CITY OF HENDERSONVILLE
CITY COUNCIL REGULAR MEETING
Operations Center Assembly Room | 305 Williams St. | Hendersonville, NC 28792
Thursday, September 03, 2026 – 5:45 PM

AGENDA

1. **CALL TO ORDER**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

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

   A. CDBG-DR ReNew NC Infrastructure Grant Application for the Patton Park & Pool Mitigation Project - *Blake Fulgham, Management Analyst III*

   B. CDBG-DR ReNew NC Infrastructure Grant Application for the Whitmire Activity Center Restoration Project - *Blake Fulgham, Management Analyst III*

   C. CDBG-DR ReNew NC Infrastructure Grant Application for the Wastewater Treatment Facility Mitigation Project - *Blake Fulgham, Management Analyst, III*

4. **CONSIDERATION OF AGENDA**

5. **CONSENT AGENDA** - *Items are considered routine, noncontroversial in nature and are considered approved by a single motion and vote.*

   A. Approval of Minutes - *Jill Murray, City Clerk*

      August 6, 2026 Regular Meeting

      August 26, 2026 Second Monthly Meeting

   B. Consideration of Ordinance Amending Section 36-87 of the Hendersonville City Code Related to City Manager Authority to Authorize City Employees to Carry Concealed Weapons on Duty – *John Connet, City Manager*

   C. Approval request to apply to the CDBG-DR ReNew NC Infrastructure Grant Program for the Waste Water Treatment Facility Mitigation Project. - *Blake Fulgham, Management Analyst III*

   D. Hendersonville City Hall 2026 Roofing and Façade Repairs Tentative Award – *Richard Shook, Assistant Engineering Director*

   E. Approval of United Financial, a Division of HomeTrust Bank to Provide Installment Financing for Vehicles and Equipment in Fiscal Year 2027– *Krystal Powell, Finance Director*

   F. September 2026 Budget Amendments – *Adam Murr, Budget & Eval. Director*

G. Resolution to Permit Alcoholic Beverages at the Board & Commission Volunteer Reception– *Jamie Carpenter, Downtown Manager*

H. HPD-GHSP Overtime Funds Grant - *Blair Myhand, Police Chief*

I. Resolution in Support of the Leonard Antonelli and Jacob Hill Bicycle Safety Zone Act of 2025 (Lennie's Law) – *Jennifer Hensley, Mayor Pro Tem*

J. Resolution to Accept Grant Funds for CLG Grant– *Sam Hayes, Planner II*

K. Annexation: Certificate of Sufficiency – Jabil Expansion (26-60-ANX) – *Sam Hayes, Planner II*

6. PRESENTATIONS

A. Proclamation - Source Water Protection Week - *Kasey Lyons, Utilities Compliance Technician*

B. Proclamation - Ovarian Cancer Awareness Month - *Barbara Volk, Mayor*

C. Utilization of License Plate Readers and Camera Technology by Hendersonville Police Department – *Blair Myhand, Chief of Police*

7. PUBLIC HEARINGS

A. Zoning Text Amendment: Small Cell Wireless Facilities (26-47-ZTA) – *Lew Holloway – Community Development Director*

B. Data and Hyperscale Data Center Moratorium – *Lew Holloway, Community Development Director and Angie Beeker, City Attorney*

8. NEW BUSINESS

A. Annexation Analysis – The Orchards at Shepherd St | 26-55-ANX – *Matthew Manley, AICP, Long-Range Planning Manager*

B. Appointment of City of Hendersonville Representatives on the Asheville Regional Home Consortium – *John Connet, City Manager*

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

A. August 2026 Contingency and Adjustment Report – *John Connet, City Manager*

10. CITY COUNCIL COMMENTS

11. CLOSED SESSION

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

12. ADJOURN

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

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst III

MEETING DATE: 09/03/2026

AGENDA SECTION: PUBLIC COMMENT

DEPARTMENT: Public Services

TITLE OF ITEM: Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*

SUGGESTED MOTION(S):

NA

SUMMARY:

The United States Department of Housing and Urban Development announced that North Carolina will receive $1.4 billion dollars in funding to support long-term recovery efforts following Hurricane Helene. The Community Development Block Grant Disaster Recover (CDBG-DR) funding program is designed to address needs that remain after all other assistance has been exhausted. We plan to submit a grant application for the Patton Park & Pool Restoration Project to complete necessary repairs and reconstruction activities to restore the damaged Patton Park & Pool infrastructure back to the necessary codes and standards to be reopened to the public.

