



MINUTES

August 7, 2025

REGULAR MEETING OF THE CITY COUNCIL

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

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

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

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:

Mr. R. Butrovich of 35 Tisha Lane, Hendersonville spoke on plans for the Whitmire Building. He suggested fixing the old building and using the money to fix Patton Park. He also would like to see the city get a Senior Center.

Brett Werner of 706 Goldfinch Drive, Hendersonville spoke on public meetings and advocated for free parking in front of the courthouse during commissioner meetings and for any public event that includes civil participation. This will help to have a more involved community. Additionally, he noted that the Strategic Housing Plan Steering Committee has only met three of the eight times listed on their schedule and if lack of quorum is the problem, we should get new members. He also spoke on the Housing Authority - Robinson Terrace property that is just sitting in disarray. He urged City Council to get involved to make something happen and mentioned 7th Avenue area next to the Spinx property and how the proposal does not state whether improvements will be made on both sides of the street. If both sides are included, he urged Council to reallocate funds to enhance the current project or extending the project.

Via Zoom:

Lynne Williams spoke about farmers and protecting them from annexation and suggested meeting with farmers and going to Ag meetings and speaking with them at the Apple Festival to understand what they need.

4. CONSIDERATION OF AGENDA

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

5. CONSENT AGENDA

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

A. Adoption of City Council Minutes – Jill Murray, City Clerk
July 2, Regular Meeting
July 23, 2025 Second Monthly Meeting

- B. Donation from Delia Jovel Dubon for Brooklyn Community Garden – Caitlyn Gendusa, Public Works Superintendent-Sustainability
- C. Police Social Worker Job Description – Jennifer Harrell, HR Director
- D. Small Business Grant Program (SmBiz) 7th Avenue E Sidewalk Restoration – Blake Fulgham, Management Analyst II
- E. Small Business Infrastructure Grant Program for the Cane Creek Industrial Park Waterline Connection – Blake Fulgham, Management Analyst II
- F. Special Event: HHS HOCO 5k/1 Mile Fun Run - Jamie Carpenter, Downtown Manager
- G. August 2025 Budget Amendments - Jennifer Floyd, Management Analyst

TO MAYOR & COUNCIL

APPROVAL: August 7, 2025

FISCAL YEAR 2026

FORM: 08072025-01

BUDGET AMENDMENT

FUND 010

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

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

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

TO MAYOR & COUNCIL

APPROVAL: August 7, 2025

FISCAL YEAR 2026

FORM: 08072025-02

BUDGET AMENDMENT

FUND 064

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

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

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

TO MAYOR & COUNCIL

APPROVAL: August 7, 2025

FISCAL YEAR 2025

FORM: 08072025-03

BUDGET AMENDMENT

FUND 060 / 460

ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-7032-555003	Capital Outlay- Plants, Pump Stations	204,560	-	42,400	162,160
060-0000-598901	Transfer Out (to 460 #25003)	825,657	42,400		868,057
FUND 060	TOTAL REVENUES	204,560	-	42,400	162,160
	TOTAL EXPENDITURES	825,657	42,400	-	868,057
460-0000-470010-25003	Debt Proceeds	500,000	-	-	500,000
460-0000-470100-25003	Transfer In (From 060)	-	42,400	-	42,400
460-1014-550103-25003	Capital Outlay - CIP	500,000	42,400	-	542,400
FUND 460	TOTAL REVENUES	500,000	42,400	-	542,400
	TOTAL EXPENDITURES	500,000	42,400	-	542,400

A budget amendment increasing the revenues in Project #25003 to cover the demolition costs of 110 Williams Street Property. Total Project Budget \$542,400. For FY25

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

TO MAYOR & COUNCIL
APPROVAL: August 7, 2025

FISCAL YEAR 2026
FORM: 08072025-04

BUDGET AMENDMENT

FUND 360					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
360 - Revenues	FEMA Grants/Reimb. (Helene)	5,000,000	5,000,000	-	10,000,000
360 - Expenditures	FEMA Grants/Reimb. Expenditures (Helene)	5,000,000	5,000,000	-	10,000,000
FUND 360 FEMA	TOTAL REVENUES	5,000,000	5,000,000	-	10,000,000
	TOTAL EXPENDITURES	5,000,000	5,000,000	-	10,000,000
360 - Revenues	NCEM Loan (Helene)	1,172,004	-	-	1,172,004
360 - Expenditures	NCEM Loan Expenditures (Helene)	1,172,004	-	-	1,172,004
FUND 360 NCEM/Insurance	TOTAL REVENUES	1,172,004	-	-	1,172,004
	TOTAL EXPENDITURES	1,172,004	-	-	1,172,004
An amendment increasing anticipated FEMA reimbursements for Hurricane Helene Response and Recovery projects. This amendment increases the total budget availability for Helene appropriations to \$11,172,004.					
The City Manager and City Clerk certify budget ordinance amendment 08072025-04 was approved by City Council on August 7, 2025.					

TO MAYOR & COUNCIL
APPROVAL: August 7, 2025

FISCAL YEAR 2026
FORM: 08072025-05

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470900	Fund Balance Appropriation	3,132,656	48,000	-	3,180,656
010-1010-531210	Permits Licenses, and Fees	177,600	48,000	-	225,600
FUND 010	TOTAL REVENUES	3,132,656	48,000	-	3,180,656
	TOTAL EXPENDITURES	177,600	48,000	-	225,600
A budget amendment to cover the cost of Dark Trace software.					
The City Manager and City Clerk certify budget ordinance amendment 08072025-05 was approved by City Council on August 7, 2025.					

H. August 2025 Project Ordinances and Reimbursement Resolutions - Jennifer Floyd,
Management Analyst

Ordinance #O-25-42

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolution #R-25-73

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

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

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

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE MILLS RIVER INTAKE SCOUR SYSTEM PROJECT (#HH24-F03), ORDINANCE #O-25-42 (the "Projects").

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

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

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

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

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

I. Engineering Services to Support the WTF Sludge Transfer and Backwash Pump Upgrade Project - Devin Owen, Utilities Engineer

Resolution #R-25-74

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ENTER INTO A CONTRACT FOR ENGINEERING SERVICES TO SUPPORT THE WTF SLUDGE TRANSFER AND BACKWASH PUMP UPGRADE PROJECT

WHEREAS, the City owns and operates a water treatment facility (WTF) that has a current permitted capacity of 12.0 million gallons per day; and

WHEREAS, the WTF has a need for additional Sludge Transfer and Backwash Pumps as identified in the existing WTF Masterplan; and

WHEREAS, the project improves resiliency, reduces single points of failure, and provides redundancy; and

WHEREAS, City Staff have performed a qualifications-based selection, determined McKim & Creed, Inc. as most

qualified, and have received and negotiated a scope of work and fee from McKim & Creed, Inc. to provide Engineering Services to support the project.

