



CITY OF HENDERSONVILLE
ENVIRONMENTAL SUSTAINABILITY BOARD
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC
28792

Thursday, August 18, 2022 – 3:00 PM



AGENDA

1. CALL TO ORDER

A. Roll Call- *Ann Twiggs, Co-Chairperson*

2. APPROVAL OF AGENDA

A. Approval of Agenda- *Ann Twiggs, Co-Chairperson*

3. APPROVAL OF MINUTES

A. Approve meeting minutes from special meeting on 08/11/22- *Ann Twiggs, Co-Chairperson*

B. Meeting Minutes from 07/21/22- *Ann Twiggs, Co-chairperson*

4. PUBLIC COMMENT

A. Public Comment- *Allotted Time, 15 minutes*

5. OLD BUSINESS

A. Sustainability Manager Update- *Gracie Erwin, Staff Liaison*

B. EV Proposal - *Ann Twiggs/Will Garvey, Co-Chairperson and Boardmember*

6. SUB COMMITTEE UPDATES

A. Sustainability Planning- *Unfilled role?*

B. Bee City Updates- *(Will Garvey is traveling and not in attendance)*

Email from Kim Bailey to discuss

C. Recycling and Plastics- *Geri Conley, Boardmember*

D. City Council Update - *Lyndsey Simpson, Councilwoman*

ICLEI- member cost \$1,200

7. NEW BUSINESS

A. Support for Caregivers of Mother Earth- *Ann Twigs, Co-chairperson*

B. Budget Ideas - *Ann Twiggs, Co-chairperson*

C. Parklet- *Virginia Tegel*

D. Green Expo Discussion - *Ann Twiggs, Co-chairperson*

E. Green Meadows Community Garden- *Mary Ellen Kustin, boardmember*

F. Conscious Planet- *Ann Twiggs, Co-Chairperson*

<https://consciousplanet.org/>

G. Updated Charter - *Gracie Erwin, Staff Liaison*

8. **ADJOURNMENT**

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 for 08/11/22 ESB Special Meeting

<https://www.hendersonvillenc.gov/event/esb-special-call-meeting?delta=0>

Notetaker: Mary Ellen Kustin, ESB Member

In attendance: ESB Chair Kelly Pahle, ESB Vice Chair Ann Twiggs, Anthony Baltiero, Geri Conley, Will Garvey, Mary Ellen Kustin, Virginia Tegel, and City Council Liaison Lyndsey Simpson

3:32pm Chair Kelly Pahle called the meeting to order

3:34pm Anthony Baltiero moved to approve the agenda; Virginia Tegel seconded the motion; all were in favor, none opposed

Members noted that the Sustainability Manager Position Description is still in draft form and look forward to sharing the final version far and wide once posted.

Members discussed ESB budget priorities for FY23. Members will continue the discussion and potentially vote on actions at the regularly scheduled ESB meeting on Thursday 08/18/22.

Members agreed to gather more information before the 08/18/22 meeting. The point people are:

- Lyndsey Simpson for ICLEI
- Mary Ellen Kustin for Community Garden
- Virginia Tegel for Parklet
- Ann, Geri, and Anthony for Green Expo
- Geri for plastic bags at school breakfast

Geri: plastic bags at Green Expo

4:46 Anthony Baltiero moved to adjourn the meeting; Ann Twiggs seconded the motion; all were in favor, non opposed.

ESB MEETING MINUTES

July 21, 2022

CALL TO ORDER

Roll Call Mary Ellen Kustin, Chair person

Will, Kelly, Ann, Mary Ellen, Geri, new members Virginia Tegel and Anthony Baltiero – Lyndsey and Beth came later

Gracie absent due to illness. Ann Twiggs volunteered to take minutes

APPROVAL OF AGENDA – Agenda approved with addition of approval of the schedule for the year, Walk Hendo and Brian Pahle moved up after Welcome New Members. Anthony so moved and Will seconded.

SUBCOMMITTEE UPDATES

Welcome new members – Virginia Tegel and Anthony Baltiero

Brian Pahle (Assistant City Manager - Guest) to discuss budget ideas –
Brian gave us the budget process schedule

September – City Council gathers input from citizens
October & November Capital investments discussed
January – ESB needs to submit our FY2023 budget request
February – City Council budget visioning session
May – Budget proposed
June – Budget adopted

This year FY 2022 City Council gave us \$12,500 with no stipulations. We don't need to request RFPs if a contract is under \$2,500. Hendersonville is required to follow state law when it comes to air quality regulations but the city does have authority to regulate storm water and water quality and can make decisions about our own vehicle fleet. It was decided to schedule a special meeting to discuss budget uses/ideas on Thursday August 11th from 3:30 – 5PM. Ideas for FY 2023 budget request will also be discussed. Brian suggested that ESB hire a consultant to help us develop a strategic plan to submit with any budget request.

Brian let us know that He and City Manager John Connant will be meeting next Tuesday to discuss the budgeted Environmental Sustainability Manager position. Brian asked that we send our position description to him. Brian also mentioned that new project designs will be shared with ESB before the final decisions are made.

Bee City Updates – Will Garvey

Didn't meet in June but met in July. There will be some action by the City, County and DOT re: invasive species

Plastics & Recycling Update - Geri Conley

Geri reported that the County has hired a replacement for Christine at the recycle station – Amy Schmitte. The Asheville equivalent of our board has approved a plastic bag ban proposal that will be forwarded to their City Council. The proposed ban also includes Styrofoam and plastic straws.

City Council Updates – Lyndsey Simpson, Councilwoman – There will be a Mt True member added to the board. The City is holding a Walk Hendo plan public meeting on Monday, July 25th at 5 PM. Will and Virginia asked about including bike use and racks in the plan.

Old Business

Discussion on Electric Vehicle Proposal – Will Garvey

It was decided that board members would review Will's draft proposal and get comments to him prior to the next meeting.

Updates on Comprehensive Plan - Mary Ellen Kustin – Brian told us the plan is still in the Pre- RFP consultant stage. City Council will discuss it in October. It is a 1–2-year project. Lyndsey mentioned that she wants to include the ESB plan in the Comprehensive Plan.

New Business

Vote on New Chair and Vice Chair for FY 2023

Kelly Pahle nominated and voted unanimously as Chair

Ann Twiggs nominated and voted unanimously as Vice Chair

Website Changes – Ann Twiggs – Replace current wording on the website under Environmental and Sustainability Board with the following

“The City of Hendersonville believes environmental sustainability is critical to preserving the community for future generations and has adopted this goal as a core value.”

Voted on and passed unanimously.

Adjournment – Meeting adjourned.

ESB Proposal to Hendersonville City Council Requesting Support for the Installation of Electric Vehicle Supply Equipment (EVSE) in New Commercial and Residential Building and Municipal Construction: August 18, 2022

The Hendersonville Environmental Sustainability Board (ESB) requests that the Hendersonville City Council affirm the City's support for electric vehicle charging infrastructure to address the future need for charging in the Hendersonville area. To achieve this goal, we propose that the City Council adopt a resolution **recommending** the installation of basic electric vehicle charging infrastructure, commonly known as Electric Vehicle Supply Equipment or EVSE, in all new commercial and residential construction. To ensure City operations are prepared for future municipal vehicle opportunities, the resolution should also require installation of EVSE at all new and ongoing construction on City owned or managed property where vehicle parking is provided.

The City Council resolution should outline that not more than 45 days from adoption, the City Community Development Department, Planning Division should notify all new applicants for new commercial construction and new residential single or two family and multifamily residential dwellings within City jurisdiction, that the City is recommending that all such construction include installation of basic EVSE. The structure of the proposed recommendations should reflect language in the 2021 International Energy Conservation Code (IECC) which is the country's recognized model code for establishing minimum design and construction requirements for energy efficiency.