BUDGET IMPACT: **Grant Maximum award amount is $15 million. No match required.**

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst III

MEETING DATE: 09/03/2026

AGENDA SECTION: PUBLIC COMMENT

DEPARTMENT: Public Services

TITLE OF ITEM: Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*

SUGGESTED MOTION(S):

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SUMMARY:

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BUDGET IMPACT: **Grant Maximum award amount is $15 million. No match required.**

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER:	Blake Fulgham, Management Analyst III	**MEETING DATE:**	09/03/2026
AGENDA SECTION:	PUBLIC COMMENT	**DEPARTMENT:**	Public Services
TITLE OF ITEM:	Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*		

SUGGESTED MOTION(S):

NA

SUMMARY:

The United States Department of Housing and Urban Development announced that North Carolina will receive $1.4 billion dollars in funding to support long-term recovery efforts following Hurricane Helene. The Community Development Block Grant Disaster Recover (CDBG-DR) funding program is designed to address needs that remain after all other assistance has been exhausted. We plan to submit a grant application for the Whitmire Activity Center Project to complete necessary repairs and reconstruction activities to restore the damaged Whitmire Activity Center infrastructure back to the necessary codes and standards to be reopened to the public.

BUDGET IMPACT: **Grant Maximum award amount is $15 million.**
Our project request will be between $8-$10 million.
No match required.

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst III

MEETING DATE: 09/03/2026

AGENDA SECTION: PUBLIC COMMENT

DEPARTMENT: Public Services

TITLE OF ITEM: Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*

SUGGESTED MOTION(S):

NA

SUMMARY:

The United States Department of Housing and Urban Development announced that North Carolina will receive $1.4 billion dollars in funding to support long-term recovery efforts following Hurricane Helene. The Community Development Block Grant Disaster Recover (CDBG-DR) funding program is designed to address needs that remain after all other assistance has been exhausted. We plan to submit a grant application for the Whitmire Activity Center Project to complete necessary repairs and reconstruction activities to restore the damaged Whitmire Activity Center infrastructure back to the necessary codes and standards to be reopened to the public.

BUDGET IMPACT: **Grant Maximum award amount is $15 million. Our project request will be between $8-$10 million. No match required.**

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

Resolution #__-____

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF APPLICATION FOR THE RENEW NC CDBG-DR GRANT PROGRAM FOR THE HENDERSONVILLE WASTEWATER TREAMENT FACILITY RESTORATION & MITIGATION PROJECT

WHEREAS, the United States Department of Housing and Urban Development announced the State of North Carolina will receive $1.4 billion in funding to support recovery efforts following Hurricane Helene.

WHEREAS, eligible communities must be located within a "Most-Impacted and Distressed" area defined by HUD or the State of North Caroline.

WHEREAS, the City of Hendersonville wishes to pursue funding opportunities that would allow the City to restore, repair, and/or replace critical infrastructure on public property and provide safe access to these properties.

WHEREAS, the City's financial resources have limited the City's ability to fund restorative and repair projects as well as implement necessary mitigation measures to increase resiliency to future weather-related disasters.

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

1. The City hereby endorses the application for the ReNew NC Infrastructure Grant Program and staff assistance for the duration of the project; and
2. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September, 2026.

_____

Attest: Barbara G. Volk, Mayor, City of Hendersonville

_____

Jill Murray, City Clerk

Approved as to form:

_____

Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst III

MEETING DATE: 09/03/2026

AGENDA SECTION: PUBLIC COMMENT

DEPARTMENT: Public Services

TITLE OF ITEM: Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*

SUGGESTED MOTION(S):

NA

SUMMARY:

The United States Department of Housing and Urban Development announced that North Carolina will receive $1.4 billion dollars in funding to support long-term recovery efforts following Hurricane Helene. The Community Development Block Grant Disaster Recover (CDBG-DR) funding program is designed to address needs that remain after all other assistance has been exhausted. We plan to submit a grant application for the Waste Water Treatment Facility Mitigation Project to complete necessary repairs and reconstruction activities to restore the damaged Waste Water Treatment Facility infrastructure back pre-disaster standards.

BUDGET IMPACT: **Grant Maximum award amount is $15 million. No match required.**

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst III

MEETING DATE: 09/03/2026

AGENDA SECTION: PUBLIC COMMENT

DEPARTMENT: Public Services

TITLE OF ITEM: Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*

SUGGESTED MOTION(S):

NA

SUMMARY:

The United States Department of Housing and Urban Development announced that North Carolina will receive $1.4 billion dollars in funding to support long-term recovery efforts following Hurricane Helene. The Community Development Block Grant Disaster Recover (CDBG-DR) funding program is designed to address needs that remain after all other assistance has been exhausted. We plan to submit a grant application for the Waste Water Treatment Facility Mitigation Project to complete necessary repairs and reconstruction activities to restore the damaged Waste Water Treatment Facility infrastructure back pre-disaster standards.