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

1. McKim & Creed, Inc. is most qualified to provide professional engineering services for the project, as recommended by Staff.
2. The scope of professional engineering services from McKim & Creed, Inc. is approved in the not-to-exceed amount of \$566,407.
3. The City Manager is authorized to execute an agreement with McKim & Creed, Inc. consistent with the terms of this Resolution, as approved by the City Attorney.

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

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

J. Annexation: Certificate of Sufficiency-Mabry Woods (Holbert & Ponder) (25-46-ANX) - Tyler Morrow, Current Planning Manager

Resolution #R-25-75

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

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

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

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the City Operations Center located at 305 William St. or at City Hall located 160 6th Ave E. Hendersonville NC, 28792 at 5:45 p.m. September 4th, 2025, or as soon thereafter as it may be heard.

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

Being all of that real property consisting of PINs 9578-43-7077, 9578-53-0013, and 9578-43-9238 described in the plat recorded in Book 2025- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9578-43-7077, 9578-53-0013, and 9578-43-9238 being described by metes and bounds as follows:

Being three existing tracts of land described in Deed Book 3270, Pages 287, 291, and 295, being PIN 9578-43-7077, PIN 9578-53-0013, and PIN 9578-43-9238, located on Brooklyn Avenue, S.R. 1775, in Hendersonville Township, Henderson County, North Carolina, surveyed by C. Neil Shepherd, PLS of Survey Pros PLLC, Project #22-163. A metes and bounds description taken from said survey is as follows:

BEGINNING on a 1/2 inch iron found at the northeast corner of BK 1540 PG 404, said iron having NC Grid coordinates of N=583,016.10' and E=974,552.98'; thence from the POINT OF BEGINNING, with the existing city limits of the City of Hendersonville, N 37° 23' 15" E for a distance of 640.64 feet to a 1/2 inch iron found with yellow cap; thence with the proposed city limit line the following eight courses: (1) S 35° 11' 06" E for a distance of 548.83 feet to a point in the center of Brooklyn Avenue; (2) thence with the center line of Brooklyn Avenue, S 57° 53' 13" W for a distance of 471.24 feet to a point; (3) thence continuing S 57° 32' 24" W a distance of 400.18 feet to an iron found under the asphalt; (4) thence with the eastern margin of the right-of-way of Old Spartanburg Road, SR 1722, N 37° 29' 08" W for a distance of 82.50 feet to a 1/2 inch rebar set; (5) thence leaving the road, N 41° 13' 06" E for a distance of 207.27 feet to a 1-1/2 inch iron pipe found; (6) thence N 37° 27' 56" W for a distance of 69.55 feet to a 1 inch iron pipe found; (7) thence N 41° 01' 23" E for a distance of 70.05 feet to a 3/8 inch iron pipe found; (8) thence N 37° 48' 07" W for a distance of 95.42 feet to the point of beginning, having an area of 6.94 acres, more or less.

Re: Petition for Contiguous Annexation

Petitioner: Wanda Ponder, Eugene Holbert, Edgar Holbert, and John Holbert

File No. 25-46-ANX

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

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

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

K. Policy Regarding the Purchase of surplus Personal Propoerty by City Employees –
Tom Wooten, Public Works Director

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

Resolution #R-25-76

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPROVE FINANCING TERMS FOR THE PURCHASE OF VEHICLES AND EQUIPMENT

WHEREAS, The City of Hendersonville has previously determined to undertake a project for the financing of vehicles and equipment, and

WHEREAS, United Financial has provided a proposal with an acceptable interest rate and terms to meet the City’s needs; and

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

1. The City of Hendersonville hereby determines to finance the purchase of vehicles and equipment through United Financial, in accordance with the proposal dated August 3, 2025. The amount financed shall not exceed \$850,000 with an annual interest rate of 4.35% for a term of 4 years.
2. All financing contracts and all related documents for the closing of the financing shall be consistent with the foregoing terms. City staff are hereby authorized to and directed to execute and deliver any financing documents, and to take all such action as they may consider necessary to carry out the financing as contemplated by the proposal and this resolution.

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

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

6. PRESENTATIONS

A. Support our Swimmers – *Stephen Bradshaw & Katie Breckheimer*

Steve Bradshaw, Coach of West Henderson Highschool and Katie Breckheimer, Chair of Support our Swimmers, took turns giving the following PowerPoint presentation supporting needing a year-round swimming pool in Henderson County.



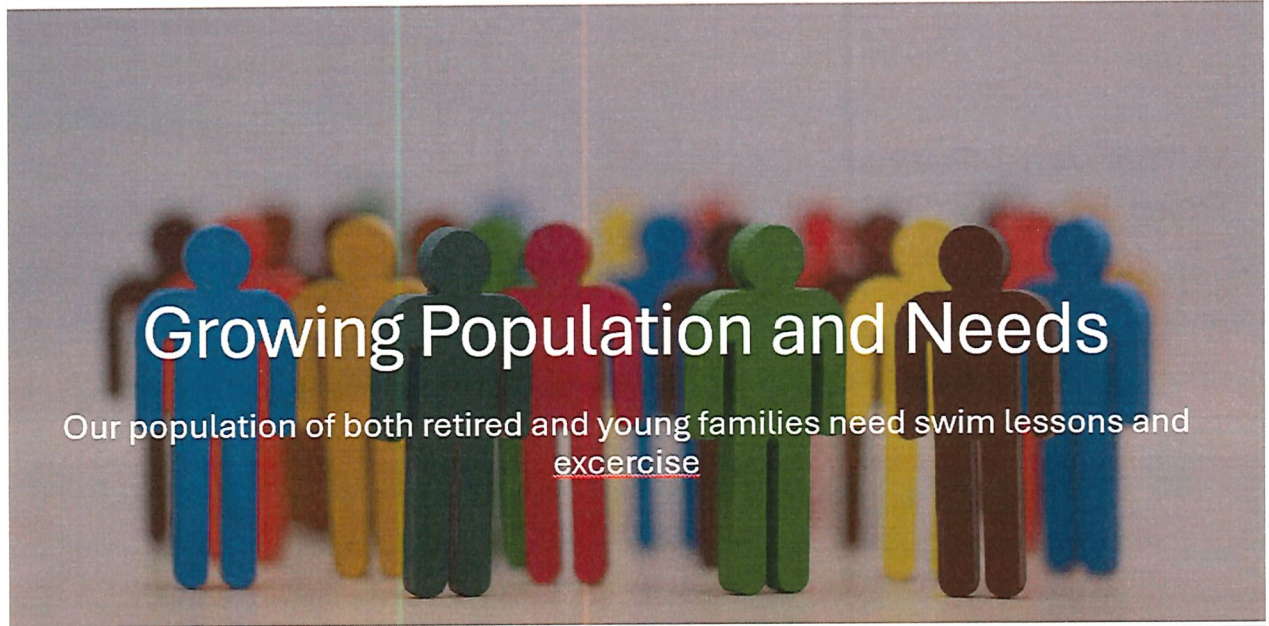
Support our Swimmers

Our Community Needs a Year-Round Aquatics Facility



A Swimming Facility was Assessed as a Top 5 Need in Henderson County Back in 2019

5 years later an aquatics facility has not been addressed.
With Patton Pool out of commission the need for a pool has
certainly increased.



