



# MINUTES

January 8, 2025

REGULAR MEETING OF THE CITY COUNCIL

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

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

Absent: Council Member Melinda Lowrance

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

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## 1. CALL TO ORDER

Mayor 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.*

### In Person:

Joshua Lardie of Knoxville, TN is the Chief Compliance Officer for Apotheca and in light of the recent hemp ordinance, I would like to make ourselves more widely available to work with the community directly. We have been pushing for statewide legislation on hemp regulations for a number of sessions with the help of Speaker of the House Tim Moore. Much of the current proposed bill is heavily influenced by our concerns with the sheer lack of rules and regulations currently in this industry. We want what's best for our customers and to make sure that the rest of the industry does as well. This was achieved through strict rules and regulations which we've demanded from our legislators and have not received currently. We share your concerns and hope to be an example in this community, not a detriment. If anyone has any questions or thoughts, I have my business cards here. Please do not hesitate to reach out and contact me for anything.

City Manager John Connet asked for a business card for himself and for the police chief.

Katie Breckheimer of Saluda, NC, first said how happy she is to see an all-female City Council. She is the chair of Support Our Swimmers which has an acronym of SOS. We are a group that is working to get a year-round indoor swimming complex for Henderson County. Our direction comes from a professional 2019 "Needs Assessment" contracted by Henderson County Parks & Recreation and showed that a swimming pool is in the top five needs. We understand that Patton Pool was severely affected by Hurricane Helene and you will soon be hearing the results of an assessment. Moving forward, we hope that you will invest in restoring or replacing the pool to something even better. A pool that is available all year long and not just a few weeks in the summer. Our community is sorely lacking in swimming facilities especially one that is open to our richly diverse population. We are aware that Patton Pool has been allowing only 50 people at a time to come in and escape the summer heat and enjoy family time in the water. Lines form outside the pool with the hopes of a chance to get in. We understand that the pool tiles have been crumbling and the changing rooms are not being cleaned adequately, which puts a black mark on our reputation. We can and should do better for our citizens. Recreation is just one category that a year-round pool provides. Others include physical therapy, low-impact exercise, training for first-responders, kayak and scuba training, lifeguard instruction, master

swimming, swim lessons for all ages and fitness opportunities for both young and old. In a water rich community like ours, we need to teach our people how to swim but we can't do it without adequate facilities. Hendersonville High School and West High both have swim teams that practice at our local, crowded, YMCA pool. The other two high schools North and East with the lowest socioeconomic student population do not have teams, which is a shame. At every turn we are told how expensive it is to build and maintain a pool facility but SOS is not deterred. The swim project can and should be a public-private partnership with the city, county, school system, hospital, corporations, tourism development authority and private citizens all participating. So when you see the results of the Patton Pool assessment which should be coming soon, please keep in mind the great need and opportunity this restoration or replacement presents.

Jen Butcher of Hendersonville, NC thanked the mayor and the city council for giving her time to speak on the subject of Patton Pool and read the following: My Name is Jen Butcher. I am on the SOS (Support Our Swimmers) committee that Katie Breckheimer is leading. Our mission is to research, study and advocate for the need of a public year round swim complex in our area. My family and I moved here in 1988, and my 3 sons swam on HCATs (Hendersonville City Aquatics Swim Team) from 1988 until 2002. Thanks to access to the Patton Pool facility the team grew from about 20 swimmers to about 200. Swim lessons will acquaint a child with the water and teach them a few basics of the strokes. A swim team will turn them into powerful and confident swimmers. The Hendersonville Aquatics Swim team and Patton pool did this for hundreds of children. Patton pool was built about 50 years ago and was a beautiful public 50-meter pool that many diverse groups, families, swimmers in events, and tourists alike enjoyed. Certainly, a gem in our community. The HCATs and our community were privileged to host the New Zealand Olympic team in 1995 and 1996. It was an exciting time that led us to expand the impact of hosting the New Zealand swimmers. We partnered with the school system to host the Kahurangi. They are a group of the Maori indigenous people of New Zealand that travels to educate students about their culture. They presented programs in many of the county schools. One of the New Zealand swimmers, Danyon Loader, won two gold medals! All this was only possible because our community had a 50-meter swimming facility. Unfortunately, Helene damaged Patton Pool. I encourage the city to repair and to consider upgrading the pool as Katie mentioned for future generations to enjoy and learn to swim and help to drown proof many children and adults. Let's not be the generation that lets down future children's chance to learn to swim and to love and be safe in water.

Omar Zafra of Hendersonville, NC spoke about flood plain and debris. He was upset about the lives lost during Hurricane Helene including a mobile home park where everything was washed away and the land owners passed away and wanted to know what the city could do to help clean up the debris that is still laying there as a reminder of the tragedy. He also thinks that the city should consider a memorial for all of our residents and neighbors for the lives that were lost due to Hurricane Helene. Also to prevent this tragedy from happening again, he hopes the city, county and state can work together to create a memorial on the land where the mobile homes were lost.

#### **4. CONSIDERATION OF AGENDA**

*Council Member Jennifer Hensley moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.*

#### **5. 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.*

**A. Adoption of City Council Minutes – Jill Murray, City Clerk  
December 5, 2024 Regular Meeting**

**B. Henderson County Tax Adjustments – Amanda Lofton, Deputy Tax Collector**

**C. Amendment 1 – Construction Phase Services to Support the WWTF Biosolids Thermal Dryer Project – Adam Steurer, Utilities Director**

Resolution #R-25-01

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPROVE AMENDMENT 1 OF THE ENGINEERING SERVICES CONTRACT FOR CONSTRUCTION PHASE SERVICES TO SUPPORT THE WWTF BIOSOLIDS THERMAL DRYER PROJECT**

**WHEREAS**, the City owns and operates a water treatment facility (WWTF) that has a current permitted capacity of 4.8 million gallons per day that produces a solid residual effluent as part of the treatment process; and

**WHEREAS**, the City intends to construct biosolids thermal dryer process equipment that will produce a high-quality, thermally dried product that is safe for beneficial reuse through distribution or land application; and

**WHEREAS**, the engineering services included in this Amendment 1 generally include construction administration, construction observation, and materials testing; and

**WHEREAS**, McKim & Creed, Inc. was previous selected as most qualified to provide professional engineering services for the project, as recommended by Staff. The services in Amendment 1 are consistent with these professional services.

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

1. Amendment 1 of the Contract for Engineering Services from McKim & Creed, Inc. is approved in the amount of \$877,538.00.
2. The City Manager is authorized to execute Amendment 1 of the Contract 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 8<sup>th</sup> day of January, 2025.

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

**D. Acceptance of Emergency Bridge Loan for Hurricane Helene Utility Damages – Adam Steurer, Utilities Director**

Resolution #R-25-02

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ACCEPT AN OFFER OF EMERGENCY BRIDGE LOAN FUNDING**

**WHEREAS**, the North Carolina General Assembly has enacted Session Law 2024-53 to assist eligible units of government in meeting their Hurricane Helene disaster-related water infrastructure needs, and

**WHEREAS**, the North Carolina Department of Environmental Quality has offered a State Emergency Bridge Loan in the amount of \$3,000,000 to repair a wastewater and/or drinking water system, and

**WHEREAS**, the City of Hendersonville intends to perform said project in accordance with the terms of the Agreement with the NC Department of Environmental Quality.

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

1. The City of Hendersonville does hereby accept the State Emergency Bridge Loan offer of \$3,000,000.
2. That the City of Hendersonville does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That Adam A. Steurer, Utilities Director, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 8<sup>th</sup> day of January, 2025.

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

**E. GIS Division Career Ladder Revisions - Jennifer Harrell, HR Director****F. Annexation: Certificate of Sufficiency – Old Sunset Hill Road (Taylor & Albea) (C24-56-ANX) - Tyler Morrow, Current Planning Manager**

Resolution #R-25-03

**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 City Hall located at 160 Sixth Avenue E. Hendersonville NC, 28792 at 5:45 p.m. February 12<sup>th</sup>, 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 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724 described in the plat recorded in Book 2025- \_\_\_\_ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9579-98-0375, 9579-98-3527, 9579-99-4115, 9579-99-8724 being described by metes and bounds as follows:

Being all of those certain parcels of land lying and being in Clear Creek and Blue Ridge Townships, Henderson County, North Carolina; being the same properties described in the "Tract 2" subsection of "Exhibit A" in Deed Book 4026, Page 272; being a portion of that property as described in DB 3664, Page 522; and being more particularly described as follows:

BEGINNING at a 3/4" open top pipe lying on the southern line of the Triangle Ballantyne Hendersonville, Inc. (hereinafter "Triangle") property as described in DB 1601, Page 205; said pipe also lying on the existing CITY LIMITS of the City of Hendersonville; and said pipe having "NAD 83 (2011)" coordinates of N: 599,590.75 feet and E: 979,199.05 feet and lying a grid bearing and distance of North 67°17'22" East 3954.96 feet from NGS Monument "Hendersonville AZ MK" (with coordinates of N: 598,063.83 feet and E: 975,550.74 feet); thence from said POINT OF BEGINNING with the CITY LIMITS and with the southern Triangle line the following 5 (five) calls:

North 83°25'32" East 179.86 feet to a 1/2" open top pipe;

North 83°27'35" East 132.08 feet to a 1/2" open top pipe;

North 83°26'11" East 128.78 feet to a 1/2" open top pipe;

North 83°44'09" East 140.14 feet to a 1/2" open top pipe;

North 10°38'23" West 155.24 feet to a 3/4" open top pipe lying on the southern line of the Forestar (USA) Real Estate Group, Inc. (hereinafter "Forestar") property as described in DB 4112, Page 700;

