck #1 at public auction, even if the employee has no involvement with the day to day operation or the disposition of Truck #1); or
 7. The City determines, in its sole discretion, that an actual or apparent conflict of interest exists.

IV. Disposal of Surplus Personal Property by Private Sale

The City reserves the right to prohibit any employee and/or their immediate family members from purchasing surplus personal property by private sale when the City determines, in its sole discretion, that an actual or apparent conflict of interest exists.

V. Executive and Internal Service Departmental Staff

The following are prohibited from purchasing City of Hendersonville surplus personal property: City Council, City Manager, Assistant/Deputy City Managers, Department Directors, Assistant/Deputy Directors and Chiefs, Contract Administrator, Budget Manager, City Attorney, and Assistant City Attorney.

VI. Miscellaneous

1. An employee may not have another person purchase surplus personal property from the City on their behalf for the purpose of avoiding the restrictions of this Policy.
2. Note that in addition to the requirements of this Policy, N.C.G.S. § 14-234 makes it a crime for a public employee who is involved in making or administering a contract on behalf of a public agency to derive a direct benefit from the contract.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Krystal Powell

MEETING DATE: 8/07/2025

AGENDA SECTION: Consent

DEPARTMENT: Finance

TITLE OF ITEM: Approval of United Financial, a Division of HomeTrust Bank to Provide Installment Financing for Vehicles and Equipment in Fiscal Year 2026 – *Krystal Powell, Finance Director*

SUGGESTED MOTION(S):

I move that City Council adopt the Resolution by the City of Hendersonville City Council to Approve Financing Terms for the Purchase of Vehicles and Equipment as presented.

SUMMARY:

As detailed in the Capital Improvement Plan, the City has or will purchase vehicles and equipment totaling \$850,000 to be financed. Staff is requesting that we again use United Financial for this financing. We used United Financial as well to finance our FY2025 vehicle and equipment purchases. The financing agreement, terms proposed are 4 years at a principal amount not to exceed \$850,000 with an annual rate of 4.35%.

BUDGET IMPACT: \$116,910.14

Is this expenditure approved in the current fiscal year budget? No

If no, describe how it will be funded. Capital Project Budget # VE026 – Debt Proceeds

ATTACHMENTS:

Resolution

4-year Proposal

Resolution # __ - __

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPROVE
FINANCING TERMS FOR THE PURCHASE OF VEHICLES AND EQUIPMENT**

WHEREAS, The City of Hendersonville has previously determined to undertake a project for the financing of vehicles and equipment, and

WHEREAS, United Financial has provided a proposal with an acceptable interest rate and terms to meet the City’s needs; and

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

- 1. The City of Hendersonville hereby determines to finance the purchase of a vehicles and equipment through United Financial, in accordance with the proposal dated August 3, 2025. The amount financed shall not exceed \$850,000 with an annual interest rate of 4.35% for a term of 4 years.
- 2. All financing contracts and all related documents for the closing of the financing shall be consistent with the foregoing terms. City staff are hereby authorized to and directed to execute and deliver any financing documents, and to take all such action as they may consider necessary to carry out the financing as contemplated by the proposal and this resolution.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____, 20____.

Barbara G. Volk, Mayor, City of Hendersonville

Attest:

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



August 3, 2025

City of Hendersonville, NC
160 Sixth Ave. E
Hendersonville, NC 28792
ATT: Krystal Powell, CLGFO
Finance Director

Proposal to Reimbursement or Fund the Acquisition & Finance of: Six (1) New Police Vehicles AND Three (3) New Public Works vehicles and equipment.

Dear Krystal,

As per your request, we are enclosing our proposal for the above captioned transaction. This transaction is structured on an annual basis with either eight (8) or ten (10) semi-annual payments beginning six months after funding and each six months thereafter. This transaction is calculated at an annual percentage rate of 4.35%. Terms assume a Bank Qualified Tax-Exempt transaction and may require LGC approval.

United Financial will take a security interest only in the vehicles and equipment we are financing. There are no direct bank closing costs or origination fees related to the transaction, and the rate is fixed for the duration of the financial commitment. Please review the PAYMENTS section of the attached proposal regarding rate lock-in periods and rate adjustment terms. The concluding payment on the enclosed repayment schedule is calculated at 101% of the outstanding balance for the first four or five payments respectively, followed by 100% of the remainder of the term. The bank will also document on the same forms as our previous equipment/rolling stock transactions for the City. We will provide them for your review and execution.

If you have any questions or need additional information, please contact me at your convenience. Thank you for the opportunity to provide this proposal to you.

Very truly yours,

John M. Tench
Senior Vice President
Director of Municipal Finance

Ph. #/828-684-5643
Fax #/828-684-5616



August 3, 2025

City of Hendersonville, NC
160 Sixth Ave. E
Hendersonville, NC 28792
ATT: Krystal Powell, CLGFO
Finance Director

Proposal to Reimbursement or Fund the Acquisition & Finance of: Six (1) New Police Vehicles AND Three (3) New Public Works vehicles and equipment.

Dear Krystal,

As a follow-up to your recent request for a proposal regarding the above-mentioned transaction, United Financial is pleased to offer a finance proposal as follows:

LESSOR: United Financial, *A Division of HomeTrust Bank*

LESSEE: City of Hendersonville, NC

COLLATERAL: Equipment described above.

AMOUNT: Up to \$850,000.00

START DATE: Immediately upon funding

TERM: Four or Five Years

PAYMENTS: Option 1: Lease payments will consist of eight (8) semi-annual payments of \$116,910.14 comprised of principal and interest.

Option 2: Lease payments will consist of ten (10) semi-annual payments of \$95,496.05 comprised of principal and interest.

Terms will be held for six months from the date of the proposal (also subject to Expiration and Acceptance terms below).

EXPIRATION: Lease payment terms quoted herein are subject to transaction being documented by October 3, 2025.

LEGAL TITLE: Legal Title to the Equipment during the Lease Term shall vest in the Lessee with Lessor perfecting a first security interest through Equipment Title, UCC, or other filing instruments as may be required by law.

NET LEASE: The Lease will be a net lease, under which all costs and responsibility of maintenance, insurance, taxes and other items of a similar nature shall be for the account of Lessee.

Phone 828-684-5643
Fax 828-684-5616

- INSURANCE:** Lessee shall provide evidence of insurance coverage at the time of delivery of the Equipment, in accordance with the provisions of the Lease.
- FINANCIALS:** Lessee shall furnish Lessor with its last three, (3) fiscal years financial statements and its latest interim financial statements, plus such other pertinent information as Lessor may reasonably request.
- APPROVAL:** Closing of the transaction(s) described herein, and the implementation hereof is expressly conditioned upon approval of Lessor's Senior Loan Committee, the receipt, review and acceptance of properly executed documentation acceptable to Lessor, and the absence of any material adverse change in Lessee's financial condition prior to deliver and acceptance of the Equipment.
- ACCEPTANCE:** Lessee acknowledges that the terms and conditions of this proposal are satisfactory and that upon execution hereof by Lessee this proposal shall constitute a valid and binding obligation of Lessee. As further condition to Lessor's approval hereof, Lessee must acknowledge its acceptance of this proposal by signing below in the space provided and returning it to the Lessor by 09/03/2025.

TERMS PRESENTED IN THIS PROPOSAL SHALL SURVIVE CLOSING.

Important Information You Need to Know About Opening a New Account

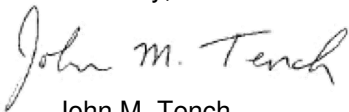
To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify, and record information that identifies each individual or business that opens an account.

What This Means for You

When you open an account, we may ask for your name, address, date of birth, and other information that allows us to identify you. We may also ask to see your driver's license or other identifying documents.

If you determine that this finance structure meets the needs of your organization, please have the appropriate officer indicate the chosen option, place their signature at the bottom of this page, and return it to us via fax, email or US Postal Service. Upon receipt of the signed proposal, we will be in touch with you to make provision for documenting the finance. Thank you for the opportunity to submit this proposal letter for your review and approval. Should you have any questions or comments regarding the terms and conditions, or if we can be of any further assistance to you, please do not hesitate to call.

Sincerely,



John M. Tench
Senior Vice President
Director of Municipal Finance

ACCEPTED BY:

SIGNATURE: _____

NAME: _____ **TITLE:** _____ **DATE:** _____

Please Select: Option 1 ☒ Option 2 _____

Compound Period: Semiannual

Nominal Annual Rate: 4.350%

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Payment	Interest	Principal	Concluding Payment
Loan			\$ 850,000.00	\$ 850,000.00
1	\$ 116,910.14	\$ 18,487.50	\$ 98,422.64	\$ 759,093.13
2	\$ 116,910.14	\$ 16,346.81	\$ 100,563.33	\$ 657,524.17
3	\$ 116,910.14	\$ 14,159.56	\$ 102,750.58	\$ 553,746.08
4	\$ 116,910.14	\$ 11,924.73	\$ 104,985.41	\$ 447,710.82
5	\$ 116,910.14	\$ 9,641.30	\$ 107,268.84	\$ 336,009.20
6	\$ 116,910.14	\$ 7,308.20	\$ 109,601.94	\$ 226,407.26
7	\$ 116,910.14	\$ 4,924.36	\$ 111,985.78	\$ 114,421.48
8	\$ 116,910.14	\$ 2,488.66	\$ 114,421.48	\$ -
Grand Total	\$ 935,281.12	\$ 85,281.12	\$ 850,000.00	

Last interest amount decreased by 0.01 due to rounding.



Support Our Swimmers

Our Community Needs a Year-Round Aquatics Facility

A Swimming Facility was Assessed as a Top 5 Need in Henderson County Back in 2019

5 years later an aquatics facility has not
been addressed.

With Patton Pool out of commission the need
for a pool has certainly increased.

Growing Population and Needs

Our population of both retired and young families need swim lessons and exercise

Aquatics "Needs":

- Lap Swimming
- Competitive swimming at all age levels-school teams
- Masters Swimming
- Hosting swim meets
- Swim lessons for all ages
- Water aerobic classes
- Kayak safety training
- Scuba training
- Deep water rescue training
- Physical therapy
- Birthday and celebration parties
- Family fun

Aquatics Facility Could Include:

50 meter x 25 yard Competition
Pool with a bulkhead and deep end
for diving boards

2nd Recreation Pool – Warmer,
Shallow, and Ramped entry

Deck Space with spectator stands &
locker rooms/showers

What was Patton Pool Lacking?

50+ YEARS OLD

DESTROYED BY HELENE

SUMMER ONLY

UNSUITABLE FOR COMPETITION

Indoor vs Outdoor

- 12 months instead of 3 = 4 x the accessibility
- High School swimming season is November to February
- Little kids can learn to swim in the warmth

DROWNING IS THE #1 CAUSE OF ACCIDENTAL DEATH FOR KIDS AGED 1-4

A COMMUNITY WITH ACCESS TO AQUATICS IS SAFER, STRONGER, AND
HEALTHIER

EARLY SWIM LESSONS REDUCE RISK OF DROWNING BY UP TO 88%.
([NIHMS617357.PDF](#))

"Safety Around Water"

Program is a
Great
Introduction
but ...

Why not go further
towards drown-
proofing our kids



Section 6, Item A.

Public Access as well as
Boys & Girls Club &
Our county has only the YMCA & Lelia
Salvation Army Swim Lessons
Patterson Center

Economically challenged kids will
suffer increased risks to drowning
compared to those that can afford
memberships



Waynesville Recreation Center

2 Pools

25 Yd for competition & lap swimming

Zero entry warmer pool with a water slide and other features for young kids



Section 6, Item A.

Watauga Recreation Center

2 Pools
25 yd for Competition
Warmer Rec Pool with slides

Jackson County Aquatics Center

2 Pools

25 yd Competition Pool

Diving board

Climbing wall over the water

Video scoreboard

Ramp access

Family-Friendly Recreation Pool

Large whirlpool

Water volleyball and basketball

Splash pad and waterfall play area

Zero-entry ramp and lift chair



Rehab?
Therapy?
Aquatic Exercise?

Inadequate
facilities





We Need Lap Swimming & Masters Swimming for Seniors



Section 6, Item A.

Only 2 of
our 4 High
Schools &
1 Middle
School
have Teams

West Henderson
practices with 12
kids per lane at
the YMCA





Swimming is a lifelong exercise that improves your cardio, strength, and flexibility.

Every year there are 90 year olds and even centenarians that compete at Masters Swim meets

Economic Impact of a Competiti on Pool

Cary,
Greensboro,
Huntersville,
Charlotte &
Kingsport all
have aquatic
centers that
bring in
millions a year
by hosting swim



Economic Ripple Effect

- A 25 yard competition pool would be on par with the other Western NC cities who have indoor aquatic facilities
- A 50 meter pool would make Hendersonville the clear winner to host swim meets in Western NC & their economic impacts
- Visitors = Hotel Stays + Restaurant Traffic & Retail Sales
- Multi-Day events bring repeat tourism and longer stays
- Event Hosting brings revenue without tax increases
- Each athlete brings 2-3 guests, multiplying our community exposure

Support our Swimmers

- E-mail:
soshcnc@gmail.com





CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 8/7/2025

AGENDA SECTION: PUBLIC HEARING **DEPARTMENT:** Administration

TITLE OF ITEM: Public Hearing: Consideration of Incentives to Project Energize – Brittany Brady, President, Henderson County Partnership for Economic Development and Angie Beeker, City Attorney.

SUGGESTED MOTION(S):

I move that the City Council approve the monetary incentives for Project Energize as presented with the condition that they will not exceed the total amount of \$1, 966,268.57.

SUMMARY:

The City has been asked to consider the approval of proposed economic development incentives for the benefit of a company known at this time as Project Energize. The company is considering locations to establish a 220,000-sf manufacturing facility for production of a clean energy product. The company is considering the City of Hendersonville for this facility. The new facility is estimated to be valued at \$18,000,000.00. The company would invest nearly \$57,000,000 in the equipping of the manufacturing facility. The project would result in the creation of 193 new jobs over a four-year period, paying an average annual wage of \$78,000.00, which is more than the median average wage in Henderson County for full-time employment, plus other benefits.

BUDGET IMPACT: \$ TBD

Is this expenditure approved in the current fiscal year budget? EnterTextHere

If no, describe how it will be funded. EnterTextHere

ATTACHMENTS:

Public Hearing Notice

Publication Affidavit

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to N.C. Gen. Stat. §158-7.1 that the City Council for the City of Hendersonville will hold a public hearing at the regular meeting to be held on Thursday, August 7, 2025, at 5:45 p.m., or as soon thereafter as the Council is able, to consider the approval of the proposed economic development incentives for the benefit of a company, known at this time as Project Energize (The company has requested to remain anonymous at this time due to competitive pressures.) Project Energize company is a global mobility and energy solutions company, operating multiple manufacturing and technical locations worldwide. The company is considering locations to establish a 220,000 sf manufacturing facility for the production of a clean energy product. The company is considering the City of Hendersonville for this facility. The new 220,000 sf facility, estimated to be valued at \$18,000,000.00, would be constructed by an independent third party and leased by the company. The company would invest nearly \$57,000,000.00, for the equipping of the manufacturing facility, said equipping being hereinafter referred to as the “Capital Project.”

As proposed, the public benefit to be derived from the Capital Project would be a total taxable capital investment over a four-year period (anticipated to be 2026, 2027, 2028 and 2029) by or on behalf of the Project Energize company of at least \$57,300,000.00 in business personal property (equipment) and \$18,000,000.00 in real property. The Capital Project would result in the creation of 193 new jobs over the same four-year period, paying an average annual wage of \$78,000.00, which is in excess of the median average wage in Henderson County for full-time employment, plus other benefits.

Based on the City’s Economic Development Assistance Guidelines, the company’s proposed level of capital investment and job creation at the stated average annual wage qualifies Project Energize for consideration by City Council of the following incentive package: Five annual incentives payments for each of the four years over which capital investment and job creation benchmarks (including retention of both) are met by the Company. The maximum total amount of monetary incentives to be considered by City Council for Project Energize company is \$1,966,268.57.

The company would be required to enter into an economic development agreement with the City pursuant to N.C. Gen. Stat. § 158-7.1(h).

The City of Hendersonville will consider granting assistance toward the investment of Project Energize company at the close of the public hearing. If approved, the request would be funded through the general property tax revenue.

The public hearing on all of these matters will be held in Council Chambers, 2nd floor, City Hall, 160 6th Avenue East. The public is invited to attend and comment.

Digital/written public hearing comments must be received twenty-four hours prior to the meeting to be considered by the City Council **and must** comply with security criteria in the Council’s Public Comment Policy, available on the City’s website.

Public hearing comments will also be accepted during the meeting from those attending in person and from those participating live via ZOOM at the designated time at this meeting. For security reasons screen sharing will not be allowed. Anyone wishing to submit written/digital public hearing comments for these public hearings prior to the meeting may visit <https://www.hendersonvillenc.gov/comment> to submit their comment. It is not necessary to submit digital comments if you are planning to address City Council during the meeting.

The meeting instructions to join by Zoom will be available on the City's website calendar by visiting <https://www.hendersonvillenc.gov/events-calendar> and as follows:

Zoom information for the meeting is: <https://zoom.us/join>
Dial-in by phone: (646) 558-8656
Meeting ID: 822 0104 2528
Passcode: 1847

The City of Hendersonville is committed to providing accessible facilities, programs, and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact the City Clerk no later than 24 hours in advance of the meeting (828) 697-3005.

Jill Murray, Clerk to the
City Council for the City of Hendersonville

Run: _____



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Times-News

PO Box 631697 Cincinnati, OH 45263-1697

AFFIDAVIT OF PUBLICATION


Jill Murray
City Of Hendersonville
145 5TH AVE E
HENDERSONVILLE NC 28792

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

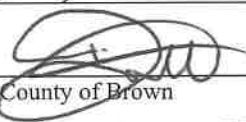
The Hendersonville Times-News, a newspaper printed and published in the city of Gastonia, and of general circulation in the County of Henderson, State of North Carolina, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue dated:

07/20/2025


and that the fees charged are legal.
Sworn to and subscribed before on 07/20/2025



Legal Clerk



Notary, State of WI, County of Brown



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Please do not use this form for payment remittance.

RYAN SPELLER
Notary Public
State of Wisconsin

NOTICE OF
PUBLIC HEARING

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Jill Murray, Clerk to the
City Council for the City of
Hendersonville
7/20/2025 11490801



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

Tyler Morrow

MEETING DATE:

August 7th, 2025

AGENDA SECTION:

Public Hearing

DEPARTMENT:

Community Development

TITLE OF ITEM:

Annexation: Public Hearing- 412 McMurray Road (Gergi Logistics LLC) (25-42-ANX)– *Tyler Morrow, Current Planning Manager*

SUGGESTED MOTION(S):

<u>For Approval:</u>	<u>For Denial:</u>
I move City Council adopt an ordinance of the City of Hendersonville to annex noncontiguous property owned by Sergii Gergi, general manager of Gergi Logistics LLC , identified as PIN 9588-32-9376, finding that the standards established by North Carolina General Statute 160A-58.1 have been satisfied and that the annexation is in the best interest of the City.	I move that City Council deny the petition received from Sergii Gergi, general manager of Gergi Logistics LLC, requesting the annexation of that property having PIN 9588-32-9376.

SUMMARY: *File # 25-42-ANX*

The City of Hendersonville has received a petition from Sergii Gergi, general manager of Gergi Logistics LLC for satellite annexation of PIN 9588-32-9376 located at 412 McMurray Road that is approximately 14.22 acres. Please refer to the attached maps for additional information.

On July 2nd, 2025, City Council accepted the City Clerk’s Certificate of Sufficiency for the petition and set August 7th, 2025, as the date for the public hearing.

PROJECT/PETITIONER NUMBER:	<ul style="list-style-type: none">25-42-ANX
PETITIONER NAME:	<ul style="list-style-type: none">Sergii Gergi, general manager of Gergi Logistics LLC

ATTACHMENTS:	<ol style="list-style-type: none"> 1. Ordinance 2. Signed Certificate of Sufficiency 3. Signed Resolution setting public hearing 4. Annexation Plat 5. Typed legal description 6. GIS map 7. Deed 8. Annexation Application
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Ordinance #____-____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO
EXTEND THE CORPORATE LIMITS OF THE CITY AS A SATELLITE ANNEXATION**

Re: Petition for Satellite Annexation
Petitioner: Sergii Gergi, general manager of Gergi Logistics LLC
File No. 25-42-ANX

WHEREAS, The City of Hendersonville has been petitioned by Sergii Gergi, general manager of Gergi Logistics LLC pursuant to North Carolina General Statutes (NCGS) 160A-58.1, as amended, to annex the area described herein below; and,

WHEREAS, the City Clerk has investigated and certified the sufficiency of said petition; and,

WHEREAS, a public hearing on the question of this annexation was held at City Hall at 160 6th Ave East, Hendersonville, NC at 5:45 pm, on the 7th day of August 2025, after due notice by publication as provided by law on July 20th, 2025; 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) The Petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area.
- b) The nearest point on the proposed satellite corporate limit is approximately 6,903' from the primary corporate limits of the City of Hendersonville, which is less than 3 miles.
- c) The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S.160A-58.1 (a).

- d) 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 (Village of Flat Rock approximately 8,310' away).
- e) The area is situated so the City will be able to provide the same services within the proposed corporate limits that is provided within the primary corporate limits.
- f) The area proposed for annexation is not subject to subdivision regulation as described N.C.G.S. § 160D-802.
- g) The total area within the proposed satellite corporate limits, when added to the area within all the other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.
- h) The area for annexation meets all other requirements defined in NC 160A-58.54 regarding the character of the area to be annexed.