Growing Population and Needs

Our population of both retired and young families need swim lessons and
exercise



Aquatics "Needs":

- Lap Swimming
- Competitive swimming at all age levels-
school teams
- Masters Swimming
- Hosting swim meets
- Swim lessons for all ages
- Water aerobic classes
- Kayak safety training
- Scuba training
- Deep water rescue training
- Physical therapy
- Birthday and celebration parties
- Family fun

Aquatics Facility Could Include:

50 meter x 25 yard Competition Pool with a bulkhead and deep end for diving boards

2nd Recreation Pool – Warmer, Shallow, and Ramped entry

Deck Space with spectator stands & locker rooms/showers

What was Patton Pool Lacking?

50+ YEARS OLD
DESTROYED BY HELENE
SUMMER ONLY
UNSUITABLE FOR COMPETITION

Indoor vs Outdoor

12 months instead of 3 = 4 x the accessibility
High School swimming season is November to February
Little kids can learn to swim in the warmth

DROWNING IS THE #1 CAUSE OF ACCIDENTAL DEATH FOR KIDS AGED 1-4

A COMMUNITY WITH ACCESS TO AQUATICS IS SAFER, STRONGER, AND HEALTHIER
EARLY SWIM LESSONS REDUCE RISK OF DROWNING BY UP TO 88%. (NIHMS617357.PDF)



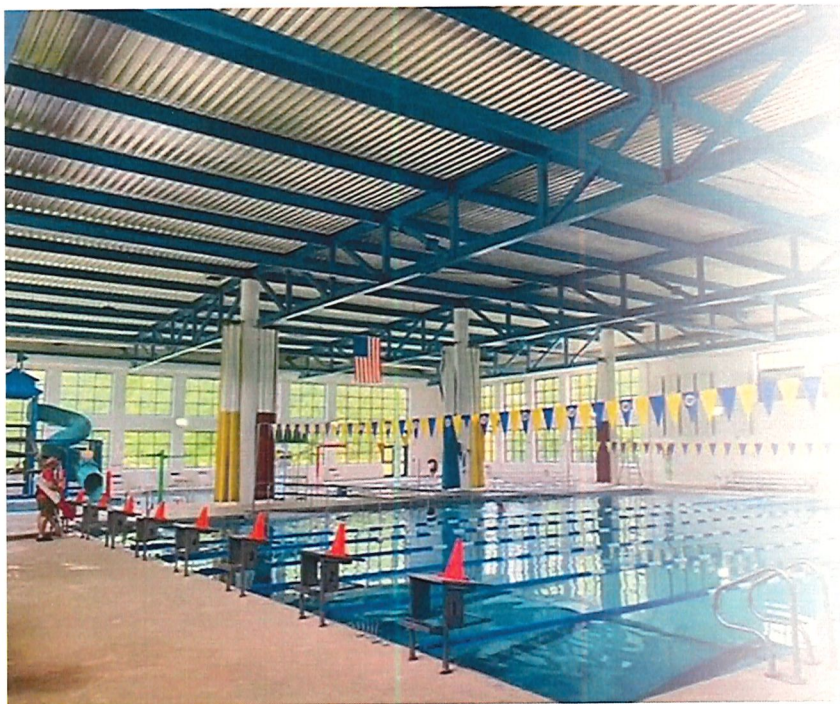
Our County's 2nd Grader "Safety Around Water" Program is a Great Introduction but ...

Why not go further towards drown-proofing our kids



Public Access as well as Boys & Girls Club & Salvation Army Swim Lessons

Our county has only the YMCA & Lelia Patterson Center
Economically challenged kids will suffer increased risks to drowning compared to those that can afford memberships

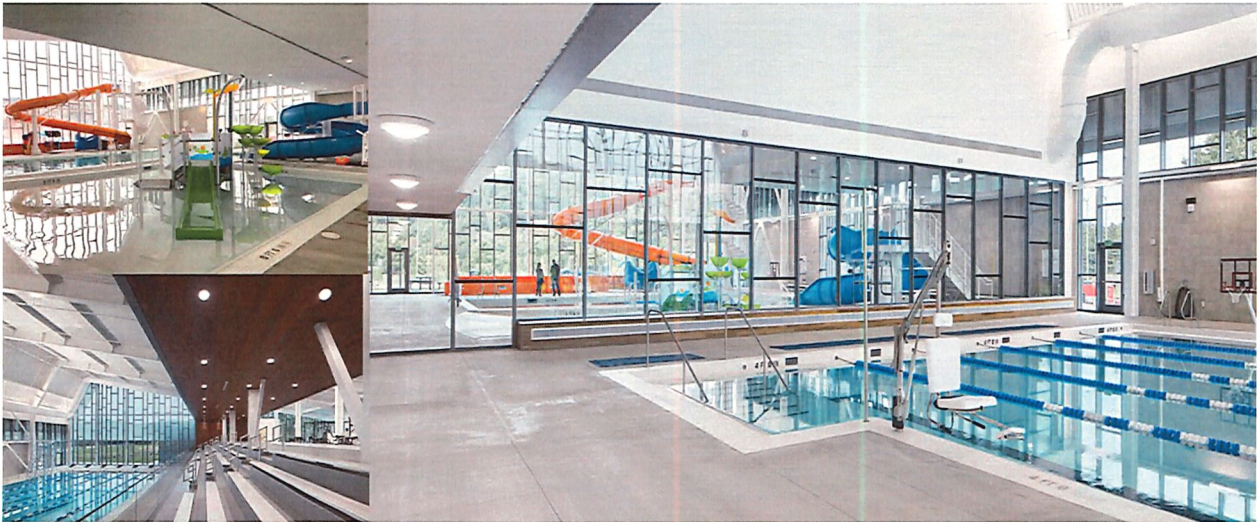


Waynesville Recreation Center

2 Pools

25 Yd for competition & lap swimming

Zero entry warmer pool with a water slide and other features for young kids



Watauga Recreation Center

2 Pools

25 yd for Competition

Warmer Rec Pool with slides



Jackson County
Aquatics Center

- 2 Pools
- 25 yd Competition Pool
- Diving board
- Climbing wall over the water
- Video scoreboard
- Ramp access
- Family-Friendly Recreation Pool
- Large whirlpool
- Water volleyball and basketball
- Splash pad and waterfall play area
- Zero-entry ramp and lift chair

Rehab?
Therapy?
Aquatic Exercise?