Thence continuing with the CITY LIMITS and with said Forestar line North 78°10'47" East 134.76 feet to a 5/8" rebar with cap lying at the northwest corner of the remaining Taylor property as described in DB 3664, Page 522; thence leaving the CITY LIMITS with the western Taylor line South 10°38'23" East 168.07 feet to a 5/8" rebar with cap; thence North 83°37'35" East (passing a 5/8" rebar with cap at 82.41 feet) a total distance of 112.41 feet to a planted stone; thence continuing with the Taylor line and with the Runk line as described in DB 1398, Page 390 on a bearing of South 26°24'47" West (passing a 5/8" rebar with cap at 30.00 feet) a total distance of 1038.40 feet to a 1/2" crimped top pipe lying at the northwest corner of another Runk property as described in DB 991, Page 228; thence with the second Runk line South 05°50'01" West (passing a 5/8" rebar with cap at 19.23 feet) a total distance of 199.69 feet to a 1/2" open top pipe lying at the northeastern corner of the Nolen line as described in Will Book 86E, Page 9, and also lying at the northwestern corner of another Runk property as described in DB 991, Page 228; thence with said Nolen line South 88°34'58" West 225.92 feet to a 1/2" open top pipe; thence South 01°53'55" West 111.35 feet to a 3/4" open top pipe; thence South 44°45'29" East 66.33 feet to a 1/2" open top pipe lying at the northern corner of the Albea property as described in DB 4026, Page 269; thence with said Albea line South 45°17'09" West 114.15 feet to a 1/2" open top pipe lying at the northern corner of the "1.00 acre" Albea property as described in DB 4026, Page 272; thence with said Albea line South 43°20'24" West (passing a 1/2" open top pipe at 276.12 feet) a total distance of 306.17 feet to an unmarked point lying in the center of Old Sunset Hill Road (S.R. 1744); thence with the centerline of Old Sunset Hill Road the following 2 (two) calls:

North 66°27'25" West 200.96 feet to an unmarked point;



On a curve to the left having a radius of 731.14 feet, an arc length of 79.49 feet, a chord bearing of North 69°34'17" West, and a chord distance of 79.45 feet to an unmarked point lying at the southeast corner of the Newell property as described in DB 3372, Page 421;

Thence leaving Old Sunset Hill Road with the Newell line, and with the eastern line of the Conner Creek MHP, LLC line as described in DB 4052, Page 640, and with said southern Triangle line on a bearing of North 15°41'44" East (passing a 3/4" open top pipe at 30.47 feet, passing a 1/2" open top pipe at 177.56 feet, passing a 1/2" open top pipe at 279.12 feet, passing a 1/2" open top pipe at 356.53 feet, passing a 3/4" open top pipe at 894.02 feet, and passing a 3/4" open top pipe at 1140.25 feet) a total distance of 1448.52 feet (the last 308.27 feet running with the CITY LIMITS) to the POINT AND PLACE OF BEGINNING, containing 21.32 acres, more or less.

Re: Petition for Contiguous Annexation  
Petitioner: Gregory Albea, Julianne Albea, Joseph Taylor, and Laura Taylor  
File No. C24-56-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 8<sup>th</sup> day of January, 2025.

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

**G. Annexation: Certificate of Sufficiency – Upward Road (LBH Property Holdings LLC) (C24-91-ANX) - Tyler Morrow, Current Planning Manager**

Resolution #R-25-04

**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 Sixth Avenue E. Hendersonville NC, 28792 at 5:45 p.m. February 12<sup>th</sup>, 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 9577-89-9886 described in the plat recorded in Book 2025- \_\_\_\_ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9577-89-9886 being described by metes and bounds as follows:

Portion of right of way for Upward Road, S.R. 1783, Project Reference No. R-4430, Project 6.806223 and Project 6.952418. Right of Way found in Deed Book 799, Page 509.

Beginning at an Aluminum Cap Right of Way Monument standing 61.65 feet right of Line "L" at station 45+50.42. Thence a New Line North 60 degrees 01 minutes 21 seconds East a distance of 78.92 feet to a #5 Rebar with Aluminum Right of Way Cap set. Standing South 60 degrees 01 minutes 21 seconds West a distance of 49.69 feet from an Aluminum Cap Right of Way Monument standing 58.09 feet right of Line "L" at station 46+85.85. Thence a New Line South 55 degrees 01 minutes 44 seconds East a distance of 23.37 feet to a #5 Rebar with Aluminum Right of Way Cap set. Thence with existing Right of Way South 32 degrees 00 minutes 33 seconds West a distance of 92.76 feet to an Aluminum Cap Right of Way Monument standing 126.55 feet right of Line "L" at station 45+56.09. Thence with existing Right of Way North 36 degrees 05 minutes 01 seconds West a distance of 65.11 feet to the Point and Place of Beginning. Containing 3637 square feet.

Re: Petition for Satellite Annexation  
Petitioners: LBH Property Holdings LLC (Lyndon Hill, Manager)  
File No. C24-91-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 8<sup>th</sup> day of January, 2025.

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

**H. Amendment to FY24 Audit Contract - Krystal Powell, Finance Director**

**I. January 2025 Budget Amendments - Jennifer Floyd Powell, Management**

TO MAYOR & COUNCIL  
APPROVAL: January 08, 2025

FISCAL YEAR 2025  
FORM: 01082025-01

**BUDGET AMENDMENT**

FUND 010					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470030	Insurance Proceeds	-	7,132	-	7,132
010-1300-524030	R&M Trucks	121,000	7,132	-	128,132
FUND 010					
TOTAL REVENUES		-	7,132	-	7,132
General Fund					
TOTAL EXPENDITURES		121,000	7,132	-	128,132

An amendment increasing insurance proceeds by \$7,132 to cover the cost of repairs to vehicle 15-26.  
The City Manager and City Clerk certify budget ordinance amendment 01082025-01 was approved by City Council on January 08, 2025.

TO MAYOR & COUNCIL  
APPROVAL: January 08, 2025

FISCAL YEAR 2025  
FORM: 01082025-02

**BUDGET AMENDMENT**

FUND 301   459   460					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-420050-62402	Contributions/Donations	14,307,500	-	14,307,500	-
301-0000-598901-62402	Transfer Out (to 460, #22013)	-	-	-	-
301-0000-598901-62402	Transfer Out (to 460, #16036)	14,307,500	-	14,307,500	-
FUND 301 (#62402)					
TOTAL REVENUES		14,307,500	-	14,307,500	-
FY24 State Approp.					
TOTAL EXPENDITURES		14,307,500	-	14,307,500	-
459-0000-470900	Fund Balance Appropriated	300,000	-	-	300,000
459-0000-598901	Transfer Out (to 460, #22013)	300,000	-	-	300,000
FUND 459					
TOTAL REVENUES		300,000	-	-	300,000
W&S Capital Reserve Fund					
TOTAL EXPENDITURES		300,000	-	-	300,000
460-0000-470010-22013	Debt Proceeds ('26 Revenue Bond)	2,342,000	-	-	2,342,000
460-0000-470100-22013	Transfer In (from 459)	300,000	-	-	300,000
460-7035-550103-22013	Capital Outlay-CIP	2,642,000	-	-	2,642,000
FUND 460 (#22013)					
TOTAL REVENUES		2,342,000	-	-	2,642,000
WTP Residuals					
TOTAL EXPENDITURES		2,342,000	-	-	2,642,000
460-0000-470100-16036	Transfer In (from 301, #62402)	14,307,500	-	14,307,500	-
460-0000-420050-16036	Grant Revenue (FY24 State Appropriation)	14,528,750	-	-	14,528,750
460-0000-470010-16036	Debt Proceeds ('25 Revenue Bond)	3,184,500	310,288	-	3,494,788
460-7135-550103-16036	Capital Outlay-CIP	17,492,000	531,538	-	18,023,538
FUND 460 (#16036)					
TOTAL REVENUES		17,492,000	310,288	14,307,500	18,023,538
Biosolids Dryer					
TOTAL EXPENDITURES		17,492,000	531,538	-	18,023,538

This amendment moving 2024 State Appropriation Grant Revenues out of project #62402 and placing them directly in the Biosolids Dryer Project, #16036. This amendment does not change the bottom line of the WTP Residuals project or the Biosolids Dryer project as noted above.

The City Manager and City Clerk certify budget ordinance amendment 01082025-02 was approved by City Council on January 08, 2025.

TO MAYOR & COUNCIL  
APPROVAL: January 08, 2025

FISCAL YEAR 2025  
FORM: 01082025-03

**BUDGET AMENDMENT**

FUND 301   460					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-420050-62204	Grant Revenue (NCDEQ 2022)	5,000,000	-	5,000,000	-
301-1002-598901-62204	Transfer Out (to 460, #16023)	3,621,784	-	3,621,784	-
301-1002-598901-62204	Transfer Out (to 460, #21045)	1,378,216	-	1,378,216	-
FUND 301, #62204					
TOTAL REVENUES		5,000,000	-	5,000,000	-
2022 NCDEQ Grant					
TOTAL EXPENDITURES		5,000,000	-	5,000,000	-
460-0000-420050-21045	Grant Revenue (NCDEQ 2022)	-	1,378,216	-	1,378,216
460-0000-470100-21045	Transfer In (from #62204)	1,378,216	-	1,378,216	-
460-1014-550103-21045	Capital Outlay CIP	1,378,216	-	-	1,378,216
FUND 460					
TOTAL REVENUES		1,378,216	1,378,216	1,378,216	1,378,216
WWTP Aeration, #21045					
TOTAL EXPENDITURES		1,378,216	-	-	1,378,216
460-0000-420050-16023	Grant Revenue (NCDEQ 2022)	-	3,621,784	-	3,621,784
460-0000-470100-16023	Transfer In (from '22 NCDEQ, #62204)	3,621,784	-	3,621,784	-
460-0000-470100-16023	Transfer In (from 459)	400,000	-	-	400,000
460-1014-550103-16023	Capital Outlay CIP	3,621,784	-	-	3,621,784
460-1014-550102-16023	Capital Outlay Services and Fees	400,000	-	-	400,000
FUND 460					
TOTAL REVENUES		4,021,784	3,621,784	3,621,784	4,021,784
WWTP UV Project, #16023					
TOTAL EXPENDITURES		4,021,784	-	-	4,021,784

An amendment reducing the project budget for the 2022 NCDEQ Grant Project Ordinance #62204. Funds received from this grant will instead be applied directly to the capital project ordinances: WWTP Aeration, #21045 (\$1,378,216) and WWTP UV, #16023 (\$3,621,784). This amendment does not change the total project appropriation for the WWTP Aeration project, or the WWTP UV project.