The ESB looks forward to working with City staff to prepare background documents for use in informing the public of the City's intent to support the installation of electric vehicle charging infrastructure to promote a sustainable Hendersonville.

BACKGROUND:

All major auto manufacturers have formally announced that they plan to transition to a majority of electric vehicles in the next 3-5 years. For example, General Motors has stated that they plan to stop selling internal combustion engines vehicles by 2035. With greater model availability and increased vehicle range, consumer and commercial interest in EVs has grown significantly in recent years. More than 50 EV models are available today and nearly 140 models are expected by 2024. As additional models and used vehicles enter the market, EVs will become more affordable.

The success of EV adoption is directly related to the availability of the EV charging infrastructure in private and public settings. It is vitally important to increase the number of available EV charging stations to support the public's interest in transitioning to EVs.

Draft Sustainability Plan: In early 2022, a subcommittee of the ESB developed a draft sustainability plan. That draft includes a recommendation that the City "Amend the City zoning code to require that EV charging stations be installed in all new single-family and multifamily housing developments of "X" units, new commercial enterprises including "Y" parking spaces, and any such pre-existing entity that incurs expansion or repair costs of at least 50 percent of its taxable value."

It is our understanding that at this time, City Council is prohibited from amending the City zoning code as recommended by the draft sustainability plan. Nevertheless, this request supports the goals of the recommendation while recognizing that the non-binding nature of the action may result in fewer opportunities for EVSE installation in the City.

Electric Vehicle Supply Equipment (EVSE): EVSE can be as rudimentary as installation of a breaker at the electric box and a pipe in the ground leading to the charging location to full build out of a powered charging station.

There are three different EVSE-ready building code terms currently in use. They include:

- 1) ***EVSE-Capable.*** This means there is electric panel capacity, a dedicated branch circuit, and continuous raceway from the panel to the intended location of the EVSE. This is the most popular building code in regard to EVSE, and is the easiest and least expensive to complete. It simply means EVSE can be installed in the future without re-wiring.
- 2) ***EVSE-Ready Outlet.*** This code means the raceway with conduit ends in a 240 volt outlet, ready to plug a Level 2 charger into with appropriate adapter technology.
- 3) ***EVSE-Installed.*** The final building code means the raceway with conduit ends in a 240 volt level-2 charger installed at the site. This is the most common installation.

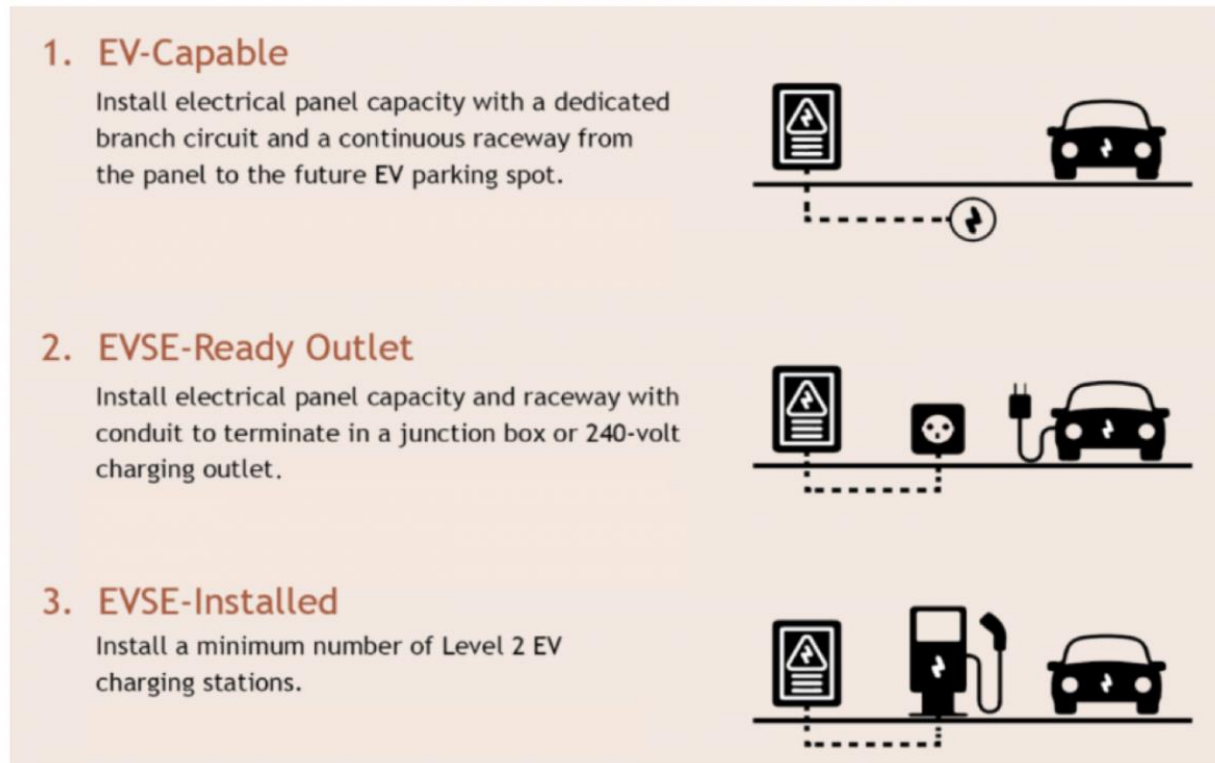
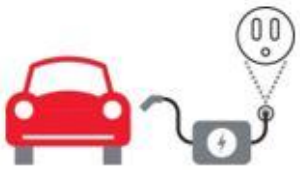
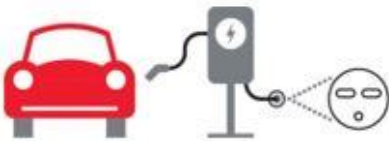



Diagram of three different EVSE installation options. From Ann Arbor Michigan planning [document](#).

Level 2 Charging: Level 2 charging is the most widely used level for daily residential/public EV charging and is the level recommended under this request. Level 2 equipment is cost effective and can be installed at home and at the workplace, as well as in public locations like shopping plazas, parking garages, and other destinations. Level 2 charging can replenish between 12 and 80 miles of range per hour depending on the power output of the Level 2 charger and the vehicle's maximum charge rate.

Level 2 charging equipment uses a standard J1772 connector. All commercially available Plug-in Electric Vehicles have the ability to charge using Level 1 and Level 2 charging equipment.

		
Level 1 Charger	Level 2 Charger	Level 3 Charger
This charger has a 120-volt cord that plugs into the wall.	This charger requires a 208/240-volt service.	This is charger is typically used for public charging.
It can provide around 40 miles of range after charging overnight. ¹	It can provide 30-80 miles of range for every hour of charging. ¹	It can provide up to 40 miles of range for every 10 minutes of charging. ¹
This charger may not require an electrician.	An electrician is required to set up electrical wiring for a new outlet or breaker and a service panel upgrade if necessary.	It typically requires 480-volt service.

¹ Range depends on vehicle, speed, cargo weight, and other factors.

From Hastings Minnesota planning [document](#).

Electric Vehicles in NC: As of June, 2022, North Carolina had over 30,000 registered EVs. In January of 2021, Henderson County had 134 registered EVs and by June of 2022 that number had more than doubled to 272. On January 7, 2022, NC Governor Cooper signed Executive Order 246. This executive order establishes a goal to reduce greenhouse gas emissions by 50 percent and increase zero-emission vehicle (ZEV) adoption in the State to 1.25 million vehicles by 2030.