Inadequate facilities

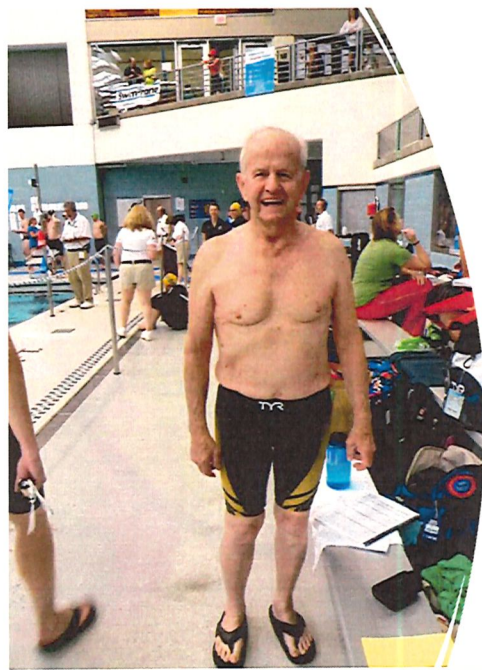
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Only 2 of our 4
High Schools &
1 Middle School
have Teams

West Henderson
practices with 12 kids
per lane at the YMCA

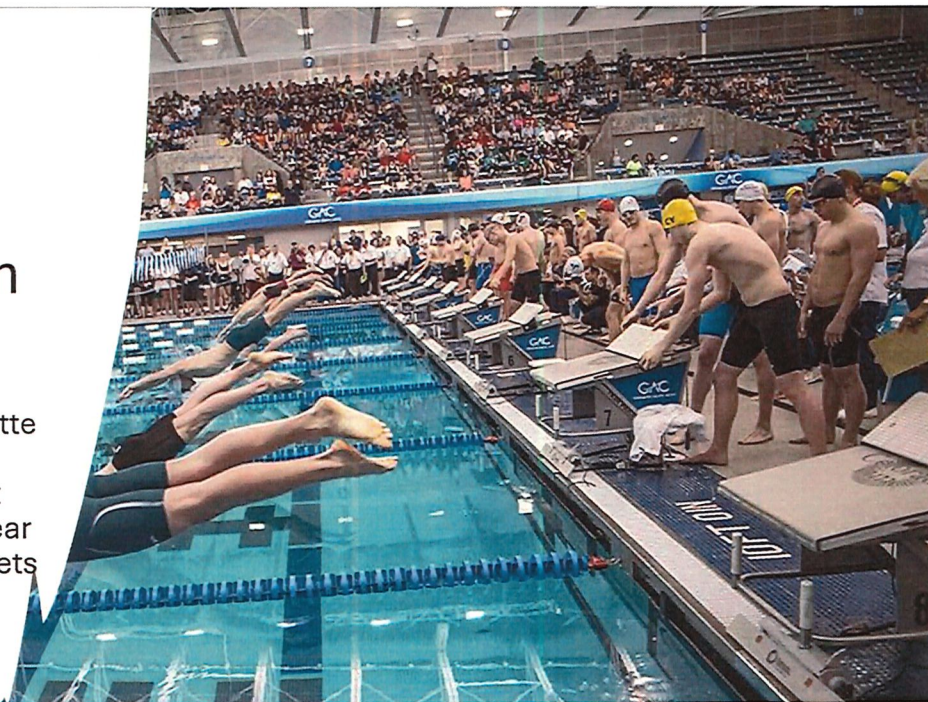


Swimming is a lifelong
exercise that improves your
cardio, strength, and flexibility.

Every year there are 90 year olds and
even centenarians that compete at
Masters Swim meets

Economic Impact of a Competition Pool

Cary, Greensboro, Huntersville, Charlotte & Kingsport all have aquatic centers that bring in millions a year by hosting swim meets



Economic Ripple Effect

- A 25 yard competition pool would be on par with the other Western NC cities who have indoor aquatic facilities
- A 50 meter pool would make Hendersonville the clear winner to host swim meets in Western NC & their economic impacts
- Visitors = Hotel Stays + Restaurant Traffic & Retail Sales
- Multi-Day events bring repeat tourism and longer stays
- Event Hosting brings revenue without tax increases
- Each athlete brings 2-3 guests, multiplying our community exposure

Support our Swimmers

- E-mail: soshcnc@gmail.com



7. PUBLIC HEARINGS

- A. **Public Hearing: Consideration of Incentives to Project Energize** – *Brittany Brady, President, Henderson County Partnership for Economic Development and Angie Beeker, City Attorney*

City Attorney Angela Beeker introduced an economic development project called Project Energize and gave the following PowerPoint presentation highlighting the project.

Project Energize

Hendersonville City Council

Public Hearing

August 7, 2025

Economic Development – NCGS § 158-7.1

- “Each county and city in this State is authorized to make appropriations for economic development purposes.”
- Appropriation must:
 - Increase population
 - Taxable Property
 - Agricultural Industries
 - Employment
 - Industrial Output OR
 - Business Prospectsof the city or county.

City of Hendersonville Economic Development Assistance Guidelines

- Minimum capital investment of \$1,500,000 (real or personal)
- Create full-time jobs that pay at or above median industrial wage (\$51,565 for 2025)
- For each year that investments made/jobs created, typically receive 5 years of incentives payments.
- Incentives payments are a % of taxes paid to the City, based upon number of jobs created and wages paid (see next slide).
- Incentives agreement between industry and City

Angela introduced Brittany Brady, the President and CEO of the Partnership for Economic Development who discussed the project further.

Economic Incentives Payments

Number of Jobs Created	Points	Wages *Wage data to be updated annually	Points
5-25	20	100% of Average	20
26-49	30	105% of Average	30
50-75	40	110% of Average	40
76-149	50	120% of Average	50
150+	60	150% of Average	60

Total Points = Percentage of each year's property taxes generated as a result of the project for which the incentives are granted (for each year for which incentives are granted by the Board).

Project Energize

- Total Investment (over 4 years):
 - \$18 Million Real Property
 - \$57,300,000 Business Personal Property
 - \$75,300,000 Total Investment
- Wages: \$78,000 (151% of median average wage)
- Number of jobs: 193
- Total points: 120% of taxes paid each year for 5 years/ investment year

Estimated Total Incentives Maximum of \$1,966,268.57

ANNUAL AND TOTAL ESTIMATED INCENTIVES						
Payment Year	Incentives on Yr 1 Investment	Incentives on Yr 2 Investment	Incentives on Yr 3 Investment	Incentives on Yr 4 Investment	Total Annual Incentive	TOTAL ALL YEARS
2027	\$196,560.00	\$0.00	\$0.00	\$0.00	\$196,560.00	\$196,560.00
2028	\$175,500.00	\$232,128.00	\$0.00	\$0.00	\$407,628.00	\$604,188.00
2029	\$154,440.00	\$219,291.43	\$25,584.00	\$0.00	\$399,315.43	\$1,003,503.43
2030	\$133,380.00	\$206,454.86	\$22,842.86	\$15,600.00	\$378,277.71	\$1,381,781.14
2031	\$112,320.00	\$193,618.29	\$20,101.71	\$13,928.57	\$339,968.57	\$1,721,749.71
2032	n/a	\$180,781.71	\$17,360.57	\$12,257.14	\$210,399.43	\$1,932,149.14
2033	n/a	n/a	\$14,619.43	\$10,585.71	\$25,205.14	\$1,957,354.29
2034	n/a	n/a	n/a	\$8,914.29	\$8,914.29	\$1,966,268.57

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

The public hearing was opened at 6:24 p.m.