The City Manager and City Clerk certify budget ordinance amendment 01082025-03 was approved by City Council on January 08, 2025.

TO MAYOR & COUNCIL  
APPROVAL: January 08, 2025

FISCAL YEAR 2025  
FORM: 01082025-04

**BUDGET AMENDMENT**

FUND 060 | 067 | 410

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-470020	Bond Proceeds (2023 IFC)	4,016,000	-	4,016,000	-
060-0000-470900	Fund Balance Appropriated	10,000	-	10,000	-
060-0000-598901	Transfer Out (to 410, #21017)	4,026,000	-	4,026,000	-
FUND 060					
Water & Sewer Fund					
TOTAL REVENUES		4,026,000	-	4,026,000	-
TOTAL EXPENDITURES		4,026,000	-	4,026,000	-
067-0000-470020	Bond Proceeds (2023 IFC)	377,000	-	377,000	-
067-0000-598901	Transfer Out (to 410, #21017)	377,000	-	377,000	-
FUND 067					
Stormwater Fund					
TOTAL REVENUES		377,000	-	377,000	-
TOTAL EXPENDITURES		377,000	-	377,000	-
410-0000-470010-21017	Debt Proceeds (2023 IFC)	2,032,000	4,393,000	-	6,425,000
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	92,000	-	5,363,000
410-1002-560900-21017	Cost of Issuance	80,000	-	72,000	8,000
410-1002-598901-21017	Transfer Out (to #23021)	90,000	68,500	-	158,500
410-1002-598901-21017	Transfer Out (to #23022)	994,000	-	98,500	895,500
FUND 410 #21017					
City Hall & Ops Imprv.					
TOTAL REVENUES		6,435,000	4,393,000	4,403,000	6,425,000
TOTAL EXPENDITURES		6,435,000	160,500	170,500	6,425,000
410-0000-470100-23021	Transfer In (from #21017)	90,000	68,500	-	158,500
410-1002-550103-23021	Capital Outlay - CIP	90,000	68,500	-	158,500
FUND 410 #23021					
City Hall 3rd Floor					
TOTAL REVENUES		90,000	68,500	-	158,500
TOTAL EXPENDITURES		90,000	68,500	-	158,500
410-0000-470100-23022	Transfer In (from #21017)	994,000	-	98,500	895,500
410-1002-550103-23022	Capital Outlay - CIP	994,000	-	98,500	895,500
FUND 410 #23022					
City Hall Ext. Phase II					
TOTAL REVENUES		994,000	-	98,500	895,500
TOTAL EXPENDITURES		994,000	-	98,500	895,500

An amendment to the 2023 installment financing projects, City Hall and Operations Improvements, City Hall 3rd Floor Improvements, and City Hall Exterior Phase II Improvements. The amendment moves bond proceed revenues from the 2023 installment financing directly to the City Hall and Ops Improvement Project, #21017. The amendment also increases the City Hall 3rd Floor Project appropriation to \$158,500 and decreases the City Hall Exterior Phase II Project to \$895,500.

The City Manager and City Clerk certify budget ordinance amendment 01082025-04 was approved by City Council on January 08, 2025.

TO MAYOR & COUNCIL  
APPROVAL: January 08, 2025

FISCAL YEAR 2025  
FORM: 01082025-05

**BUDGET AMENDMENT**

FUND 010 | 301

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-1002-519200	Contracted Services	30,056	-	2,600	27,456
010-0000-598901	Transfer Out (to 301, #G2404)	821,840	2,600	-	824,440
FUND 010					
General Fund					
TOTAL REVENUES		30,056	-	2,600	27,456
TOTAL EXPENDITURES		821,840	2,600	-	824,440
301-0000-420050-62404	Grant Revenue (Dogwood HR, 2024)	100,000	-	-	100,000
301-0000-470010-62404	Transfer In (from 010 - Legal)	-	2,600	-	2,600
301-1200-519200-62404	Contracted Services	100,000	2,600	-	102,600
FUND 301					
Affordable Housing #G2404					
TOTAL REVENUES		100,000	2,600	-	102,600
TOTAL EXPENDITURES		100,000	2,600	-	102,600

An amendment to the Strategic Affordable Housing Project, #G2404. City Council adopted the original grant project ordinance for the project on June 06, 2024. This amendment increases the project appropriation by transferring \$2,600 in from the General Fund. The revised project appropriation is \$102,600.

The City Manager and City Clerk certify budget ordinance amendment 01082025-05 was approved by City Council on January 08, 2025.

TO MAYOR & COUNCIL  
APPROVAL: January 08, 2025

FISCAL YEAR 2025  
FORM: 01082025-06

**BUDGET AMENDMENT**

FUND 010 | 410

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-1521-524030	R&M Trucks	50,000	-	2,000	48,000
010-0000-598901	Transfer Out (to 410, #VE023)	1,348,430	2,000	-	1,350,430
FUND 010					
General Fund					
TOTAL REVENUES		1,348,430	2,000	-	1,350,430
TOTAL EXPENDITURES		50,000	-	2,000	48,000
410-1502-470100-VE023	Transfer In (From 010)	-	2,000	-	2,000
410-1502-544001-VE023	Capital Outlay- Equipment	258,260	2,000	-	260,260
FUND 410, #VE023					
FY23 Vehicles and Equip.					
TOTAL REVENUES		-	2,000	-	2,000
TOTAL EXPENDITURES		258,260	2,000	-	260,260

An amendment increasing the FY23 Vehicle and Equipment Project, #VE023 by \$2,000 via transfer in from the General Fund to cover the increased cost of the Pothole Patcher.

The City Manager and City Clerk certify budget ordinance amendment 01082025-06 was approved by City Council on January 08, 2025.

**J. Resolution to Accept Grant Funds - Sam Hayes, Planner II**

Resolution #R-25-05

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL ACCEPTING A GRANT FROM THE NATIONAL TRUST FOR HISTORIC PRESERVATION FOR THE PURPOSE OF DOCUMENTING THE CITY'S HISTORICALLY BLACK NEIGHBORHOODS**

WHEREAS, the National Trust for Historic Preservation has established a grant to encourage preservation at the local level by supporting ongoing preservation work and by providing seed money for preservation projects; and

WHEREAS, the Community Development Department applied for and was awarded a National Trust Preservation Funds grant in the amount of \$3,000; and

WHEREAS, the City of Hendersonville desires to accept the grant funds, and authorize the execution of the grant funding agreement (the "Grant Agreement"); and

**WHEREAS**, the Grant Agreement provides that the City will undertake activities to promote the historic preservation of underrepresented communities in Hendersonville; and

**WHEREAS**, the City will allocate \$3,000 as matching funds towards the grant from the Historic Preservation Commission's budget;

**NOW, THEREFORE, BE IT RESOLVED** by the City council of the city of Hendersonville, North Carolina that:

1. The City hereby accepts the \$3,000 National Trust Preservation Funds grant from the National Trust for Historic Preservation for the purposes as set out in the Grant Agreement; and
2. The City Manager is authorized to execute the Grant Agreement, with such changes as he deems appropriate, provided they are consistent with the terms of this Resolution;
3. City Staff are authorized and directed to proceed with the performance and implementation of the National Trust Preservation Funds grant as outlined in the Grant Agreement.

Adopted by City Council of the City of Hendersonville, North Carolina on this 8<sup>th</sup> day of January, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

**K. SECOND READING: Amendments to City Code Regarding Regulation of Consumable Hemp Derived Products to Specify Criminal Liability – Angela Beeker, City Attorney**

Ordinance #O-24-46

**AN ORDINANCE TO IMPOSE CRIMINAL PENALTIES FOR THE SALE OR POSSESSION OF CANNABIS NEAR SCHOOLS**

**WHEREAS**, the sale of certain hemp-derived products to persons under the age of 21 years old is currently not regulated by the State of North Carolina; and

**WHEREAS**, there are many hemp-derived products containing legal cannabinoids that can have the psychoactive effects as marijuana; and

**WHEREAS**, approval by the Food and Drug Administration of hemp-derived consumable products is not required, and therefore presence of contaminants and the amount of THC present in a product is not subject to quality control, placing the consuming public at risk; and

**WHEREAS**, the City Council finds that many retail establishments, including but not limited to hemp shops or vape products sell hemp derived consumable products, and there is no law or ordinance prohibiting the sale or distribution of hemp derived consumable products to persons under the age of 21 within a certain distance from a public or private school, make these products readily accessible to students; and

**WHEREAS**, the City Council wishes protect the public health and safety of persons under the age of 21 by making hemp-derived consumable products less readily available by prohibiting the sale or distribution of hemp derived consumable products to persons under the age of 21 years in close proximity to schools.

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

**SECTION 4.** Article II of Chapter 6 of the City of Hendersonville Code of Ordinances shall be amended to add a new Section 6-11 as follows:

Sec. 6-11 Criminal Penalties for Violation

In addition to any other remedy available, violation of this Article II of Chapter 6 of the City of Hendersonville Code of Ordinances is a misdemeanor as provided in Section 1-6 of the City of Hendersonville Code of Ordinances.