BUDGET IMPACT: **Grant Maximum award amount is $15 million. No match required.**

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

MINUTES

August 6, 2026

REGULAR MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 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 , Deputy City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Beeker, Budget & Evaluation Director Adam Murr, Communications Coordinator Brandy Heatherly, and others

Absent: Communications Director Allison Justus

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.*

Eva Ritchey spoke about the Carl Sandburg home and the neglect being shown. In 2022, due to weather and a dam failure, damage to the home occurred. In 2024, before Hurricane Helene, the National Park Service authorized $1,081,600 for the repair of the home. She has a petition signed by roughly 233 citizens asking for an accountability report for the taxpayer's funds that were appropriated and a letter of support and request from City Council to the National Park Service and our federal officials asking that the monies be returned.

Jeff Groh spoke against having a moratorium on data centers and asked for more information on what the plan is at the second monthly meeting before they vote on it.

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*
July 2, 2026 Regular Meeting
July 22, 2026 Second Monthly Meeting

B. Patton Park & Pool Restoration & Mitigation Project Grant Application – *Blake Fulgham, Management Analyst III*

Resolution #R-26-73

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF APPLICATION FOR THE RENEW NC CDBG-DR GRANT PROGRAM FOR THE PATTON PARK & POOL RESTORATION & MITIGATION PROJECT

WHEREAS, the United States Department of Housing and Urban Development announced the State of North Carolina will receive $1.4 billion in funding to support recovery efforts following Hurricane Helene; and

WHEREAS, eligible communities must be located within a "Most-Impacted and Distressed" area defined by HUD or the State of North Carolina; and

WHEREAS, the City of Hendersonville wishes to pursue funding opportunities that would allow the City to restore, repair, and/or replace critical infrastructure on public property and provide safe access to these properties; and

WHEREAS, the City's financial resources have limited the City's ability to fund restorative and repair projects as well as implement necessary mitigation measures to increase resiliency to future weather-related disasters.

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

1. The City hereby endorses the application for the ReNew NC Infrastructure Grant Program and staff assistance for the duration of the project; and
2. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of August, 2026.

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

C. Whitmire Activity Center Restoration & Mitigation Project Grant Application – *Blake Fulgham, Management Analyst III*

Resolution #R-26-74

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
IN SUPPORT OF APPLICATION FOR THE RENEW NC CDBG-DR GRANT PROGRAM FOR THE WHITMIRE ACTIVITY CENTER RESTORATION & MITIGATION PROJECT**

WHEREAS, the United States Department of Housing and Urban Development announced the State of North Carolina will receive $1.4 billion in funding to support recovery efforts following Hurricane Helene; and

WHEREAS, eligible communities must be located within a "Most-Impacted and Distressed" area defined by HUD or the State of North Carolina; and

WHEREAS, the City of Hendersonville wishes to pursue funding opportunities that would allow the City to restore, repair, and/or replace critical infrastructure on public property and provide safe access to these properties; and

WHEREAS, the City's financial resources have limited the City's ability to fund restorative and repair projects as well as implement necessary mitigation measures to increase resiliency to future weather-related disasters.

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

1. The City hereby endorses the application for the ReNew NC Infrastructure Grant Program and staff assistance for the duration of the project; and
2. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of August, 2026.

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

D. Resolution to Permit Alcoholic Beverages at Immaculata Fall Fest – *Jamie Carpenter, Downtown Manager*

Resolution #R-26-75

**HENDERSONVILLE, NORTH CAROLINA
RESOLUTION TO PERMIT THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES
AT THE 2026 IMMACULATA FALL FEST**

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

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

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

Immaculata Catholic is permitted to host the Immaculata Fall Fest on Saturday, October 10th, 2026.

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

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 6th day of August, 2026.

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

E. Approval Request to Apply for the Recreational Trails Grant Program for Clear Creek Greenway Trailhead Kiosk and Waste Receptacles – *Blake Fulgham, Management Analyst III*

Resolution #R-26-76

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF APPLICATION FOR THE RECREATIONAL TRAILS PROGRAM FOR THE CLEAR CREEK GREENWAY TRAILHEAD KIOSK AND WASTE RECEPTACLES

WHEREAS, the Recreational Trails Program is a grant funding program administered by the Federal Highway Administration through the North Carolina State Division of Parks & Recreation; and

WHEREAS, the City of Hendersonville is committed to providing its citizens and visitors with safe, accessible, and valuable trails and recreational infrastructure with the goal of providing the highest quality of life for its citizens; and

WHEREAS, the City of Hendersonville wishes to pursue funding opportunities that would allow the City to improve the accessibility of current infrastructure and increase the quality of infrastructure and our city assets for public enjoyment; and

WHEREAS, the City's financial resources have limited the City's ability to fund recreational project upgrades meant to enhance the user's experience.