Public Comment: Lynne Williams spoke in person and is concerned about the undisclosed environmental effects the company might have and whether it will affect our water or pollute our air.

Brett Werner spoke said he heard a 200 square foot newly constructed facility and wondered if it would be better to utilize an existing structure within the city.

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

Council Member Jennifer Hensley stated that she does not remember what the original commitment that Jabil Industries made to Henderson County, but they have quadrupled their initial economic investment to our county and community. I know many people that have great paying jobs and health insurance benefits and bringing more jobs like this to our community is going to help people’s quality of life and I am excited to support this project.

Council Member Jennifer Hensley moved that the City Council approve the monetary incentives for Project Energize as presented with the condition that they will not exceed the total amount of \$1, 966,268.57. A unanimous vote of the Council followed. Motion carried.

B. Annexation: Public Hearing-412 McMurray Road (Gergi Logistics LLC) (25-42-ANX) – Tyler Morrow, Current Planning Manager

The City of Hendersonville has received a petition from Sergii Gergi, general manager of Gergi Logistics LLC for satellite annexation of PIN 9588-32-9376 located at 412 McMurray Road that is approximately 14.22 acres. On July 2nd, 2025, City Council accepted the City Clerk's Certificate of Sufficiency for the petition and set August 7th, 2025, as the date for the public hearing.

Mr. Morrow explained that due to some changes with the interlocal agreement, the applicants wish to open the public hearing and continue it to next month's meeting to give them more time to speak to Henderson County about their options.

412 McMurray Road (Gergi Logistics LLC) (25-42-ANX)

Satellite Annexation Petition

City of Hendersonville City Council
August 7th, 2025

Community Development | Planning Division
Tyler Morrow | Current Planning Manager



Background

+ Petitioner:

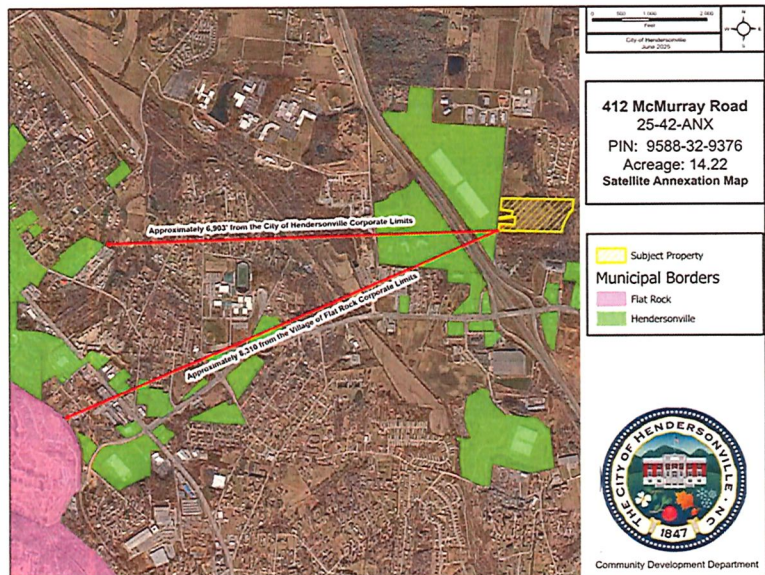
- + Sergii Gergi, general manager of Gergi Logistics LLC

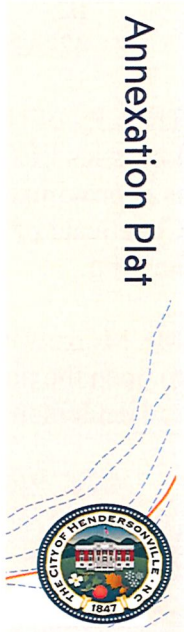
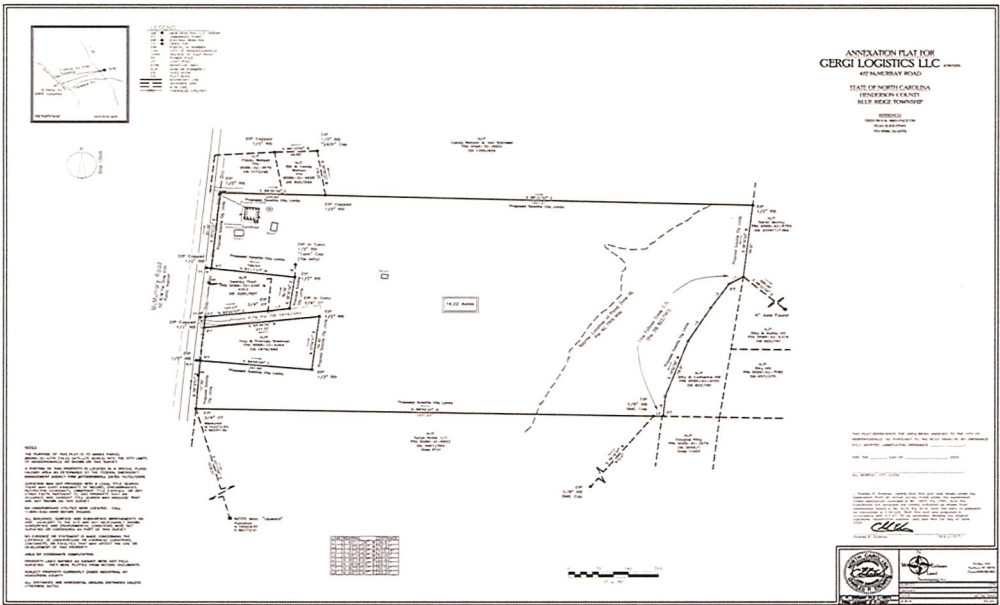
+ PIN:

- + 9588-32-9376

+ Acreage:

- + Approximately 14.22 acres





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

The public hearing was opened at 6:29 p.m.

Council Member Lyndsey Simpson moved to continue the public hearing to the September 4, 2025, City Council meeting. A unanimous vote of the Council followed. Motion carried.