**SECTION 5.** If any provision of this ordinance or its application is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provisions or application, and to this end the provisions of this ordinance are severable.

**SECTION 6.** It is the intention of the City Council and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Hendersonville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

**SECTION 7.** This Ordinance shall be effective upon passing two readings.

Adopted at first reading by the City Council of the City of Hendersonville, North Carolina on this 5<sup>th</sup> day of December, 2024.

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

## 6. PRESENTATIONS

### A. **Fiscal Year 2024 Audit Presentation** – *Krystal Powell, Finance Director*

Travis Kever of Gould Killian CPA Group showed the following PowerPoint presentation and said that the City of Hendersonville had a clean audit.



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## CITY OF HENDERSONVILLE 2024 Annual Financial Report

### Audit Summary

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- Thank you for allowing us to serve as your auditors
- Special thanks to Krystal and the staff of the finance department for their hard work and cooperation in completing the audit
- We issued an unmodified (clean) opinion on the June 30, 2024 financial statements
- We reported no material weakness in internal control over financial reporting
- We reported no instances of material noncompliance with laws and regulations
- We performed a single audit on 5 separate grant programs
  - No material weaknesses in internal controls over compliance
  - Unmodified (clean) opinion on compliance with grant terms



### Financial Performance Indicator of Concern

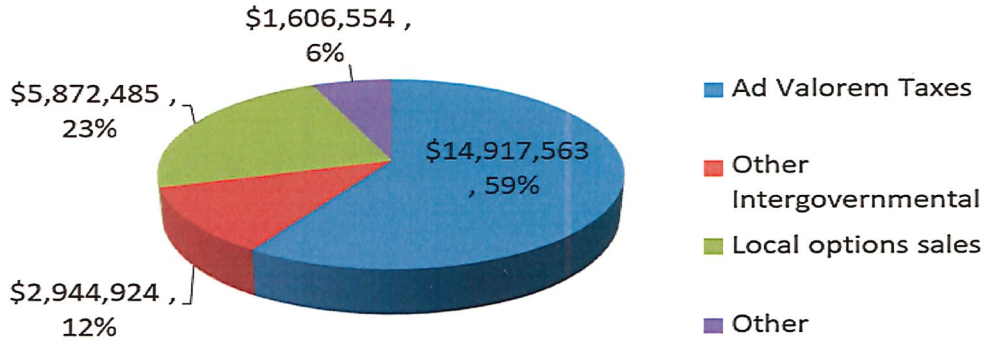
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- Fund balance available for appropriation only 23.8% of general fund expenditures
  - LGC recommends 25% for units the size of the City of Hendersonville
    - Represents 3 months of expenditures
  - LGC considers it a risk that the City would not have adequate reserves on-hand to cover emergencies and unforeseen expenditures.
- Average fund balance available for similar sized units is 46%



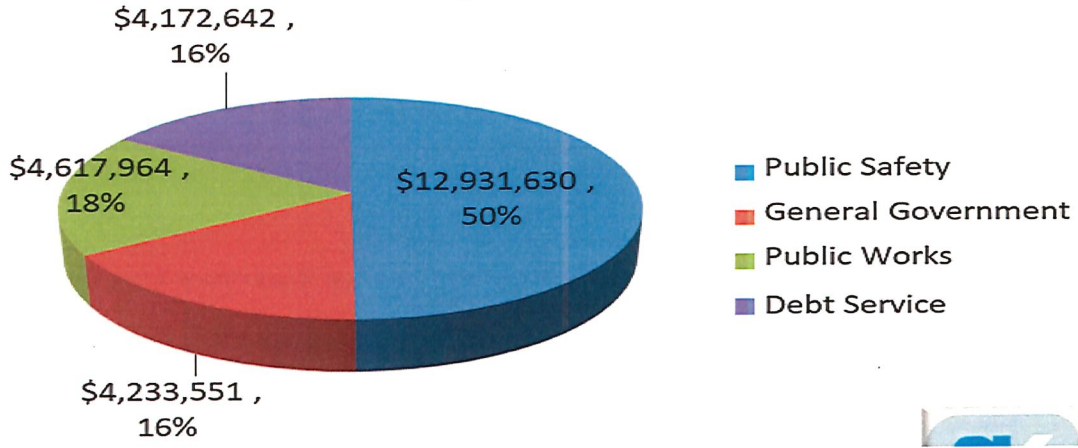
# General Fund Summary

## Revenues



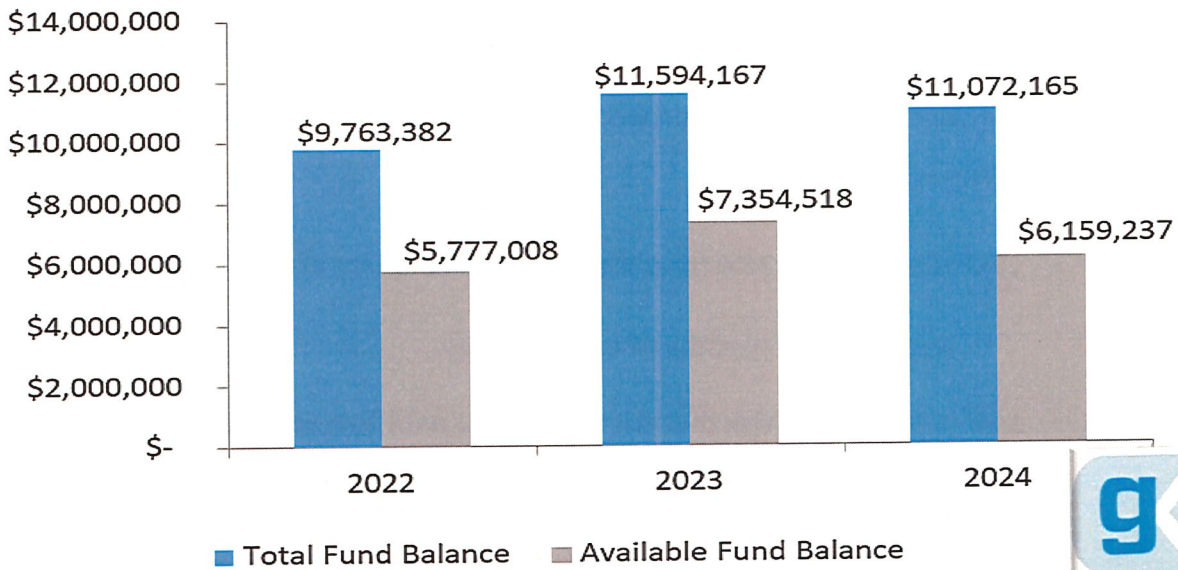
# General Fund Summary

## Expenditures

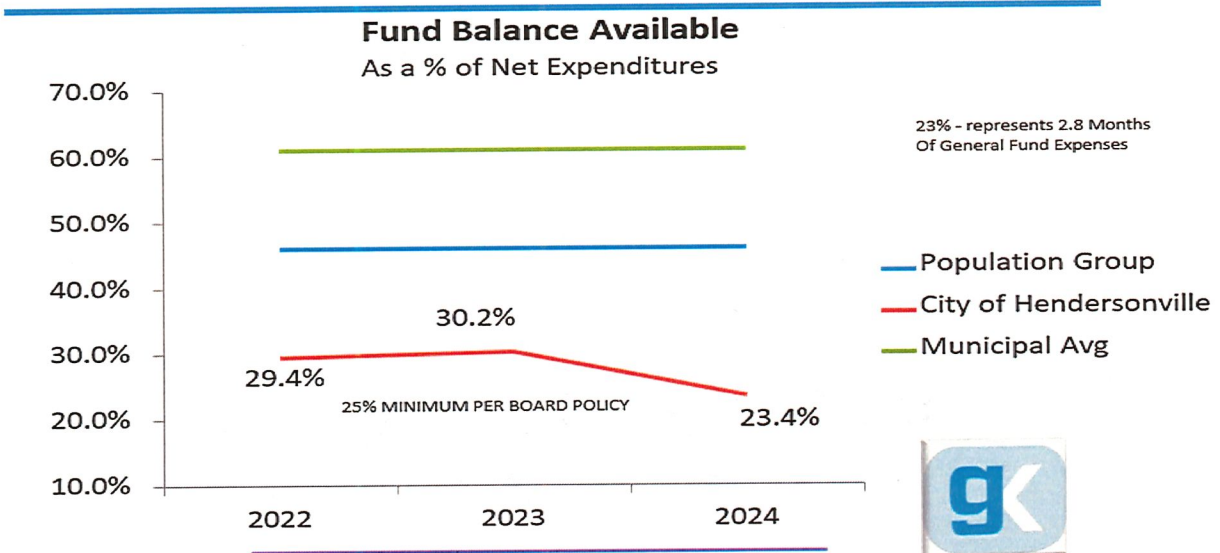


# General Fund Summary

## Fund Balance Available



## General Fund Summary



## Enterprise Fund Summary

Water and Sewer Fund	2023	2024
Working capital (current assets-current liabilities)	\$15,469,723	\$12,608,305
Working capital in months expenditures (budgetary basis)	8.25 months	6.5 months
Unrestricted net position	12,273,614	12,191,586
Operating income (loss)	(363,502)	490,056
Change in net position	1,180,658	12,755,424
Cash flows from operating activities	7,520,046	5,661,711
Net increase (decrease) in cash	7,447,765	(747,443)

## Property Tax Collection

	2022	2023	2024
Property tax rate	0.52/\$100	0.52/\$100	0.49/\$100
Current year \$ collected (incl. MV)	\$ 11,465,200	\$ 11,887,462	\$ 14,807,794
Current year % collected (incl. MV)	99.12%	98.71%	99.30%




**B. Love & Respect Community for Recovery & Wellness – Ron Davis, NC Peer Support Specialist**

Ron Davis, Workforce Readiness and Outreach and NC Peer Support Specialist, Alieva Turner, Director of Operations and NC Peer Support Specialist and Lexie Wilkins, Executive Director of Love and Respect each introduced themselves and gave insight to what Love and Respect is all about.