Electric Vehicle Benefits: EVs provide substantial benefits to both the consumer and society. EVs are less expensive to operate than conventional internal combustion engine vehicles, are less affected by fluctuations in petroleum market prices, have lower maintenance costs, and have the convenience of fueling (charging) at home or work. The ability to charge at the owner's residence is a major element of affordable transportation since such charging is at a reduced cost per mile traveled. Depending on how they are driven, today's light-duty EVs (or PHEVs in electric mode) can exceed 130 MPGe (miles per gallon equivalent). Further, EVs have

significant emissions benefits over conventional petroleum based vehicles and are part of a larger strategy to address impacts of climate change.

EV Charging and New Construction: New homes and commercial buildings are built to last for decades and represent a unique opportunity during initial construction to be equipped to support future technologies, including the ability to efficiently charge EVs. Homes built today are expected to last at least 30 years (2052), well beyond the timeframe for automotive industry transition to electric vehicles.

Costs associated with installing EV charging infrastructure during new construction are substantially lower than during a retrofit and can be recovered through minimal surcharges added to the construction or charging fees.

In terms of charging practicability, charging an EV for day-to-day use can be compared to charging a personal cell phone. According to the 2021 [JD Power's U.S. Electric Vehicle Experience Home Charging Study](#), 88 percent of EV owners prefer to charge their vehicle at home where charging can take place overnight. Overnight charging has the added benefit of promoting off-peak charging that allows favorable energy demand management.

For businesses and property managers, EV charging can improve tenant or worker retention, increase property value, contribute to environmental sustainability goals and count towards Leadership in Energy and Environmental Design (LEED) certification.

EV Charging and Building Codes: In 2020, the International Energy Conservation Code (IECC) — the country's model code for establishing minimum design and construction requirements for energy efficiency — issued the new provisional [EV infrastructure requirements](#) code for all new homes and commercial and multifamily residential buildings (a copy of the Code is provided in the appendix). Many states and local governments have added EVSE provisions to their building codes, local ordinances and zoning requirements based on the IECC model code. Such locations in the southeast include; **Atlanta, Miami-Dade county, Surfside, Boca Raton, Boynton Beach, Coral Gables, Hollywood, Miami Beach, St Petersburg, and Winter Park, Florida.** In 2021, a [bill](#) was introduced in the North Carolina General Assembly which would require the NC Energy Code to provide that all new one- and two-family dwellings include at least one electric vehicle-ready parking space, except where no parking spaces are provided for the dwelling unit.

FREQUENTLY ASKED QUESTIONS:

How many charging stations would City Council recommended under this request? Under the IECC, the recommended number and type of installation varies and reflects the number of parking spaces planned. For example, in a multifamily development of 15 units, the developer would install a minimum of one EVSE-Installed space, two EVSE-Ready spaces and one EVSE-Capable space. The two EVSE-Ready spaces would provide an available circuit for future EVSE installation by an EV owner and the single EVSE-Installed would allow immediate use of the installed level-2 charger. The EV-Capable space would be available for future EVSE

installation with appropriate installation of circuitry. For one and two family dwellings, the developer would need to provide each dwelling unit at least one EV-Ready Space per dwelling. It is important to note that because most EV parking spaces would be adjacent, the circuits for all spaces could be placed in the same raceway/conduit and managed by the same electrical panel. The Code is written as recommended guidance and can be adjusted based on planning preferences.

What are the benefits to a builder/developer who installs EV charging stations? Providing EV charging is a win-win for developers and builders. As noted by Duke Energy, “EV chargers provide an attractive amenity to residents of multifamily dwellings such as apartments, condos and townhomes and will become a necessity as more people start driving EVs and need to charge at home.” Further, the costs of installation can be recovered through surcharges applied later in the ownership process including charging costs. The existence of EV chargers improves tenant or worker retention, increases property value and counts towards Leadership in Energy and Environmental Design (LEED) certification which is the most widely used green building rating system. Finally, the costs associated with installing EV charging infrastructure during new construction are substantially lower than during a retrofit.

What are the costs for installing an EV charging station? While it is difficult to predict the exact cost of EV charger installation, one thing is clear; the costs associated with installing EV charging infrastructure during new construction and planned renovation are substantially lower than during a future retrofit. Most commercial enterprises such as developers of multifamily dwellings look to install level 2 charging stations, which operate on 240-volt power. One trade representative document estimates that a commercial *EVSE Installed* (ready-to-use) level 2 electric vehicle charging station costs around \$7,200 for a dual-port station which can charge two cars simultaneously in eight to 10 hours. A study conducted by Swenergy in San Francisco compared the cost of creating a parking lot with ten spots, 2 of them for EVs vs. retrofitting an old parking lot to the same specs. The price of the new lot starting from scratch was \$920, while the retrofit was substantially higher at \$3,550.

What tax or other incentives are available to promote EV charging station installation? For tax year 2021, commercial EV charging stations were eligible for a tax credit of 30 percent of the cost, not to exceed \$30,000. The current proposed Federal budget increases the tax credit limit on individual devices to \$200,000 for devices installed for commercial use and extends the tax credit for five years through December 31, 2026. In addition, Duke Energy has implemented a “Park & Plug” program where they provide EV station installation including the equipment, installation, warranty and network connection services free of charge in multifamily dwelling sites. [Finally](#), in mid-February of 2022, the North Carolina Utility Commission approved Duke Energy's electric vehicle Make Ready Credit Program. This new program provides residential (including multifamily) and non-residential customers with an installation credit to cover their costs paid to electrical contractors to install EV charging stations. Finally, recent Federal legislation provides significant incentives for EV infrastructure.

What no-cost incentives could Hendersonville offer for this voluntary program? Some municipalities offer rebates or tax incentives for EVSE installation while other municipalities have provided developers who pledged to install EVSE with no-cost incentives such as streamlined permit review. One approach that would also benefit permeable surface goals would be to adjust the code to allow developers to provide fewer parking spaces if EVSE equipment was installed.

Why should new City construction include EVSE? Municipal fleets present a perfect opportunity to capitalize on the advantages of lower costs of EV operation and the ability to recharge during nighttime and other idle hours. Installation of charging infrastructure during new construction now facilitates seamless future upgrade to charging banks and cost of installation at initial construction is considerably less than retrofit.

Are EVs important to the economy of North Carolina? In 2020, Arrival, a manufacturer which develops electric lightweight commercial vehicles such as buses and vans, placed its [U.S. headquarters in Charlotte](#), with its manufacturing facility just across state lines in York County, South Carolina. In December of 2021, Toyota announced it would [invest \\$1.29 billion](#) in an electric battery manufacturing plant in Randolph County. The plant, which is expected to begin production in 2025, will be Toyota's first U.S. battery plant and marks the largest private investment in North Carolina history. Earlier this year, VinFast, a Vietnamese company pledged to invest \$4 billion to construct a manufacturing center in Moncure which is about 30 minutes southwest of Raleigh. The plant will produce electric cars and buses along with EV batteries and other electric-vehicle components.

How do costs compare when fueling EVs vs gasoline fueled vehicles? A recent [analysis](#) from The Zero Emission Transportation Association (ZETA), found that, in North Carolina, consumers might expect to pay about \$70 (@\$3.06/gal) to fill the gas tank of a regular cab gasoline fueled Ford F-150. Comparatively, ZETA found that an electric Ford F-150 Lightning would cost \$7.59 (@\$0.08/kWh) to reach full capacity. Put differently. The gas powered F-150 would cost 14 cents per mile to drive while the electric version would cost 3 cents per mile. ([see](#))

Aren't there already enough charging stations in the Hendersonville area? There are approximately 10 Level 2 chargers available in the Hendersonville area although several are "destination" chargers at lodging establishments where charging is available only to customers. Public Level 2 chargers are generally designed to "top off" the EV battery, not provide full charging, which is typically done at home. In general, for the purpose of local travel and commuting, EV-owners prefer to charge their vehicle at home where charging can take place overnight. (For a map of available charging in a given area [see](#)).