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

1. The City hereby endorses the application for the Recreational Trails Program and, if awarded, provide the 20% required match of funds for the project, as well as staff assistance for the duration of the project; and
2. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of August, 2026.

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

F. Revision of the Personnel Policy Amending Article I Section 9 and Article VII Section 22 – *Jennifer Harrell, HR Director*

Resolution #R-26-77

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL AMENDING THE CITY OF HENDERSONVILLE PERSONNEL POLICY

WHEREAS, the City of Hendersonville maintains a Personnel Policy. The purpose of which is to establish a system of personnel administration for recruiting, selecting, employing, developing and maintaining an effective and responsible workforce; and

WHEREAS, the City of Hendersonville wishes to amend Article I. Section 9 – Definitions.

The city has been a participant in the University of North Carolina School of Government's (UNC SOG) Lead for North Carolina pilot program where they pair local governments and Temporary Fellows. In the beginning, the UNC SOG required the hosting organization (in our case the City of Hendersonville) to consider the Temporary Fellow's as employees and specify this in the organization's Personnel Policy, as well as pay the Temporary Fellow directly and offer health care benefits or a taxable subsidy. The UNC SOG has changed the program and no longer stipulates these requirements on the hosting organization. The Lead for North Carolina Temporary Fellow as an employee of the city is being removed.

WHEREAS, the City of Hendersonville also wishes to amend Article VII Section Military Leave. Clarification is being made of how and when employees on military leave may continue health and dental coverage.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that from and after the effective date of this resolution, Article I. Section 9 and Article VII Section 22 of the Personnel Policy attached to this resolution, is hereby adopted.

This policy will become effective as of the date of adoption.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of August, 2026.

Article I. Section 9 Definitions

~~Temporary Fellow. A person hired by the City through the Lead for North Carolina (LFNC) program. The employee will be eligible for health care benefits or a taxable subsidy. The nonexempt employee will be paid hourly for a maximum of 40 hours per week.~~

Article VII. Section 22. Military Leave

In accordance with federal and state laws, the City provides military leave to employees who are members of a United States Armed Forces Reserve organization or National Guard for absences to perform military duty, whether voluntary or involuntary. Absences to perform any military duty (including active duty, active-duty training, inactive duty training such as scheduled drills and summer camp, full-time National Guard federal duty, fitness-for-duty examination, and funeral honors duty) are covered by this policy, unless the employee reaches the five-year maximum of military leave as established by the Uniformed Services Employment and Reemployment Rights Act (USERRA). This policy provides military leave to regular City employees unless their employment is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period.

Employees should submit a request for military leave to the supervisor or Department Head as soon in advance of the military duty as possible. The request should be in writing and should be accompanied by a copy of the military orders. Employees must report back to work as soon after military duty as possible, consistent with federal and state laws. If the reason for the employee's delay is not related to military duties, the employee is subject to the personnel policies and practices normally applied to employees with unexcused absences.

Employees may choose whether to use earned compensatory time, accrued vacation leave (leave with pay), leave without pay, or some combination thereof for these absences, and the provisions of that leave shall apply. Upon exhausting all other paid leave, employees may request to use sick leave, if approved by the City Manager.

Regular employees choosing to use military leave may claim up to ten (10) days of differential pay per calendar year provided the days are recorded as military leave and the military basic pay is less than the employee's regular City pay. To claim differential pay, the employee must submit a copy of his/her military orders, pay vouchers, Leave and Earnings Statement and/or other appropriate documentation evidencing performance and compensation pertinent to the military duty.

During the period of military leave, regular employees may continue health and dental insurance coverage, provided they continue to pay their share of the premiums up ~~to eighteen~~ months under COBRA coverage Employees performing military service of more than 30 days may elect to continue the City's health and dental insurance coverage for up to 24 months but will be responsible for paying the insurance premiums up to 102% of the premium costs. Employees whose military service is less than 31 days will continue their health and dental insurance coverage as if they were at work with the City. As with any other unpaid leave, employees do not accrue vacation leave or sick leave during the period of leave without pay. However, the balance of such accruals on the date of commencement of the military leave will remain intact for the employee's return to work.

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

G. August 2026 Budget Amendments – *Adam Murr, Budget & Evaluation Director*

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: August 06, 2026 **FORM: 08062026-01**

BUDGET AMENDMENT

FUND 064					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
064-0000-470030	Insurance Proceeds	-	1,517	-	1,517
064-7455-524010	R&M Buildings	-	1,517	-	1,517
FUND 064	TOTAL REVENUES	-	1,517	-	1,517
	TOTAL EXPENDITURES	-	1,517	-	1,517

An amendment reflecting $1,517 of insurance proceeds for repairs to an exit arm located at the parking deck.