**Love and Respect**  
Community For Recovery & Wellness

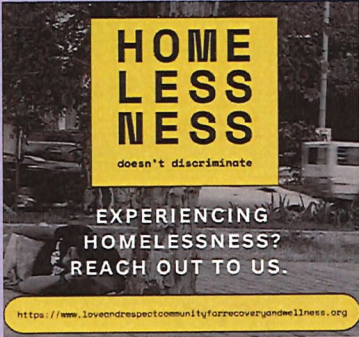


## Love and Respect Community for Recovery and Wellness

**Love and Respect**  
Community For Recovery & Wellness

**MISSION:**

To transform lives, restore families, and to help create a healthier community by providing peer support to those living with **substance use disorder, mental health diagnoses, homelessness, or returning from incarceration.**

**Who we are:** Love and Respect is a peer run recovery community organization staffed by individuals in recovery and called to serve those still struggling.

Our peer living room program creates a safe, non-judgemental environment allowing us to meet individuals exactly where they are.



Our services are available at no cost to anyone but we are particularly focused on reaching **at-risk, underserved, and vulnerable populations** including minority communities, rural and remote communities.



**We create these programs for them because we ARE them.**



### Our Programs

- Peer one on one sessions
- Computer lab
- Workforce readiness
- Street outreach
- Training and community education
- Re-entry navigation
- Resource navigation
- Clothing closet
- Group facilitation
- Disaster relief supplies



### Connecting to Community Resources

- RECOVERY COMMUNITY CENTERS
- PEER SUPPORT and COMMUNITY OUTREACH
- DETOX, RESIDENTIAL RECOVERY, RECOVERY HOUSING
- INTENSIVE OUTPATIENT SUPPORT
- FAMILY/CAREGIVER SUPPORT GROUPS
- MEDICATION ASSISTED TREATMENT
- HARM REDUCTION to ENSURE SAFETY
- MOBILE CRISIS RESPONSE



**Free At Last Re-entry Support Group**

Every Thursday we will be hosting a support group for individuals who are previously justice involved/re-entering from incarceration

This group will be facilitated by North Carolina Peer Support Specialists who have lived experience with being incarcerated.

Come out and join us at 120 Chadwick Square Court, Suite D, Hendersonville NC 28739

No registration required. Just show up!

**SAFE SPACE SUPPORT GROUP**

Are you in the LGBTQIA2S+ community and could use some extra support or someone to talk to? Stop by our Safe Space Support Group!

Safe Space is held on the first and third Monday of every month at 11:00am!

128 CHADWICK SQUARE STREET, SUITE D, HENDERSONVILLE, NC 28739

Love and Respect Community For Recovery & Wellness

**Men's Mental Health and Wellbeing Support Group**

Because mental health symptoms often present differently in men than women, it can be difficult to recognize when men are struggling. Because of societal expectations and self-stigma feelings of loneliness, anger, stress, depression or anxiety can be viewed as shortcomings and often men do not reach out for help or even recognize the need to do so.

This group will provide a safe non-clinical space to begin to recognize and move through challenging emotions and begin to break cycles of behavior.

Location: Love and Respect Community for Recovery and Wellness, 120 Chadwick Square Court Suite D Hendersonville NC.

Contact: Ren Davis NCPSS (Ren@lovesrespect.org) For more information

Dates: 2nd and 4th Thursday of every month at 6:00pm.

**Creative Collective: Art Group**

Join the Love and Respect team for Art group every Wednesday at 2:00pm!

This group will be facilitated by North Carolina Peer Support Specialists who have lived experience with mental health and/or substance misuse diagnoses.

Come out and join us at 350 Chadwick Avenue, Suite 300, Hendersonville NC 28792

No registration required. Just show up!

**Love and Respect Community For Recovery & Wellness**

We will be offering a natural disaster support group every Tuesday at 2:00pm

This group will be facilitated by North Carolina Peer Support Specialists

Location: Love and Respect Community for Recovery and Wellness 350 Chadwick Avenue, Suite 300, Hendersonville, NC

**HENDO HOPE DEALER NARCOTICS ANONYMOUS MEETING**

LOVE AND RESPECT COMMUNITY FOR RECOVERY AND WELLNESS 350 CHADWICK AVENUE, SUITE 300, HENDERSONVILLE, NC 28739

**SATURDAYS AT 10:30AM**

Open meeting  
Accessible  
Book study

NAA

**Love is Love AA meeting**

Love and Respect Community for Recovery and Wellness

350 CHADWICK AVENUE, SUITE 300, HENDERSONVILLE, NC 28792

Meeting Information:

- English
- Literature
- Open
- Wheelchair Access
- Wheelchair-Accessible Bathroom
- In-Person Meeting

Friday's from 5:30 - 6:30 pm

**Love and Respect Community For Recovery & Wellness**

**FREE CLOTHING DAY**

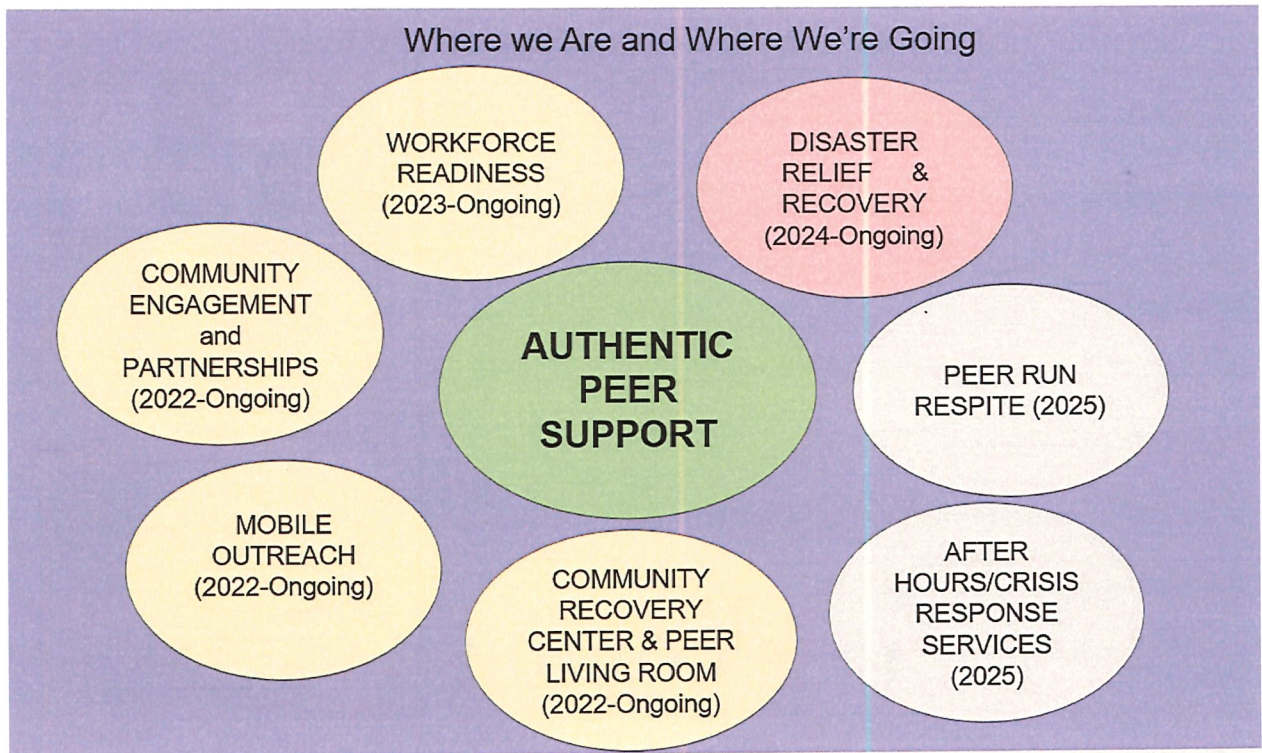
Men's Clothing | Children's Clothing

Hats, gloves and scarves | Jackets

Stop by Love and Respect Community for Recovery and Wellness at 350 Chadwick Avenue, Suite 300, Hendersonville, NC 28739

Wednesday November 6th 2024 from 11am - 4pm





**9. NEW BUSINESS**

**A. Appointment of Finance Director – Brian Pahle, Assistant City Manager**

Assistant City Manager Brian Pahle explained that the former Finance Director John Buchanan resigned and Krystal Powell is the newly chosen Finance Director. Krystal Powell took the Oath of Office from Mayor Volk.

Oath of Office  
Finance Director

I, **Krystal Powell**, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, **Krystal Powell**, do swear that I will well and truly execute the duties of the office of the City of Hendersonville Finance Director according to the best of my skill and ability, according to law; so help me God.