If there is a communal charging area, what will be done about non-electric vehicles parked at charging stations and/or vehicles parked after their charging cycle is complete? In most cases where properties have EV charging stations they also have signage and other markings designating those spaces for parking/EV charging only. Further, cell phone applications are

fairly common which notify drivers when their vehicle charging is complete so if the vehicle needs to be moved, the driver is alerted. It should be noted that, in the case of multifamily dwellings, parking spaces may be allocated to particular units in the complex and therefore those with EV charging capabilities would be designated for specific tenants/occupants. This also allows the unit owner to leave their EV on the charging station without worrying about others wanting to use the charger. In 2021, the NC General Assembly introduced [legislation](#) to regulate parking in an EV charging space that states: “No person may park a vehicle in a space designated with a sign pursuant to subsection (b) of this section as an electric vehicle charging station located on public or private property unless the vehicle is an electric vehicle connected to the charging equipment for the purpose of charging the vehicle.”

What about the safety of charging stations? The National Electric Code (NEC) comes from the National Fire Protection Agency. These are the standards to which buildings and equipment must meet minimum regulatory safety requirements in order to be safe enough for the general public to install and use. The NEC absolutely requires any charging station to be Nationally Recognized Testing Laboratory (NRTL) certified in order to be installed anywhere in the US. Hendersonville, installing an EVSE requires a building permit. This provides the opportunity for a building inspector to verify that the charging station is NRTL listed and that the electrical installation meets all other applicable aspects of the NEC and therefore the equipment is safe to use. ([see](#))

APPENDIX: this section is adapted from the US Department of Energy Document:

[Electric Vehicle Charging for Residential and Commercial Energy Codes - Technical Brief - July 2021](#)

3.0 Sample Code Language

Appendix A contains model code language for any state or local government to overlay the 2021 IECC or existing codes with EV charging infrastructure requirements for both residential and commercial buildings.

3.1 Definitions

The following definitions shall be added to Section R202 of the 2021 IECC residential energy code and Section C202 of the 2021 IECC commercial energy code.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, and electric motorcycles, primarily powered by an electric motor that draws current from a building electrical service, EVSE, a rechargeable storage battery, a fuel cell, a photovoltaic array, or another source of electric current.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). The conductors, including the ungrounded, grounded and equipment grounding conductors, and the EV connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of transferring energy between the premises wiring and the EV.

EV-CAPABLE SPACE. A dedicated parking space which is provided with electrical panel capacity and space to support a minimum 40-ampere, 208/240-volt branch circuit for each EV parking space, and the installation of raceways, both underground and surface mounted, to support the EVSE.

EV-READY SPACE. A designated parking space which is provided with one 40-ampere, 208/240-volt dedicated branch circuit for future dedicated Level 2 EVSE servicing EVs. The circuit shall terminate in a suitable termination point such as a receptacle, junction box, or an EVSE, and be located in close proximity to the proposed location of the EV parking spaces. The circuit shall have no other outlets. The service panel shall include an over-current protective device and provide sufficient capacity and space to accommodate the circuit and over-current protective device and be located in close proximity to the proposed location of the EV parking spaces.

3.2 Residential Buildings

The following EV charging infrastructure requirements shall be placed in Section R401.4 of the 2021 IECC residential energy code or existing code.

R401.4 (IRC N1101.15) Plug-in electric vehicle charging.

Where parking is provided, new construction shall provide EVSE-installed spaces and facilitate future installation and use of EVSE through the provision of EV-Ready Spaces and EV-Capable Spaces provided in compliance with Sections R401.4.1 through R401.4.4 (IRC N1101.15.1 through IRC N1101.15.3). Where more than one parking facility is provided on a site, electric vehicle ready parking spaces shall be calculated separately for each parking facility. The service panel or subpanel circuit directory shall identify the spaces reserved to support EV charging as “EV-Capable” or “EV-Ready”. The raceway location for EV-Capable Spaces shall be permanently and visibly marked as “EV-Capable”.

Exception: This section does not apply to parking spaces used exclusively for trucks or delivery vehicles.

R401.4.1 (IRC N1101.15.1) Electric vehicle service equipment (EVSE) ready circuit.

Each EV-Ready Space shall be provided with a minimum 40-ampere branch circuit to accommodate a future dedicated Level-2 EVSE. The service panel shall provide sufficient capacity and space to accommodate the circuit and over-current protective device. A permanent and visible label stating “EV-READY” shall be posted in a conspicuous place at both the service panel and the circuit termination point.

R401.4.2 (IRC N1101.15.2) One- to two-family dwellings and townhouses. For each dwelling unit, provide at least one EV-Ready Space. The branch circuit shall be identified as “EV-Ready” in the service panel or subpanel directory, and the termination location shall be marked as “EV-Ready.”

Exception: EV-Ready Spaces are not required where no parking spaces are provided.

R401.4.3 Multifamily dwellings (three or more units). EVSE-Installed, EV-Ready Spaces and EV-Capable Spaces shall be provided in accordance with Table R401.4.3. EV-Ready Spaces that terminate with an installed Level 2 EVSE shall count as spaces under the EV-Ready Space requirements. Where the calculation of percent served results in a fractional parking space, it shall round up to the next whole number.

Exception: Where the number of EV-Ready Spaces exceeds the required minimum in Table R401.4.3, the additional EV Ready Spaces shall be used for compliance with the minimum EV-Capable Spaces requirement.

Table R401.4.3 EVSE Installed, EV-Ready and EV-Capable Space Requirements for New Multifamily Buildings

Total Number of Parking Spaces	Minimum Number of Spaces with EVSE Installed (a)	Minimum Number of EV Ready Spaces.	Minimum Number of EV Capable Spaces
1	1	1	-
2-10	1	2	-
11-15	1	2	1
16-19	1	2	2
21-25	2	3	2
25+	5% of total parking spaces	10% of total parking spaces	10% of total parking spaces

(a). Spaces that terminate with a Level 2 EVSE are considered EV-Ready Spaces and count towards the minimum number of EV-Ready Spaces.

R401.4.4 (IRC N1101.15.3) Identification. Construction documents shall indicate the raceway termination point and proposed location of future EV spaces and EV chargers. Construction documents shall also provide information about the amperage of future EVSE, raceway methods, wiring schematics, and electrical load calculations to verify that the electrical panel service capacity and electrical system, including any on-site distribution transformers, have sufficient capacity to simultaneously charge all EVs at all required EV spaces at the full rated amperage of the EVSE.

Notes for jurisdictions adopting residential language: Recommended minimum EV parking space requirements in Table R401.4.3 may be adjusted based on the needs of each jurisdiction. There are other important code references to examine in parallel to IECC/IRC Chapter 11 requirements. If not consistent with the latest editions, update:

- Section 625 of the National Electrical Code (NFPA 70)
- Section E3702.13 of the International Residential Code

See Section R328.10 of the International Residential Code and Section 1207.11.10 of the International Fire Code for provisions on the use of electric vehicles as energy storage systems.

3.3 Commercial Buildings

The following EV charging infrastructure requirements shall be placed in Section C401.4 of the 2021 IECC commercial energy code or existing code.

C401.4 Electric Vehicle ready parking. Where parking is provided, new construction shall provide EVSE installed spaces and facilitate future installation and use of EVSE through the provision of EV-Ready Spaces and EV-Capable Spaces provided in compliance with Sections C401.4.1 through C401.4.3, Where more than one parking facility is provided on a site, EV-Ready Spaces and EV-Capable Spaces shall be calculated separately for each parking facility.