The City Manager and City Clerk certify budget ordinance amendment 08062026-01 was approved by City Council on August 06, 2026.

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: August 06, 2026 **FORM: 08062026-02**

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-1300-430001	Miscellaneous Sales	185	-	185	-
010-1300-460091	Police Contribution/Donation	800	-	800	-
010-0000-460090	Contributions/Donations	36,616	650	-	37,266
010-0000-430001	Misc. Income - Police		985	-	985
010-1002-519200	Contracted Services	225,255	4,420	-	229,675
010-1300-210002	Miscellaneous Payable	1,150	-	1,150	-
010-0000-534999	Contingencies	12,110	-	2,620	9,490
FUND 010	TOTAL REVENUES	37,601	1,635	985	38,251
	TOTAL EXPENDITURES	238,515	4,420	3,770	239,165

An FY26 end-of-year amendment to the General Fund to prepare for the annual audit process.

The City Manager and City Clerk certify budget ordinance amendment 08062026-02 was approved by City Council on August 06, 2026.

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: August 06, 2026 **FORM: 08062026-03**

BUDGET AMENDMENT

FUND 020					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
020-1008-531230	Tax Billing	1,900	-	246	1,654
020-1002-502005	Group Med & Life Ins	1,110	140	-	1,250
020-1005-501010	Salaries- Overtime	-	25	-	25
020-1007-502006	Group Med & Life Ins	648	66	-	714
020-1560-502050	Retirement Expense	1,424	15	-	1,439
FUND 020	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	5,082	246	246	5,082

An FY26 end-of-year amendment to the Main Street Fund to prepare for the annual audit process.

The City Manager and City Clerk certify budget ordinance amendment 08062026-03 was approved by City Council on August 06, 2026.

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: August 06, 2026 **FORM: 08062026-04**

BUDGET AMENDMENT

FUND 060					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-1007-531225	Training	28,750	-	6,526	22,224
060-7155-519200	Contract Services	60,230	-	25,000	35,230
060-7155-555002	Capital Outlay- Lines	146,480	-	90,400	56,080
060-1002-539990	FEMA Reimbursable Expenditures	-	6,526		6,526
060-7055-524060	R&M Lines	380,000	25,000	-	405,000
060-7055-555002	Capital Outlay- Lines	431,000	90,400	-	521,400
FUND 060	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	1,046,460	121,926	121,926	1,046,460

An FY26 end-of-year amendment to the Water & Sewer Fund to prepare for the annual audit process.

The City Manager and City Clerk certify budget ordinance amendment 08062026-04 was approved by City Council on August 06, 2026.

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: August 06, 2026 **FORM: 08062026-05**

BUDGET AMENDMENT

FUND 064					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
064-7455-534000	Non-Capital Equipment	19,200	-	1,827	17,373
064-1008-501005	Group Med & Life Ins	1,445	-	300	1,145
064-1008-502050	Retirement Expense	1,168	-	151	1,017
064-1002-501010	Salaries- Overtime	-	170		170
064-1002-502005	Group Med & Life Ins	2,220	139	-	2,359
064-1007-501010	Salaries- Overtime	-	142	-	142
064-1300-502050	Retirement Expense	20,803	1,827	-	22,630
FUND 064	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	44,836	2,278	2,278	44,836

An FY26 end-of-year amendment to the Parking Fund to prepare for the annual audit process.

The City Manager and City Clerk certify budget ordinance amendment 08062026-05 was approved by City Council on August 06, 2026.

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: August 06, 2026 **FORM: 08062026-06**

BUDGET AMENDMENT

FUND 067					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
067-7555-519200	Contract Services	277,975	-	6,828	271,147
067-1002-502005	Group Med & Life Ins	4,809	30	-	4,839
067-1005-501001	Salaries - Regular	9,333	655	-	9,988
067-1007-501010	Salaries- Overtime	-	393		393
067-1014-201001	Salaries- Regular	46,303	3,640	-	49,943
067-1014-531600	Lease/Rental Equipment	-	2,110	-	2,110
FUND 067	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	338,420	6,828	6,828	338,420
An FY26 end-of-year amendment to the Stormwater Fund to prepare for the annual audit process.					

The City Manager and City Clerk certify budget ordinance amendment 08062026-06 was approved by City Council on August 06, 2026.

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: August 06, 2026 **FORM: 08062026-07**

BUDGET AMENDMENT

FUND 068					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
068-7855-519200	Contract Services	38,680	-	7,946	30,734
068-0900-560001	Debt Principal	173,990	7,400	-	181,390
068-1002-502005	Group Med & Life Ins	3,330	306	-	3,636
068-1005-502050	Retirement Expense	1,310	80		1,390
068-1007-501010	Salaries- Overtime	85	160	-	245
FUND 068	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	217,395	7,946	7,946	217,395
An FY26 end-of-year amendment to the Environmental Services Fund to prepare for the annual audit process.					