C. ETJ Relinquishment of PINs 9670-03-8082 and 9670-12-8754-Vulcan Lands INC. (25-39-ETJ) – Tyler Morrow, Current Planning Manager

Tyler Morrow explained that the Community Development Department received a request from Vulcan Lands, Inc. to remove 16.12 acres from the City’s extraterritorial planning jurisdiction (ETJ). The City is authorized to adopt and relinquish ETJ by G.S. 160D-202. The subject parcels are 90 acres in total and are located on Clear Creek Road and Nix Road, PINs 9670-03-8082 and 9670-12-8754. A portion of PIN 9670-03-8082 is located in the City’s ETJ and is zoned C-3, Highway Business. The remaining portion of PIN 9670-03-8082 is in Henderson County’s zoning jurisdiction and is zoned I, Industrial. A portion of PIN 9670-12-8754 is located in the City’s ETJ and is zoned R-15, Medium Density Residential. The remaining portion of PIN 9670-12-8754 is in Henderson County’s zoning jurisdiction and is zoned I, Industrial. The owner has indicated that “Releasing this acreage from the ETJ would not create a “doughnut hole” problem for purposes of jurisdictional oversight, and it would create a logical and viable path for its use by Vulcan Materials under one set of land use regulations. If this acreage remains in the Hendersonville ETJ, then Vulcan’s future use of the properties would also require the City to amend its zoning ordinance to recognize mining as a permitted use and to develop appropriate standards.” If the City decides to relinquish ETJ for this property, Henderson County will have 60 days from the effective date of the Ordinance amending the ETJ to adopt zoning regulations.

Vulcan Lands, Inc

(25-39-ETJ)

ETJ Relinquishment Request

City of Hendersonville City Council

August 7th, 2025

Community Development | Planning Division

Tyler Morrow |Current Planning Manager



Background

- +Petitioner:**
 - + Vulcan Lands, Inc
- +PINs:**
 - + 9670-03-8082
 - + 9670-12-8754
- +Acreage:**
 - + ETJ- 16.12 Acres (C-3 and R-15)
 - + County- 73.88 Acres (I)
- +Reason for Request:**
 - + Would allow the use to operate under one set of land use regulations

Vulcan Lands Inc.
25-39-ETJ
PIN: 9670-03-8082 & -12-8754
Acreage: 16.12 (ETJ)
ETJ Removal Map

Hendersonville City Limits
Hendersonville ETJ
Overall Subject Property
Area proposed to be removed from the ETJ

CITY OF HENDERSONVILLE
1947
Community Development Department

ETJ Removal Plat

CITY OF HENDERSONVILLE
1947

Denise Hallett manages community and government relations for Vulcan for operations in North Carolina, South Carolina, and Southern Virginia. With me tonight is Todd Miller who is our Vice President and General Manager for North Carolina, Steve Jetter is our area Operations Manager and Tom Cathy is our area Sales Manager. Vulcan Materials is the largest crushed stone producer in the United States, but we do not do that just here in Hendersonville. We operate over 400 quarries, sand and gravel and distribution sites in 23 states, Mexico, Canada and the Bahamas and we are also a major producer of asphalt and ready-mix concrete in other states. Essentially, our rocks build your community. We host quarry tours, and I tell our visitors that you cannot build anything without a rock. Key examples of how our stone is used in the community are in asphalt where 95% of the asphalt mix is crushed stone and in ready-mix concrete where 80% or more of the mix is crushed stone. If you were to drive a one lane mile on Interstate 26, you would be on top of 38,000 tons of crushed stone and that would be from our quarry here in Hendersonville. The Hendersonville quarry has been operating since the 1960's, prior to any city or county zoning. The site is regulated by several state agencies including NCDEQ, Mining Air and Water as well as federal agencies including the Army Corps of Engineers and the Mining Safety Health Administration. Our entire site covers nearly 236 acres. Our operations generate an economic impact for the communities and Hendersonville is no exception contributing over \$33 million dollars in sales, wages, taxes, and utilities in 2024 alone. We employ 22 at our Hendersonville quarry earning well above minimum wage and the average industrial wage that was talked about earlier. Our community outreach has supported many non-profits and educational programs over the years. Our teams here in Hendersonville and surrounding Western North Carolina operations

have been actively involved in the Western North Carolina Hurricane Helene Recovery supplying stone to rebuild the infrastructure and contributing resources to non-profits that are helping residents restore their homes. Tonight, I am talking about a 15-acre portion of our site that has been operating under a State Mining Permit prior to city and county zoning, and it is in the ETJ. We also acquired an adjacent parcel in 2021 and that small portion that Tyler talked about (less than an acre) is also in the city’s ETJ. Tonight, we are requesting that the city release approximately 16 acres from your ETJ and allow our team to develop the site under one set of land use regulations. We do look forward to continued investments in our operations that will provide essential building materials and maintain our outreach programs for many years to come. Thank you for your time and consideration.

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

The public hearing was opened at 6:36 p.m.

Lynne Williams spoke about Vulcan developing the land and asked them to consider protecting the trees and be aware of any tree ordinances that are out there.

The public hearing was closed at 6:37 p.m.

Council Member Melinda Lowrance moved City Council to adopt the Ordinance Amending the Ordinance Establishing Extraterritorial Jurisdiction Boundaries for the City of Hendersonville as presented. A unanimous vote of the Council followed. Motion carried.

8. NEW BUSINESS

A. **Annexation: Analysis and Advisement – 143 Thumper Woods Lane/Simple Life Farm (25-49-ANX) – Matthew Manley, Long-Range Planning Manager**

Matt Manley explained that the City of Hendersonville received a petition from Simple Life Farm at Flat Rock, LLC. for a satellite annexation of a portion of PIN 9588-62-0283 located at Thumper Woods Lane that is approximately 10.21 acres.

Simple Life Farms
(143 Thumper Woods Ln)
25-49-ANX

Annexation Analysis and Advisement
City of Hendersonville City Council
August 7, 2025

Community Development | Planning Division
Matthew Manley, AICP | Long-Range Planning Manager

Background

PINs:

• 9588-62-0283

Acreage:

• 10.21 acres

Request:

• RV/Park Model Residential Development (60 Units)

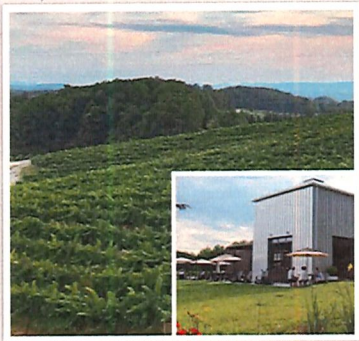
The property is located along upward road on the eastern side of I-26. The property is 10.21 acres. The proposed use of the property is as an RV or Park Model Residential Development. This would include 60 units that would be purchased individually for year round living. The land would be retained by the developer and leased to the unit owners. This project has actually already been reviewed and received zoning approval as a Special Use under County Zoning. The map on the right shows the property highlighted in red. You can see it is approximately 10,424' from the corporate city limits, as the crow flies.