C401.4.1. New commercial and multifamily buildings. EVSE Installed spaces, EV-Ready Spaces and EV-Capable Spaces shall be provided in accordance with Table C401.4.1 for commercial buildings and Table C401.4.2 for multifamily buildings. Where the calculation of percent served results in a fractional parking space, it shall be rounded up to the next whole number. The service panel or subpanel circuit directory shall identify the spaces reserved to support EV charging as “EV-Capable” or “EV-Ready.” The raceway location shall be permanently and visibly marked as “EV-Capable.”

Exception: Where the number of EV-Ready Spaces exceeds the required minimum, the additional EV Ready Spaces shall be used for compliance with the minimum EV-Capable Spaces requirement.

C401.4.2 Identification. Construction documents shall indicate the raceway termination point and proposed location of future EV spaces and EV chargers. Construction documents shall also provide information about the amperage of future EVSE, raceway methods, wiring schematics, and electrical load calculations to verify that the electrical panel service capacity and electrical system, including any on-site distribution transformers, have sufficient capacity to simultaneously charge all EVs at all required EV spaces at the full rated amperage of the EVSE.

Table C401.4.1 EVSE Installed, EV-Ready Space and EV-Capable Space Requirements for New Commercial Buildings

Total Number of Parking Spaces	Minimum number of Spaces with EVSE Installed (a)	Minimum Number of EV Ready Spaces	Minimum Number of EV Capable Spaces
1	1	1	-
2-10	1	2	-
11-15	1	2	1
16-19	1	2	2
21-25	2	3	2
26+	5% of total parking spaces	10% of total parking spaces	10% of total parking spaces

(a). Spaces that terminate with a Level 2 EVSE are considered EV-Ready Spaces and count towards the minimum number of EV-Ready Spaces.

Table C401.4.2 EVSE Installed, EV-Ready Space and EV-Capable Space Requirements for New Multifamily Buildings

Total Number of Parking Spaces	Minimum number of Spaces with EVSE Installed(a)	Minimum Number of EV Ready Spaces	Minimum Number of EV Capable Spaces
1	1	1	-
2-10	1	2	-
11-15	1	2	1
16-19	1	2	2
20-15	2	3	2
26+	5% of total parking spaces	10% of total parking spaces	10% of total parking spaces

(a). Spaces that terminate with a Level 2 EVSE are considered EV-Ready Spaces and count towards the minimum number of EV-Ready Spaces.

Notes for jurisdictions adopting commercial language:

Recommended minimum EV parking space requirements in Table C401.4.1 and Table C401.4.2 may be adjusted based on the needs of each jurisdiction.

There are other important code references to examine in parallel to IECC/IBC Chapter 11 requirements. If not consistent with the latest editions, update:

- Section 625 of the National Electrical Code (NFPA 70)
- Section 406.2.7 of the IBC

Jurisdictions adopting EV provisions that have not adopted the 2021 IBC must also amend earlier versions of the International Building Code to renumber Section 1109.14 Fuel-dispensing Systems and add the following language into Chapter 11:

SECTION 1107

MOTOR-VEHICLE-RELATED FACILITIES

1107.1 General. Electrical vehicle charging stations shall comply with Section 1107.2. Fuel dispensing systems shall comply with Section 1107.3.

1107.2 Electrical vehicle charging stations. Electrical vehicle charging stations shall comply with Sections 1107.2.1 and 1107.2.2.

Exception: Electrical vehicle charging stations provided to serve Group R-2, R-3 and R4 occupancies are not required to comply with this section.

1107.2.1 Number of accessible vehicle spaces. Not less than 5 percent of vehicle spaces on the site served by electrical vehicle charging systems, but not fewer than one for each type of electric vehicle charging system, shall be accessible.

1107.2.2 Vehicle space size. Accessible vehicle spaces shall comply with the requirements for a van accessible parking space that is 132 inches (3350 mm) minimum in width with an adjoining access aisle that is 60 inches (1525 mm) minimum in width.

There are other important code references to examine in parallel to IECC/IRC Chapter 11 requirements. If not consistent with the latest editions update:

- Section 625 of the National Electrical Code (NFPA 70)
- Section 406.2.7 of the IBC

1107.3 Fuel-dispensing systems. Fuel-dispensing systems shall be accessible.

? About Symbolic Monarch Migration & Mayor's Monarch Pledge

kim@milkweedmeadows.com <kim@milkweedmeadows.com>

Thu 8/18/2022 11:38 AM

To: maryellenesb@gmail.com <maryellenesb@gmail.com>; hvlesbwsg@gmail.com
<hvlesbwsg@gmail.com>; Simpson, Lyndsey <lsimpson@hvlnc.gov>

Cc: beecityhendersonville@gmail.com <beecityhendersonville@gmail.com>; Erwin, Elizabeth
<eerwin@hvlnc.gov>

Be Advised: This email originated from outside of the Hendersonville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi there, Mary Ellen, Lyndsey, and Will!

Hope you all are doing well! I am currently working with Bullington Gardens to finalize details for the 2022 Symbolic Monarch Migration program as part of Bee City USA – Hendersonville’s educational programs. I am unclear on what, if any, cooperation may be taking place between the Bee City USA – Hendersonville program and the City of Hendersonville Mayor’s Monarch Pledge initiative. For example, do you all plan to include any of Bee City USA - Hendersonville’s Monarch Month events (including the Symbolic Monarch Migration) as part of your 2022 report for the Mayor’s Monarch Pledge? Please also see the draft Symbolic Monarch Migration announcement below and let us know if you wish for the City of Hendersonville Mayor’s Monarch Pledge to be included as highlighted or not.

Finally, do you wish to use the existing page located at <https://www.hendersonvillenc.gov/monarchs> for the City of Hendersonville Mayor’s Monarch Pledge? If not, I will request that it be removed when I send a few other updates to Allison related to some of the City’s other remaining pollinator pages.

Thanks very much!

Kim



Presented by: Bee City USA – Hendersonville (a program of City of Hendersonville Tree Board and Bullington Gardens) and Milkweed Meadows Farm

OR use this version if Patrice or I can confirm the City of Hendersonville (ESB?) may be planning to include the Symbolic Monarch Migration program as part of their Mayor’s Monarch Pledge and/or also wishes to be listed:

Presented by: Bee City USA – Hendersonville (a program of the City of Hendersonville Tree Board and Bullington Gardens), City of Hendersonville Mayor's Monarch Pledge (link to <https://www.nwf.org/mayorsmonarchportal/Community?CommunityId=420>), and Milkweed Meadows Farm.

Although monarch butterflies born in the summer will live only a few weeks, the generation that emerges in late summer and early fall is different. These butterflies are born to migrate and may live up to eight or nine months. From the Hendersonville area, their epic journey to Mexico covers at least 2,000 miles. Like clockwork, the first migrating monarchs typically reach their overwintering habitats high in the mountains of central Mexico by the first of November. To celebrate this incredible natural phenomenon and highlight the importance of working together to protect endangered monarch, Henderson County classrooms, youth organizations, and individual students are invited to participate in the 27th annual Symbolic Monarch Migration. Join more than 25,000 children from across the United States and Canada in creating paper butterflies to send to Mexico for the winter. As the real-life monarchs arrive in Mexico for the winter, the symbolic paper butterflies will be delivered to schools in the monarch sanctuary region. Sometime in spring after the living monarchs' departure from Mexico, groups of paper butterflies will also return north, carrying special messages from the students in Mexico. United by the monarch butterfly, children across North America learn authentic lessons of conservation, cooperation, and ambassadorship.

Audience: Children of all ages. Participate as a group (classroom or other group of youth) or as an individual.

Cost: Free! Bee City USA - Hendersonville has funds available for Henderson County classrooms, youth organizations, and individual students to participate at no charge.