WHEREAS, the City further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation will be best served by annexing the area described;

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

- 1: By virtue of the authority granted by N.C.G.S. 160A-58.2, as amended, the following described noncontiguous area is hereby annexed and made part of the City of Hendersonville as of the 7th day of August 2025.

Being all of that real property consisting of PIN 9588-32-9376 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9588-32-9376 being described by metes and bounds as follows:

Being a certain 14.22± acre tract of land situate in Blue Ridge Township of Henderson County, North Carolina as shown on Plat Book 2021, Page 13545 of the Henderson County Register of Deeds Office and being more particularly described by metes and bounds as follows:

Beginning at an existing 3/4" open top pipe in the margin the right of way of McMurray Road as shown in Plat Book 2021 Page 13545 of the Henderson County Register of Deeds Office; thence with the margin of said road N 04°19'51" E a distance of 127.60 feet to a unmarked point, herein after called: point, and said point standing S 84°55'09" E a distance of 9.11 feet from an existing 1/2" rebar; thence leaving the margin of said road and with the line of Troy and Frances Sherman as described in Deed Book 1475, Page 449 of said registry the following two courses and distances: (1) S 84°55'09" E a distance of 261.86 feet to an existing 1/2" rebar; thence (2) N 07°04'51" E a distance of 142.90 feet to an existing 1/2" rebar; thence with the margin of a private right of way as described in Deed Book 1474, Page 449 of said registry and continuing with the line

- of Troy and Frances Sherman S 83°36'46" W a distance of 271.33 feet to a point in the margin of said road; thence leaving the line of Troy and Frances Sherman and with the margin of said road and continuing with the line of the said private right of way N 06°06'05" E a distance of 29.31 feet to a point, and said point standing N 83°50'57" E a distance of 11.86 feet from an existing 1/2" rebar with cap; thence leaving the margin of said road and continuing with the line of the said private right of way and with the line of Owenby Trust as described in Deed Book 3285, Page 587 of said registry the following two courses and distances: (1) N 83°50'57" E a distance of 147.27 feet to an existing 3/4" open top pipe; thence (2) N 82°52'01" E a distance of 50.50 feet to an existing 3/4" open top pipe in concrete; thence leaving the said private right of way and continuing with the line of Owenby Trust the following two courses and distances: (1) N 08°36'24" E a distance of 84.34 feet to an existing 1/2" rebar, and said rebar standing S 02°15'47" W a distance of 33.33 feet from an existing 1/2" rebar in concrete with "Corn" cap; thence (2) N 83°17'47" W a distance of 196.57 feet to a point in the margin of said road, said point standing S 86°14'47" E a distance of 11.74 feet from an existing 1/2" rebar with cap; thence leaving the line of Owenby Trust and with the margin of said road N 05°57'31" E a distance of 201.00 feet to a new 1/2" rebar; thence leaving the margin of said road S 88°35'39" E a distance of 245.80 feet to an existing 1/2" rebar, said rebar standing S 09°09'22" E a distance of 119.33 feet from an existing 1/2" rebar with "2431" cap; thence S 88°32'52" E a distance of 1001.21 feet to a new 1/2" rebar; thence with the line now or formerly of Sarah H. Murray S 06°36'43" W a distance of 190.87 feet to a point, and said point standing N 48°22'59" W a distance of 686.06 feet from a found 6" axle; thence leaving the line of Sarah Murray and with the line of Billy and Catherine Hill as described in Deed Book 822, Page 275 of said registry and with the centerline of the creek the following five courses and distances: (1) S 60°11'06" W a distance of 38.67 feet to a point; thence (2) S 33°53'33" W a distance of 76.22 feet to a point; thence (3) S 31°02'29" W a distance of 103.25 feet to a point; thence (4) S 19°52'06" W a distance of 156.91 feet to a point; thence (5) S 05°14'30" W a distance of 53.00 feet to a point; thence leaving said creek and with the line of K-2 Properties LLC as described Deed Book 1285, Page 560 of said registry the following two courses and distances: (1) N 89°14'47" W a distance of 22.62 feet to an existing 5/8" rebar with BME cap, said rebar standing N 38°16'37" E a distance of 612.27 feet from an existing 5/8" rebar with BME cap; thence (2) N 88°59'20" W a distance of 1071.07' to the POINT AND PLACE OF BEGINNING, containing 14.22± acres.
- 2: Upon and after the 7th day of August 2025, 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-58.10, as amended.
 3. The Mayor 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, above, together with a duly certified copy of this ordinance.

Such a map shall also be delivered to the Henderson County Board of Elections, as required by G. S. 163-288.1.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____, 20_____.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, 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 G. Volk in her capacity of Mayor of the City of Hendersonville; Jill Murray, in her capacity of City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

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

My commission expires:

CERTIFICATE OF SUFFICIENCY

Re: Petition for Satellite Annexation
 Petitioner: Sergii Gergi, general manager of Gergi Logistics LLC
 File No. 25-42-ANX

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:
 I, Jill Murray, City Clerk, being first duly sworn, hereby certify that:

1. A petition has been received for satellite annexation of properties consisting of +/- 14.22 acres located at 412 McMurray Road in Flat Rock, NC, being tax parcel PIN 9588-32-9376, and being more particularly described on Exhibit A, attached hereto and incorporated by reference, hereinafter "Petition."
2. An investigation has been completed as required by N.C.G.S. § 160A-58.2 of the Petition for compliance with the requirements of N.C.G.S. § 160A-58.1.

Based upon this investigation, I find that

1. The Petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area.
2. The nearest point on the proposed satellite corporate limit is approximately 6,903' from the primary corporate limits of the City of Hendersonville, which is less than 3 miles.
3. The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S.160A-58.1 (a).
4. 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 (Village of Flat Rock approximately 8,310' away).
5. The area is situated so the City will be able to provide the same services within the proposed corporate limits that is provided within the primary corporate limits.
6. The area proposed for annexation is not subject to subdivision regulation as described N.C.G.S. § 160D-802.
7. The total area within the proposed satellite corporate limits, when added to the area within all the other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.
8. The area for annexation meets all other requirements defined in NC 160A-58.54 regarding the character of the area to be annexed.

Having made the findings stated above, I hereby certify the Petition appears to be valid.

In witness hereof, I have set my hand and the City Seal on this the 2nd day of July, 2025.

(City Seal)



Jill Murray
 Jill Murray, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

Being all of that real property consisting of PIN 9588-32-9376 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9588-32-9376 being described by metes and bounds as follows:

Being a certain 14.22± acre tract of land situate in Blue Ridge Township of Henderson County, North Carolina as shown on Plat Book 2021, Page 13545 of the Henderson County Register of Deeds Office and being more particularly described by metes and bounds as follows:

Beginning at an existing 3/4" open top pipe in the margin the right of way of McMurray Road as shown in Plat Book 2021 Page 13545 of the Henderson County Register of Deeds Office; thence with the margin of said road N 04°19'51" E a distance of 127.60 feet to a unmarked point, herein after called: point, and said point standing S 84°55'09" E a distance of 9.11 feet from an existing 1/2" rebar; thence leaving the margin of said road and with the line of Troy and Frances Sherman as described in Deed Book 1475, Page 449 of said registry the following two courses and distances: (1) S 84°55'09" E a distance of 261.86 feet to an existing 1/2" rebar; thence (2) N 07°04'51" E a distance of 142.90 feet to an existing 1/2" rebar; thence with the margin of a private right of way as described in Deed Book 1474, Page 449 of said registry and continuing with the line of Troy and Frances Sherman S 83°36'46" W a distance of 271.33 feet to a point in the margin of said road; thence leaving the line of Troy and Frances Sherman and with the margin of said road and continuing with the line of the said private right of way N 06°06'05" E a distance of 29.31 feet to a point, and said point standing N 83°50'57" E a distance of 11.86 feet from an existing 1/2" rebar with cap; thence leaving the margin of said road and continuing with the line of the said private right of way and with the line of Owenby Trust as described in Deed Book 3285, Page 587 of said registry the following two courses and distances: (1) N 83°50'57" E a distance of 147.27 feet to an existing 3/4" open top pipe; thence (2) N 82°52'01" E a distance of 50.50 feet to an existing 3/4" open top pipe in concrete; thence leaving the said private right of way and continuing with the line of Owenby Trust the following two courses and distances: (1) N 08°36'24" E a distance of 84.34 feet to an existing 1/2" rebar, and said rebar standing S 02°15'47" W a distance of 33.33 feet from an existing 1/2" rebar in concrete with "Corn" cap; thence (2) N 83°17'47" W a distance of 196.57 feet to a point in the margin of said road, said point standing S 86°14'47" E a distance of 11.74 feet from an existing 1/2" rebar with cap; thence leaving the line of Owenby Trust and with the margin of said road N 05°57'31" E a distance of 201.00 feet to a new 1/2" rebar; thence leaving the margin of said road S 88°35'39" E a distance of 245.80 feet to an existing 1/2" rebar, said rebar standing S 09°09'22" E a distance of 119.33 feet from an existing 1/2" rebar with "2431" cap; thence S 88°32'52" E a distance of 1001.21 feet to a new 1/2" rebar; thence with the line now or formerly of Sarah H. Murray S 06°36'43" W a distance of 190.87 feet to a point, and said point standing N 48°22'59" W a distance of 686.06 feet from a found 6" axle; thence leaving the line of Sarah Murray and with the line of Billy and Catherine Hill as described in Deed Book 822, Page 275 of said registry and with the centerline of the creek the following five courses and distances: (1) S 60°11'06" W a distance of 38.67 feet to a point; thence (2) S 33°53'33" W a distance of 76.22 feet to a point; thence (3) S 31°02'29" W a distance of 103.25 feet to a point; thence (4) S 19°52'06" W a distance of 156.91 feet to a point; thence (5) S 05°14'30" W a distance of 53.00 feet to a point; thence leaving said creek and with the line of K-2 Properties LLC as described Deed Book 1285, Page 560 of said registry the following two courses and distances: (1) N 89°14'47" W a distance

of 22.62 feet to an existing 5/8" rebar with BME cap, said rebar standing N 38°16'37" E a distance of 612.27 feet from an existing 5/8" rebar with BME cap; thence (2) N 88°59'20" W a distance of 1071.07' to the POINT AND PLACE OF BEGINNING, containing 14.22± acres.

Resolution #R-25-63

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE
OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-
58.2**

WHEREAS, a petition requesting annexation of the satellite area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the satellite area described herein will be held at City Hall located at 160 6th Ave E. Hendersonville NC, 28792 at 5:45 p.m. August 7th, 2025, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PIN 9588-32-9376 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9588-32-9376 being described by metes and bounds as follows:

Being a certain 14.22± acre tract of land situate in Blue Ridge Township of Henderson County, North Carolina as shown on Plat Book 2021, Page 13545 of the Henderson County Register of Deeds Office and being more particularly described by metes and bounds as follows:

Beginning at an existing 3/4" open top pipe in the margin the right of way of McMurray Road as shown in Plat Book 2021 Page 13545 of the Henderson County Register of Deeds Office; thence with the margin of said road N 04°19'51" E a distance of 127.60 feet to a unmarked point, herein after called: point, and said point standing S 84°55'09" E a distance of 9.11 feet from an existing 1/2" rebar; thence leaving the margin of said road and with the line of Troy and Frances Sherman as described in Deed Book 1475, Page 449 of said registry the following two courses and distances: (1) S 84°55'09" E a distance of 261.86 feet to an existing 1/2" rebar; thence (2) N 07°04'51" E a distance of 142.90 feet to an existing 1/2" rebar; thence with the margin of a private right of way as described in Deed Book 1474, Page 449 of said registry and continuing with the line of Troy and Frances Sherman S 83°36'46" W a distance of 271.33 feet to a point in the margin of said road; thence leaving the line of Troy and Frances Sherman and with the margin of said road and continuing with the line of the said private right of way N 06°06'05" E a distance of 29.31 feet to a point, and said point standing N 83°50'57" E a distance of 11.86 feet from an existing 1/2" rebar with cap; thence leaving the margin of said road and continuing with the line of the said private right of way and with the line of Owenby Trust as described in Deed Book 3285, Page 587 of said registry the following two courses and distances: (1) N 83°50'57" E a distance of 147.27 feet to an existing 3/4" open top pipe; thence (2) N 82°52'01" E a distance of 50.50 feet to an existing 3/4" open top pipe in concrete; thence leaving the said private right of way and continuing with the line

of Owenby Trust the following two courses and distances: (1) N 08°36'24" E a distance of 84.34 feet to an existing 1/2" rebar, and said rebar standing S 02°15'47" W a distance of 33.33 feet from an existing 1/2" rebar in concrete with "Corn" cap; thence (2) N 83°17'47" W a distance of 196.57 feet to a point in the margin of said road, said point standing S 86°14'47" E a distance of 11.74 feet from an existing 1/2" rebar with cap; thence leaving the line of Owenby Trust and with the margin of said road N 05°57'31" E a distance of 201.00 feet to a new 1/2" rebar; thence leaving the margin of said road S 88°35'39" E a distance of 245.80 feet to an existing 1/2" rebar, said rebar standing S 09°09'22" E a distance of 119.33 feet from an existing 1/2" rebar with "2431" cap; thence S 88°32'52" E a distance of 1001.21 feet to a new 1/2" rebar; thence with the line now or formerly of Sarah H. Murray S 06°36'43" W a distance of 190.87 feet to a point, and said point standing N 48°22'59" W a distance of 686.06 feet from a found 6" axle; thence leaving the line of Sarah Murray and with the line of Billy and Catherine Hill as described in Deed Book 822, Page 275 of said registry and with the centerline of the creek the following five courses and distances: (1) S 60°11'06" W a distance of 38.67 feet to a point; thence (2) S 33°53'33" W a distance of 76.22 feet to a point; thence (3) S 31°02'29" W a distance of 103.25 feet to a point; thence (4) S 19°52'06" W a distance of 156.91 feet to a point; thence (5) S 05°14'30" W a distance of 53.00 feet to a point; thence leaving said creek and with the line of K-2 Properties LLC as described Deed Book 1285, Page 560 of said registry the following two courses and distances: (1) N 89°14'47" W a distance of 22.62 feet to an existing 5/8" rebar with BME cap, said rebar standing N 38°16'37" E a distance of 612.27 feet from an existing 5/8" rebar with BME cap; thence (2) N 88°59'20" W a distance of 1071.07' to the POINT AND PLACE OF BEGINNING, containing 14.22± acres.

Re: Petition for Satellite Annexation
 Petitioner: Sergii Gergi, general manager of Gergi Logistics LLC
 File No. 25-42-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of July, 2025.

Attest:

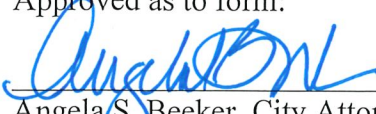


 Jill Murray, City Clerk

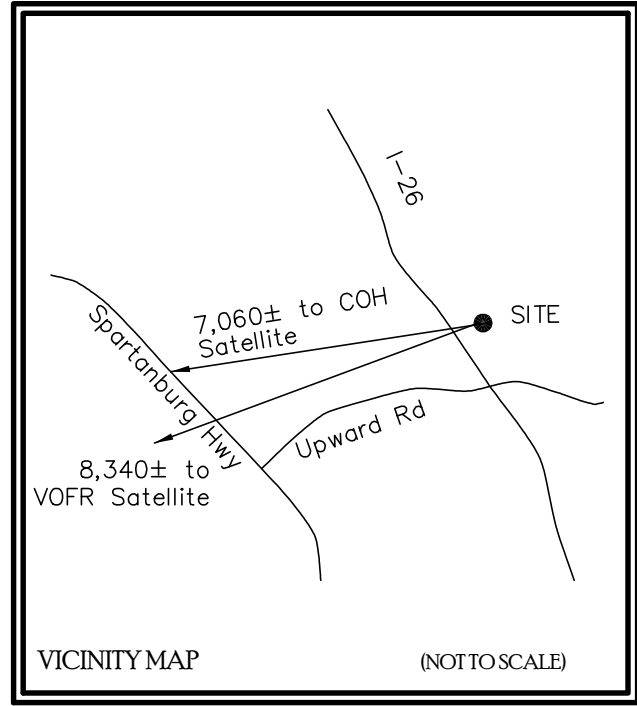


 Barbara G. Volk, Mayor, City of Hendersonville

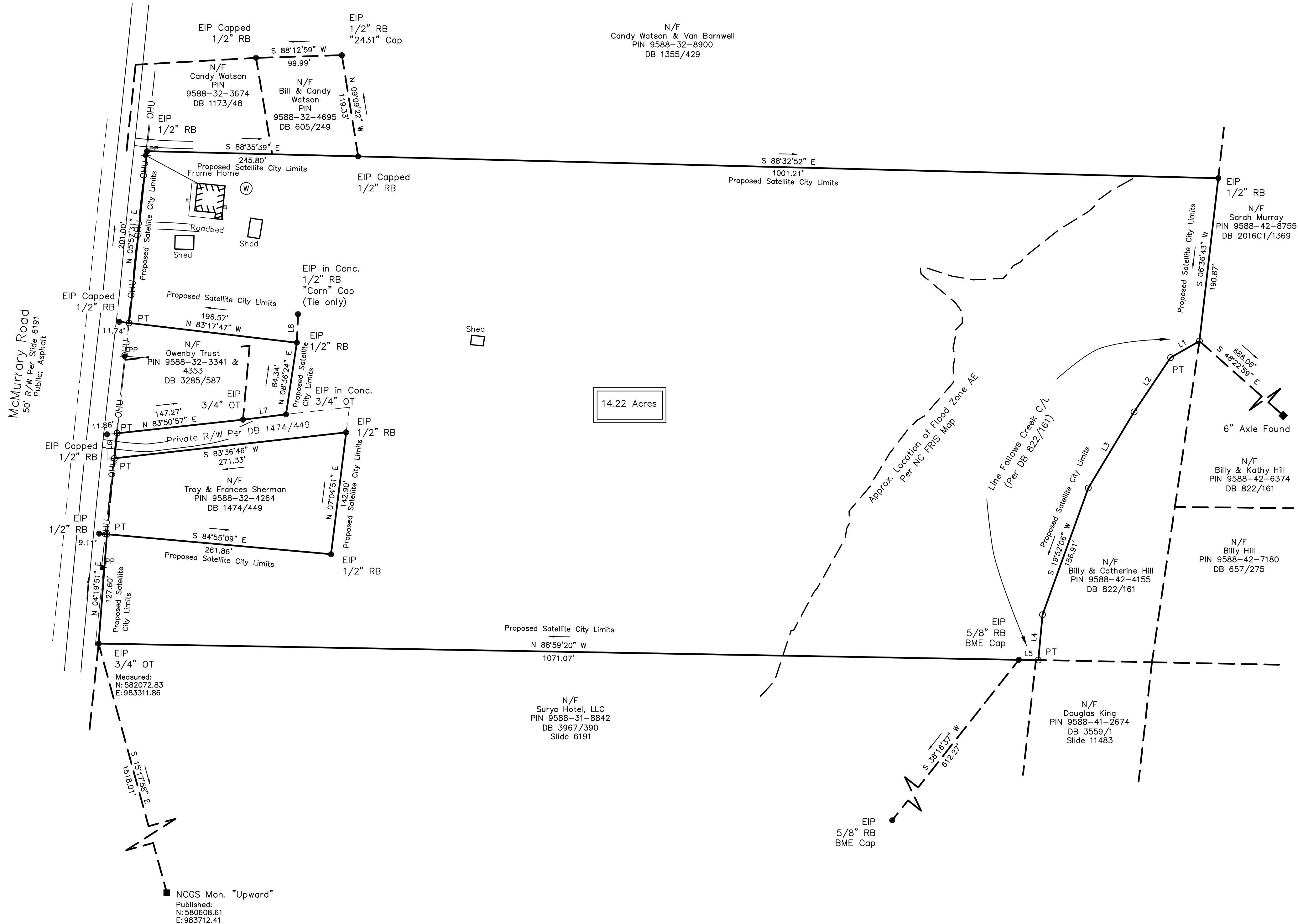
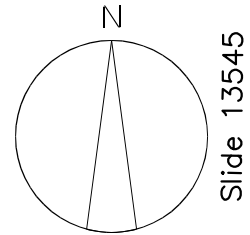
Approved as to form:



 Angela S. Beeker, City Attorney



- LEGEND**
- NIP NEW IRON PIN 1/2" REBAR
 - PT UNMARKED POINT
 - EIP EXISTING IRON PIN
 - OT OPEN TOP
 - PIN PARCEL ID NUMBER
 - COH CITY OF HENDERSONVILLE
 - VOFR VILLAGE OF FLAT ROCK
 - PP POWER POLE
 - LP LIGHT POLE
 - R/W RIGHT-OF-WAY
 - N/F NOW OR FORMERLY
 - DB DEED BOOK
 - PB PLAT BOOK
 - BOUNDARY LINE
 - ADJOINER LINE
 - R/W LINE
 - OVERHEAD UTILITIES



NOTES

THE PURPOSE OF THIS PLAT IS TO ANNEX PARCEL #9588-32-9376 (14.22 SATellite ACRES) INTO THE CITY LIMITS OF HENDERSONVILLE AS SHOWN ON THIS SURVEY.

A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM #3700958800J, DATED 10/02/2008.

SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS SURVEY.

NO UNDERGROUND UTILITIES WERE LOCATED. CALL 1-800-632-4949 BEFORE DIGGING.

ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY.

NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

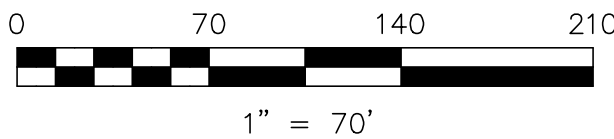
AREA BY COORDINATE COMPUTATION.

PROPERTY LINES SHOWN AS DASHED WERE NOT FIELD SURVEYED. THEY WERE PLOTTED FROM RECORD DOCUMENTS.

SUBJECT PROPERTY CURRENTLY ZONED INDUSTRIAL BY HENDERSON COUNTY.

ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

LINE	BEARING	DISTANCE
L1	S 60°11'06" W	38.67'
L2	S 33°53'33" W	76.22'
L3	S 31°02'29" W	103.25'
L4	S 05°14'30" W	53.00'
L5	N 89°14'47" W	22.62'
L6	N 06°06'05" E	29.31'
L7	N 82°52'01" E	50.50'
L8	N 02°15'47" E	33.33'



**ANNEXATION PLAT FOR
GERGI LOGISTICS LLC (OWNER)**

412 McMURRAY ROAD

STATE OF NORTH CAROLINA
HENDERSON COUNTY
BLUE RIDGE TOWNSHIP

REFERENCES
DEED BOOK 3805 PAGE 159
PLAT SLIDE 13545
PIN 9588-32-9376

THIS PLAT REPRESENTS THE AREA BEING ANNEXED TO THE CITY OF HENDERSONVILLE, NC PURSUANT TO THE NCOS 160A-31, BY ORDINANCE DULY ADOPTED (ANNEXATION ORDINANCE _____).

THIS THE _____ DAY OF _____ 2025.

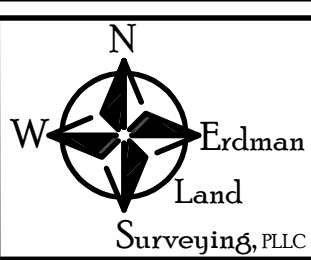
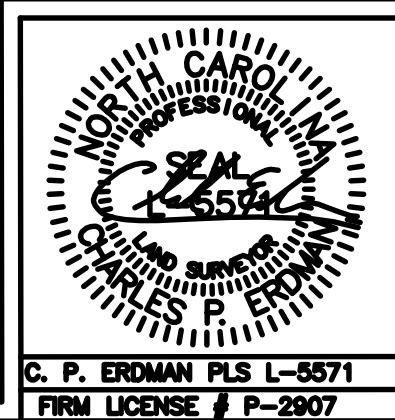
JILL MURRAY, CITY CLERK

I, Charles P. Erdman, certify that this plat was drawn under my supervision from an actual survey made under my supervision (Deed description recorded in Bk. 3805, Pg. 139); that the boundaries not surveyed are clearly indicated as drawn from information found in Bk. N/A, Pg. N/A; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S.47-30 as amended. Witness my original signature, registration number, and seal this 1st day of June, 2025.

Charles P. Erdman

Charles P. Erdman

PLS L-5571



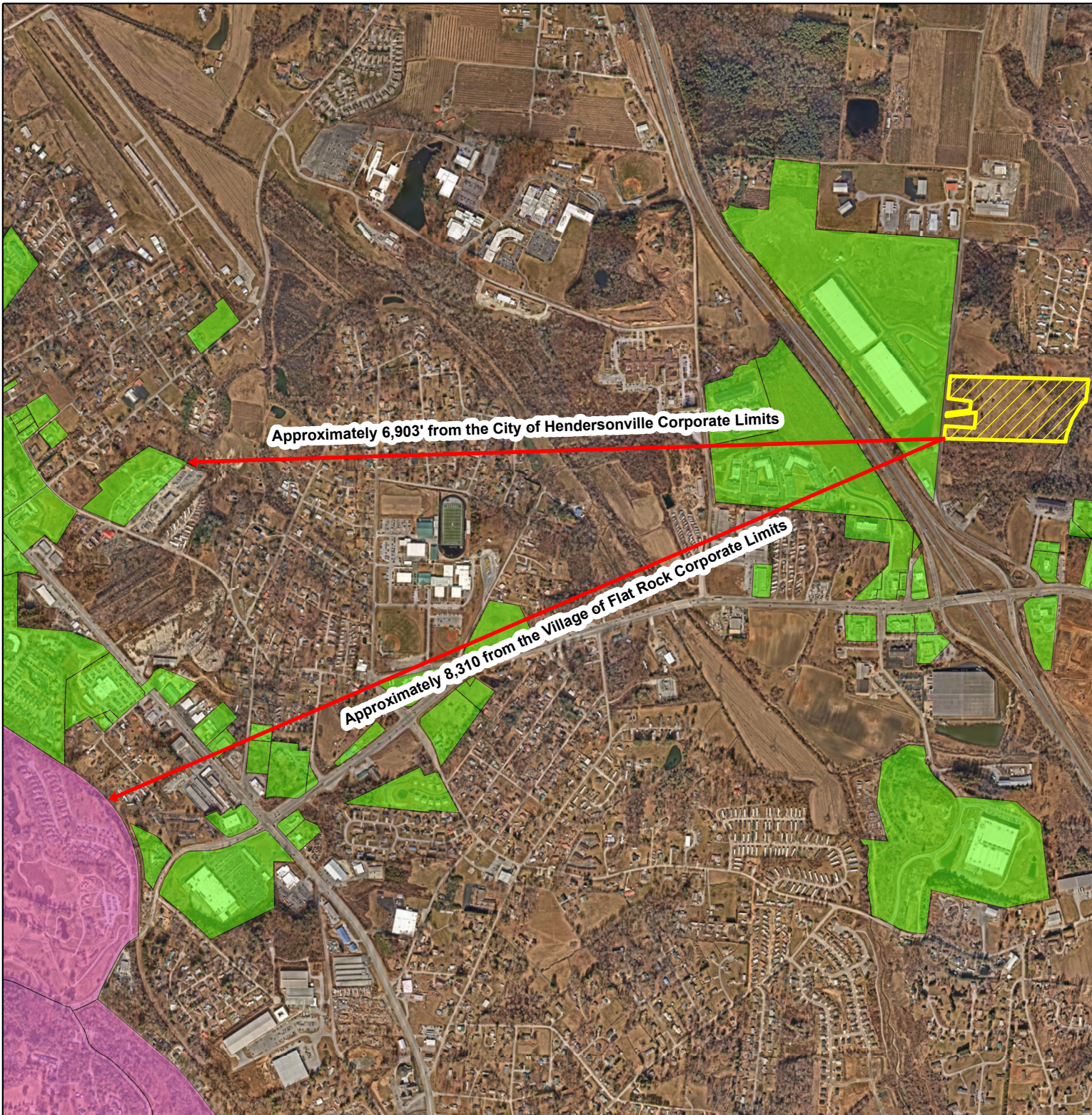
PO Box 305
Flat Rock, NC 28734
Phone (828) 293-3805

SURVEYED BY Charles P. Erdman CPE
DRAWN BY CPE
DATE 07/01/2025
JOB # 25-115


Being a certain 14.22± acre tract of land situate in Blue Ridge Township of Henderson County, North Carolina as shown on Plat Book 2021, Page 13545 of the Henderson County Register of Deeds Office and being more particularly described by metes and bounds as follows:

Beginning at an existing 3/4" open top pipe in the margin the right of way of McMurray Road as shown in Plat Book 2021 Page 13545 of the Henderson County Register of Deeds Office; thence with the margin of said road N 04°19'51" E a distance of 127.60 feet to a unmarked point, herein after called: point, and said point standing S 84°55'09" E a distance of 9.11 feet from an existing 1/2" rebar; thence leaving the margin of said road and with the line of Troy and Frances Sherman as described in Deed Book 1475, Page 449 of said registry the following two courses and distances: (1) S 84°55'09" E a distance of 261.86 feet to an existing 1/2" rebar; thence (2) N 07°04'51" E a distance of 142.90 feet to an existing 1/2" rebar; thence with the margin of a private right of way as described in Deed Book 1474, Page 449 of said registry and continuing with the line of Troy and Frances Sherman S 83°36'46" W a distance of 271.33 feet to a point in the margin of said road; thence leaving the line of Troy and Frances Sherman and with the margin of said road and continuing with the line of the said private right of way N 06°06'05" E a distance of 29.31 feet to a point, and said point standing N 83°50'57" E a distance of 11.86 feet from an existing 1/2" rebar with cap; thence leaving the margin of said road and continuing with the line of the said private right of way and with the line of Owenby Trust as described in Deed Book 3285, Page 587 of said registry the following two courses and distances: (1) N 83°50'57" E a distance of 147.27 feet to an existing 3/4" open top pipe; thence (2) N 82°52'01" E a distance of 50.50 feet to an existing 3/4" open top pipe in concrete; thence leaving the said private right of way and continuing with the line of Owenby Trust the following two courses and distances: (1) N 08°36'24" E a distance of 84.34 feet to an existing 1/2" rebar, and said rebar standing S 02°15'47" W a distance of 33.33 feet from an existing 1/2" rebar in concrete with "Corn" cap; thence (2) N 83°17'47" W a distance of 196.57 feet to a point in the margin of said road, said point standing S 86°14'47" E a distance of 11.74 feet from an existing 1/2" rebar with cap; thence leaving the line of Owenby Trust and with the margin of said road N 05°57'31" E a distance of 201.00 feet to a new 1/2" rebar; thence leaving the margin of said road S 88°35'39" E a distance of 245.80 feet to an existing 1/2" rebar, said rebar standing S 09°09'22" E a distance of 119.33 feet from an existing 1/2" rebar with "2431" cap; thence S 88°32'52" E a distance of 1001.21 feet to a new 1/2" rebar; thence with the line now or formerly of Sarah H. Murray S 06°36'43" W a distance of 190.87 feet to a point, and said point standing N 48°22'59" W a distance of 686.06 feet from a found 6" axle; thence leaving the line of Sarah Murray and with the line of Billy and Catherine Hill as described in Deed Book 822, Page 275 of said registry and with the centerline of the creek the following five courses and distances: (1) S 60°11'06" W a distance of 38.67 feet to a point; thence (2) S 33°53'33" W a distance of 76.22 feet to a point; thence (3) S 31°02'29" W a distance of 103.25

feet to a point; thence (4) S 19°52'06" W a distance of 156.91 feet to a point; thence (5) S 05°14'30" W a distance of 53.00 feet to a point; thence leaving said creek and with the line of K-2 Properties LLC as described Deed Book 1285, Page 560 of said registry the following two courses and distances: (1) N 89°14'47" W a distance of 22.62 feet to an existing 5/8" rebar with BME cap, said rebar standing N 38°16'37" E a distance of 612.27 feet from an existing 5/8" rebar with BME cap; thence (2) N 88°59'20" W a distance of 1071.07' to the POINT AND PLACE OF BEGINNING, containing 14.22± acres.



412 McMurray Road
25-42-ANX
PIN: 9588-32-9376
Acreage: 14.22
Satellite Annexation Map

 Subject Property

Municipal Borders

 Flat Rock

 Hendersonville



Section 7, Item 8

BK 3805 PG 139 - 150 (12) DOC# 965386
This Document eRecorded: 10/18/2021 04:51:20 PM
Fee: \$26.00
Henderson County, North Carolina
William Lee King, Register of Deeds

GENERAL WARRANTY DEED

Prepared By: Timothy R. Cosgrove, Attorney at Law Stamps =\$2,200.00
 100A Chadwick Square Court, Hendersonville, NC 28739
Return To: Phillip C. Price, Attorney at Law (71-0901)
 1200 Ridgefield Blvd, Suite 180, Asheville, NC 28806

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

THIS DEED made this 14th day of October, in the year of our Lord, two thousand twenty one between:

Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman a/k/a Texie Sherman and wife, Frances Wilma Sherman, Marilyn Sinard Sherman, (Widow) Sole Beneficiary of the Estate of Johnny Louis Sherman, Paul Allen Johnson, Executor of the Estate of Johnny Louis Sherman, Catherine Sherman McMinn, by and through her Power of Attorney Verlyn Owenby, Mary Verlyn Sherman (Widow) and David Sherman and wife, Savannah Leigh Connor

110 Fork Creek Road, East Flat Rock, North Carolina 28726

of the County of Henderson and State of North Carolina, of the First Part,

and

GERGI LOGISTICS, LLC a North Carolina Limited Liability Company,
by and through its Manager, Sergii Gergi

14 Moss Pink Place, Asheville, North Carolina 28806-8844

of the County of Buncombe and State of North Carolina, of the Second Part:

WHEREAS, the property described herein was previously conveyed to William Sherman and wife, Grace Sherman a/k/a Texie Sherman by Deed recorded in Deed Book 267 Page 145 Henderson County Registry; and

WHEREAS, William Sherman died in Henderson County, North Carolina on April 16, 1990 leaving Grace Sherman as owner of said property; and

WHEREAS, Grace Sherman a/k/a Texie Sherman died testate in Henderson County, North Carolina on December 2, 2011; and

WHEREAS, Troy Lee Sherman qualified as Executor of the Estate of Grace Sherman with Letters Testamentary having been issued to him on January 5, 2012 in File No. 12-E-10 in the Office of the Clerk of Superior Court in and for Henderson County, North Carolina; and

WHEREAS, pursuant to the Last Will and Testament of Grace Sherman dated August 10, 2007, the real estate described herein was devised to her four children, Johnny L. Sherman, Troy Lee Sherman, Roy

Sherman and Catherine Sherman McMinn; and

WHEREAS, Johnny L. Sherman died testate in Henderson County, North Carolina on July 23, 2021, leaving his entire estate to his spouse, Marilyn Sinard Sherman; and

WHEREAS, the Last Will and Testament of Johnny L. Sherman is presently being probated through the Office of the Clerk of Superior Court for Henderson County, North Carolina In File No. 21-E-877 with Paul Allen Johnson having been appointed as Executor; and

WHEREAS, Roy Sherman also known as William Albert Sherman died testate on August 4, 2009 in Henderson County, North Carolina survived by his wife, Mary Verlyn Sherman and one son, David Sherman, presently of Henderson County, North Carolina; and

WHEREAS, pursuant to a Settlement Agreement filed in the Superior Court Division of the General Court of Justice in File No. 12-E-10, David Sherman succeeded to the share of Roy Sherman's interest in the property described herein pursuant to a Judgment Approving Settlement Agreement filed on March 30, 2015 in File No. 12-E-10 in the Office of the Clerk of Superior Court for Henderson County, North Carolina. Pursuant to that Settlement Agreement, the proceeds from the sale of the real property of the Estate will be paid to David Sherman; and

WHEREAS, Catherine Sherman McMinn's interest in said property shall be conveyed by her Power of Attorney, Verlyn Owenby according to a Power of Attorney recorded in Deed Book 3285 Page 479 Henderson County Registry.

NOW, THEREFORE THIS CONEYANCE:

WITNESSETH, that the parties of the first part, for and in consideration of the sum of (\$10.00) TEN Dollars and other valuable consideration in hand paid by the said parties the second part, the receipt whereof is hereby acknowledged, have bargained and sold, conveyed and confirmed, and by these presents do bargain and sell, convey and confirm, unto the said parties of the second part, their heirs and assigns forever, all the following described pieces or parcels of land lying and being in the Township of Blue Ridge, County of Henderson and State of North Carolina, and known and designated as follows, viz:

SEE ATTACHED EXHIBIT A and B

TO HAVE AND TO HOLD THE SAME, Together with all hereditaments and appurtenances thereunto in any wise appertaining, unto the said parties of the second Part, their heirs and assigns forever.

AND the said parties of the first part do covenant with the said parties of the second part, their heirs and assigns, as follows: FIRST, that the said parties of the first part are the owners and lawfully seized of said land and premises. SECOND, that they have good right and full power to convey the same, THIRD, that the same are free from all encumbrances whatsoever. And, FOURTH, that the said parties of the second part, their heirs, and assigns, shall quietly enjoy and possess the same, and that the said parties of the first part, their heirs, executors and administrators, will forever warrant and defend the title to the same against all lawful claims.

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN

THE PRESENCE OF:

Troy Lee Sherman (Seal)
Troy Lee Sherman, Individually and as Executor
of the Estate of Grace Sherman a/k/a Texie Sherman

SEE ATTACHED (Seal)
Paul Allen Johnson, Executor of the Estate
of Johnny Louis Sherman

Francis Wilma Sherman (Seal)
Francis Wilma Sherman

SEE ATTACHED (Seal)
Catherine Sherman McMinn, by and
through her POA, Verlyn Owenby

SEE ATTACHED (Seal)
Marilyn Sinard Sherman

Mary Verlyn Sherman (Seal)
Mary Verlyn Sherman

SEE ATTACHED (Seal)
David Sherman

SEE ATTACHED (Seal)
Savannah Leigh Connor

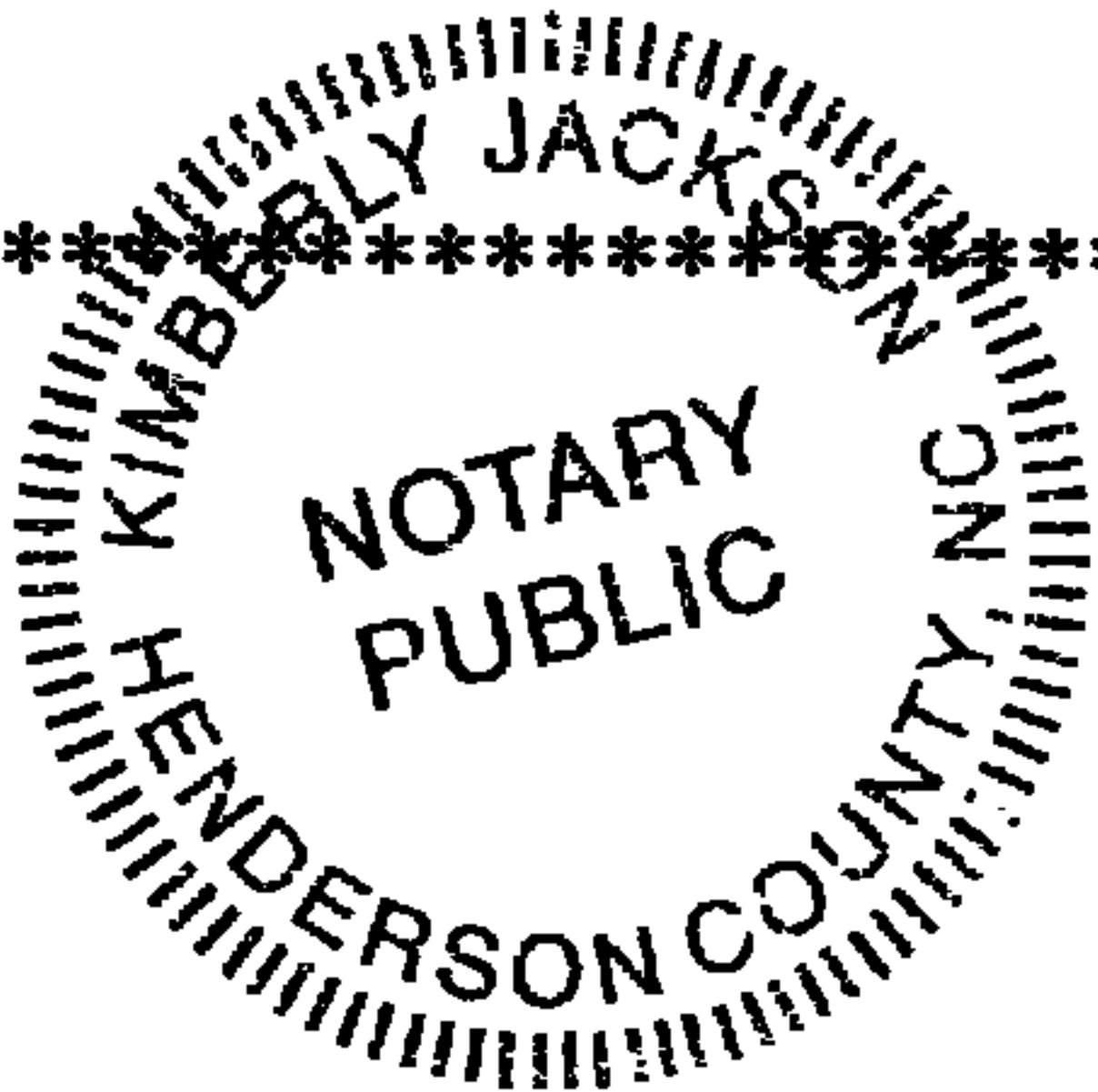
STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Kimberly Jackson, a Notary Public in and for the above County and State, do hereby certify that Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman and wife, Francis Wilma Sherman personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 8th day of October, 2021.