Cost of Service / Fiscal Impact Analysis

Cost of Service Value per Acre:	• \$1,304,603
Modified Cost of Service Value per Acre:	• -\$652,302
Net Tax Revenue per Acre:	• -\$3,196

As part of staff's evaluation of the proposed annexation, we utilized a formula devised to estimate the cost of providing city services in light of anticipated tax revenue to determine if there is a net gain or deficit anticipated. A major factor impacting the results is the location of the proposed development. Location is a major factor which drives the efficiency or inefficiency in the provision of services. In this case, the proposed development would result cost more to service than it would generate in tax revenue.

Future Land Use Designations



"Agricultural/Rural"



"Rural Residential"

Additionally, staff consider the Future Land Use designations of the property from both the County Comprehensive Plan and the City's Gen H Plan. The Rural character of the area is recognized by both plans.

Comprehensive Plan & Zoning Comparison

	Henderson County 2045 Comprehensive Plan	Development under County R1 Zoning	Hendersonville Gen H Comprehensive Plan	Development under City PRD
Character Area	Agricultural / Rural		Rural Residential	
Intent	Preservation of natural resources and rural character.	Inconsistent	Encourages Conservation Design which preserves more open space	Consistent
Location	Where existing agriculture is active and where changes would drastically alter the rural landscape.	Consistent	Areas on the periphery of floodplains, areas featuring significant agricultural or natural resources.	Consistent
Density	1 unit per acre with environmentally sensitive areas having a maximum allowable density of one unit per five acres.	Inconsistent	1 unit per acre with smaller lots permitted with Conservation Design	Inconsistent
Uses	Agriculture, Forestry, Very Low Density Res.	Inconsistent	Single-Family Residential	Consistent

Additionally, staff analyzed the existing County zoning and potential City zoning for the property. Staff's Analysis of these input points are:
The development is not in alignment with Henderson County's 2045 Comprehensive Plan vision for the area.
The development appears to be Somewhat Consistent with the City of Hendersonville's Gen H Comprehensive Plan, in that it
Provides naturally-occurring affordable housing at the proposed density of 5.9 units per acre [Consistent]
Keeps 75% of land in Open Space [Consistent].
But the proposed Land Disturbance will impact 90% of the site [Inconsistent]
And would result in Significant impacts to 100 Yr Floodplain [Inconsistent]

As for the Zoning Comparison:
Henderson County - Residential One (R1)
Allowable Uses: Residential dwellings, Camps, Camping, Golf Courses, Schools, Churches, etc.
Residential Density: 6 units/acre (with sewer); 4 units/acre (without sewer)
City of Hendersonville - Planned Residential Development
Planned Residential Development (PRD) would be the most viable option since any development over 50 units triggers Conditional Zoning. The project has a density of 5.9 units per acres so it is under the maximum density in PRD which is 10 units/acre.

With the proposed density of 5.9 units per acre and with all of the units actually being less than 1,200 Sq Ft, this could be allowed under R-20, Low Density Residential as a Minor Planned Residential Development but for the 50 unit trigger point for Conditional Zoning
Staff Zoning Analysis
Again, The proposed use was approved through a Special Use Permit in the County contingent on the provision of City Sewer. Without City Sewer, the proposed density of 5.9 units per acre would exceed the maximum density permitted unde R1 (4 units/acre).

Development Impact Statements

The following statements come directly from representatives of various departments and external agencies:

- + **City of Hendersonville Engineering:** No Comment
- + **City of Hendersonville Fire:** No Comment
- + **City of Hendersonville Police:** No Comment
- + **City of Hendersonville Public Works:** This development appears to qualify for City services (garbage and recycling collection). Our nearest customer is 2.6 miles away just off Upward Road and the drive to this location is about 7 minutes away. A concern with this proposal is that it includes private roads that are susceptible to deterioration when traveled on by heavy trucks. This has the potential to become an issue for the residents. In addition, all bridges serving this site must be rated for heavy trucks
- + **City of Hendersonville Water & Sewer:** Cost to serve new development with water and sewer is captured in the system fee schedule (rates).
- + **Henderson County Public Schools:** The schools that would be impacted by this development currently have the capacity to accommodate any students who may enroll as a result of families moving into the area.
- + **NC Department of Transportation:** Impacts to S. Orchard Rd and Upward Rd are expected to be minimal. It is important to note that the department has received multiple requests for pedestrian facilities in this area and concerns with the traffic and pedestrians' interaction on South Orchard Road. With an additional 120 +/- daily trips at this location, I would anticipate these requests and complaints to increase.

Another element of the annexation analysis that staff is looking to implement is "Development Impact Statements" from service providers. In this case staff reached out to all of the City Departments and outside agencies listed on the screen asking them to provide observations and insights on the potential impacts of the proposed development on the provision of the services they provide. The statements provided are shown on the screen. Staff would welcome any comments from Council on whether or not this new element in the annexation analysis is helpful or desired.

Annexation Options



1) Annexation Approved with City Services Provided:

- + Project proceeds as presented under County land use regulations
- + All City Services & Utilities are provided



2) Annexation Denied with City Sewer Provided:

- + Project proceeds as presented under County land use regulations.
- + No additional City services are provided other than Water/Sewer

3) Annexation Denied with City Sewer not Provided:

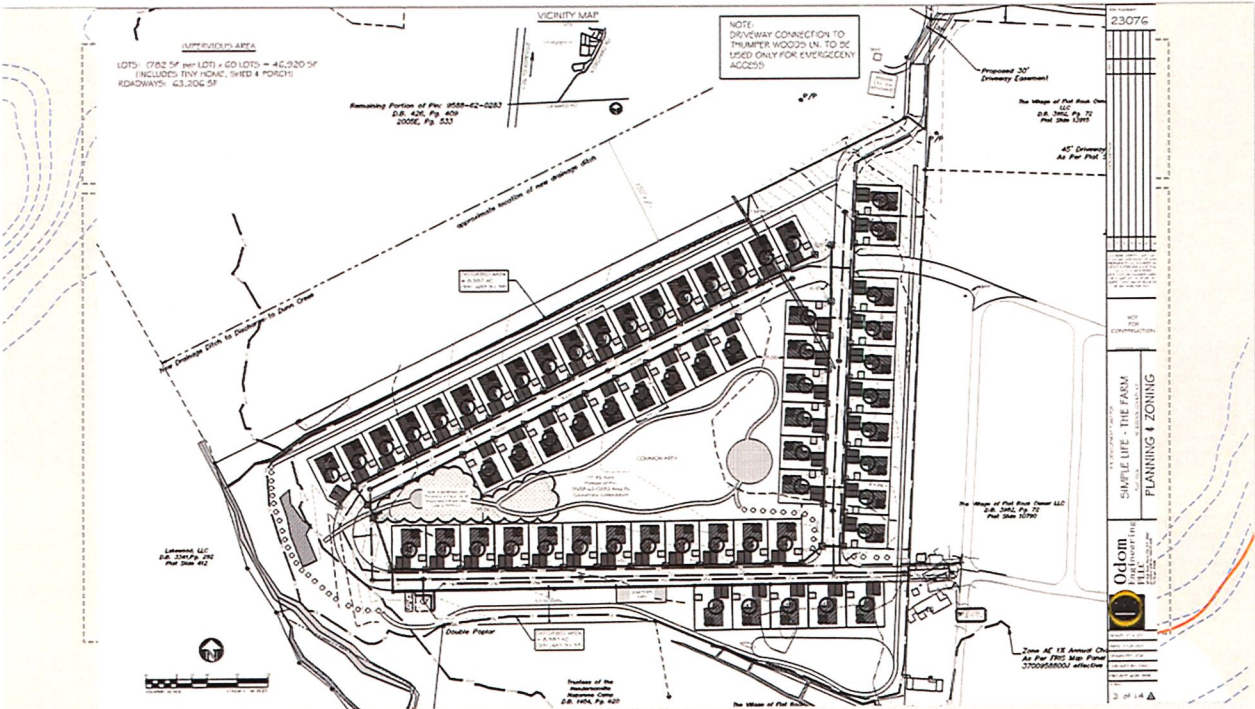
- + Project would not be able to proceed as approved under County Zoning
- + A modified project could proceed w/ up to 4 units/acre under County Zoning