Directions for Participation:

Schools/Organizations - Review all program requirements in the leader packet. Instead of purchasing a "Passenger Ticket" for your group, please email us (provide your school or organization name plus your name and contact info) to receive a free registration code and instructions for how to register your classroom/group to participate in the Symbolic Monarch Migration program at no cost. The deadline to request a free registration code for your group is Friday, September 30, 2022. The deadline to mail your group's symbolic/paper butterflies is Friday, October 7, 2022.

Individual students - Students who are not part of registered classroom or group may participate by creating a paper butterfly delivering it to Bullington Gardens by Friday, October 7, 2022.

Re: ESB doc

Virginia Tegel <virginiategel@gmail.com>

Wed 8/17/2022 4:04 PM

To: Erwin, Elizabeth <eerwin@hvlnc.gov>

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Submitted by: Virginia Tegel

8/17/22

Parklet

What: Fixed parklet at Operations Center near main entrance to building

Size: one parking space

Elements to include:

- Bicycle parking - same style as in other areas of city
- Compost bin - Subpod <https://subpod.com/collections/subpod-store> \$139 - \$354
- Pollinator garden
- Others as determined by ESB

Portable Parklet

What: Trailer to be used as community outreach at public event

Size: To be determined

Carry-On Trailer 5-ft x 8-ft Wire Mesh Utility Trailer with Ramp Gate - Lowes \$1,148.

Landscape Utility Trailer, 5,500 lb. Capacity, 6 ft. x 14 ft - Tractor Supply \$3,700

Elements to include:

Same as parklet above

Note: I have been unable to reach anyone at County Soil and Water regarding their educational trailer

ENVIRONMENTAL SUSTAINABILITY BOARD

CHARTER AND RULES OF PROCEDURE

The Board shall provide input and guidance for the City Council's strategic objective to preserving the City's natural resources subject to such limitations as may be imposed by state law or by ordinances of the city. The terms of the charter shall govern the activities of the Board. However, to the extent that this Charter conflicts with North Carolina Law, North Carolina shall control.

ARTICLE I. NAME. Environmental Sustainability Board

ARTICLE II. PURPOSE. The purpose of this Board is to serve in an advisory role to the City Council in matters pertaining to policies and practices regarding environmental sustainability in the City of Hendersonville and shall be embodied for the following purposes:

- Advise, deliberate and make recommendations to the City Council to help facilitate the implementation of the Comprehensive Plan as it relates to environmental sustainability in the city.
- Recommend to City Council an overall policy for continued sustainability and assist with citizen-led efforts in furtherance thereof.
- Provide City Council with representative community participation in preparing and implementing plans and reports concerning environmental sustainability in the City of Hendersonville.
- Promote, facilitate, and act as liaison to educate citizens on environmental sustainability issues affecting the City of Hendersonville. Activities may include the following:
 - Recommend requirements and procedures for waste reduction and other sustainable practices at festivals and/or special events
 - Assist staff in researching effectiveness and costs of sustainable practices and make reports to City Council of any recommendations.
 - Review programs and activities other communities have implemented that would be effective in Hendersonville.
 - Participate in community outreach at public events to educate citizens on environmental issues and related City programs.
 - Collect feedback from citizens on new or proposed efforts to determine effectiveness.

ARTICLE III. JURISDICTION. The Board shall exercise its purpose with regards to matters and issues within the corporate limits of the City of Hendersonville.

ARTICLE IV. MEMBERSHIP AND DUTIES

Section 1. Membership and Appointment. All appointments shall be made by the City of Hendersonville City Council. The Board shall consist of nine (9) members and with a City Council Member serving as liaison. The City Council liaison is not considered a member for purposes of quorum or voting. The City Manager shall appoint a staff liaison to the Board who shall assist the Board with carrying out their duties and responsibilities. The Chairman shall be chosen annually by the Board from among those members who are residents of the City of Hendersonville.

Membership shall be composed from the following membership categories:

(5) Residents of the City of Hendersonville.

(3) At-Large Members

(1) At-Large Member *(seat to be filled by an individual, principal or other significant representative of an organization or business that demonstrates a commitment to an environmentally sustainable future, as determined by the City Council. This term shall be un-expiring.)* Amended by City Council 7-7-22

(1) City Council Liaison – Non-voting.

Staff Liaison The City Manager shall appoint a staff liaison to the Committee who shall assist the Committee with carrying out their duties and responsibilities. The Staff Liaison shall act as the Secretary and liaison between the Board, City Departments, and the City Council and shall have the charge of correspondence, minutes, notifying members of meetings, and other information.

Section 2. Terms of Service. Board members shall be appointed to staggered three-year terms by the City Council annually in June. No member shall serve more than two consecutive full three-year terms unless otherwise specified in this charter. Members shall serve without compensation. At the end of a member's term, they must take a one-year hiatus before seeking reappointment to the Board.

Upon adoption of this Charter revision, any Board members seeking reappointment will be considered as new members for purposes of term limits and will begin any term appointment as a new member. At initial appointment for this Board, City Council shall hereby implement staggered terms for members, meaning that three (3) Regular Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2024, two (2) Regular Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2023, two (2) At-Large Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2024, and two (2) At-Large Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2023. Thereafter appointments shall be for 3-year terms unless filling an unexpired term. Initial term appointments shall not count toward term limits. City Council will appoint the City Council Liaison to this Board. The City Council Liaison shall not be considered for purposes of determining quorum and is not a voting member.

Section 3. Attendance. Any member who misses more than three consecutive regular meetings or more than one-half the regular meetings actually held in a calendar year shall cease to be a Board member.

Section 4. Vacancies and Reasons for Dismissal. All members serve at the pleasure of the City of Hendersonville City Council. Members may be dismissed for any reason, with or without cause. Vacancies shall be filled at the earliest convenience of the City Council. A vacancy of the chair or vice chair shall be elected by a majority of the Board at the next regularly scheduled meeting. Notwithstanding the foregoing, at any meeting where both the Chair and Vice Chair are absent, the Board shall elect from those members present a member to preside at that meeting.

Section 5. Resignations. Any member who feels they can no longer serve or otherwise fulfil the duties of a member may resign from the Board. Such resignation must be in writing and delivered to the secretary. The secretary shall promptly send a copy of the written resignation to the City Clerk.

ARTICLE V. MEETINGS

Section 1. Meetings to Be Open to the Public. All meetings of the Board shall be open to the public, and any person may attend its meetings. Except as permitted below, all meetings of the Board shall be open to the public and any person may attend its meetings. For purposes of these rules, a meeting of the Board occurs whenever a majority of the Board's members gather, either in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the Board's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. No meeting shall occur except as part of a duly called and advertised meeting. For the avoidance of doubt informal gatherings of a majority of the members where business of the Board is discussed are strictly prohibited.

Section 2. Regularly Scheduled Meetings. The Board shall hold regular meetings monthly. The Board shall annually adopt a regular meeting schedule showing the dates, times, and places of its regular meetings for the year.

- a) **Notice of Regular Meeting Schedule.** The Board shall ensure that a copy of its current regular meeting schedule, complete with the date, time, and place of each regular meeting, is filed with the City Clerk and posted on the City's website, and the Board's webpage if they have one.
- b) **Change to Regular Meeting Schedule.** The Board may revise its regular meeting schedule to change the date, time or place of a particular regular meeting or all regular meetings within a specified period. The Board shall ensure that the revised regular meeting schedule is filed with the City Clerk at least seven (7) consecutive calendar days before the first meeting held pursuant to the revised schedule. The Board shall also have the revised schedule posted on the City's website and the Board's webpage if they have one.

Section 3. Special Meetings. The chair or the majority of the members of the Board may at any time call a special meeting of the Board by signing a notice stating the date, time and place of the special meeting and the subjects to be considered. Alternatively, a special meeting may be called by vote of the Board in open session during a regular meeting or another duly called special meeting if on the special meeting agenda.