Kimberly Jackson
Notary Public

My Commission Expires: 12/11/22



IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN

THE PRESENCE OF:

SEE ATTACHED (Seal)
Troy Lee Sherman, Individually and as Executor
of the Estate of Grace Sherman a/k/a Texie Sherman

Paul Allen Johnson (Seal)
Paul Allen Johnson, Executor of the Estate
of Johnny Louis Sherman

SEE ATTACHED (Seal)
Francis Wilma Sherman

SEE ATTACHED (Seal)
Catherine Sherman McMinn, by and
through her POA, Verlyn Owenby

Marilyn Sinard Sherman (Seal)
Marilyn Sinard Sherman

SEE ATTACHED (Seal)
Mary Verlyn Sherman

David Sherman (Seal)

Savannah Leigh Connor (Seal)
Savannah Leigh Connor

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Kimberly Jackson, a Notary Public in and for the above County and State, do hereby certify that Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman and wife, Francis Wilma Sherman personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires: 12/11/22

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Deborah S. Barnwell, a Notary Public in and for the above County and State, do hereby certify that Marilyn Sinard Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 7th day of October, 2021.

My Commission Expires: 4-27-23

Notary Public
DEBORAH S. BARNWELL
NOTARY PUBLIC
HENDERSON CO. NC

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN

THE PRESENCE OF:

SEE ATTACHED (Seal)
Troy Lee Sherman, Individually and as Executor
of the Estate of Grace Sherman a/k/a Texie Sherman

SEE ATTACHED (Seal)
Francis Wilma Sherman

SEE ATTACHED (Seal)
Marilyn Sinard Sherman

SEE ATTACHED (Seal)
David Sherman

SEE ATTACHED (Seal)
Paul Allen Johnson, Executor of the Estate
of Johnny Louis Sherman
Catherine Sherman McMinn
by Verlyn Owenby, AIF (Seal)
Catherine Sherman McMinn, by and
through her POA, Verlyn Owenby

SEE ATTACHED (Seal)
Mary Verlyn Sherman

SEE ATTACHED (Seal)
Savannah Leigh Connor

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Kimberly Jackson, a Notary Public in and for the above County and State, do hereby certify that Troy Lee Sherman, Individually and as Executor of the Estate of Grace Sherman and wife, Francis Wilma Sherman personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires: 12/11/22

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Marilyn Sinard Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

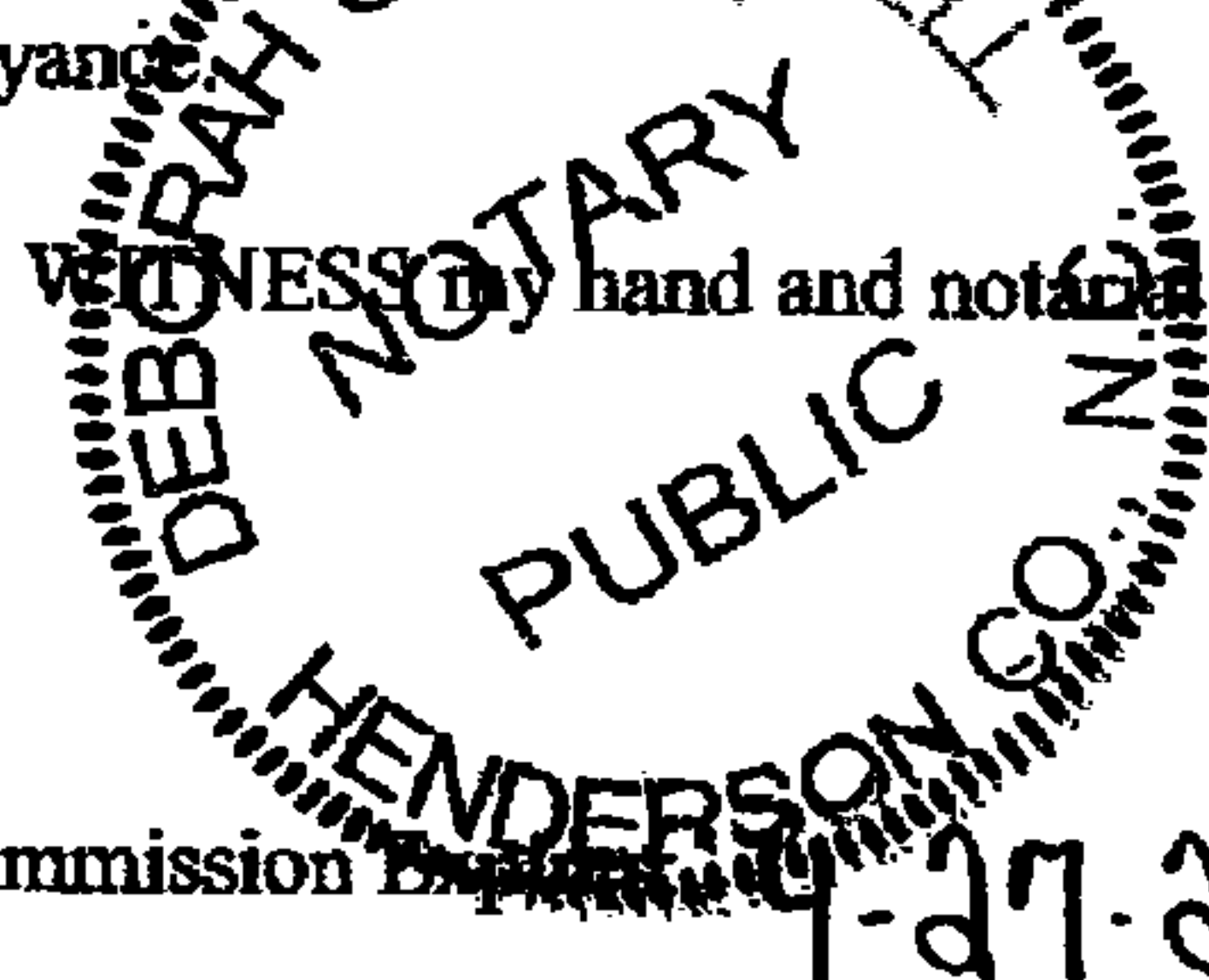
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Deborah S. Barnwell, a Notary Public in and for the above County and State, do hereby certify that Paul Allen Johnson, Executor for the Estate of Johnny Louis Sherman personally appeared before me this day and acknowledged the due execution by him of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 17th day of October, 2021.



Deborah S. Barnwell
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public, do hereby certify that Verlyn Owenby, Attorney In Fact for Catherine Sherman McMinn, personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing Deed Conveyance for and on behalf of Catherine Sherman McMinn and that her authority to execute and acknowledge said instrument is contained in instruments duly executed, acknowledged and recorded in the Office of Register of Deeds for Henderson County, North Carolina in Deed Book 1361, Page 189 and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney; that the said, Verlyn Owenby acknowledged the due execution of the foregoing Deed Conveyance for the purposes therein and expressed for and on behalf of the said Catherine Sherman McMinn.

WITNESS my hand and notarial seal, this ____ day of October, 2021.

Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Mary Verlyn Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this ____ day of October, 2021.

SEE ATTACHED
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Deborah S. Barnwell, a Notary Public in and for the above County and State, do hereby certify that David Michael Connor and wife, Savannah Leigh Connor personally appeared before me this day and acknowledged the due execution by them of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this 7th day of October, 2021.

Deborah S. Barnwell
Notary Public

My Commission Expires

4-27-23

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Paul Allen Johnson, Executor for the Estate of Johnny Louis Sherman personally appeared before me this day and acknowledged the due execution by him of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

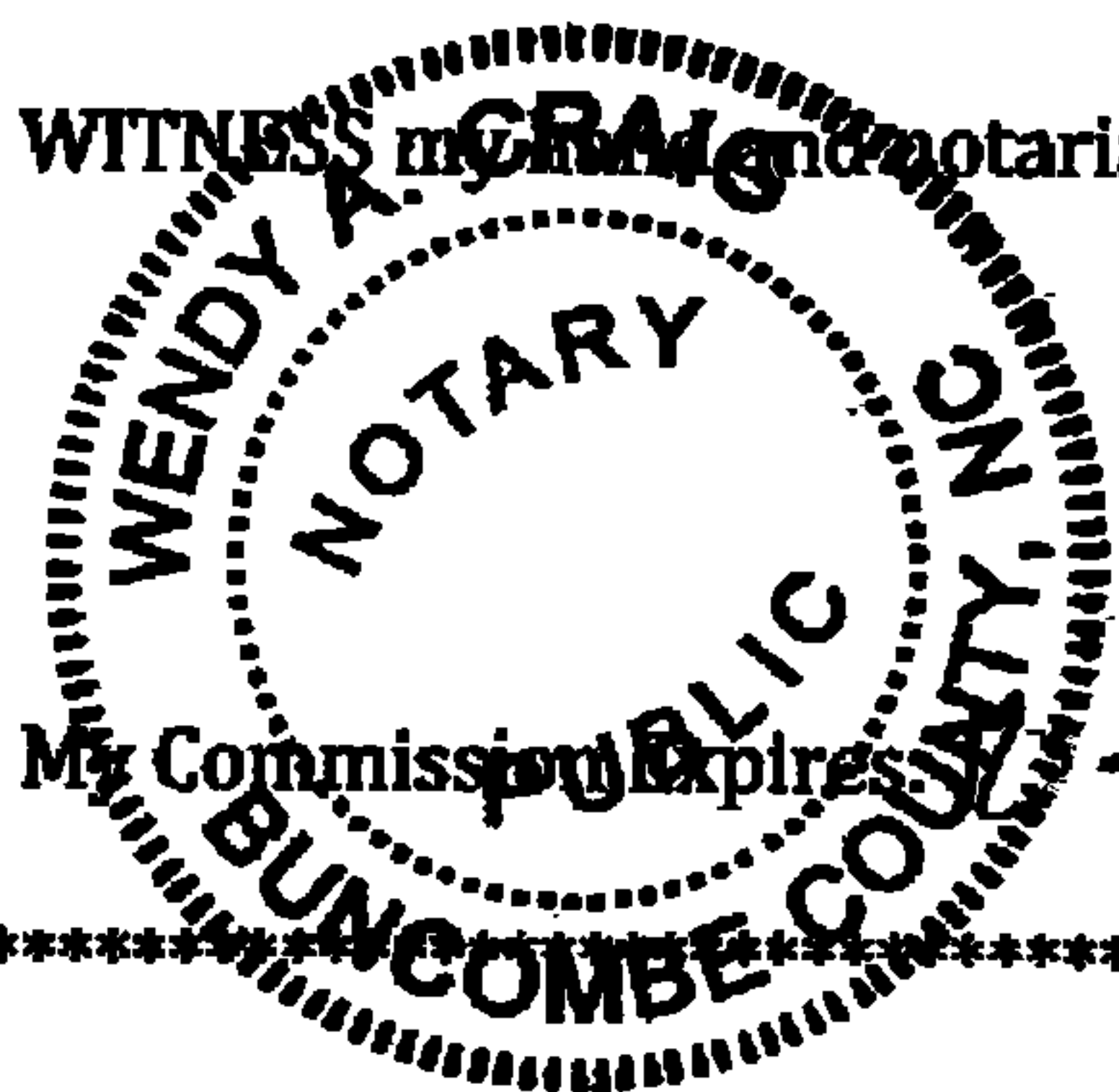
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Wendy A. Craig, a Notary Public, do hereby certify that Verlyn Owenby, Attorney In Fact for Catherine Sherman McMinn, personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing Deed Conveyance for and on behalf of Catherine Sherman McMinn and that her authority to execute and acknowledge said instrument is contained in instruments duly executed, acknowledged and recorded in the Office of Register of Deeds for Henderson County, North Carolina in Deed Book 1361, Page 189 and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney; that the said, Verlyn Owenby acknowledged the due execution of the foregoing Deed Conveyance for the purposes therein and expressed for and on behalf of the said Catherine Sherman McMinn.

WITNESS my hand and notarial seal, this 15 day of October, 2021.



Wendy A. Craig
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, _____, a Notary Public in and for the above County and State, do hereby certify that Mary Verlyn Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, *Beverly Owenby*, a Notary Public, do hereby certify that Verlyn Owenby, Attorney In Fact for Catherine Sherman McMinn, personally appeared before me this day, and being by me duly sworn, says that she executed the foregoing Deed Conveyance for and on behalf of Catherine Sherman McMinn and that her authority to execute and acknowledge said instrument is contained in instruments duly executed, acknowledged and recorded in the Office of Register of Deeds for Henderson County, North Carolina in Deed Book 1361, Page 189 and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney; that the said, Verlyn Owenby acknowledged the due execution of the foregoing Deed Conveyance for the purposes therein and expressed for and on behalf of the said Catherine Sherman McMinn.

WITNESS my hand and notarial seal, this _____ day of October, 2021.

SEE ATTACHED

Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, *Susan L Neal*, a Notary Public in and for the above County and State, do hereby certify that Mary Verlyn Sherman personally appeared before me this day and acknowledged the due execution by her of the foregoing Deed of Conveyance.

WITNESS my hand and notarial seal, this *8th* day of October, 2021.

Notary Public *Susan L Neal*

My Commission Expires: *12/30/23*

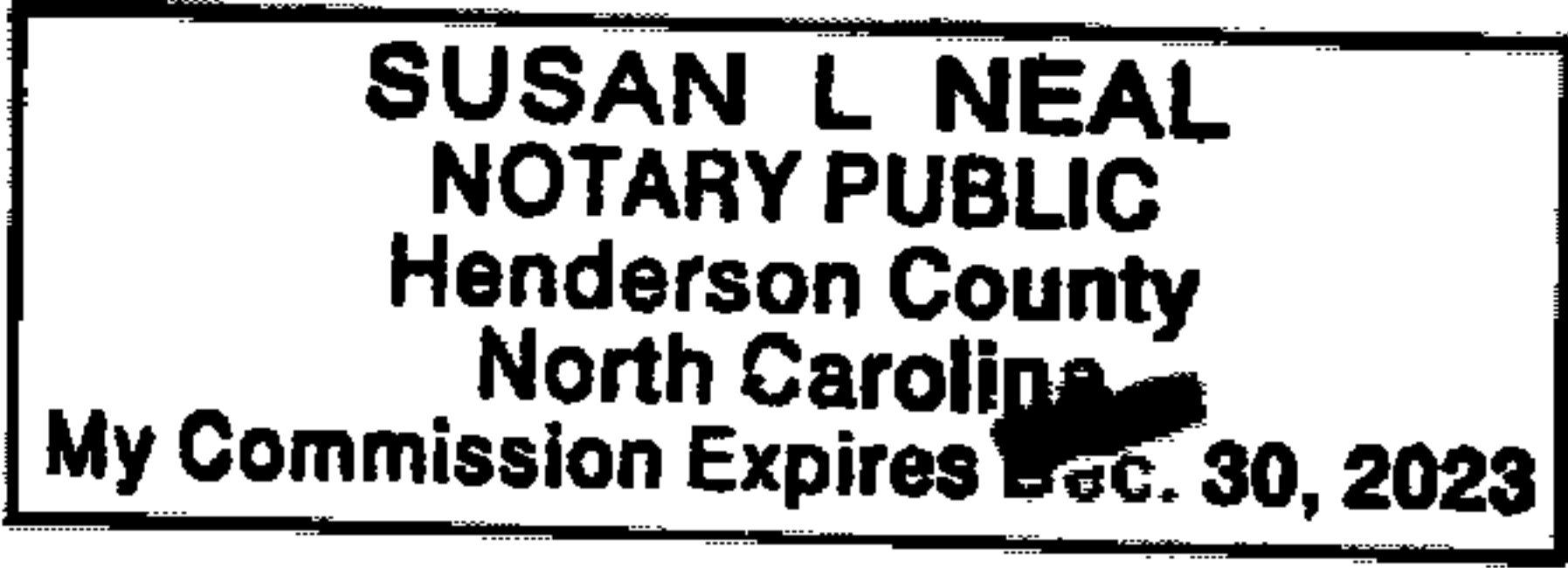


Exhibit “A”
for
Gergi Logistics, LLC

Being all that **14.22 acre tract** as shown on a plat as recorded in **Plat Book 2021, at Page/Slide 13545** of the Henderson County, NC Register’s Office; reference to which Plat is hereby made for a more particular description of said Property.

The above-described property is conveyed together with and subject to those applicable easements and rights of way as shown on the above referenced Plat.

The above-described property is conveyed subject to those easements contained in Book 1434, at Page 380, Book 1435, at Page 321 and Book 1474, at Page 449 all of the Henderson County, NC Register’s Office.

With regard to the area designated on the above-referenced Plat as "private right-of-way per Deed Book 1474/449" the Grantee is hereby restricted from making use of said right-of-way by any heavy trucks, heavy construction equipment, heavy machinery or tractor trailers and that use thereof, if any by the Grantee shall include only pedestrian traffic, light automobile traffic and pick-up trucks. This restriction is for the protection of those properties described in Deed Book 3285, at Page 587 and Deed Book 1474, at Page 449 of the Henderson County, NC Register’s Office.

And being a portion of that property described in that deed recorded in Book 267, at Page 145 of the Henderson County, NC Register’s Office. See also Estate Files 12-E-10 and 21-E-877 of the Henderson County, NC Clerk’s Office.

EXHIBIT "B"

**AGENT'S CERTIFICATION AS TO THE VALIDITY OF
POWER OF ATTORNEY AND AGENT'S AUTHORITY
(N.C.G.S 32C-3-302)**

I, **Verlyn Owenby** (Name of Agent), do hereby state and affirm the following under penalty of perjury:

(1) **Catherine J. McMinn (a/k/a Catherine Sherman McMinn)** granted me authority as an agent or successor agent in a power of attorney dated October 18, 2018.

(2) The powers and authority granted to me in the Power of Attorney are currently exercisable by me.

(3) I have no actual knowledge of any of the following:

(a) The Principal is deceased.

(b) The Power of Attorney or my authority as Agent under the Power of Attorney has been revoked or terminated, partially or otherwise.

(c) The Principal lacked the understanding and capacity to make and communicate decisions regarding his estate and person at the time the Power of Attorney was executed.

(d) The Power of Attorney was not properly executed and is not a legal, valid power of attorney.

(e) *(Insert other relevant statements)*

(4) I agree not to exercise any powers granted under the Power of Attorney if I become aware that the Principal is deceased, that the Power of Attorney has been revoked or terminated, or that my authority as Agent under the Power of Attorney has been revoked or terminated.

(4) I agree not to exercise any powers granted under the Power of Attorney if I become aware that the Principal is deceased, that the Power of Attorney has been revoked or terminated, or that my authority as Agent under the Power of Attorney has been revoked or terminated.

SIGNATURE AND ACKNOWLEDGMENT

Verlyn Owenby
Agent's Signature

Agent's Name Printed:
Verlyn Owenby

Agent's Address:
500 Gap Creek Road, Fletcher, NC 28732

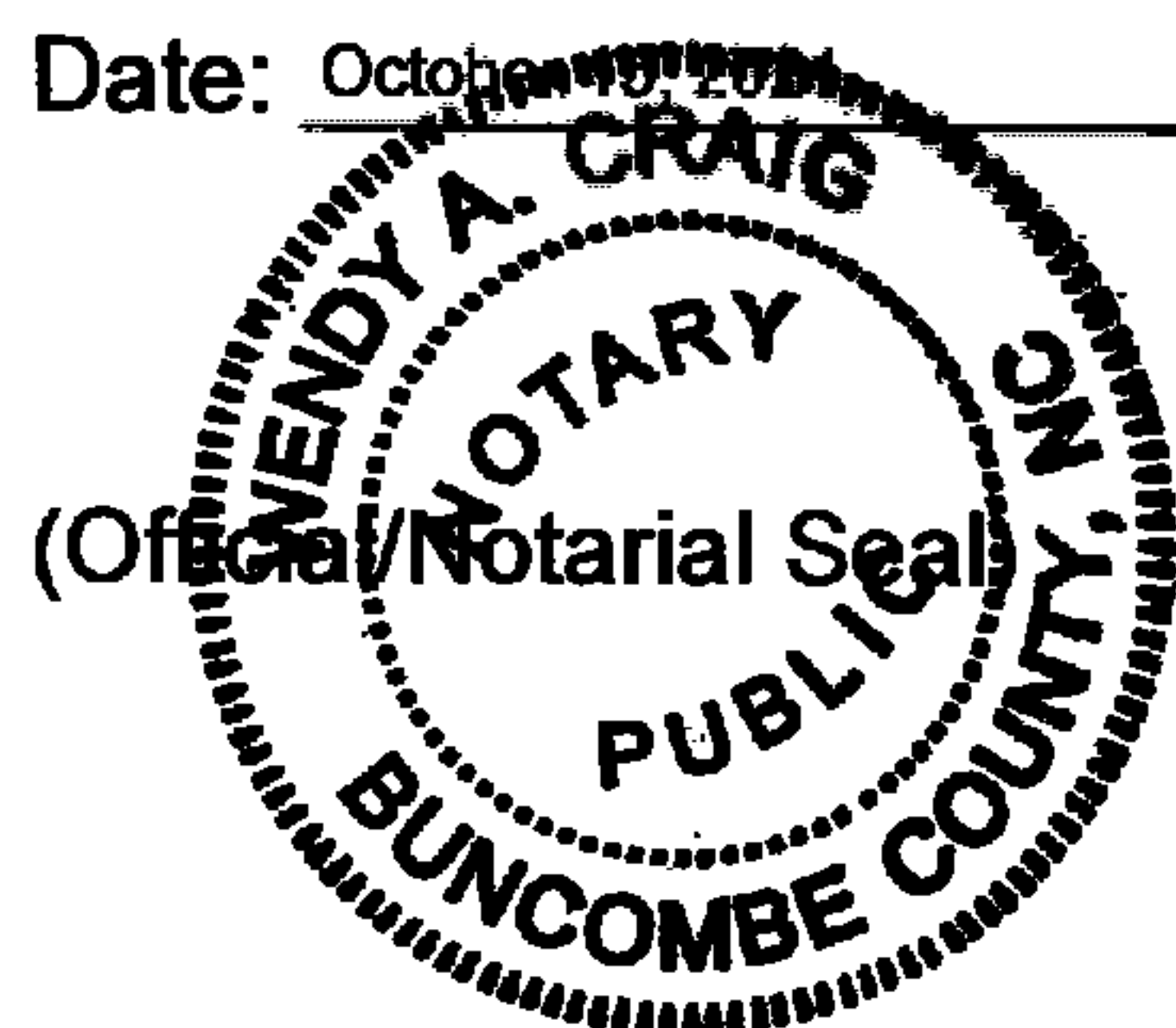
Agent's Telephone Number:
828-779-9570

Date: October 15, 2021 MA2

State of North Carolina
County of Buncombe

Sworn to or affirmed and subscribed before me this day by: Verlyn Owenby

Date: October 15, 2021



Wendy A. Craig
Notary's Printed or Typed Name

My commission expires: October 31, 2024



Community Development Department-Planning Division

160 6th Ave. E. Hendersonville NC 28792

For use by Principal Authority / Para uso de la Autoridad Principal

Cloudpermit application number / Número de solicitud de Cloudpermit

US-NC30720-P-2025-106

PIN / Número de rollo

9588329376

Application submitted to / Solicitud presentada a

Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte

Description of Subject Property

Address / Dirección

412 MCMURRAY ROAD

Municipality / Municipio

Hendersonville, NC, North Carolina /
Hendersonville, NC, Carolina del Norte

PIN / Número de rollo

9588329376

Purpose of Application

Application type / Tipo de solicitud

Annexation — Satellite

Applicant, Property owner

Last name / Apellido

Gergi

First name / Nombre de pila

Sergii

Corporation or partnership /
Corporación o sociedad

Gergi Logistics LLC

Street address / Dirección de la calle

14 Moss Pink Place

Unit number / Número de unidad

Lot / Con.