/s/ Krystal Powell

***Council Member Lyndsey Simpson moved that City Council approve the Resolution by the City of Hendersonville City Council to authorize the appointment of Krystal Powell as City of Hendersonville Finance Director. A unanimous vote of the Council followed. Motion carried.***

Resolution #R-25-06

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPOINT KRystal POWELL AS FINANCE OFFICER FOR THE CITY OF HENDERSONVILLE**

**WHEREAS**, North Carolina General Statutes § 159-24 requires that each local government appoint a finance officer to carry out the duties prescribed by law; and

**WHEREAS**, City Council has determined that Krystal Powell possesses the requisite knowledge, skills and abilities and certifications to hold the position of Finance Officer for the City of Hendersonville, having served as the Assistant Finance Director, and in various other positions within the Finance Department, and being a certified as a Local Government Finance Officer (CLGFO) through the North Carolina Government Finance Officers Association (NCGFOA); and

**WHEREAS**, City Council wishes to appoint Krystal Powell as Finance Officer for the City of Hendersonville

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA that:**

1. Krystal Powell is hereby appointed Finance Officer for the City of Hendersonville with full power and authority, and direction, to carry out the duties of Finance Officer as specified in the Local Budget and Fiscal Control Act (Article 3 of Chapter 159 of the North Carolina General Statutes) and other applicable State, Federal and Local laws governing the duties of a finance officer, on behalf of the City of Hendersonville.
2. That Ms. Powell's appointment is contingent upon her compliance with the requirements of North Carolina General Statutes § 159-29 by posting a true accounting and faithful performance bond in the amount of \$1.0 Million.
3. That day-to-day supervision and administrative authority over the position of Finance Officer is vested in the City Manager. The City Manager is authorized to finalize the details of Ms. Powell's employment with the City of Hendersonville, including salary and benefits, in accordance with the City's adopted pay plan.
4. Ms. Powell is authorized and directed to sign all existing bank, depository and investment accounts held in the City's name, and to execute all contracts as the Finance Officer to comply with pre-audit requirements.
5. The naming of Ms. Powell's position as "Finance Director" or other similar terminology shall in no way detract from the authority or responsibility delegated to Ms. Powell as Finance Officer for the City of Hendersonville by this Resolution.
6. The Resolutions from First-Citizens Bank & Trust Company and Wells Fargo are hereby approved, and the City Manager, City Clerk, Finance Officer, and other named officials are authorized to execute the same.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 8<sup>th</sup> day of January, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

**B. City Council Approval to Reestablishment of Utility Fees and Disconnections on March 1, 2025 – John Connet, City Manager**

City Manager John Connet explained that City Council directed staff to discontinue utility late fees and disconnections immediately following Hurricane Helene. City staff has been monitoring the number of delinquent utility accounts and is concerned about the number of individuals with large balances. Mr. Connet asked for permission to re-establish fees and disconnection effective March 1, 2025.

*Council Member Jennifer Hensley moved that the City Council direct staff to take necessary action to re-establish utility late fees and authorize service disconnection for non-payment effective March 1, 2025. A unanimous vote of the Council followed. Motion carried.*

**C. Resolution for the City of Hendersonville to Apply for a USDOT RAISE Grant for the Above the Mud Project – Brent Detwiler, Public Services Director**

Public Services Director Brent Detwiler gave the following PowerPoint presentation and asked that Council vote on the resolution.

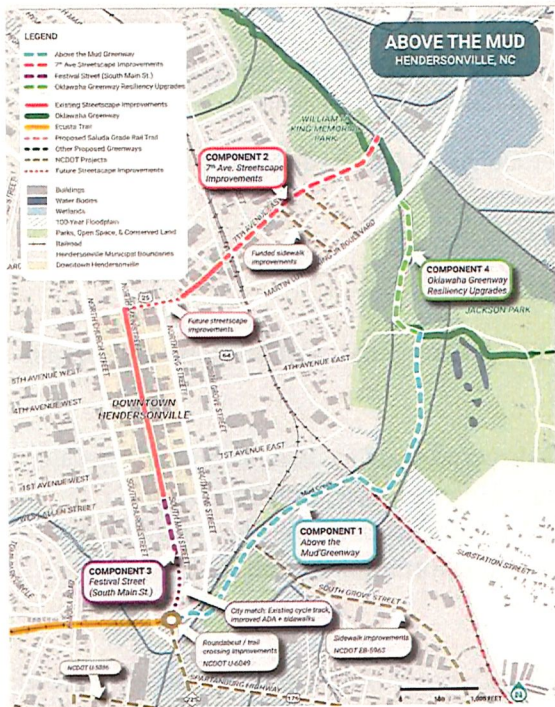
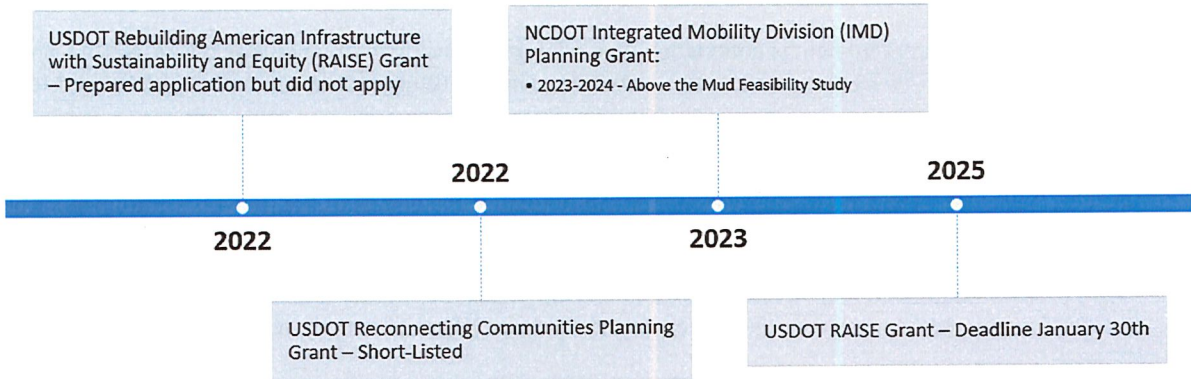




## ABOVE THE MUD

*A project Connecting the Oklawaha Greenway, Ecusta Trail, Main Street, 7th Avenue, and Larger WNC regional trail network*

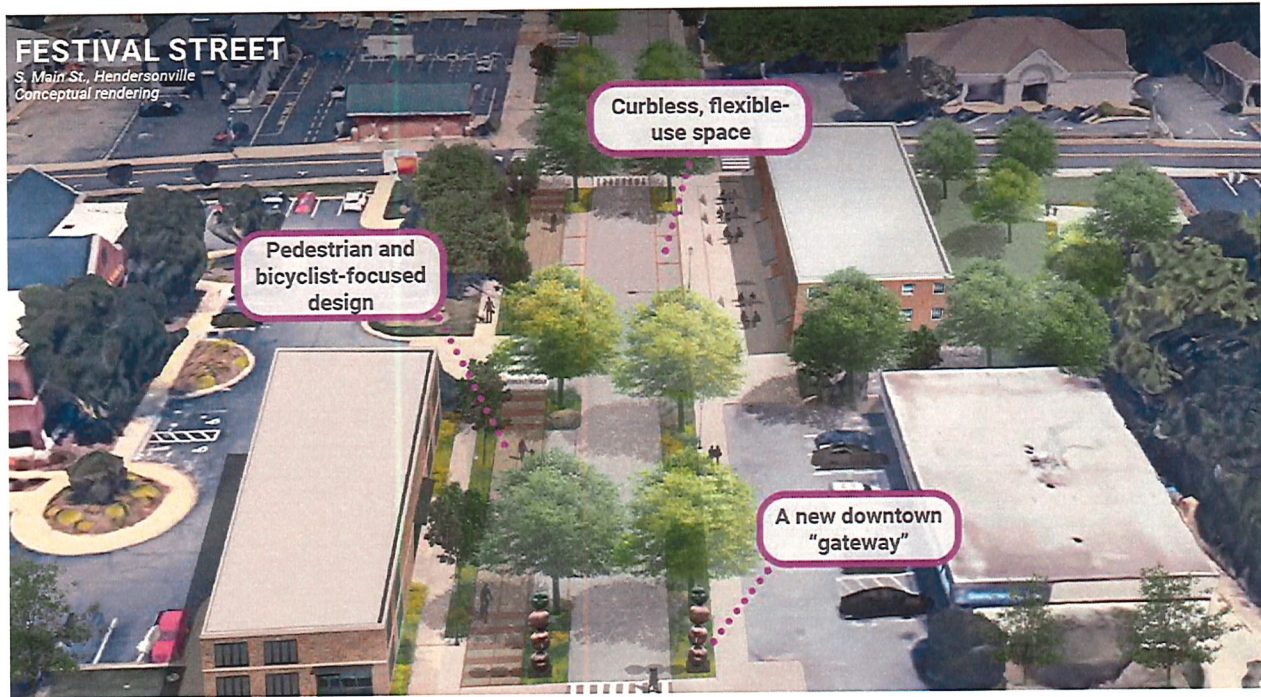
## Project Background



## Project Components

<p><b>COMPONENT 1</b> <b>'Above the Mud' Trail</b> A 1.56 mile separated shared use pathway for bicyclists and pedestrians through natural areas, connecting the Oklawaha Greenway to the regional Ecusta Trail, future Saluda Grade Trail, and downtown Hendersonville.</p>	<p><b>COMPONENT 2</b> <b>7th Avenue Streetscape Improvements</b> A safe and walkable .41 mile connection between northeastern neighborhoods and downtown with improved sidewalks, lighting, green infrastructure, pedestrian amenities, and ADA compliance.</p>
<p><b>COMPONENT 3</b> <b>Festival Street</b> A .28 mile pedestrian-focused street and flexible event space catalyzing economic development for businesses, with limited automobile access, connecting downtown to three regional trails.</p>	<p><b>COMPONENT 4</b> <b>Oklawaha Greenway Boardwalk (on existing trail)</b> A .33 mile elevated boardwalk, retrofitting the current trail to be a safer and stormwater resilient trail connection for pedestrians and bicyclists along the Oklawaha Greenway.</p>





PROJECT OUTCOMES & DETAILS



A vibrant, safe, and active community, through street and trails that prioritize pedestrians and bicyclists and serve users of all ages and abilities.



Greatly improved access to downtown, disadvantaged neighborhoods, schools, food, businesses, and parks and natural areas.



More livable, resilient streets that use trees and stormwater best practices to shade, clean the air and water, and better manage flooding.



Economic revitalization by connecting a critical regional trail link and improving 7th Avenue and South Main Street.