- 1) **Notice to the public.** At least 48 hours before a special meeting, the Board shall cause written notice of the meetings date, time, place and purpose(s) to be:
 - i Posted on the Board's principal bulletin Board or, if the Board has no such bulletin Board, at the door of the Board's usual meeting room.
 - ii Mailed or delivered to each newspaper, wire service, radio station and television station and person who has filed a written request for notice with the secretary;
- 2) **Notice to Board Members.** For all meetings called by the chair, or a majority of the members, notice of the meeting date, time, place and purpose(s) shall be mailed, emailed, or delivered to all members of the Board at least 48 hours before the meeting. If the special meeting was called at another duly held meeting of the Board, and one or more members were absent, the chair shall ensure that notice of the meeting's date, time, place, and purpose(s) is mailed, emailed, or delivered to any absent member(s) a minimum of forty-eight hours in advance of the special meeting.
- 3) **Business Conducted at a Special Meeting.** Only the business that is specified in the notice of the meeting may be transacted during a special meeting.

Section 4. Organizational Meeting. On the date and at the time of the regular meeting in July or as soon thereafter as possible, the Board shall elect a chair and vice chair as its first order of business. The second order of business shall be to adopt an annual scheduled of meetings for the upcoming calendar year.

Section 5. Electronic Board Meetings and Member Participation. No member who is not physically present may participate in a meeting of the Board by electronic means except in accordance with this rule.

- 1) **Electronic Meetings Generally.** Provided a quorum is present, in person, at a meeting, Board members may participate in a meeting electronically provided. Any member wishing to participate electronically in a meeting shall be required to give the Chair and the Secretary at least thirty-six (36) Hours before the start of the meeting. When one or more members are participating remotely, the following rules shall apply:
 - (a) *Member Identification.* Each member who attends by electronic means shall identify himself or herself in each of the following situations:

- i when roll is taken or the meeting begins;
- ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and
- iii before voting.

(b) *Method of Electronic Participation.* Any member who attends electronically shall use a means of communication that enables the member

- i to hear what is said by other Board members and any person who addresses the Board and
- ii to be heard by other Board members.

(c) *Voting.* The Board shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Board maintains electronic communication with that member.

(d) *Minutes.* The minutes shall which members took part electronically, and when such members joined or left the electronic meeting.

2) **Electronic Meetings During a State of Emergency Declared by the Governor or General Assembly.** During any state of emergency declared by the Governor or General Assembly pursuant to G.S. 166A-19.20, a meeting of the Board shall comply with the requirements of this paragraph if the Board falls within the emergency area and at least one Board member attends the meeting by conference call, conference video, or other electronic means.

(a) *Notice.* The public notice for any regular, special, emergency, or recessed meeting that is subject to this paragraph shall specify how the public can access the electronic meeting in real time.

(b) *Member Identification.* Each member who attends by electronic means shall identify himself or herself in each of the following situations:

- i when roll is taken or the meeting begins;
- ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and
- iii before voting.

(c) *Meeting Materials.* All documents considered during the meeting shall be furnished to each Board member.

(d) *Method of Electronic Participation.* Any member who attends electronically shall use a means of communication that enables the member

- i to hear what is said by other Board members and any person who addresses the Board and
- ii to be heard by other Board members.

(e) *Quorum.* A member who attends by electronic means counts as present for quorum purposes, but only while the Board maintains electronic communication with that member.

(f) *Voting*. The Board shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Board maintains electronic communication with that member.

(g) *Acting by Reference*. The Board shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document unless copies of the agenda or document are available for public inspection at the meeting and so worded that persons in attendance can understand what is being deliberated or acted upon.

(h) *Minutes*. The minutes shall indicate that the meeting was conducted by electronic means, which members took part electronically, and when such members joined or left the electronic meeting.

(i) *Live Streaming*. The meeting shall be streamed live online so that live audio (and video, if any) are available to the public. If the Board meets by conference call, the public shall have an opportunity to dial in or stream the audio live and listen to the electronic meeting.

(j) *Public Hearings*. Although it may conduct any public hearing mandated or permitted by law, the Board shall allow the public to submit written comments on the hearing's subject matter between the publication of any required notice and twenty-four hours after the hearing.

Section 6. Cancellation of Meetings. Whenever there is no business for the Board the chair may cancel a meeting by giving reasonable notice to all members before the time set for the meeting. However, in the case of a special meeting called by a majority of the Board, the chair may cancel the meeting only upon the concurrence of a majority of the Board. The majority concurring in the cancellation need not be the same majority that called the special meeting.

Section 7. Recessed Meetings

(a) *Calling Recessed Meetings*. When conducting a properly called regular, special, or emergency meeting, the Board may recess the meeting to another date, time, or place by a procedural motion made and adopted in open session, as provided in Article XI, Section 5 (Motion 3). The motion shall state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will resume.

(b) *Notice of Recessed Meetings*. If the Board's website is maintained by one or more Board employees, notice of the recessed meeting's date, time, and place shall appear on the website prior to the meeting. No further notice of a properly called recessed meeting is required.

Section 8. Order of Business Items shall be placed on a regular-meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- adoption of the agenda,
- approval of the previous meeting minutes,
- public comment,
- public hearings,
- administrative reports,
- Board reports,
- unfinished business, and
- new business.

Without objection, the chair may call agenda items in any order most convenient for the dispatch of business.

Section 9. Agenda

(a) Proposed Agenda. The Secretary shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any Board member may, by a timely request, have an item placed on the proposed agenda. Each Board member shall receive a copy of the proposed agenda and any attachments, and they shall be available for public inspection and/or distribution when they are distributed to the Board members.

(b) Adoption of Agenda. As its first order of business at each meeting, the Board shall, as specified in Article 8, discuss, and revise the proposed agenda and adopt an agenda for the meeting. The Board may by majority vote add items to or subtract items from the proposed agenda, except that the Board may not add items to the agenda of a special meeting unless (1) all members are present and (2) the Board determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the Board may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all Board members.

The Board may designate certain agenda items "for discussion and possible action." Such designation means that the Board intends to discuss the general subject area of that agenda item before making any motion concerning that item.

Section 10. Meeting Minutes. Minutes Required for All Meetings. The Board shall keep full and accurate minutes of its meetings, including any closed sessions. To be "full and accurate," the minutes must record all actions taken by the Board, as well as the Board's compliance with any applicable procedural requirements. The minutes should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record Board member discussions, though the Board in its discretion may decide to incorporate such details into the minutes.

- a) Record of "Ayes" and "Noes." At the request of any member, the minutes shall indicate how each member voted by name on a particular matter.

Section 11. Public Input. Public input at all Board meetings shall have a three-minute limit per speaker. The Chair reserves the right to alert time limits for public comment periods.

Section 12. Broadcasting and Recording Meetings. Any person may photograph, film, tape-record, or otherwise reproduce any part of a Board meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a Board meeting.

- a) Advance Notice. Any radio or television station that plans to broadcast any portion of a Board meeting shall so notify the secretary no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a Board meeting.
- b) Equipment Placement. The Board chair or an appropriate staff member may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a Board meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Board chair or staff member determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the chair or staff member may require the pooling of the equipment and the personnel operating it.

- c) **Alternative Meeting Site.** If the news media request an alternative meeting site to accommodate news coverage, and the Board grants the request, the news media making the request shall pay the costs incurred by the local government unit in securing an alternative meeting site.

ARTICLE VI. VOTING

- a) **Duty to vote.** It is the duty of each member, including the chair, to vote unless otherwise excused. The Board may excuse members from voting on any matter involving their own financial interest, official conduct, or when a member has indicated an inability to be impartial in any matter before the Board.
- b) **Abstentions.** Should a member fail to vote on any matter before the Board, without having been excused from such vote, such abstention will count as an affirmative vote.