Municipality / Municipio

Asheville

State / Provincia

NC

ZIP code / Código postal

28806

Other phone / Otro teléfono

Mobile phone / Teléfono móvil

+1 8287075682

Fax

Email / Correo electrónico



Applicant-Company Information

Applicant Name:

Company Name:

Authorized Representative Title (if
applicable)

Property Owner-Company Information		
Property Owner Name:	Company Name:	Authorized Representative (if applicable) Section 7, Item B.

Declaration and Signatures
<p>Applicant</p> <p>I, Sergii Gergi (The Applicant), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Applicant is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.</p> <p>Signature of the applicant acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.</p> <p> Digitally signed on 06/16/2025, 3:02:48 PM EDT by Tyler Morrow with an authorization letter from Sergii Gergi. / Firmado digitalmente el 16/6/25 15:02:48 EDT por Tyler Morrow con una carta de autorización de Sergii Gergi.</p> <p>Property owner</p> <p>I, Sergii Gergi (The Property owner), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Property owner is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.</p> <p>Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.</p> <p>Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.</p> <p> Digitally signed on 06/16/2025, 3:02:55 PM EDT by Tyler Morrow with an authorization letter from Sergii Gergi. / Firmado digitalmente el 16/6/25 15:02:55 EDT por Tyler Morrow con una carta de autorización de Sergii Gergi.</p>

Property Information			
Property Address 412 McMurray Road	Parcel Identification Number (PIN) 9588329376	Does this property currently adjoin the present corporate City limits (not satellite limits)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the property within the City's Extra Territorial Jurisdiction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>Reason for Annexation:</p> <p>We are seeking annexation so the property can receive full municipal services—including water, sewer, police, and fire—and be governed by the City of Hendersonville's zoning and development ordinances. Annexation will allow the site to be entitled and built in a manner consistent with the City's land-use plan, ensuring orderly growth that benefits both the project and the broader community.</p>			



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

PETITION REQUESTING ANNEXATION

The following are required to constitute a complete application for voluntary annexation:

- ~This form including the property owner's signature
- ~A copy of the deed indicating ownership of the property.
- ~A survey plat (8 1/2 " by 11") of the property prepared by a registered surveyor licensed to practice in the state of North Carolina.
- ~ A typed boundary description of the property, in digital format if possible.

Date 05/28/2025

Location / Property Address 412 McMurray Road

List 10 digit PIN or 7 digit PID number 9588329376

Does this property adjoin the present City Limits?

☐

YES

☒

NO

Is the property within the ETJ?

☐

YES

☒

NO

Reason for annexation

We are seeking annexation so the property can receive full municipal service

Applicant Name CDP Acquisitions LLC

Address 880 Glenwood Ave SE Suite H Atlanta, GA 30316

Phone (770) 296-5280

Fax

Email ClaytonC@catalystdp.co

Property Owner: Name Gergi Logistics LLC

Address 14 moss pink place Asheville, NC 28806

Signature

Printed Name

Sergii Gergi, Manager

Official Use:

DATE RECEIVED: _____ BY _____



LIMITED LIABILITY COMPANY ANNUAL REPORT

Section 7, Item B.

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: GERGI LOGISTICS LLC

SECRETARY OF STATE ID NUMBER: 1346272 STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2024

Filing Office Use Only
E - Filed Annual Report
1346272
CA202509707804
4/7/2025 02:04

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Sergii Gergi

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

14 Moss Pink Pl

14 Moss Pink Pl

Asheville, NC 28806-8844 Buncombe County

Asheville, NC 28806-8844

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: transportation company

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 707-5682

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

14 Moss Pink Pl

14 Moss Pink Pl

Asheville, NC 28806-8844

Asheville, NC 28806-8844

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Sergii Gergi

NAME: _____

NAME: _____

TITLE: General Manager

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

14 Moss Pink Pl

Asheville, NC 28806

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Sergii Gergi

4/7/2025

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Sergii Gergi

General Manager

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

If the City decides to relinquish ETJ for this property, Henderson County will have 60 days from the effective date of the Ordinance amending the ETJ to adopt zoning regulations.

PROJECT/PETITIONER NUMBER:	<ul style="list-style-type: none"> 25-39-ETJ
PETITIONER NAME:	<ul style="list-style-type: none"> Leslie N. Dobbs, Vice President Vulcan Lands Inc.
ATTACHMENTS:	<ol style="list-style-type: none"> Request for relinquishment from Vulcan Lands, Inc. ETJ Removal Plat GIS Map Proposed Ordinance Metes and Bounds Description Vulcan Lands Inc. Deeds



May 12, 2025

Mr. Lew Holloway
Hendersonville Community Development Director
160 Sixth Avenue, East
Hendersonville, NC 28792
lholloway@hvlnc.gov

Re: Release of Portions of PINs 9670038082 and 9670128754 from ETJ

Dear Mr. Holloway,

We write to respectfully request that the City of Hendersonville conditionally release portions of two tracts from its extraterritorial jurisdiction: (a) the southern portion of a 78-acre tract (approx. 14 acres of PIN 9670038082 and REID 10013161) and (b) the southern portion of a 13.1-acre tract (approx. 1.1 acres of PIN 9670128754 and REID 10006791). Both tracts are owned by Vulcan Lands, Inc. The release would be contingent upon the acceptance of this property by Henderson County.

I. The Properties

The two tracts are shown in three images for clarity – each of them singly and the two tracts combined. The approximately 14-acre portion of REID 10013161 and the approximately 1.1-acre portion of REID 10006791 are shown as Images A and B respectively. The combined tracts along the northern and outermost edge of the ETJ is shown as Image C.

Image A



Image B



Image C

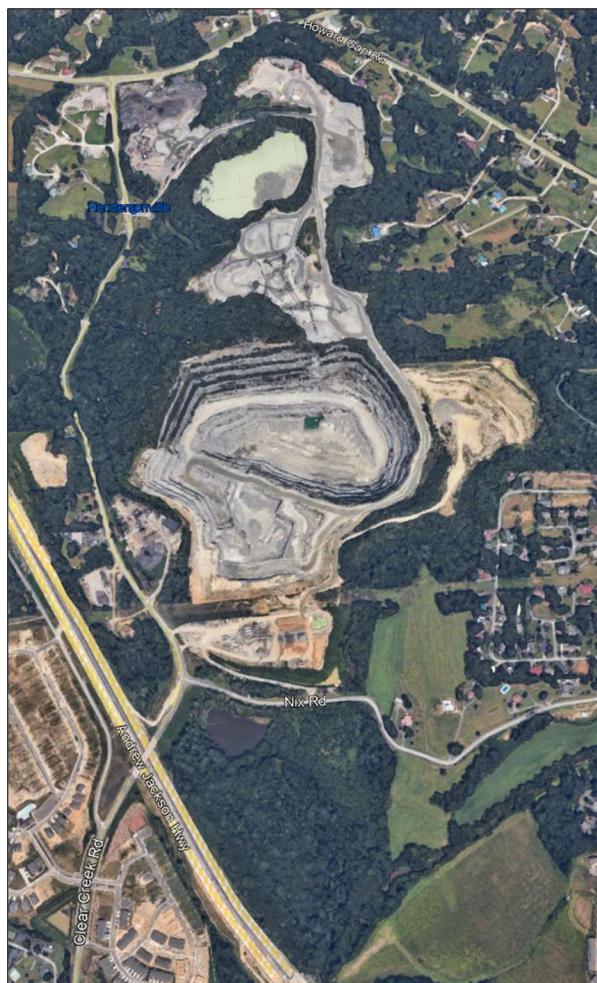


Releasing this acreage from the ETJ would not create a “doughnut hole” problem for purposes of jurisdictional oversight, and it would create a logical and viable path for its use by Vulcan Materials under one set of land use regulations.

If this acreage remains in the Hendersonville ETJ, then Vulcan’s future use of the properties would also require the City to amend its zoning ordinance to recognize mining as a permitted use and to develop appropriate standards.

II. Quarry History

The Hendersonville Quarry has responsibly served the county since 1962. For over 60 years this quarry has supplied the crushed rock for local streets, highways, bridges, government buildings, homes, schools, churches, medical offices, businesses and other critical infrastructure. Most of our neighbors arrived after we were in full operation and were well aware of our existence. Our entire site covers about 236 acres, as shown in the aerial on the next page:



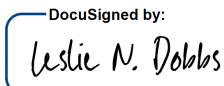
Anytime you see asphalt or concrete, crushed rock (“aggregate”) is there. Asphalt pavement is 94% aggregate, and concrete is about 80% aggregate. Interstate highways need approximately 38,000 tons of rock for a one-mile distance of single lane. In fact, much of the aggregate required for the I-26 jobsite has come from this quarry. Because of our strategic location and partnerships, we’ve been able to keep literally thousands of trucks off local roads by delivering the rock to the concrete plant within our site, and Archer Wright delivered the finished product directly to the jobsite.

III. Community Engagement and Next Steps

Vulcan and its representatives have recently held a Meet and Greet event with neighbors to share information about Vulcan’s operations, including lands owned and leased. The attendance and responses were quite positive.

We have greatly appreciated your staff's accessibility and insights and would like to take the next steps with you in this critical phase for Vulcan as it supplies aggregate for the growth that this region will continue to experience. Please reach out to Denise Hallett to schedule meetings and discussions at either hallettd@vmcmail.com or (704)-560-5304 (cell).

Respectfully,

DocuSigned by:

8ED77D69EA2F42E...

Leslie N. Dobbs

Vice President - Vulcan Lands, Inc.

Cc: Mr. John Connet, Hendersonville City Manager
Ms. Autumn Radcliff, Henderson County Planning Director



10-2017

BUSINESS CORPORATION ANNUAL REPORT

Section 7, Item C.

NAME OF BUSINESS CORPORATION: Vulcan Lands, Inc.SECRETARY OF STATE ID NUMBER: 0242590STATE OF FORMATION: NJREPORT FOR THE FISCAL YEAR END: 12/31/2024

Filing Office Use Only

E - Filed Annual Report
0242590
CA202505803961
2/27/2025 03:47☐ Changes**SECTION A: REGISTERED AGENT'S INFORMATION**1. NAME OF REGISTERED AGENT: CT Corporation System

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

160 Mine Lake Ct Ste 200160 Mine Lake Ct Ste 200Raleigh, NC 27615 Wake CountyRaleigh, NC 27615**SECTION B: PRINCIPAL OFFICE INFORMATION**1. DESCRIPTION OF NATURE OF BUSINESS: Land Management2. PRINCIPAL OFFICE PHONE NUMBER: (877) 888-12453. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

1200 Urban Center Drive1200 Urban Center DriveBirmingham, AL 35242Birmingham, AL 35242

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: OFFICERS (Enter additional officers in Section E.)NAME: Lindsay L SinorNAME: Brian G. PaceNAME: James T. PolomskyTITLE: PresidentTITLE: Vice PresidentTITLE: Vice President

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

1200 Urban Center Drive1200 Urban Center Drive1200 Urban Center DriveBirmingham, AL 35242Birmingham, AL 35242Birmingham, AL 35242**SECTION D: CERTIFICATION OF ANNUAL REPORT.** Section D must be completed in its entirety by a person/business entity.Stephen J. Render2/27/2025

SIGNATURE

DATE

Form must be signed by an officer listed under Section C of this form.

Stephen J. RenderVice President

Print or Type Name of Officer

Print or Type Title of Officer

SECTION E: ADDITIONAL OFFICERS

Section 7, Item C.

NAME: Ronnie A. Pruitt

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Jeffrey S. May

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Jerry F. Perkins , Jr

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: D. Lamar Forsyth

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Mark F. Reardon

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Erick R. Jones

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Norma Suarez

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: David P. Clement

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Shelley R. Wright

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Mark T. Thurston

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Michael F. Linton

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Brent P. Goodsell

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Stephen J. Render

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Mitesh B. Shah

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

Name: Leslie N. Dobbs

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: Daniel A. Dunegan

TITLE: Vice President

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

NAME: C. Samuel Todd

TITLE: Secretary

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242

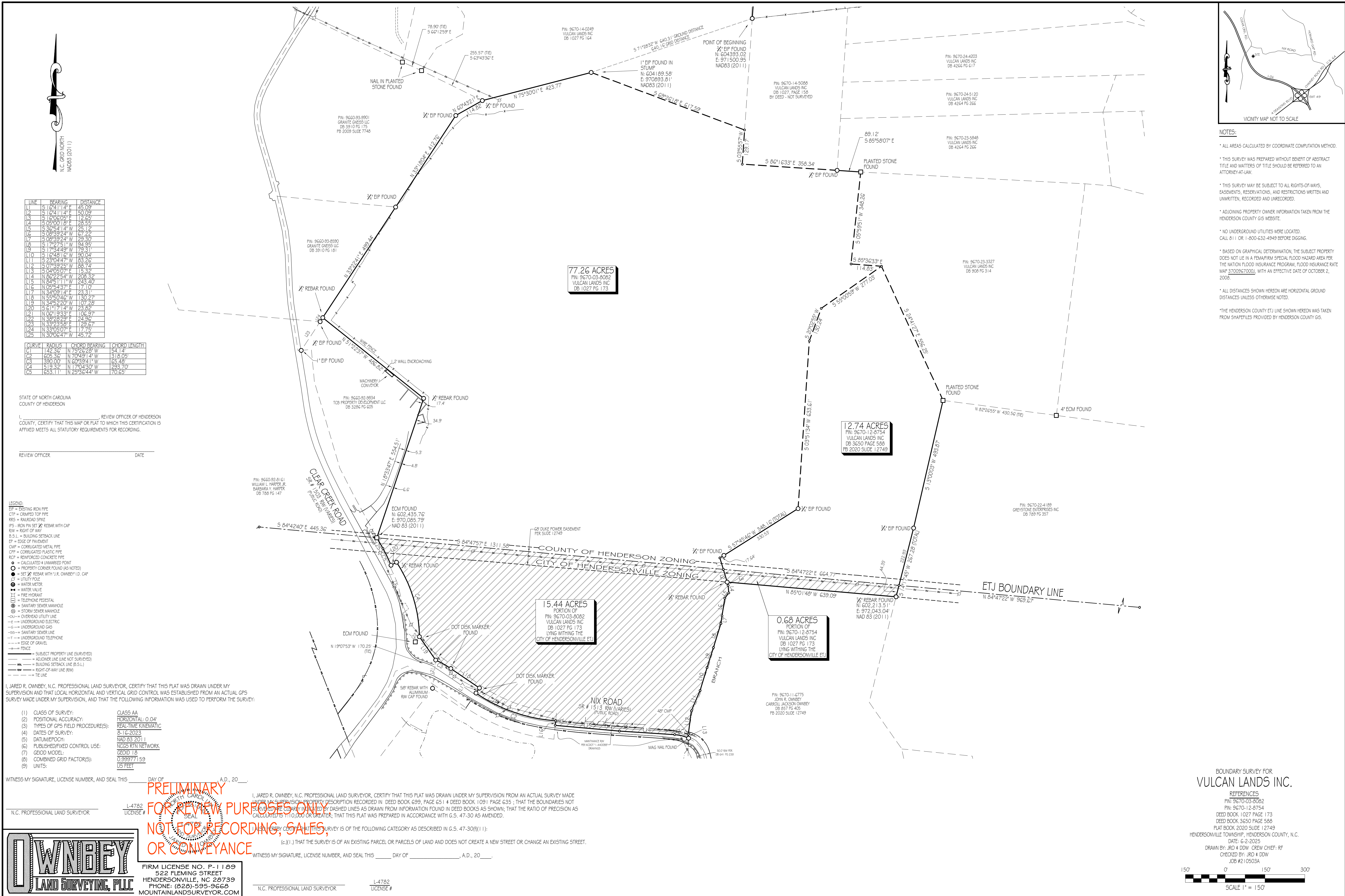
NAME: Ryan A. Hall

TITLE: Treasurer

ADDRESS: _____

1200 Urban Center Drive

Birmingham, AL 35242





Vulcan Lands Inc.
25-39-ETJ
PIN: 9670-03-8082 & -12-8754
Acreage: 16.12 (ETJ)
ETJ Removal Map

- Hendersonville City Limits
- Hendersonville ETJ
- Overall Subject Property
- Area proposed to be removed from the ETJ



Ordinance #25-____

**AN ORDINANCE AMENDING THE ORDINANCE ESTABLISHING
EXTRATERRITORIAL JURISDICTION BOUNDARIES FOR THE CITY OF
HENDERSONVILLE**

WHEREAS, the General Assembly has granted authority to municipalities to adopt, administer and enforce zoning and subdivision regulation ordinances, building codes and minimum housing standards and other related measures; and

WHEREAS, N.C.G.S. § 160D-202 provides that the delegated municipal powers conferred by Chapter 160D may be exercised within the extraterritorial jurisdiction (“ETJ”) surrounding a municipality; and

WHEREAS, N.C.G.S. § 160D-202 further provides that any municipality wishing to exercise extraterritorial jurisdiction of powers conferred under the said Chapter 160D shall adopt, and may amend from time to time, an ordinance specifying the boundaries of those areas within which the City will exercise its extraterritorial jurisdiction; and

WHEREAS, N.C.G.S. § 160D-202 requires that the boundaries specified in the ordinance shall at all times be drawn on a map, set forth in a written description, or shown by a combination of these techniques, and maintained in the same manner as required by N.C.G.S. § 160A-122 for the delineation of the corporate limits; and

WHEREAS, the City has adopted an ordinance establishing ETJ and has amended said ordinance from time to time, most recently by means of an ordinance dated August 1, 2024, which ordinance clarified the geographical boundary of the ETJ; and

WHEREAS, The City has received a request from Vulcan Lands, Inc. seeking to have certain properties removed from the City’s ETJ; and

WHEREAS, N.C.G.S. § 160D-202 provides for the amendment of an ETJ ordinance and the relinquishing of any part of such jurisdiction to the appropriate county; and

WHEREAS, a public hearing was held before the City Council exclusion of this real property from the City’s extraterritorial jurisdiction pursuant to the requirements of Chapter 160D;

NOW, THEREFORE, be it ordained by the City Council of the City of Hendersonville:

SECTION 1. The written boundaries of the of the extraterritorial jurisdiction of the City of Hendersonville are hereby amended by this ordinance. The new area of extraterritorial jurisdiction is described as follows:

BEGINNING at a point located in the center of Willow Road, said center also being the Laurel Park corporate limit line, and said point being approximately 135 feet east of the intersection of the center of Willow Road and the center of Country Club Road (SR 1220); thence running from

said point with the center of Willow Road (SR 1171) in a southwesterly direction approximately 2,780 feet to a point in the centerline of Willow Road where said road is intersected by an unnamed tributary of Finley Creek; thence southeasterly along the center of said unnamed tributary and Finley Creek to a point in the center of Lakeside Drive where said drive is intersected by Finley Creek; thence easterly along the centerline of Lakeside Drive to a point where said drive is intersected by Texas Street; thence southeasterly, a straight line distance of approximately 1,430 feet to a point in the centerline of Kanuga Road, said point being approximately 1,400 feet northeast of the intersection of Bonner Street with Kanuga Road; thence easterly, a straight line distance of approximately 6,030 feet to a point in the centerline of Rutledge Drive, where said drive is intersected by Kings Lane; thence northeasterly, a straight line distance of approximately 1,880 feet to a point in the centerline of U.S. Highway 25 where said highway is intersected by a private drive said point being approximately 550 feet north of the intersection of Stewart Street with U.S. Highway 25; thence northeasterly, a straight line distance of approximately 3,280 feet to a point in the centerline of Southern Railway's line where said line is intersected by Brooklyn Avenue; thence in a southerly direction along the centerline of the Southern Railway line to a point in the center of King Creek where said creek is intersected by said railroad line; thence in a northeasterly direction along the center of King Creek to a point in the centerline of U.S. Highway 176 where said highway is intersected by King Creek; thence northeasterly, a straight line distance of approximately 660 feet to the centerline of Old Spartanburg Highway; thence northwesterly approximately 70 feet the centerline of Old Spartanburg Highway to a property line projected; thence northeasterly along a property line projected and a property line approximately 291 feet to a property corner; said property line being the western property line of lot 9559, block 51 as shown on Henderson County property map 9578.19; thence northwesterly along a property line 64.51 feet to a property corner; thence northeasterly approximately 259 feet to a point on the City's boundary of extraterritorial jurisdiction; thence northeasterly approximately 900 feet to a point in the centerline of Airport Road thence in a northwesterly direction along the centerline of East Gilbert Street to its western terminus adjoining the lot identified as Henderson County PIN 9578449355, and continuing with the centerline of the unopened or unpaved right of way to the centerline of West Gilbert Street, and following the centerline of West Gilbert Street to the point of intersection of the centerline of Bradshaw Avenue, thence in a northeasterly direction with the centerline of Bradshaw Avenue (following the centerline of Bradshaw Avenue through the curve to the northwest) and thence continuing with the centerline of Blue Ridge Street to the point of the intersection of Blue Ridge Street and New Hope Road, thence northeasterly along the centerline of New Hope Road to a point located at the intersection of the centerline of New Hope Road and the centerline of Bat Fork; thence northerly, a straight line distance of approximately 3,580 feet to a point in the centerline of Tracy Grove Road, said point being approximately 200 feet west of the intersection of Duncan Road (State Road 1754) with Tracy Grove Road; thence northerly approximately 893 feet to a property corner located at Devils Fork Creek; thence easterly approximately 2,300 feet following property lines and Devils Fork Creek to property corner located on the western right-of-way line of Interstate 26; thence easterly approximately 180 feet along a property line projected to a point on the centerline of Interstate 26; thence northerly approximately 5,230 feet to a point located at the intersection of the centerline of Interstate 26 and a property line projected, said property line being the western property line of parcel 8609 as shown on Henderson County Property Map 9579.15, block 54; thence northerly approximately 93 feet along the western property line of said parcel to a property corner; thence easterly approximately 490 feet along the northern property line of said point to a property corner; thence northerly

approximately 520 feet along a property line to a property corner; thence easterly approximately 360 feet along the southern property line of parcel 3762 as shown on Henderson County Property Map 9579.02, block 65 to a property corner; thence easterly and southerly approximately 350 feet along property lines to a property corner; thence southerly approximately 470 feet along the western property line of lot 6536, block 64, as shown on Henderson County Property Map 9579.15, to a property corner on the eastern right-of-way line of Prince Road; thence with the eastern right-of-way line of Prince Road approximately 333 feet to a property corner; thence easterly along the southern property line of lot 6536 369.83 feet the southernmost property corner of lot 6536; thence northeasterly approximately 580 feet along the southeastern property line of lot 6536 to a property corner; thence easterly approximately 585 feet along the southern property lines of lots 2125 and 8324, block 75 as shown on Henderson County Property Map 9579.02, to a property corner; thence northerly approximately 355 feet along the eastern property line of lot 8324 to a property corner; thence easterly approximately 300 feet along a property line to a property corner, said property corner being the southeastern property corner of parcel 8324 as shown on Henderson County Property Map 9579.02, block 75; thence approximately 1,100 feet along the eastern property line of said parcel to a property corner located on the southern right-of-way line of Sugarloaf Road; thence northerly 30 feet to a point located on the centerline of Sugarloaf Road; thence easterly approximately 570 feet along the centerline of Sugarloaf Road to a point located at the intersection of the centerline of Sugarloaf Road and a property line projected, said property line being the eastern property line of parcel 4387 as shown on Henderson County Property Map 9579.02, block 86; thence northerly approximately 550 feet along said property line projected to a point located at the intersection of said property line projected and the centerline of Howard Gap Road; thence northeasterly approximately 1,230 feet along the eastern property line of parcel 9255 as shown on Henderson County Property Map 9579.02, block 87; thence westerly 142 feet along the northern property line of said parcel to a property corner; thence northerly approximately 326 feet along the eastern property line of parcel 8857 as shown on Henderson County Property Map 9579.02, block 87, to a property corner located on the southern right-of-way line of Sunset Road; thence northeasterly diagonally across Sunset Road approximately 265 feet to a property corner located on the northern right-of-way line of Sunset Road; thence northerly approximately 1,100 feet along the eastern property line of parcel 7740 as shown on Henderson County Property Map 9579.02, block 88, to a property corner; thence westerly approximately 520 feet along the northern property line of said parcel to a property corner; thence northerly 263 feet along the eastern right-of-way line of parcel 4338, as shown on Henderson County Property Map 9579.02, block 89, to a property corner; thence westerly approximately 670 feet along property lines to a property corner, said property corner being the northwestern property corner of parcel 9505 as shown on Henderson County Property Map 9579.02, block 79; thence northerly approximately 675 feet to a property corner, said property corner being the northeastern property corner of parcel 6101 as shown on Henderson County Property Map 9670, block 70; thence southeast 431 feet along a property line to a property corner, said property corner being the southeast property corner of parcel 0422 as shown on Henderson County Property Map 9670, block 80; thence northerly 271 feet along the eastern property line of said parcel to a property corner; thence easterly approximately 1,030 feet to a property corner, said property corner being the southeastern property corner of parcel 7870 as shown on Henderson County Property Map 9670, block 80; thence northerly approximately 1,400 feet along property lines to a property corner, said property corner being the southwestern property corner of parcel 6504 as shown on Henderson County Property Map 9670, block 91; thence easterly 300 feet along the southern property line of said parcel to the

southwestern property corner of said parcel; thence northerly along property lines and a property line projected approximately 880 feet to a point located within the right-of-way of Highway U.S. 64 East, said point being located at the intersection of the eastern property line projected of parcel 7577 as shown on Henderson County Property map 9670, block 92. and the southern property line projected of parcel 1167, as shown on Henderson County Property Map 9670, block 93 (North Henderson High School); thence westerly along said property line projected and said property line approximately 1,800 feet to a property corner; thence northwesterly approximately 464 feet to a property corner located at Clear Creek; thence westerly approximately 5,600 feet along Clear Creek, across Howard Gap Road and along Clear Creek to the intersection with a cross country electric power transmission line owned by Duke Power Company; thence running with the center of said power line in a westerly direction a distance of approximately 1,775 feet to a calculated and unmarked point within the eastern boundary line of the Vulcan Lands, Inc. property shown on the plat recorded in Plat Book 2020 at Slide 12749, Henderson County registry, having PIN: 9670-12-8754, thence with the boundary of said parcel 9670-12-8754 the following two calls: (1) S 14°17'45" W 44.35 feet to a 5/8 inch rebar having NC Grid coordinates of N: 602,213.51' and E: 972,043.04', thence (2) N 85°01'48" W 639.09 feet to a 5/8 inch rebar within the eastern boundary line of the Vulcan Lands, Inc. property described in that deed recorded in Deed Book 1027 at page 173, Henderson County registry, having PIN: 9670-03-8082; thence with the boundary of said Parcel 9670-03-8082 S 16°06'05" E 12.65' to a point; thence S 05°00'18" E 28.55' to a point; thence S 36°54'14" W 25.12' to a point in a branch; thence generally with said branch the following calls: S 08°39'24" W 67.22'; S 08°39'24" W 29.30'; S 17°27'51" W 94.95'; S 17°34'49" W 79.31'; S 16°48'16" W 90.04'; S 23°04'47" W 83.26'; S 07°39'25" W 88.74'; S 04°05'07" E 15.32' to a magnail in the center of Nix Road (SR 1513); thence with the centerline of Nix Road on a curve to the left with a radius of 142.36', with a chord of N 75°26'28" W 54.14' to a point; thence N 86°22'54" W 208.32'; thence N 84°51'11" W 243.40'; thence leaving the centerline of Nix Road and traveling with the edge of the NCDOT right-of-way N 05°54'37" E 17.10' to a point; thence with a curve turning to the right with having a radius of 605.36', with a chord of N 70°49'14" W 318.05' to a NCDOT right-of-way disk; thence N 34°09'14" E 23.31' to an NCDOT right-of-way disk; thence N 55°50'46" W 130.27' to a NCDOT right-of-way disk; thence on a curve turning to the left having a radius of 390.00', with a chord of N 60°39'41" W 65.48' to a NCDOT right-of-way disk; thence N 34°52'20" W 107.28' to a NCDOT right-of-way disk; thence on a curve turning to the left with a radius of 519.32', with a chord of N 17°04'30" W 293.70' to 5/8" rebar; thence S 61°17'14" W 23.82' to a NCDOT right-of-way disk; thence on curve turning to the left with a radius of 653.11', with a chord of N 25°36'44" W 70.65' to a point; thence N 30°06'47" W 45.72' to a concrete right-of-way monument having NC Grid coordinates of N: 602,435.76' and E: 970,085.79', said right-of-way monument being within the western boundary line of Parcel 9670-03-8082 and being approximately the center of the aforementioned cross country electric power transmission line owned by Duke Power Company; thence running with the center of said power line N 84°47'57" W approximately 490~~4,250~~ feet to a wooden "H" frame tower near the eastern right-of-way of Interstate Highway 26 as shown on Henderson County Property Map 9660.04; thence leaving said power right-of-way and running in a southwesterly direction 1,620 feet in a straight line to a property corner in the western boundary of Parcel 2124; thence running from said property corner in a southerly direction 615 feet with said western boundary to a property corner in the northeastern right-of-way of Capps Road (S.R. 1508); thence running in a southerly direction 399 feet with the northeastern right-of-way to the southwest property corner of Parcel 3781; thence continuing across Capps Road (S.R. 1508) 60 feet to the northeast property corner of Parcel 8443;

thence running from said property corner in a westerly direction 500 feet with the northern boundary line of said Parcel 8443 to a property corner on the eastern bank of Mud Creek; thence continuing from the property corner with the same course 25 feet to a point in the center of Mud Creek; thence running with the center of Mud Creek in a southerly direction 300 feet upstream to a point in the center of Mud Creek where said creek intersects Clear Creek; thence northwesterly, a straight line distance of approximately 3,700 feet to a point in the centerline of U.S. Highway 25 where said highway is intersected by a private road, said point being approximately 1,080 feet north of the intersection of State Road 1392 with U.S. Highway 25; thence south $76^{\circ} 30'$ west 2,150 feet to a point on the eastern property line of that property designated as Henderson County PID 01-14540; thence south with the eastern property line of that parcel and thence continuing southerly with the eastern property line of the Baldwin property designated as Henderson County PID 01-14879 to the southeasternmost corner of that parcel, thence west southwesterly with the southern line of that parcel 383 feet to the southeasternmost corner of that parcel; thence north 90 feet to a property corner on the southeastern property line of property designated as Henderson County PID 01-13928; thence southwest 375 feet with the southeastern line of that parcel to a property corner; thence south 15 feet to the southern most property corner of that property; thence west northwest along the southern line of the Thomas L. Tatham Farm, Inc. property designated as Henderson County PID 01-13928 478 feet to a southwest corner of that parcel where the same borders the eastern margin of the right of way of Lyndhurst Drive; thence northerly 26 feet along the eastern margin of that right of way to its intersection with the McCoy property designated as Henderson County PID 01-10218; thence easterly, thence northerly, thence westerly all with the common boundary of the said McCoy parcel and the Tatham Farm property to the northwest margin of the said McCoy parcel; thence continuing with the western line of the Tatham Farm property 171.13 feet to a point at the southeast corner of the Cliffside at the Boulders, LLC property thence with the southern line of the Cliffside at the Boulders, LLC property North $87^{\circ} 35'$ West 470.85 feet to a $\frac{3}{4}$ inch iron pipe, thence North $02^{\circ} 47'$ West 184.04 feet to a #4 rebar, thence South $76^{\circ} 30'$ West 944.90 feet to a calculated and unmarked point within the eastern boundary line of that property shown on the plat recorded in Plat Book 2022 at Slide 14278, Henderson County registry, having PIN: 9650-90-0668, thence with the boundary of said Parcel 9650-90-0668 the following six calls: (1) South $15^{\circ} 50' 03''$ West 489.03 feet to an iron pin set; thence (2) North $81^{\circ} 15' 24''$ West 195.17 feet to a $\frac{3}{4}$ inch iron pin; thence on the same course (3) North $81^{\circ} 15' 24''$ West 39.30 feet to an iron pin set; thence (4) North $24^{\circ} 00' 40''$ East 184.78 feet to an iron pin set; thence (5) North $22^{\circ} 05' 49''$ West 131.82 feet to an iron pin set having NC Grid coordinates of N: 600,425.37' and E: 958,834.48' as shown on Plat Book 2022 Slide 14278, Henderson County registry, thence (6) North $46^{\circ} 40' 03''$ West 81.91 feet to a calculated and unmarked point within the western boundary of said Parcel 9650-90-0668, thence South $76^{\circ} 30'$ West 452.79 feet to a point in the centerline of Stoney Mountain Road where said road is intersected by a private drive situated between Henderson County PID 01-14999 on the west and Henderson County PID 99-70298 on the east, said point being approximately 1,740 feet northwest of the intersection of State Road 1453 with Stoney Mountain Road; thence southwesterly, a straight line distance of approximately 2,020 feet to a point in the centerline of N.C. Highway 191 where said highway is intersected by Holly Hill Drive, said point being approximately 1,710 feet northwest of the intersection of two private roads with N.C. Highway 191; thence southeasterly approximately 6,350 feet to the ridge line of Long John Mountain; thence southeasterly approximately 2,050 with the ridge line of Long John Mountain to a northern property corner in the northern property line of parcel 1620, said parcel also being known as Laurel Park Place and being shown on Henderson County Property

Map 9559.20; thence running from said northern property corner with said northern property line in a southeastern direction approximately 880 feet to a property corner of said parcel 1620; thence running from said property corner with the southern property line of parcel 1620 in a southwestern direction approximately 560 feet to a southeastern property corner of parcel 1620; thence running from said southeastern property corner with a property line of said parcel 1620 in a northwestern direction 159.97 feet to a corner on the Laurel Park corporate limit line; thence running with the Laurel Park corporate limit line in a southern direction to a corner in the center of U.S. Highway 64W; thence leaving said Laurel Park corporate limit line and running from said corner with the center of U.S. Highway 64W in a southeastern direction approximately 860 feet to the center of the intersection of U.S. Highway 64W and Glasgow Lane as shown on Henderson County Property Map 9568.05; thence running from said intersection with the center of Glasgow Lane in a southwestern direction approximately 1,370 feet to a point in the centerline of the Norfolk and Southern Railroad, said centerline also being the Laurel Park corporate limit line; thence continuing with the Laurel Park corporate limit line in a southern direction to a point in the center of Willow Road; thence west along the center of Willow Road approximately 310 feet to the point of BEGINNING.

Subject to the territorial jurisdiction of the City as established by ordinance(s).

SECTION 2. SEVERABILITY. If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after September 1, 2025.

Adopted this 7th day of August, 2025.

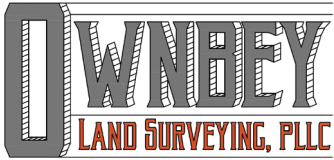
Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



522 FLEMING STREET
HENDERSONVILLE, NC 28739
828-595-9668

JARED@MOUNTAINLANDSURVEYOR.COM
WWW.MOUNTAINLANDSURVEYOR.COM

June 10, 2025

To Whom it May Concern:

Please see in the following paragraphs the legal descriptions as requested for the areas of Vulcan Lands parcels that are currently situated in the City of Hendersonville ETJ.

Portion of PIN: 9670-03-8082

Beginning at a concrete right-of-way monument, said monument have NC Grid coordinates of N: 602,435.76, E: 970,085.79' respectively, traveling thence with the City of Hendersonville ETJ line S 84°47'57" E 1311.58' to a point; thence leaving said ETJ line S 16°41'14" E 50.09' to a point; thence S 16°06'05" E 12.65' to a point; thence S 05°00'18" E 28.55' to a point; thence S 36°54'14" W 25.12' to a point in a branch; thence generally with said branch the following calls: S 08°39'24" W 67.22'; S 08°39'24" W 29.30'; S 17°27'51" W 94.95'; S 17°34'49" W 79.31'; S 16°48'16" W 90.04'; S 23°04'47" W 83.26'; S 07°39'25" W 88.74'; S 04°05'07" E 15.32' to a magnail in the center of Nix Road (SR 1513); thence with the centerline of Nix Road on a curve to the left with a radius of 142.36', with a chord of N 75°26'28" W 54.14' to a point; thence N 86°22'54" W 208.32'; thence N 84°51'11" W 243.40'; thence leaving the centerline of Nix Road and traveling with the edge of the NCDOT right-of-way N 05°54'37" E 17.10' to a point; thence with a curve turning to the right with having a radius of 605.36', with a chord of N 70°49'14" W 318.05' to a NCDOT right-of-way disk; thence N 34°09'14" E 23.31' to an NCDOT right-of-way disk; thence N 55°50'46" W 130.27' to a NCDOT right-of-way disk; thence on a curve turning to the left having a radius of 390.00', with a chord of N 60°39'41" W 65.48' to a NCDOT right-of-way disk; thence N 34°52'20" W 107.28' to a NCDOT right-of-way disk; thence on a curve turning to the left with a radius of 519.32', with a chord of N 17°04'30" W 293.70' to 5/8" rebar; thence S 61°17'14" W 23.82' to a NCDOT right-of-way disk; thence on curve turning to the left with a radius of 653.11', with a chord of N 25°36'44" W 70.65' to a point; thence N 30°06'47" W 45.72 to the point and place of beginning. Having an area of 15.44 Acres.

Portion of PIN: 9670-03-8082

Beginning at a 5/8" rebar, said rebar having NC Grid coordinates of N: 602,213.51', E: 972,043.04' respectively; traveling thence N 85°01'48" W 639.09' to a 5/8" rebar; thence N 16°41'14" W 50.09' to a point in the City of Hendersonville ETJ line; thence with said ETJ line S 84°47'22" E 664.77' to a point; thence leaving the ETJ line S 14°17'45" W 44.35' to the point and place of beginning. Having an area of 0.68 Acres.



BK 3650 PG 588 - 591 (4) DOC# 944716
This Document eRecorded: 02/11/2021 01:55:36 PM
Fee: \$26.00
Henderson County, North Carolina
William Lee King, Register of Deeds

Prepared by Scott A. Schaaf
and return to: Womble Bond Dickinson (US) LLP
One West Fourth Street
Winston-Salem, NC 27101

The property conveyed does not include the personal residence of the Grantor.

Tax ID: Portion of 9950913

Revenue Stamps: \$470.00

STATE OF NORTH CAROLINA)
)
COUNTY OF HENDERSON)

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED, effective February 9th, 2021, by and between **JOHN R. OWNBEY and CARROLL JACKSON OWNBEY** (collectively, "Grantor"), to **VULCAN LANDS, INC.**, a New Jersey company, whose mailing address is 1200 Urban Center Drive, Birmingham, AL 35242 ("Grantee"). The designation Grantor and Grantee, as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter, as required by context.

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Henderson County, North Carolina and more particularly described as follows (the "Property"):

See Exhibit A attached hereto and incorporated by reference herein.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee, their successors and assigns in fee simple forever.

Submitted electronically by "Womble Bond Dickinson (US) LLP"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Henderson County Register of Deeds.

WBD (US) 51176058v3

BK 3650 PG 588 - 591 (4) DOC# 944716

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

all easements, conditions, rights-of-way, restrictions and reservations of record, if any, and ad valorem taxes for year 2021 and subsequent years.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, GRANTOR has executed this instrument as of the day and year first above written.