The City Manager and City Clerk certify budget ordinance amendment 08062026-07 was approved by City Council on August 06, 2026.

TO MAYOR & COUNCIL **FISCAL YEAR 2027**
APPROVAL: August 06, 2026 **FORM: 08062026-08**

BUDGET AMENDMENT

FUND 060 | 460					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-470900	Fund Balance Appropriated	3,167,900	30,767	-	3,198,667
060-0000-598901	Transfer Out (to 460, VE027)	1,265,000	30,767	-	1,295,767
FUND 060	TOTAL REVENUES	3,167,900	30,767	-	3,198,667
W&S Operating Fund	TOTAL EXPENDITURES	1,265,000	30,767	-	1,295,767
460-0000-470100-VE027	Transfer In (from 060)	240,000	30,767	-	270,767
460-7002-554002-VE027	C/O-Vehicles	150,000	30,767	-	180,767
460-7002-554001-VE027	C/O-Equipment	90,000	-	-	90,000
FUND 460	TOTAL REVENUES	240,000	30,767	-	270,767
W&S Project Fund	TOTAL EXPENDITURES	240,000	30,767	-	270,767
An FY27 amendment using a $30,767 fund balance appropriation from the W&S Operating Fund (060) to increase the W&S Vehicle and Equipment Project (#VE027) to acquire a new vehicle after receiving an FY26 insurance check for $30,767 due to an accident that totalled a service truck. FY26 Ref. Amendment 07022026-02.					

The City Manager and City Clerk certify budget ordinance amendment 08062026-08 was approved by City Council on August 06, 2026.

H. Monthly Tax Collector's Report (June) – *TAMMY Heide, Deputy Tax*

I. Annual Property Tax Settlement (FY26) and Order of Collections (FY27) – *Tammy Heide, Deputy Tax Collector/Assistant Finance Director*

J. Recommended Grade Change to Construction Division Manager Position – *Brendan Shanahan, City Engineer*

6. PRESENTATIONS

A. Introduction of new Hands On! Children's Museum Executive Director - *John Connet, City Manager*

Lindsey Gordon introduced herself as the new Executive Director of Hands On! Children's Museum.

B. Recognition of City Employees Earning NC LTAP Roads Scholar Certifications
- *Brent Detwiler, Assistant City Manager-Public Services*

Brent Detwiler recognized Steve Alverson, Timmy Hensley, and Jeremy Buckner for completing the basic education program requirements for becoming a North Carolina Roads Scholar by completing 7 of the Roads Scholar courses and Brent Pope for completing 6 of

the Master Roads Scholar courses and significantly increasing their knowledge of road maintenance procedures and improved their technical and managerial skills earning their NC LTAP at NC State University.

Institute for Transportation
Research and Education

itre.ncsu.edu

Campus Box 8601
909 Capability Drive
Raleigh, NC 27695-8601

P: 919.515.8899

June 30, 2026

Steve Alverson
City of Hendersonville
160 Sixth Avenue East
Hendersonville, North Carolina 28792

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Alverson:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

As you know, the Roads Scholar Program is a professional development opportunity offered by the North Carolina Local Technical Assistance Program at ITRE. The purpose of the program is to recognize local government personnel who have significantly increased their knowledge of road maintenance procedures and improved their technical and managerial skills. By successfully completing 7 of the Roads Scholar courses offered through the center, you have earned this professional distinction for yourself and for the City of Hendersonville.

As an activity of the NC LTAP, the Roads Scholar Program is funded by a grant from the Federal Highway Administration, U.S. Department of Transportation, through the Local Technical Assistance Program. This program is one of many Roads Scholar initiatives implemented by other technology transfer centers nationwide.

Thank you for your participation in this program, and congratulations once again on becoming a North Carolina Roads Scholar.

Sincerely,

Ms. Katharine Davison
Program Director, North Carolina Local Technical Assistance Program

Institute for Transportation
Research and Education

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909 Capability Drive
Raleigh, NC 27695-8601

P: 919.515.8899

June 30, 2026

Timmy Hensley
City of Hendersonville
305 Williams Street
Hendersonville, North Carolina 28792

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Hensley:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

As you know, the Roads Scholar Program is a professional development opportunity offered by the North Carolina Local Technical Assistance Program at ITRE. The purpose of the program is to recognize local government personnel who have significantly increased their knowledge of road maintenance procedures and improved their technical and managerial skills. By successfully completing 7 of the Roads Scholar courses offered through the center, you have earned this professional distinction for yourself and for the City of Hendersonville.