ARTICLE VII. REQUIRED OFFICERS

Section 1. Presiding Officer. The presiding officer of each meeting of the Board shall be the chair of the Board. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Board, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Board, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 2. Selection of the Chair and Vice Chair. The chair shall be a resident of the City of Hendersonville and shall be selected by majority vote of the Board unless the City Council indicates to the Board that the City Council will appoint said chair, in which case the appointment shall be made by the City Council. The vice chair shall be elected by a majority vote of the Board. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Board, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Board, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 3. Powers and Duties of the Chair and Vice Chair. The chair shall preside at all meetings of the Board but shall also have the right to engage in discussion and vote on any matter before the Board unless otherwise excused. The chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time, and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The vice chair shall have all powers and perform all the duties of the chair in his or her absence.

Section 4. Duties of the Chair.

- (a) **Presiding Officer.** The chair shall preside at meetings of the Board.
- (b) **Voting by the Chair.** The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted.
- (c) **Recognition of Members.** A member must be recognized by the chair (or other presiding officer) in order to address the Board.
- (d) **Powers as Presiding Officer.** As presiding officer, the chair is to enforce these rules and maintain order and decorum during Board meetings. To that end, the chair may

- (1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;
- (2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;
- (3) entertain and answer questions of parliamentary procedure;
- (4) call a brief recess at any time; and
- (5) adjourn in an emergency.

Section 5. Duties of the Secretary. The City Manager shall assign a staff person to the Board who shall serve as the secretary of the Board and shall perform the following:

- a) The secretary shall ensure that all meetings of the Board are properly noticed.
- b) The secretary shall maintain the sunshine list that is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the Board.
- c) The secretary shall take and record the actions of the Board and draft minutes of the meetings accordingly. Minutes shall be sent to Board members prior to their next regularly scheduled meeting. The secretary shall also forward a copy of the minutes as they are approved to the Clerk to the City Council and post on the City's website
- d) The secretary shall be responsible for maintaining an accurate list of members of the Board, submitting to the City Clerk a quarterly attendance report for its members and notifying the City Clerk of any resignations of any of its members, or any other change in membership of the Board.

Section 6. Schedule for Elections. Election of the Chair, and Vice-Chair shall take place annually at the organizational meeting of the Board.

ARTICLE VIII. REFERENCE TO ROBERT'S RULES OF ORDER NEWLY REVISED. The Board shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the presiding officer shall make a ruling on the issue subject to appeal to the Board under Article XI, Section 5 (Motion 1).

ARTICLE IX. REPORTS

Section 1. Annual Report. The Board shall make a report to the City of Hendersonville City Council at least annual. This report must be submitted no later than May 31st of each year.

Section 2. Public Records Law. The Board shall abide by North Carolina Public Records Law N.C.G.S. Chapter 132.

ARTICLE X. ACTION BY THE BOARD.

Section 1. Quorum. A majority of the members shall constitute a quorum. No action of the Board may be taken at any meeting where less than the required quorum is present, except to adjourn the meeting. The City Council liaison shall not be considered for purposes of determining a quorum.

Section 2. Motions and Voting. Action of the Board may be taken upon a motion made by any member, including the chair, without the need for a second. A motion shall be adopted if approved by the affirmative vote of a majority of the members present and not excused after full discussion of the motion by the members. The City Council liaison shall not be considered a voting member.

Section 3. Withdrawal of Motion The member who introduces a motion may withdraw the motion unless the motion has been amended or put to a vote.

Section 4. Substantive (or Main) Motions A substantive motion is not in order when any other motion is pending. Once the Board disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting unless it first adopts a motion to reconsider pursuant to Article XI, Section 5 (Motion 13).

Section 5. Procedural Motions

(a) **Certain Motions Allowed.** The Board may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

(b) **Priority of Motions.** The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 11 and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 8.

When several procedural motions are pending, voting shall begin with the procedural motion highest in priority, except that a motion to amend or end debate on the highest-priority motion shall be voted on first.

Motion 1. To Appeal a Ruling of the Presiding Officer. Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

Motion 2. To Adjourn. This motion may be used to close a meeting. It is not in order if the Board is in closed session.

Motion 3. To Recess to a Time and Place Certain. This motion may be used to call a recessed meeting as permitted under Article V Section 8. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the Board is in closed session.

Motion 4. To Take a Brief Recess.

Motion 5. To Follow the Agenda. This motion must be made at the time an item of business that deviates from the agenda is considered; otherwise, the motion is out of order as to that item.

Motion 6. To Suspend the Rules. To be adopted, a motion to suspend the rules must receive affirmative votes equal to two-thirds of the Board's actual membership, excluding any vacant seats. The Board may not suspend provisions in these rules that restate state law requirements.

Motion 7. To Defer Consideration. The Board may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the Board votes to revive it pursuant to Motion 12 within 100 days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

Motion 8. To End Debate (Call the Previous Question). If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

Motion 9. To Postpone to a Certain Time. This motion may be employed to delay the Board's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

Motion 10. To Refer a Motion to a Board. The Board may vote to refer a substantive motion to a Board for study and recommendations. While the substantive motion is pending before the Board, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the Board fails to report on the motion within sixty days of the referral date, the Board shall take up the motion if asked to do so by the member who introduced it.

Motion 11. To Amend

(a) Germaneness. A motion to amend must concern the same subject matter as the motion it seeks to alter.

(b) Limit on Number of Motions to Amend. When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

Motion 12. To Revive Consideration. The Board may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 7, provided it does so within 100 days of its vote to defer consideration.

Motion 13. To Reconsider. The Board may vote to reconsider its action on a matter, provided the motion to reconsider is made (1) at the same meeting during which the action to be reconsidered took place and (2) by a member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the Board's deliberation on a pending matter.

Motion 14. To Rescind. The Board may vote to rescind an action taken at a prior meeting, provided rescission is not forbidden by law.

Motion 15. To Prevent Reintroduction for Six Months. This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion's defeat. To be adopted, this motion must receive affirmative votes equal to at least two-thirds of the Board's total membership, excluding vacant seats. If this motion is adopted, the ban on reintroduction remains in effect for six months or until the Board's next organizational meeting, whichever occurs first.

Section 6. Debate

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has already spoken.
- To the extent practicable, debate shall alternate between proponents and opponents of the measure.

Section 7. Adoption by Majority Vote

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

Section 8. Changing a Vote

A member may change the member's vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change a vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

Section 10. Appointing Sub Committees. Subcommittees may only be appointed by vote of the Board members at a regular meeting. The Board by vote shall also establish the purpose of which subcommittees are established and the subcommittees should only conduct business that is within the purpose so adopted. All meetings of subcommittees shall be considered special meetings and shall be conducted in accordance with Article 5, Section 3. Special Meetings.

ARTICLE XI. ANNUAL REPORT

The Board shall make a report to the City of Hendersonville City Council at least annual. This report must be submitted no later than May 31st of each year.

ARTICLE XII. REFERENCE TO ROBERT'S RULES OF ORDER

Boards shall refer to the current edition of *Robert's Rules of Order Newly Revised (RONR)*, to answer procedural questions not resolved in these rules, so long as RONR does not conflict with North Carolina law or with the spirit of these rules.

ARTICLE XII. AMENDMENTS. The Board may amend these bylaws by action of the Board; provided however, that amendments shall not be effective until they are approved by the Hendersonville City Council.

Originally adopted by City Council on September 2nd, 2010.

Amended by the City Council on: 7/1/2021; 7/7/2022

Barbara G. Volk, Mayor, City of Hendersonville

Attest/ Angela L. Reece, City Clerk

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