# Community Engagement



- 2022 RAISE – Kick-off Public Meeting (well-attended)
- 2023-2024 Above the Mud Feasibility Study - Steering Committee, Public Meetings, 2 Surveys
- 2025 RAISE:
  - Contracted Alta Planning + Design – November 6, 2024
  - Stakeholder Group Kick-off – November 14, 2024
  - Community survey launch – November 27, 2024
  - Promoted survey/raised awareness at Housing Listening Sessions and Turkey Trot – Nov-Dec
  - Door-to-Door outreach in Green Meadows / 7<sup>th</sup> Ave Area – December 19, 2024
  - Community survey closed – December 31, 2024
  - 36 Letters of Support Received to date



**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF AN APPLICATION FOR USDOT RAISE GRANT FUNDING TO CONSTRUCT THE ABOVE THE MUD PROJECT**

**WHEREAS**, the City Council of the City of Hendersonville considers bicycle and pedestrian transportation to be of utmost importance to the region by providing Western North Carolina with recreation and equitable transportation opportunities as well as increased economic viability and community development; and

**WHEREAS**, the City Council of the City of Hendersonville adopted a resolution on April 5, 2012 supporting a regional recreational greenway to link the City of Hendersonville in Henderson County to the City of Brevard in Transylvania County and the Pisgah National Forest; and

**WHEREAS**, the United States Department of Transportation has established a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program that provides funding for surface transportation infrastructure projects that will have a significant local or regional impact; and

**WHEREAS**, the Above the Mud project will provide multimodal infrastructure that will spur small-town economic development, jobs, and tourism while rebuilding a trail segment damaged by recurring flooding and Hurricane Helene; and


**WHEREAS**, the project will extend the 19-mile regional Ecusta Trail that is expected to generate significant rural economic impact, bringing residents and tourists safely into Downtown Hendersonville, and reconnect to underserved neighborhoods, improving safety and access;

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

1. The City of Hendersonville shall submit an application to USDOT for a RAISE Grant to fund the design and construction of the Above the Mud Project in Henderson County; and
2. The Mayor and/or City Manager shall hereby be authorized on behalf of the City of Hendersonville to execute any and all documents required for the City to complete and submit the grant application for up to \$25,000,000.00 in funding with commitment of \$1,600,000.00 in matching funds from the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 8th day of January 2025.

**SUGGESTED MOTION(S):** I move that City Council approve the resolution to submit a RAISE Grant application to USDOT for the Above the Mud project.



**Thank You!**

***Council Member Gina Baxter moved that City Council approve the resolution to submit a RAISE Grant application to USDOT for the Above the Mud project. A unanimous vote of the Council followed. Motion carried.***

Resolution #R-25-07

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF AN APPLICATION FOR USDOT RAISE GRANT FUNDING TO CONSTRUCT THE ABOVE THE MUD PROJECT**

**WHEREAS**, the City Council of the City of Hendersonville considers bicycle and pedestrian transportation to be of utmost importance to the region by providing Western North Carolina with recreation and equitable transportation opportunities as well as increased economic viability and community development; and

**WHEREAS**, the City Council of the City of Hendersonville adopted a resolution on April 5, 2012 supporting a regional recreational greenway to link the City of Hendersonville in Henderson County to the City of Brevard in Transylvania County and the Pisgah National Forest; and

**WHEREAS**, the United States Department of Transportation has established a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program that provides funding for surface transportation infrastructure projects that will have a significant local or regional impact; and

**WHEREAS**, the Above the Mud project will provide multimodal infrastructure that will spur small-town economic development, jobs, and tourism while rebuilding a trail segment damaged by recurring flooding and Hurricane Helene; and

**WHEREAS**, the project will extend the 19-mile regional Ecusta Trail that is expected to generate significant rural economic impact, bringing residents and tourists safely into Downtown Hendersonville, and reconnect to underserved neighborhoods, improving safety and access;

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

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2. The Mayor and/or City Manager shall hereby be authorized on behalf of the City of Hendersonville to execute any and all documents required for the City to complete and submit the grant application for up to \$25,000,000.00 in funding with commitment of \$1,600,000.00 in matching funds from the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 8th day of January, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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



**D. Appointment of Mayor Volk as Voting Delegate for NCLM Legislative Priorities –  
John Connet, City Manager**

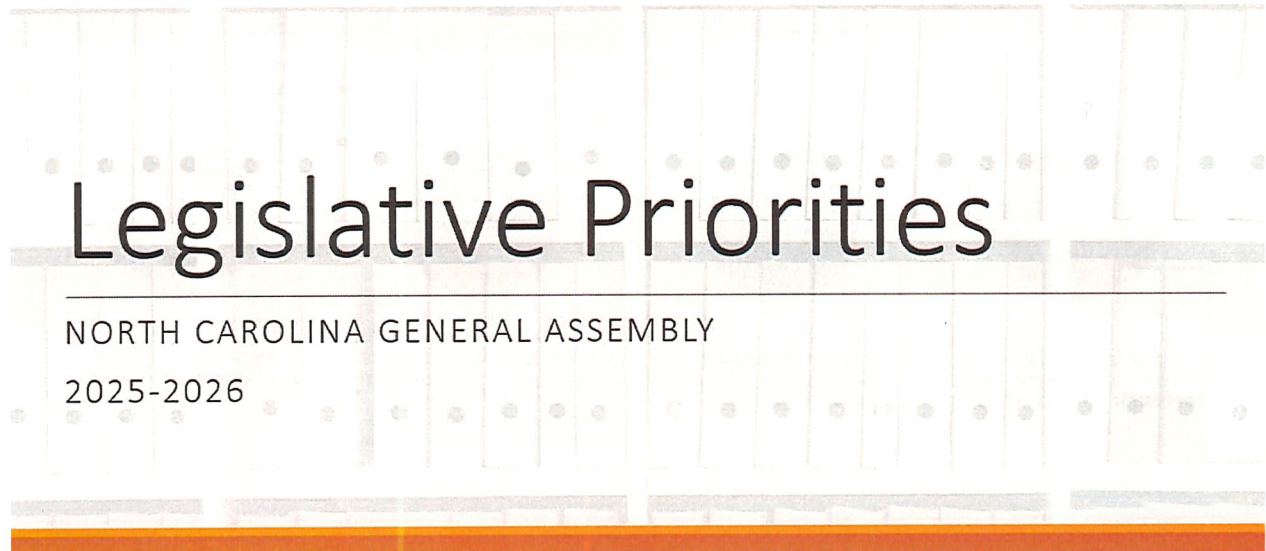
City Manager John Connet explained that Mayor Volk has traditionally served as the City’s voting delegate for the North Carolina League of Municipalities.

*Council Member Lyndsey Simpson moved that the City Council appoint Mayor Barbara Volk as the City’s voting delegate for the NCLM legislative priorities process. A unanimous vote of the Council followed. Motion carried.*

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

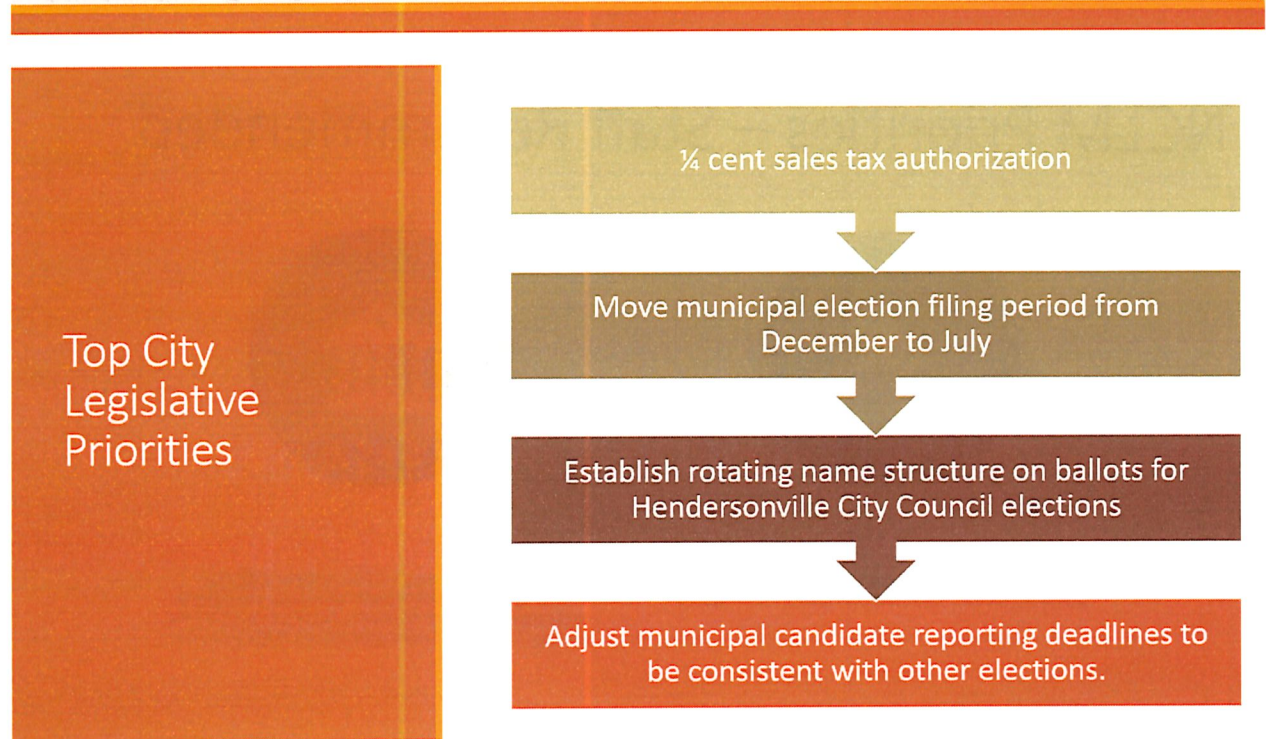
**E. 2025 Legislative Priorities – John Connet, City Manager**

City Manager John Connet explained that the North Carolina General Assembly will convene its 2025 legislative (long) session on January 8, 2025. City staff and the North Carolina League of Municipalities have drafted proposed legislative priorities for the City Council. City staff is asking City Council to approve these priorities, authorize the Mayor to vote on their behalf, direct staff to develop draft legislation as necessary and authorize the Mayor and Mayor Pro Tem to present the priorities to our legislative delegation.