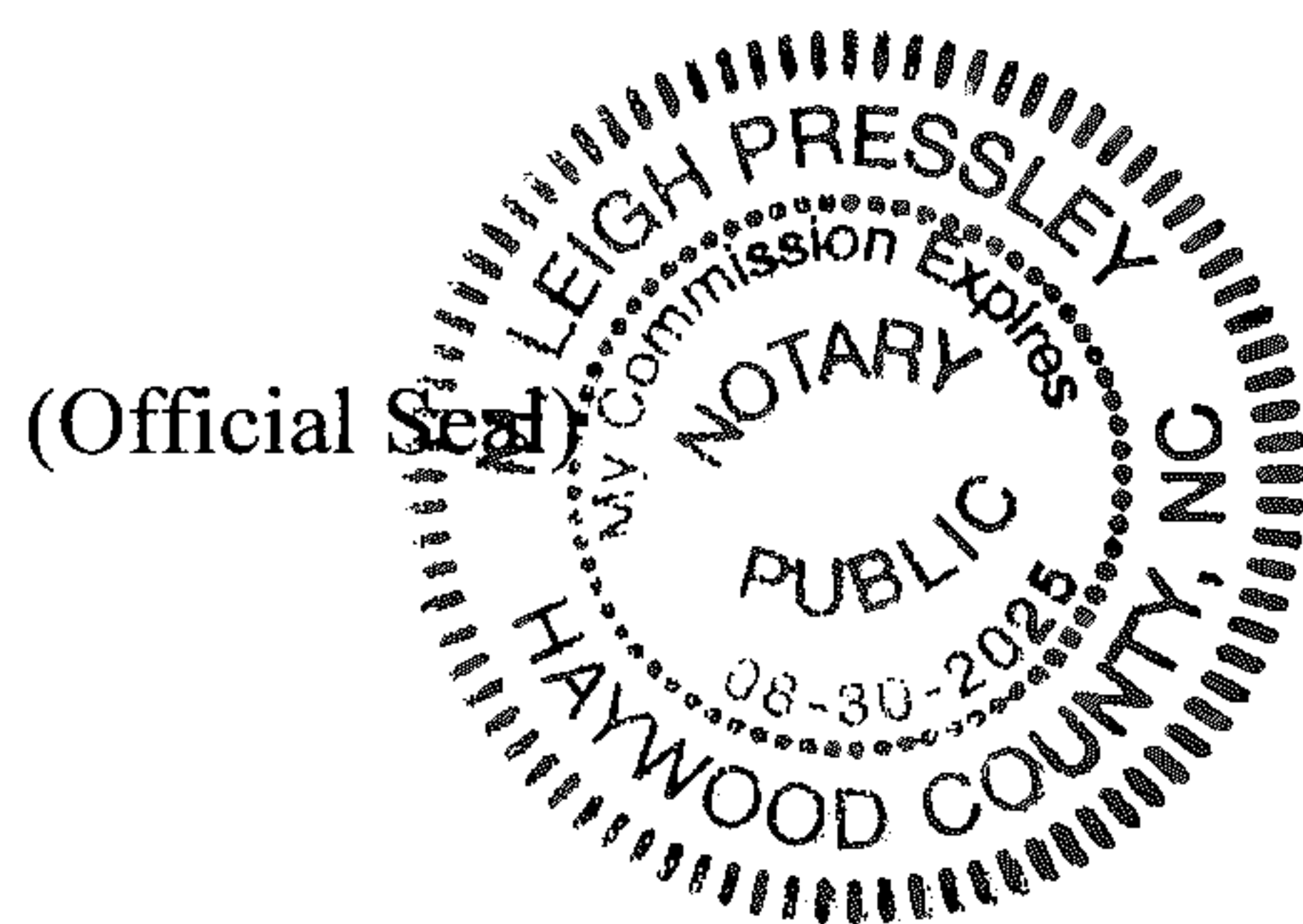
John R. Ownbey (SEAL)
JOHN R. OWNBEY

Carroll Jackson Ownbey (SEAL)
CARROLL JACKSON OWNBEY

STATE OF NORTH CAROLINA)
COUNTY OF Buncombe)

I certify that the following person personally appeared before me this day, acknowledging to me that she signed the foregoing document: John R. Ownbey and Carroll Jackson Ownbey.

Date: February 9, 2021



M Leigh Pressley
(official signature of Notary)
M LEIGH PRESSLEY, Notary Public
(Notary's printed or typed name)

My commission expires: 08/30/2025

EXHIBIT ALegal Description
Henderson County, North Carolina

BEGINNING at a 5/8 Rebar with EHA identification cap set, said cap set being the southwest corner of the right of way line of a 68' wide Duke Power right of way as recorded in Deed Book 460, Page 313, Henderson County Registry, said point also being the northwest corner of the remainder of the property owned by John R. Ownbey and Carroll J. Ownbey as recorded in Deed Book 857, Page 405, Henderson County Registry and also being located in the eastern property line of the property now owned by Vulcan Lands, Inc. as recorded in Deed Book 1027, Page 173, Pin #9670028948, Henderson County Registry; thence running from said point of BEGINNING through said Duke Power right of way North 16 degrees 37 minutes 07 seconds West 95.15 feet to an unmarked point in the eastern line of said Vulcan Lands, Inc., thence running North 57 degrees 45 minutes 38 seconds East passing a 3/4" iron pipe found 17.65 feet a total distance of 348.28 feet to a 3/4" iron pipe found, corner to the property owned by Vulcan Lands, Inc. as recorded in Deed Book 1027, Page 173, Pin #9670028948 and Vulcan Lands, Inc. as recorded in Deed Book 908, Page 318, Pin #9670128955, Henderson County Registry; thence running with the southern line of Pin #9670128955, Vulcan Lands, Inc. South 80 degrees 26 minutes 07 seconds East 441.67 feet to a 3/4" iron pipe found in the western property line of Greystone Enterprises, Inc. as recorded in Deed Book 789, Page 357, Henderson County Registry; thence along the western property line of said Greystone Enterprises, Inc., South 14 degrees 17 minutes 46 seconds West 267.29 feet to a 5/8" Rebar with EHA identification cap set, said Rebar being the new northeast corner of the said Ownbey parcel and also being in the southern line of said 68' right of way of Duke Power; thence running along new northern property line of said Ownbey and said Duke Power 68' right of way North 85 degrees 01 minutes 34 minutes West 639.30 feet to the point of place of BEGINNING, and containing 3.91 acres, more or less, as shown on the survey by Martin A. Barnes, PLS L-4274, as the "Area of parcel to be combined with Vulcan" and identified as "Recombination Survey for Vulcan Lands, Inc. of property owned by John R. Ownbey and Carroll J. Ownbey", dated September 16, 2020, said survey being of record in Plat Book 2020, Page 12749, Henderson County Registry.

31027 P173

Send tax notice to:
Vulcan Lands, Inc.
P.O. Box 4239
Winston-Salem, NC 27115
Attention: Lamar Brannon, Controller

This instrument prepared by:
John E. Hagefstration, Jr.
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203

Return to:
Dennis W. McNames, Esq.
Womble Carlyle Sandridge & Rice PLLC
200 West Second Street
P. O. Drawer 84
Winston-Salem, NC 27102

STATE OF NORTH CAROLINA)
:
COUNTY OF HENDERSON)

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid to VULCAN MATERIALS COMPANY, a New Jersey corporation ("Grantor") by VULCAN LANDS, INC., a New Jersey corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee, subject to the matters hereinafter set forth, the parcel or parcels of real estate situated in Henderson County, North Carolina, more particularly described on Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever; subject, however, to ad valorem taxes for the current year, matters that would be revealed by a current survey of the subject property, and all easements, restrictions, rights-of-way and other matters of record applicable to the subject property.

Grantor covenants that it has the full power and authority to convey the foregoing real estate and that it will warrant and defend the title to such property against all persons claiming by, through or under Grantor, but not otherwise.

[Signature Page Follows]

31027 P174

IN WITNESS WHEREOF, Grantor has caused these presents to be executed for and in its corporate name by its duly authorized officer on or as of the 31st day of December, 1999.

VULCAN MATERIALS COMPANY

By: William F. Denson, III
William F. Denson, III
Its Senior Vice President-General Counsel and Secretary

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Janet O. Collar, a notary public in and for the County and State aforesaid, certify that William F. Denson, III, personally came before me this day and acknowledged that he is Senior Vice President-General Counsel and Secretary of Vulcan Materials Company, a New Jersey corporation, and that he, as Senior Vice President-General Counsel and Secretary, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and official seal, this the 31st day of December, 1999.

Janet O. Collar
Notary Public

My commission expires:

10/17/02

[Notarial Stamp/Seal]



North Carolina, Henderson County, the foregoing certificate(s) of

Janet O. Collar
Notary Public (Notaries Public) is/are certified to be correct, this instrument presented for registration and recorded in this office this 15th day of June 20 00 at 12:15 pm in book 1027 page 173

Nedra W. Malis
Register of Deeds

Lyonne Lindsey
(Assistant Deputy)

EXHIBIT A

all the following described piece or parcel of land lying and being in the Township of Hendersonville, County of Henderson, and State of North Carolina, and known and designated as follows, viz:

BEGINNING at an established iron pin standing at a planted stone which is located in the most easterly corner of that tract of land of Paul Holbert and wife as described in Deed Book 284 at page 297, Henderson County Registry, said iron pin standing in the southern boundary line of that property of Vulcan Materials Company; and running thence with the line of said Vulcan Materials Company tract North 66 deg. 11 min. 05 sec. West 172 feet to an ESP at a Chestnut stump; and continuing thence South 74 deg. 03 min. 50 sec. West 396 feet to a new iron pin; and running thence South 74 deg. 03 min. 50 sec. West 139.78 feet to an iron pin; and running thence South 35 deg. 10 min. 36 sec. West 412.54 feet to an established iron pin; and continuing the same course South 35 deg. 10 min. 36 sec. West 517.28 feet to an established iron pin; and continuing thence the same course South 35 deg. 10 min. 36 sec. West 129.53 feet to an iron pin standing on the eastern margin of the pavement of Clear Creek Road (Secondary Road 1503); thence running North 86 deg. 25 min. 56 sec. East 38.37 feet to a right of way monument standing on the eastern margin of the right of way of said Clear Creek Road; and running thence with the eastern margin of the right of way of Clear Creek Road South 03 deg. 34 min. 04 sec. East 122.42 feet to a right of way monument standing in the eastern margin of said right of way; and continuing with the eastern margin of said right of way as the same runs in a southeasterly direction on a curve to the left with a radius of 1,095.92 feet a distance of 339.68 feet to a right of way monument, the chord of said curve being South 14 deg. 33 min. 36 sec. East 338.32 feet; and continuing thence with the eastern margin of the right of way of said Clear Creek Road South 25 deg. 30 min. 20 sec. East 121.75 feet to a right of way monument; and running thence South 26 deg. 50 min. 17 sec. East 174.69 feet to a concrete right of way monument and continuing thence South 23 deg. 10 min. 43 sec. East 178.83 feet to a concrete right of way monument; and continuing thence with the eastern margin of the right of way of Clear Creek Road as the same runs in a southeasterly direction on a curve to the right with a radius of 527.47 feet a distance of 180.29 feet to a concrete right of way monument, the chord of said curve being South 06 deg. 36 min. 58 sec. East 179.42 feet; and running thence as the eastern margin of the right of way of Clear Creek Road merges with the northern margin of the right of way of Old Clear

31027 P176

D90070

Dead

Creek Road South 29 deg. 39 min. 15 sec. East 19.82 feet to a stake; and continuing with the northern margin of the right of way of Old Clear Creek Road (Secondary Road 1513), South 52 deg. 36 min. 54 sec. East 330.15 feet to a stake; and continuing thence with said margin of said road as the same runs in a Southeasterly and Easterly direction on a curve to the left with a radius of 604.81 feet a distance of 321.54 feet to a concrete right of way monument; thence leaving the northern margin of the right of way of Old Clear Creek Road and running thence South 06 deg. 37 min. 35 sec. West 50.20 feet to a stake standing in the center of Old Clear Creek Road; and running thence with the center line of Old Clear Creek Road three calls as follows: South 82 deg. 16 min. 08 sec. East 106.90 feet, South 84 deg. 13 min. 30 sec. East 237.55 feet, and South 86 deg. 31 min. 03 sec. East 157.62 feet to a stake; thence leaving said old Clear Creek Road, and running with the center line of a branch North 09 deg. 26 min. 55 sec. East 88.70 feet, North 24 deg. 52 min. 17 sec. East 83.22 feet, North 18 deg. 35 min. 46 sec. East 90 feet; North 19 deg. 22 min. 19 sec. East 79.29 feet, North 19 deg. 15 min. 21 sec. East 94.91 feet, North 10 deg. 26 min. 54 sec. East 96.50 feet, North 38 deg. 41 min. 44 sec. East 25.11 feet; and running thence North 03 deg. 12 min. 48 sec. West 28.54 feet; and running thence, crossing a Duke Power Company transmission line, North 14 deg. 50 min. 24 sec. West 108 feet; and running thence North 59 deg. 33 min. 16 sec. East 348.06 feet to an iron pin standing at a planted stone; and running thence North 05 deg. 40 min. 03 sec. East 633.72 feet to an iron pin; and running North 21 deg. 40 min. 25 sec. East 130.24 feet to an iron pin; and running thence North 59 deg. 03 min. 28 sec. East, crossing the line of the right of way of AT&T, 290.49 feet to an iron pin; and running thence North 83 deg. 38 min. 16 sec. West 132.30 feet to an iron pin; and running thence North 07 deg. 46 min. 36 sec. East 348.19 feet to a planted stone; and running thence North 84 deg. 23 min. 03 sec. West 446.17 feet to an iron pin at a fence corner; and running thence North 05 deg. 23 min. 46 sec. East 128.63 feet to an iron pin standing at a fence intersection, said iron pin standing in the line of Vulcan Materials Company property; and running thence North 68 deg. 12 min. 39 sec. West 445.93 feet to the point of BEGINNING.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Matthew Manley

MEETING DATE: August 7, 2025

AGENDA SECTION: New Business

DEPARTMENT: Community
Development

TITLE OF ITEM: Annexation: Analysis and Advisement – 143 Thumper Woods Lane/Simple Life Farm (25-49-ANX) – *Matthew Manley, Long-Range Planning Manager*

SUGGESTED MOTION(S):

<u>For Directing Staff to Move Forward with The Annexation Review Process:</u>	<u>For Directing Staff to Not Move Forward with The Annexation Review Process:</u>
<p>I move Council direct staff to move forward in reviewing the annexation petition submitted by Simple Life Farm at Flat Rock, LLC.</p> <p style="text-align: center;">[DISCUSS & VOTE]</p>	<p>I move Council direct staff to <u>not</u> move forward in reviewing the annexation petition submitted by Simple Life Farm at Flat Rock, LLC.</p> <p>The subject property will remain under Henderson County’s zoning jurisdiction.</p> <p>I further move that City sewer service:</p> <ol style="list-style-type: none"> 1. may be extended to the subject property. <p style="text-align: center;">OR</p> <ol style="list-style-type: none"> 2. shall not be extended to the subject property. <p style="text-align: center;">[DISCUSS & VOTE]</p>

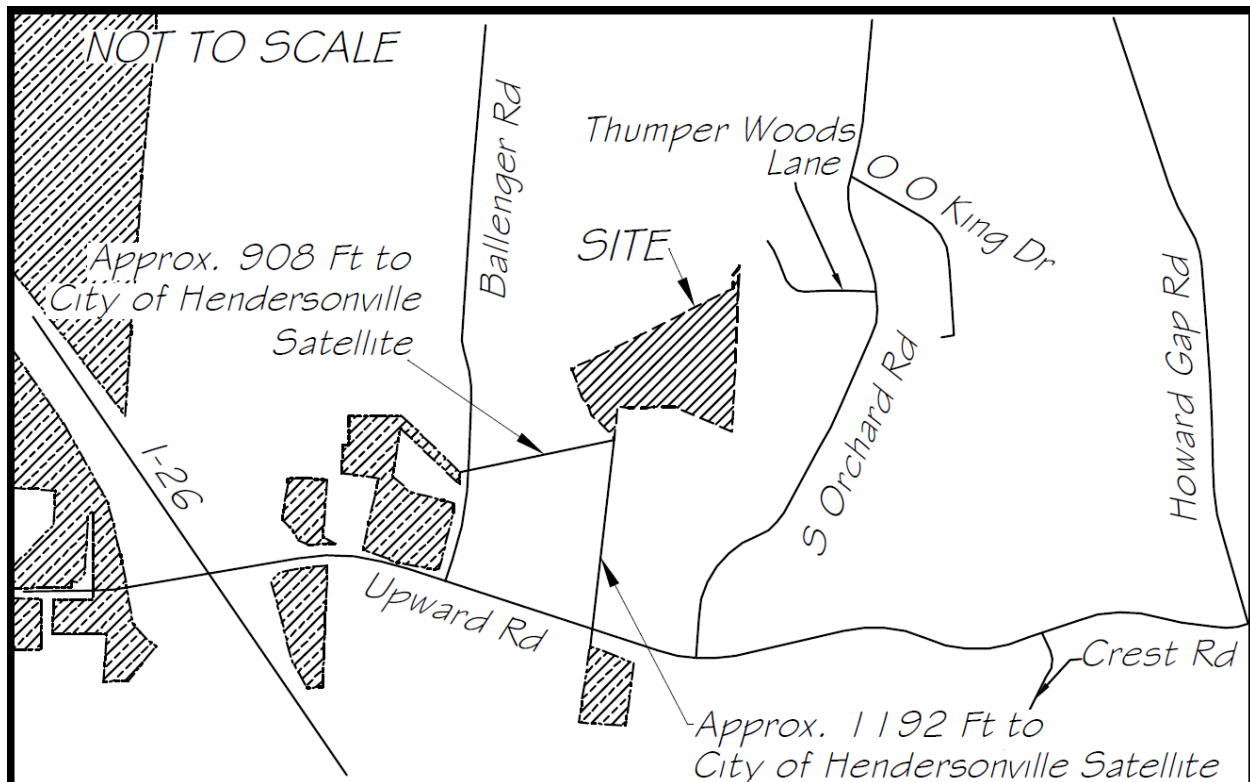
SUMMARY: *The City of Hendersonville has received a petition from Simple Life Farm at Flat Rock, LLC. for a satellite annexation of a portion of PIN 9588-62-0283 located at Thumper Woods Lane that is approximately 10.21 acres. Please refer to the attached maps for additional information.*

PROJECT/PETITIONER NUMBER:	<ul style="list-style-type: none"> 25-42-ANX
PETITIONER NAME:	<ul style="list-style-type: none"> Simple Life Farms at Flat Rock, LLC
ATTACHMENTS:	<ol style="list-style-type: none"> Annexation Analysis Draft Annexation Plat Henderson County Special Use Permit Annexation Application

Formerly 143 Thumper Woods Ln - Annexation Analysis (25-49-ANX)

Development:

- Description: RV Park (60 Park Model Units) – Park Model Units are sold by the Developer for year-round living and owned independently. The lots for each unit are owned by the Property Owner and leased to the Unit Owners.
- Status: Approved for Special Use Permit under County R1 Zoning on January 29, 2025
- PIN: Portion of PIN - 9588-62-0283
- Size: 10.21 Acres
- Density: 5.897 Units / Acre
- Annexation Type: Satellite



Cost of Service / Fiscal Impact Analysis

Utilizing the Cost of Service evaluation formula developed by City Administration, the proposed development would have a Cost of Service Value per Acre of \$1,304,603, however when you modify this value and account for the efficient or inefficient provision of services at this location, the Modified Cost of Service Value per Acre drops to **-\$652,302**. Additionally, the Net Tax Revenue per Acre drops to **-\$3,196**.

City & County Comprehensive Plan Analysis



Example of a “Agricultural/Rural” development presented in the Henderson County 2045 Comprehensive Plan.



Example of “Rural Residential” development presented in the City of Hendersonville Gen H Comprehensive Plan.

	Henderson County 2045 Comprehensive Plan	Development under County RI Zoning	Hendersonville Gen H Comprehensive Plan	Development under City PRD
Character Area	Agricultural / Rural		Rural Residential	
Intent	Preservation of natural resources and rural character.	Inconsistent	Encourages Conservation Design which preserves more open space	Consistent
Location	Where existing agriculture is active and where changes would drastically alter the rural landscape.	Consistent	Areas on the periphery of floodplains, areas featuring significant agricultural or natural resources.	Consistent
Density	1 unit per acre with environmentally sensitive areas having a maximum allowable density of one unit per five acres.	Inconsistent	1 unit per acre with smaller lots permitted with Conservation Design	Inconsistent
Uses	Agriculture, Forestry, Very Low Density Res.	Inconsistent	Single-Family Residential	Consistent

Comprehensive Plan Staff Analysis

- 1) The approved development is not in alignment with Henderson County's 2045 Comprehensive Plan vision for the area.
- 2) The approved development appears to be Somewhat Consistent with the City of Hendersonville's Gen H Comprehensive Plan
 - a. Provides naturally-occurring affordable housing at the proposed density of 5.9 units per acre [Consistent]
 - b. Keeps 75% of land in Open Space [Consistent].
 - c. Land Disturbance will impact 90% of the site [Inconsistent]
 - d. Significant impacts to 100 Yr Floodplain [Inconsistent]

Zoning Comparison

Henderson County - Residential One (R1)

- 1) Allowable Uses: Residential, Camps, Camping, Golf Courses, Schools, Churches, etc.
- 2) Residential Density: 6 units/acre (with sewer); 4 units/acre (without sewer)

City of Hendersonville – Planned Residential Development

- 1) Planned Residential Development (PRD) would be the most viable option since any development over 50 units triggers Conditional Zoning. The project is under the maximum density of 10 units/acre.
- 2) With the proposed density of 5.9 units per acre and with all of the units being less than 1,200 Sq Ft, this could be allowed under R-20, Low Density Residential as a Minor Planned Residential Development. However, since the project exceeds 50 units, a Major Planned Residential Development would be required.

Zoning – Staff Analysis

- 1) The proposed use was approved through a Special Use Permit in the County contingent on the provision of City Sewer. Without City Sewer, the proposed density of 5.9 units per acre would exceed the maximum density permitted under R1 (4 units/acre).

Department & Agency Impact Statements

The following statements come directly from representatives of various departments and external agencies:

- **City of Hendersonville Engineering:** No Comment
- **City of Hendersonville Fire:** No Comment
- **City of Hendersonville Police:** No Comment

- **City of Hendersonville Public Works:** This development appears to qualify for services (garbage and recycling collection). Our nearest customer is 2.6 miles away just off Upward Road and the drive to this location is about 7 minutes away. A concern with this proposal is that it includes private roads that are susceptible to deterioration when traveled on by heavy trucks. This has the potential to become an issue for the residents. In addition, all bridges serving this site must be rated for heavy trucks
- **City of Hendersonville Water & Sewer:** Cost to serve new development with water and sewer is captured in the system fee schedule (rates).
- **Henderson County Public Schools:** The schools that would be impacted by this development currently have the capacity to accommodate any students who may enroll as a result of families moving into the area.
- **NC Department of Transportation:** Impacts to S. Orchard Rd and Upward Rd are expected to be minimal. It is important to note that the department has received multiple requests for pedestrian facilities in this area and concerns with the traffic and pedestrians' interaction on South Orchard Road. With an additional 120 +/- daily trips at this location, I would anticipate these requests and complaints to increase.