As an activity of the NC LTAP, the Roads Scholar Program is funded by a grant from the Federal Highway Administration, U.S. Department of Transportation, through the Local Technical Assistance Program. This program is one of many Roads Scholar initiatives implemented by other technology transfer centers nationwide.

Thank you for your participation in this program, and congratulations once again on becoming a North Carolina Roads Scholar.

Sincerely,

Ms. Katharine Davison
Program Director, North Carolina Local Technical Assistance Program

Institute for Transportation Research and Education

itre.ncsu.edu

Campus Box 8601
909 Capability Drive
Raleigh, NC 27695-8601

P: 919.515.8899

June 30, 2026

Jeremy Buckner
City of Hendersonville
305 Williams Street
Hendersonville, North Carolina 28792

RE: Letter of Notification of Roads Scholar Status

Dear Mr. Buckner:

Congratulations! You have successfully completed the basic education program requirements for becoming a North Carolina Roads Scholar.

As you know, the Roads Scholar Program is a professional development opportunity offered by the North Carolina Local Technical Assistance Program at ITRE. The purpose of the program is to recognize local government personnel who have significantly increased their knowledge of road maintenance procedures and improved their technical and managerial skills. By successfully completing 7 of the Roads Scholar courses offered through the center, you have earned this professional distinction for yourself and for the City of Hendersonville.

As an activity of the NC LTAP, the Roads Scholar Program is funded by a grant from the Federal Highway Administration, U.S. Department of Transportation, through the Local Technical Assistance Program. This program is one of many Roads Scholar initiatives implemented by other technology transfer centers nationwide.

Thank you for your participation in this program, and congratulations once again on becoming a North Carolina Roads Scholar.

Sincerely,

Ms. Katharine Davison
Program Director, North Carolina Local Technical Assistance Program

Institute for Transportation Research and Education

itre.ncsu.edu

Campus Box 8601
909 Capability Drive
Raleigh, NC 27695-8601

P: 919.515.8899

April 14, 2026

Brent Pope, Traffic Control Supervisor
City of Hendersonville Public Works Dept.
305 Williams Street
Hendersonville, North Carolina 28792

RE: Letter of Notification of Master Roads Scholar Status

Dear Mr. Pope:

Congratulations! You have successfully completed the advanced education program requirements for becoming a North Carolina Master Roads Scholar.

As you know, the Master Roads Scholar Program is an advanced professional development opportunity offered by the North Carolina Local Technical Assistance Program at ITRE. The purpose of the program is to recognize local government personnel who have significantly increased their knowledge of road maintenance procedures and improved their technical and managerial skills. By successfully completing 6 of the Master Roads Scholar courses offered through the center and submitting a case study of a transportation project in your area, you have earned this professional distinction for yourself and for the City of Hendersonville.

As an activity of NCLTAP, the Master Roads Scholar Program is funded by a grant from the Federal Highway Administration, U.S. Department of Transportation, through the Local Technical Assistance Program. The program is one of many Roads Scholar initiatives implemented by other technology transfer centers nationwide.

Thank you for your participation in this program, and congratulations once again on becoming a North Carolina Master Roads Scholar!

Sincerely,

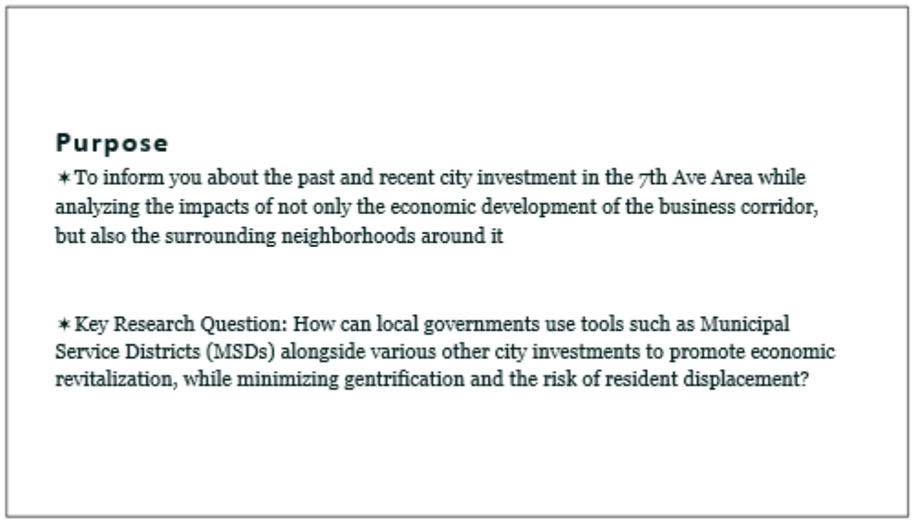
Ms. Katharine Davison
Program Director, North Carolina Local Technical Assistance Program

C. MSD Case Study - *Jules Chapin-Tsai, Intern*

Intern Jules Chapin-Tsai gave the following PowerPoint presentation.