# Legislative Priorities

NORTH CAROLINA GENERAL ASSEMBLY  
2025-2026



# NCLM Priorities – Staff Recommended



CREATE INCENTIVES THAT ENCOURAGE AND ADEQUATELY FUND REGIONALIZED WATER AND SEWER SOLUTIONS.



EXPAND FUNDING OPPORTUNITIES FOR DISASTER RESILIENCY AND RECOVERY EFFORTS.



ESTABLISH LONG-TERM FUNDING STREAMS THAT ADEQUATELY ADDRESS WATER, SEWER, STORMWATER, TRANSPORTATION AND OTHER INFRASTRUCTURE NEEDS.



EXPAND STATE TRANSPORTATION FUNDING STREAMS FOR CONSTRUCTION AND MAINTENANCE OF MUNICIPAL AND STATE-OWNED SECONDARY ROADS.

# NCLM Priorities – Staff Recommended



CREATE INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF DIVERSE HOUSING OPTIONS.



PROVIDE RESOURCES TO REHABILITATE OR PURCHASE BLIGHTED PROPERTIES.



REDUCE REGULATORY CONFLICTS BETWEEN STATE AGENCIES THAT DISCOURAGE VOLUNTARY CONSOLIDATION, MERGER AND INTERCONNECTION OF MUNICIPAL UTILITY SYSTEMS.



PROVIDE LOCAL REVENUE OPTIONS BEYOND THE PROPERTY TAX.

# NCLM Priorities – Staff Recommended



UPDATE THE ANNEXATION PETITION THRESHOLDS TO MAKE VOLUNTARY ANNEXATIONS EASIER TO INITIATE.



PROTECT THE ABILITY OF MUNICIPAL ELECTED OFFICIALS, ACTING ON BEHALF OF LOCAL VOTERS, TO DETERMINE ELECTION FORMATS, DISTRICTS AND OTHER ELECTION MATTERS CURRENTLY UNDER THEIR PURVIEW.



# NCLM Priorities – Other Options



INCREASE FUNDS TO REMEDIATE CONTAMINATION IN LOCAL WATER SUPPLIES



EXPAND INCENTIVES AND FUNDING FOR LOCAL ECONOMIC DEVELOPMENT.

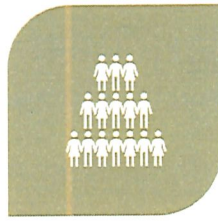


CREATE AN ORPHAN ROAD PROGRAM WHEREBY THE STATE IMPROVES THOSE ROADS TO N.C. DEPARTMENT OF TRANSPORTATION STANDARDS BEFORE MUNICIPALITIES ASSUME MAINTENANCE RESPONSIBILITIES.

# NCLM Priorities – Other Options



SUPPORT TECHNICAL ASSISTANCE PROGRAMS TO ASSIST MUNICIPALITIES WITH SECURING OR MAINTAINING GRANTS OR OTHER NECESSARY MUNICIPAL RESOURCES.



ADDRESS THE NEEDS OF A CHANGING MUNICIPAL WORKFORCE THROUGH STATE ASSISTANCE THAT SUPPORTS EMPLOYEE RETENTION, INCLUDING TRAINING AND RECRUITMENT.



PRESERVE AUTHORITY FOR EXTRATERRITORIAL JURISDICTION TO ENSURE THAT GROWTH IS WELL-PLANNED AND INVESTMENTS BY HOMEOWNERS AND BUSINESS OWNERS ARE PROTECTED.

*Council Member Lyndsey Simpson moved that the City Council approve the 2025 Legislative Priorities Resolution as presented by the City Manager. A unanimous vote of the Council followed. Motion carried.*

Resolution #R-25-08

## RESOLUTION BY THE HENDERSONVILLE CITY COUNCIL TO ESTABLISH LEGISLATIVE PRIORITIES FOR THE 2025 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY

**WHEREAS**, the North Carolina General Assembly will convene it’s 2025 Long Session on January 8, 2025; and

**WHEREAS**, the City Council wishes to establish its top legislative priorities for the 2025 Session of the North Carolina General Assembly; and

**WHEREAS**, the North Carolina League of Municipalities (NCLM) is currently developing its legislative priorities for the 2025 legislative session; and

**WHEREAS**, it is important that the City Council notify the Henderson County legislative delegation of these priorities prior to legislation deadlines and significant votes.

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

1. The City Council establishes the 2025 City Council Legislative Priorities.
2. The Mayor is authorized to vote on NCLM legislative priorities as discussed by the City Council and documented in the meeting minutes.
3. The City staff is directed to draft (as necessary) proposed legislation to carry out the legislative priorities of the City Council.
4. The Mayor and Mayor Pro Tem are asked to present these legislative priorities to the Henderson County legislative delegation at the earliest possible time.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 8<sup>th</sup> day of January, 2025.

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

**F. Review of the January 2025 Floodplain Workshop – John Connet, City Manager**

City Manager John Connet presented the draft agenda for the January 22, 2025 Floodplain Workshop Meeting. We've asked members of the State Floodplain Offices to join us. You'll see by this agenda that we've broken it down into five areas.

Draft Agenda  
 Floodplain Development Workshop  
 January 22, 2025

1. Overview of Floodplain Mapping
  - a. What maps do and don't show
  - b. Updating of maps (when and how)
  - c. Letter of Map Amendment
  - d. Alternative maps
2. Floodplain Regulation 101
  - a. What is currently allowed?
  - b. Development vs. Redevelopment
  - c. Base Floor Elevation
  - d. No Rise
  - e. Filling of floodplain
  - f. 50% Damage Rule
3. What is Reasonable Development ?
  - a. Considerations
    - i. Percentage of developable property in City/ETJ
    - ii. Public safety
    - iii. Affordable housing
    - iv. Private property rights
4. Floodplain Mitigation / Recovery Information (available for pickup) |
5. Future Considerations (information purposes only)
  - a. Map updates
  - b. CRS participation
  - c. Ordinance amendments

**11. CITY COUNCIL COMMENTS – None**

Council Member Baxter brought up the memorial that Mr. Zafra mentioned in his public comments and wanted to see if any discussions had started with the county and if not, we should start that conversation. City Manager Connet said he would reach out to John Mitchel (County) and see what that may look like.

**10. CITY MANAGER REPORT**

**A. December 2024 Contingency and Adjustment Report – John Connet, City Manager**

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)		Completed		Corrected		REVISED BUDGET	DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
BUDGET AMENDMENTS AND ADJUSTMENTS		Proposed	Denied	Proposed	Denied					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE						
010-1400-521225	Training	70,850	-	1,200		69,650	Computer Replacement	yes	adjustment	12/2/2024
010-1010-534000	Non-Capital	93,401	1,200	-		94,601	Computer Replacement	yes	adjustment	12/2/2024
010-1002-539005	Health & Welfare Expenditures	82,139	-	82,139		-	Caporoma Earnest Money	yes	Adjustment	12/10/2024
010-0000-534999	Contingency	137,525	-	42,861		94,664	Caporoma Earnest Money	yes	Adjustment	12/10/2024
010-1002-551000	Capital Outlay- Land, Easements, ROW	-	125,000	-		125,000	Caporoma Earnest Money	yes	Adjustment	12/10/2024
060-1002-539005	Health & Welfare Expenditures	115,723	-	115,723		-	Caporoma Earnest Money	yes	Adjustment	12/10/2024
060-0000-534999	Contingency	97,250	-	9,277		87,973	Caporoma Earnest Money	yes	Adjustment	12/10/2024
060-1002-551000	Capital Outlay- Land, Easements, ROW	-	125,000	-		125,000	Caporoma Earnest Money	yes	Adjustment	12/10/2024
060-0000-534999	Contingency	87,973	-	18,800		69,173	Call Center	yes	Adjustment	12/11/2024
060-7002-519200	Contracted Services	85,600	18,800	-		104,400	Call Center	yes	Adjustment	12/11/2024
060-7032-555003	Capital Outlay- Plants, Pump Stations	252,000	-	20,000		232,000	Engine Replacement	yes	Adjustment	12/23/2024
060-7032-524030	R&M Trucks	25,000	20,000	-		45,000	Engine Replacement	yes	Adjustment	12/23/2024

Mr. Connet added that we continue to work with debris removal as it continues to be a major topic among our staff. Our staff is actually driving around the city using GIS map to pinpoint any debris piles so we can provide that to the state contractor to move. We continue to meet with our FEMA consultant and our insurance company and its going to be a lengthy process. We've received some insurance money, but it was very little, kind of an advance on what we spent to date so that's helping us with cash flow. You approved a zero interest loan which is also helping us. It's our priority to really start submitting these grant projects and applications for our reimbursement in the next three weeks. We are also having our staff retreat for the next two days. We're traveling to Boone and we'll have to see how the weather plays out and may have to cut it short on Friday to head back home. We'll be spending our time talking about our experiences with the storm, the incident command system and how we worked as a team. Finally, our public services team is preparing for the snow and putting plows on the trucks and establishing schedules.

**13. ADJOURN**

There being no further business, the meeting adjourned at 7:08 p.m. upon unanimous assent of the Council.

ATTEST: Jill Murray  
 Jill Murray, City Clerk

Barbara G. Volk  
 Barbara G. Volk, Mayor