Lastly, there are 3 options for handling the annexation request:

1) Annexation Approved with City Services Provided:
Project proceeds as presented under County land use regulations.
All City Services are provided.

2) Annexation Denied with City Sewer Provided:
Project proceeds as presented under County land use regulations.
No additional City services are provided other than Water/Sewer

3) Annexation Denied with City Sewer not Provided:
Project would not be able to proceed as approved under County Zoning.
A modified project could proceed up to 4 units/acre under County Zoning.



Council Member Gina Baxter moved City Council direct staff to not move forward in reviewing the annexation petition submitted by Simple Life Farm at Flat Rock, LLC. The subject property will remain under Henderson County’s zoning jurisdiction. I further move that City sewer service may be extended to the subject property. A unanimous vote of the Council followed. Motion carried.

B. Consideration of Interlocal Agreement Between the City of Hendersonville and Henderson County – John Connet, City Manager

City Manager John Connet explained that since Senate Bill 69 has not moved forward, Henderson County has requested that the City of Hendersonville and Henderson County enter into an interlocal agreement solidifying the terms of the proposed local bill.

Council Member Melinda Lowrance moved that the City Council approve the interlocal agreement between the City of Hendersonville and Henderson County. A unanimous vote of the Council followed. Motion carried.

9. BOARDS AND COMMITTEES

City Manager John Connet explained that there is a vacancy on the Environmental Sustainability Board and that Council will need to make an appointment to fill their final remaining vacancy.

Council Member Gina Baxter moved to appoint Joan Zaki to the Environmental Sustainability Board. A unanimous vote of the Council followed. Motion carried.

10. CITY MANAGER REPORT

A. July 2025 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 2025 - 2026 (FY26)					Completed	Corrected				
BUDGET AMENDMENTS AND ADJUSTMENTS					Proposed	Denied				
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET		DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
010-0000-534999	Contingency	100,000	-	22,500	77,500		ECUSTA Maintenance	yes	Adjustment	6/1/2025
010-1014-519200	Contracted Services	-	22,500	-	22,500		ECUSTA Maintenance	yes	Adjustment	6/1/2025
010-0000-534999	Contingency	77,500	-	3,120	74,380		Special Appropriations	yes	Adjustment	6/1/2025
010-1001-54001	Special Appropriations	442,000	3,120	-	445,120		Special Appropriations	yes	Adjustment	6/1/2025
068-0000-534999	Contingency	53,055	-	30,000	23,055		Tipping Fees	yes	Adjustment	6/6/2025
068-7855-531500	Tipping Fees	265,000	30,000	-	295,000		Tipping Fees	yes	Adjustment	6/6/2025
010-0000-534999	Contingency	74,380	-	1,500	72,880		FY26 Worker's Comp. Insurance	yes	Adjustment	7/14/2025
010-1002-502091	Worker's Comp. Insurance	248	1,500	-	1,748		FY26 Worker's Comp. Insurance	yes	Adjustment	7/14/2025
010-1001-531700	Property & Liability Insurance	13,200	-	1,806	11,394		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1002-531700	Property & Liability Insurance	124,895	6,435	-	131,330		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1014-531700	Property & Liability Insurance	2,810	1,372	-	3,682		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1200-531700	Property & Liability Insurance	1,070	18	-	1,088		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1300-531700	Property & Liability Insurance	76,280	-	7,405	68,875		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1502-531700	Property & Liability Insurance	12,505	-	100	12,405		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1521-531700	Property & Liability Insurance	2,190	38	-	2,228		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1523-531700	Property & Liability Insurance	5,095	544	-	5,639		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1525-531700	Property & Liability Insurance	18,465	-	165	18,300		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1535-531700	Property & Liability Insurance	620	40	-	660		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1555-531700	Property & Liability Insurance	27,190	936	-	28,126		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1560-531700	Property & Liability Insurance	5,720	93	-	5,813		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
060-7002-531700	Property & Liability Insurance	97,395	-	7,444	89,951		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
060-7032-531700	Property & Liability Insurance	35,560	1,133	-	36,693		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
060-7035-531700	Property & Liability Insurance	44,990	2,550	-	47,540		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
060-7055-531700	Property & Liability Insurance	42,125	111	-	42,286		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
060-7132-531700	Property & Liability Insurance	16,750	1,001	-	17,751		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
060-7135-531700	Property & Liability Insurance	47,170	2,649	-	49,819		FY26 Property & Liability Insurance Renewal Correl	yes	Adjustment	7/15/2025
010-1002-519200	Contracted Services	30,000	-	2,000	28,000		FY26 NCLM Affiliate Fee \$16,647.00	yes	Adjustment	7/16/2025
010-1002-531215	Dues and Subscriptions	15,000	2,000	-	17,000		FY26 NCLM Affiliate Fee \$16,647.00	yes	Adjustment	7/16/2025
010-1010-519200	Contracted Services	335,517	-	5,000	330,517		Computer for Ops Assembly Room	yes	Adjustment	7/16/2025
010-1010-534000	Non-Capital Equipment	125,730	5,000	-	130,730		Computer for Ops Assembly Room	yes	Adjustment	7/16/2025

11. CITY COUNCIL COMMENTS

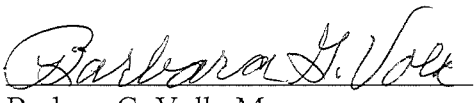
Council Member Jennifer Hensley thanked everyone involved in making the City Splash Day a success. It was a great turnout.

12. CLOSED SESSION - Cancelled**13. ADJOURN**

There being no further business, the meeting adjourned at 7:09 p.m. upon unanimous assent of the Council.

ATTEST:


Jill Murray, City Clerk


Barbara G. Volk, Mayor