Annexation Options

Annexation Approved with City Services Provided:

Project proceeds as presented under County land use regulations.

All City Services are provided.

Annexation Denied with City Sewer Provided:

Project proceeds as presented under County land use regulations.

No additional City services are provided other than Water/Sewer

Annexation Denied with City Sewer not Provided:

Project would not be able to proceed as approved under County Zoning.

A modified project could proceed up to 4 units/acre under County Zoning.

STATE OF NORTH CAROLINA BEFORE THE ZONING BOARD OF ADJUSTMENT
COUNTY OF HENDERSON FILE NUMBER: SUP-24-05

IN THE MATTER OF THE APPLICATION OF

SIMPLE LIFE HAMLET, LLLP, Applicant

to the

HENDERSON COUNTY ZONING BOARD OF ADJUSTMENT,
Permit Authority,

Regarding

RV PARK (TINY HOMES)

The Henderson County Zoning Board of Adjustment held a quasi-judicial hearing December 18, 2024, to consider application SUP-24-05, seeking a special use permit to allow use of certain property for the use “recreational vehicle park” under the Chapter 42 of the Henderson County Code (“the Code”). The application was submitted by purchaser of the property in question. The property is question is currently under the ownership of the Hoots Family. Having heard all of the evidence and arguments presented at the hearing, the Zoning Board of Adjustment makes the following findings of fact:

1. A quasi-judicial hearing was held by the Henderson County Zoning Board of Adjustment on the special use permit application SP-24-05. A quorum of members of the Zoning Board of Adjustment was present. The members present and participating were:

Steve Dozier, Chair	Mark Casoria
Louise St.Romain	Carlos Ruiz
Ken Gordon	

2. All members of the Zoning Board of Adjustment affirmed their ability to make an impartial decision in this matter, and no party or member objected to any other member’s participation in this hearing.

3. Notice of the quasi-judicial hearing, pursuant to the Code was duly and timely given in accord with the provisions of §42-371. This included certified mailing to the applicants and all adjacent property owners to the boundary of the subject property, published notice, and the posting of notice on the subject property.

4. This application was filed by Simple Life Hamlet, LLLP, as applicant. The property to be included in the special use consists of a portion of Henderson County PIN 9588620283. This property is currently zoned residential one (“R1”). “Recreational vehicle park” is a permitted use in this district with a special use permit.

5. At the commencement of this hearing, the Chair stated that the Board recognized the Applicant and the Henderson County Planning Department as parties to this hearing, and inquired whether any person or entity sought to become a party to this action. No such person responded.

6. In order to grant any special use, the Board must find that the proposed use will:

- a. Not materially endanger the public health, safety or welfare;

- b. Not substantially injure the value of property or improvements in the area; and
- c. Be in harmony with the surrounding area.

7. The information contained in the Request for Board Action and staff report was received by the Board without objection. The statements found therein are found to be fact by this Board.

8. The Board must find that the proposed use meets the specific standards for each specific special use set out in the Henderson County Land Development Ordinance, Chapter 42 of the Henderson County Code. The use proposed here is “recreational vehicle park”. The specific standards for the proposed use are set out in Supplemental Regulation SR 4.15 of the Land Development Ordinance, found at Section 42-63 thereof. The standards, deleting any which are inapplicable to the site plan proposed by the applicant, are as follows:

- a. (1) Site Plan. Major Site Plan required in accordance with §42-331 (Major Site Plan Review).
- b. Lighting. Lighting mitigation required.
- c. Perimeter Setback. Fifty (50) feet.
- d. Recreational Vehicle Spaces. Recreational vehicle spaces shall be a minimum of 2,000 square feet and shall have dimensions no less than 40 feet by 50 feet. A recreational vehicle space may contain up to four (4) campsites for tent set-up. No recreational vehicle space is permitted in the 100-year floodplain.
- e. Common Area. A common area shall be provided, that is equivalent in square footage to 25 percent the total square footage in: recreational vehicle/park model home spaces, structures on site, parking areas and driveways. Common area shall be accessible for the use and enjoyment of recreational vehicle park occupants, located as to be free of traffic hazards and maintained in good condition by the applicant.
- f. Operations. The recreational vehicle park:
 - (1) Shall provide rental spaces:
 - (a) For the location of recreational vehicles, park model homes and/or tent set-up,
 - (b) Which may contain an open or covered porch not exceeding 15 feet in height and not to exceed 400 square feet in area, and
 - (c) Which have no point of direct access not indicated on the site plan;
 - (2) May contain structures ancillary to the use;
 - (3) Shall be permitted one (1) store, exclusively for the sale of incidental gifts and foodstuffs; and
 - (4) Shall provide, at the time of application, an evacuation plan for a natural disaster event.
- g. Solid Waste Collection. The facility shall provide a suitable method of solid waste disposal and collection consisting of either private collection from individual uses or the use of dumpsters (installed and/or operated to meet all local and state statutes, ordinances and regulations (including Chapter 95 of the Henderson County Code, Solid Waste) and thereafter certified by the Department of Public Health). Where dumpsters are used, Screen Class One (1), Two (2) or Three (3) shall be provided consistent with the requirements of §42-182 (Screen Classification).
- h. Sewage System. Recreational vehicle/park model home spaces shall not be provided individual hookups to a septic tank, approved public or community sewage disposal system or

municipal sewage disposal system; instead, a central dump station shall be provided for the use of all occupants. A recreational vehicle park shall connect to a municipal sewage disposal system when the system is located within a distance equal to the product of 50 feet multiplied by the number of spaces proposed for the recreational vehicle park. If a park is located more than 2,500 feet from an existing municipal sewage disposal system, such connection shall not be required.

i. Common Area Recreation and Service Facilities. Those facilities within the recreational vehicle park shall be for the sole purpose of serving the overnight guests in the park, and shall adhere to the development standards established in SR 4.6 (Common Area Recreation and Service Facilities).

9. Pursuant to §42-356H, “[t]he concurring vote of the majority of the members” of the Board is required to grant the special use permit.

10. The Board heard evidence that the application met all the foregoing, so long as the following conditions were added: a valid North Carolina Department of Transportation traffic impact analysis; recombining the subject property with the existing Village of Wildflowers property; a valid soil erosion and sedimentation control permit; a valid stormwater control permit; a valid flood damage prevention development permit; a valid private sewer easement to the existing private manhole, and a valid permit from North Carolina Department of Environmental Quality to increase capacity to the existing lift station.

11. A motion was made by acclamation to grant the special use, all standards having been met (with the conditions contained above). All members voted aye.

From the foregoing, the Zoning Board of Adjustment concludes as follows:

1. All parties were properly before the Board, and all evidence presented herein was under oath, and was not objected to by any party. All evidence relied upon in this Order was credible and reliable.
2. The Zoning Board of Adjustment has jurisdiction to hear this matter.
3. All parties, and all persons entitled to notice, have been given proper notice of this hearing and afforded the right to be heard.
4. The application for the special use permit should be granted, with the conditions stated above.

IT IS THEREFORE ORDERED by the Henderson County Zoning Board of Adjustment that Henderson County special use permit amendment application number SP-24-05 is hereby granted.

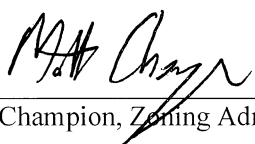
Approved the 18th of December, 2024, and approved in final form, this the 29th of January, 2025.

HENDERSON COUNTY ZONING BOARD OF ADJUSTMENT

By: _____

ANDREW RIDDLE, Chair

Attest:


Matt Champion, Zoning Administrator



CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
160 6th Ave. E., Hendersonville, NC 28792
Phone (828) 697-3010|Fax (828) 698-6185
www.hendersonvillenc.gov

Petition Requesting Annexation

The following are the **required** submittals for a complete application for a Voluntary Annexation. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☒ 1. Completed Application Form
- ☒ 2. A copy of the deed indicating ownership of the property.
- ☒ 3. A Survey Plat of the property prepared by a registered surveyor licensed to practice in the state of North Carolina.
- ☒ 4. A typed boundary description of the property.

A. Property Information

PIN(s): 9588612836

Address(es) / Location of Property: No Address Assigned (Previously part of 143 Thumper Woods Lane)

Does this property adjoin the present City Limits? ☐ Yes ☒ No

Is the property within the ETJ? ☐ Yes ☒ No

Are you declaring any site-specific vested right with respect to the properties subject to this petition as established under G.S. 160D-108.1? ☐ Yes ☒ No

Reason for Annexation:

For access or availability to City of Hendersonville Sewer via existing Private Lift Station.

Office Use:

Date Received: _____ By: _____ Fee Received? Y/N

B. Property Owner Contact Information

Simple Life Farm at Flat Rock, LLC
Managing Parnter, Mike McCann

07.03.25

* Printed Applicant Name

Date

Simple Life Farm at Flat Rock, LLC

Printed Company Name (if applicable)

☐ Corporation

☒ Limited Liability Company

☐ Trust

☐ Partnership

☐ Other: _____



Property Owner Signature

Managing Partner

Property Owner Title (if applicable)

135 2nd Ave N

Address of Property Owner

Jacksonville Beach, FL 32250

City, State, and Zip Code

904.982.1545

Telephone

mike@simple-life.com, gwahila@simple-life.com

Email

C. Additional Property Owner Contact Information

Simple Life Farm at Flat Rock, LLC
Managing Parnter, Mike McCann

07.03.25

* Printed Applicant Name

Date

Simple Life Farm at Flat Rock, LLC

Printed Company Name (if applicable)

☐ Corporation

☒ Limited Liability Company

☐ Trust

☐ Partnership

☐ Other: _____

Property Owner Signature

Managing Partner

Property Owner Title (if applicable)

135 2nd Ave N

Address of Property Owner

Jacksonville Beach, FL 32250

City, State, and Zip Code

904.982.1545

Telephone

mike@simple-life.com, gwahila@simple-life.com

Email



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

John Connet, City Manager

MEETING DATE:

8/7/25

AGENDA SECTION:

NEW BUSINESS

DEPARTMENT:

Administration

TITLE OF ITEM:

Consideration of Interlocal Agreement between the City of Hendersonville and Henderson County – *John Connet, City Manager*

SUGGESTED MOTION(S):

I move that the City Council approve the interlocal agreement between the City of Hendersonville and Henderson County.

SUMMARY:

Since Senate Bill 69 has not moved forward, Henderson County has requested that the City of Hendersonville and Henderson County enter into an interlocal agreement solidifying the terms of the proposed local bill.

BUDGET IMPACT: \$ TBD

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

Proposed Interlocal Agreement

STATE OF NORTH CAROLINA

COUNTY OF HENDERSON

INTERIM SUPPLEMENTAL INTERLOCAL AGREEMENT

This Agreement is made and entered into this the ____ day of _____, 2025, by and between the **CITY OF HENDERSONVILLE**, a North Carolina municipal corporation (the *City*), and the **COUNTY OF HENDERSON**, a body corporate and politic of the State of North Carolina (the *County*).

Circumstances

A. The City and the County entered into an Interlocal Agreement (the *Interlocal Agreement*) on or about the 16th day of June, 2025, covering and resolving certain outstanding issues involving them.

B. Final resolution of all the issues contemplated by the Interlocal Agreement will require final action from the North Carolina General Assembly, as the parties agreed to advocate in a proposed local bill (the *Local Bill*).

C. Action of the General Assembly has been delayed beyond the time frame initially contemplated by the parties.

D. This Interim Supplemental Interlocal Agreement (the *Interim Agreement*) is intended to cover the period from execution until the action of the General Assembly to implement the *Local Bill* as agreed to by the parties, and as attached to the *Interlocal Agreement*, and is intended solely to address those issues otherwise accomplished by the *Local Bill*, to the extent they are within the power of the City and the County, and to not in any way affect the obligations of the parties under the *Interlocal Agreement*.

D. The Interim Agreement is entered under the provisions of Article 20 of Chapter 160A of the North Carolina General Statutes.

Agreement

NOW, THEREFORE, in consideration of the mutual promises and covenants made to one another, the parties agree as follows:

Water and Sewer

1. The parties hereby create the Interim Joint Water and Sewer Commission (the ***Interim Commission***), to fulfill, on an interim basis, the purposes of the Joint Water and Sewer Commission in the ***Interlocal Agreement***.

2. The membership, operation, and duties of the ***Interim Commission*** shall be as set out in the proposed N.C. Gen. Stat. §160A-312(d) which was a part of the ***Local Bill***.

3. The City and the County shall undertake, on the terms stated therein, the provisions of the proposed revised N.C. Gen. Stat. §160A-312(e) which was part of the ***Local Bill***.

4.

Annexation

5. The City shall not require annexation under this section for any property located wholly outside of the Mud Creek Drainage Basin as a condition of receiving sewer service for such property, but may require annexation as a condition of receiving water or sewer service for parcels located in whole or in part within the Mud Creek Drainage Basin upon which is proposed new development, or any redevelopment of the parcel which is intended to increase the assessed tax value of the parcel by at least fifty percent (50%).

6. When a property is annexed into the city's corporate limits, and the property was a part of the taxing district where fire coverage is contracted for by a volunteer fire department prior to the annexation, the City shall contract with such volunteer fire department to provide fire protection services to the property for a minimum of 5 years. The contract shall establish a level of service to be provided by the volunteer fire department consistent with the requirements and standards of the Office of the State Fire Marshal for like departments. Nothing herein shall prevent the City from terminating any such contract entered for failing to provide the established level of service. The city shall compensate the volunteer fire department based on the following formula:

(a) The contract shall apply to all properties annexed by the city from and after January 1, 2015, and during the term of the agreement with the volunteer fire department, including all renewals.

(b) The annual fee paid by the City to such volunteer fire department shall be the amount which is one-half of the ad valorem tax which would have been owed and paid on such year's assessed value of the annexed real property or real properties at that year's adopted fire district tax rate that would have applied to the real property but for the annexation.

(c) Fees shall not be paid retroactively.

Planning and Zoning

7. Pursuant to N.C. Gen. Stat. §160D-202(h), the City relinquishes its jurisdiction over areas outside its incorporated area. The effective date of this paragraph 7 is October 1, 2025, and the City shall take any further action to effect this relinquishment by such date, and the County shall undertake a planning process under its ordinances for such area by such date, to allow for adoption of development regulation by it within the timeframe of §160D-202(h).

8. For any property annexed into the City's corporate limits the City shall, at the time of adopting the annexation ordinance, also adopt a resolution requesting that the County assume jurisdiction for land development regulation for the annexed property. The County shall have thirty (30) days from the effective date of the annexation ordinance to adopt a resolution declaring the County's maintenance of land development regulation jurisdiction over the annexed property. Upon the adoption of such an resolution by the County, the County's land development regulations shall continue to apply to the annexed property. In the event the County does not adopt a resolution assuming land development regulation jurisdiction within said thirty (30) day time period, the City shall take over land development regulation jurisdiction over the annexed property and the provisions of N.C. Gen. Stat. §160D-202(g) shall apply.

Executed after majority vote of both the Hendersonville City Council and the Board of Commissioners of Henderson County, the dates shown below.

CITY OF HENDERSONVILLE

COUNTY OF HENDERSON

By: _____
BARBARA VOLK, Mayor

By: _____
WILLIAM LAPSLEY, Chairman
Board of Commissioners

Date: _____

Date: _____

Attest:

City Clerk

Clerk to the Board of Commissioners

Approved as to form:

Approved as to form:

City Attorney

County Attorney



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Jill Murray, City Clerk **MEETING DATE:** 08/07/2025
AGENDA SECTION: BOARDS/COMMITTEES **DEPARTMENT:** Administration
TITLE OF ITEM: Consideration of Vacancy Appointment to the Environmental Sustainability Board

SUGGESTED MOTION(S):

I move to appoint Joan Zaki to the Environmental Sustainability Board.

SUMMARY:

Council will need to make an appointment to the Environmental Sustainability Board to fill their final remaining vacancy.

BUDGET IMPACT: N/A

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:

Application

Entry #: 505 - 7/18/2025

Status: Submitted

Submitted: 7/18/2025 10:43 AM

Section 9, Item A.

****In order for City Council to consider vacancies at their June, 2025 meeting, applications are due Wednesday, May 21, 2025 at 5:00 p.m.****

Date of Application

7/18/2025

Select Board/Commission/Committee

Environmental Sustainability Board

Name

Joan Mulrennan Zaki

**Do you reside within
Hendersonville's City
limits?**

Yes

CITY

Street Address

401 Regal St., Hendersonville, North Carolina 28792

**Mailing Address (If
Different)**

Hendersonville, North
Carolina 28792

Phone

(813) 299-3302

Email

joanzaki2@gmail.com

All appointments to the Environmental Sustainability Board shall be made by the City of Hendersonville City Council. The Board shall consist of nine (9) members from the following membership categories:

(5) Residents of the City of Hendersonville.

(4) At-Large Members

(1) City Council Liaison – Non-voting.

At-large members are defined as persons owning property or residing within the City of Hendersonville or Henderson County, or business owners whose business is located within the City of Hendersonville or Henderson County.

Please list any other appointed board positions you presently hold in any capacity. This includes advisory boards, quasi-judicial boards, committees, non-profits etc.

none

Please list educational background, special qualifications, i.e., civic memberships, related work experience, etc.

I am a retired veterinarian. I am an intern Master Gardener.

Based on your qualifications and experience, briefly describe why your services on these boards/commissions would be beneficial to the City of Hendersonville.

I don't have "special" qualifications or experience, but I care about my community and the environment and want to be part of an organization that is tasked with safeguarding the environment that our community is in.

For reporting purposes, please select how you identify.

Female

Race: For purposes of diversity and inclusion please identify your race.

White

The City Council adopted a Code of Ethics for Advisory Boards/Commissions/Committees as well a Handbook. All persons appointed to City advisory boards must sign acknowledgement of this document. [You may view the Handbook and Code of Ethics Resolution and other information here.](#)

[The training video is available here.](#)

Signature- I hereby affirm that, to the best of my knowledge, the information provided on this application is true and accurate. I also acknowledge upon appointment to an advisory board I will view the Advisory Board Training Video, Handbook & Code of Ethics on the City's website and agree to abide by its tenants.

Section 9, Item A.

Joan Mulrennan Zaki



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

Jennifer Floyd

MEETING DATE: 08/07/2025

AGENDA SECTION:

City Manager Report

DEPARTMENT: Administration

TITLE OF ITEM:

July 2025 Contingency and Adjustment Report – *John Connet, City Manager*

SUGGESTED MOTION(S):

N/A – Presentation Only.

SUMMARY:

In accordance with North Carolina General Statute (NCGS) 159-13(b) it is required that all expenditures resulting from a contingency appropriation budget be reported to the governing board at its next regular meeting and recorded in the minutes.

NCGS 159-15 permits the Budget Officer (City Manager), to transfer budget from one appropriation to another within the same fund, provided any such transfers are reported to the Governing Board. The City of Hendersonville refers to transfers of budget from one appropriation to another within the same fund as a “budget adjustment”. City Council authorizes budget adjustments each year with the adoption of the annual budget ordinance (SECTION 4).

This agenda item serves to fulfill the reporting requirements of both NCGS 159-13(b) and 159-15 by providing City Council a summary of all amendments and adjustments occurring thus far in the fiscal year.

BUDGET IMPACT: Detailed Above

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:

Contingency and Adjustment Report

**FISCAL YEAR 2025 - 2026 (FY26)
BUDGET AMENDMENTS AND ADJUSTMENTS**

Completed	Corrected
Proposed	Denied

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-534999	Contingency	100,000	-	22,500	77,500
010-1014-519200	Contracted Services	-	22,500	-	22,500
010-0000-534999	Contingency	77,500	-	3,120	74,380
010-1001-54001	Special Appropriations	442,000	3,120	-	445,120
068-0000-534999	Contingency	53,055		30,000	23,055
068-7855-531500	Tipping Fees	265,000	30,000	-	295,000
010-0000-534999	Contingency	74,380	-	1,500	72,880
010-1002-502091	Worker's Comp. Insurance	248	1,500	-	1,748

DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
ECUSTA Maintenance	yes	Adjustment	6/1/2025
ECUSTA Maintenance	yes	Adjustment	6/1/2025
Special Appropriations	yes	Adjustment	6/1/2025
Special Appropriations	yes	Adjustment	6/1/2025
Tipping Fees	yes	Adjustment	6/6/2025
Tipping Fees	yes	Adjustment	6/6/2025
FY26 Worker's Comp. Insurance	yes	Adjustment	7/14/2025
FY26 Worker's Comp. Insurance	yes	Adjustment	7/14/2025



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:

John Connet

MEETING DATE:

8/7/25

AGENDA SECTION:

CLOSED SESSION

DEPARTMENT:

Administration

TITLE OF ITEM:

Closed Session – *John Connet, City Manager*

SUGGESTED MOTION(S):

I move that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) and (3) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body.

SUMMARY:

City staff is requesting a closed session to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney.

BUDGET IMPACT: \$ TBD

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

None