Defining Gentrification

For the purpose of this presentation, gentrification is explored as more than a process of neighborhood redevelopment; it is understood as a process of displacement and transformation. As new residents and investment enter a neighborhood, they can reshape its physical landscape, economic conditions, and cultural character - often reorienting how the community is identified, represented, and valued. Zukin 2015; Kasinitz 1998

7th Ave MSD

- A municipal service district (MSD) is a defined area within a municipality in which the unit's governing board levies an additional property tax in order to provide extra services to the residents or properties in the district

(Raleigh NC Gov 2025)

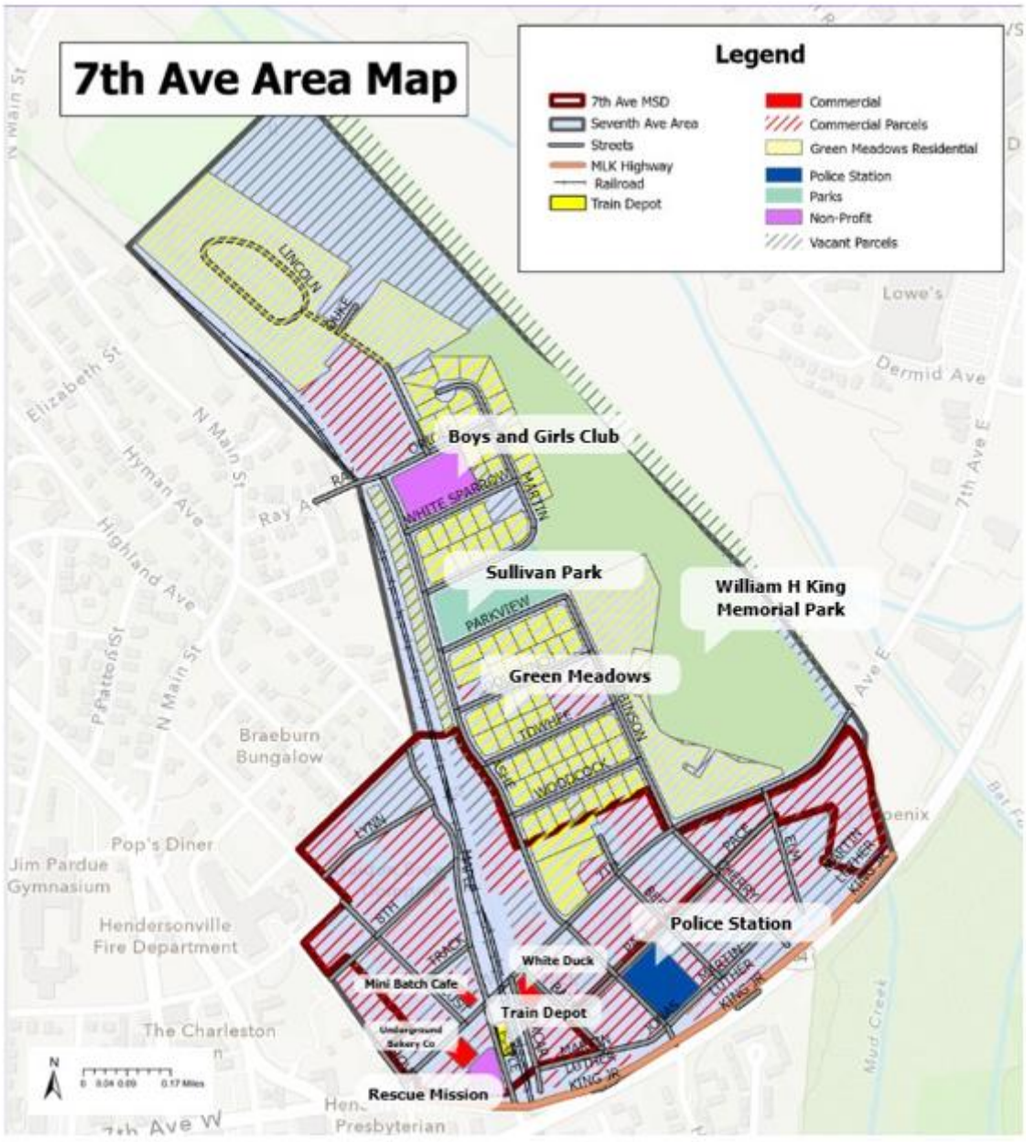


Context & Area Map



- Local governments have long grappled with the challenge of revitalizing areas affected by disinvestment, crime, and economic decline

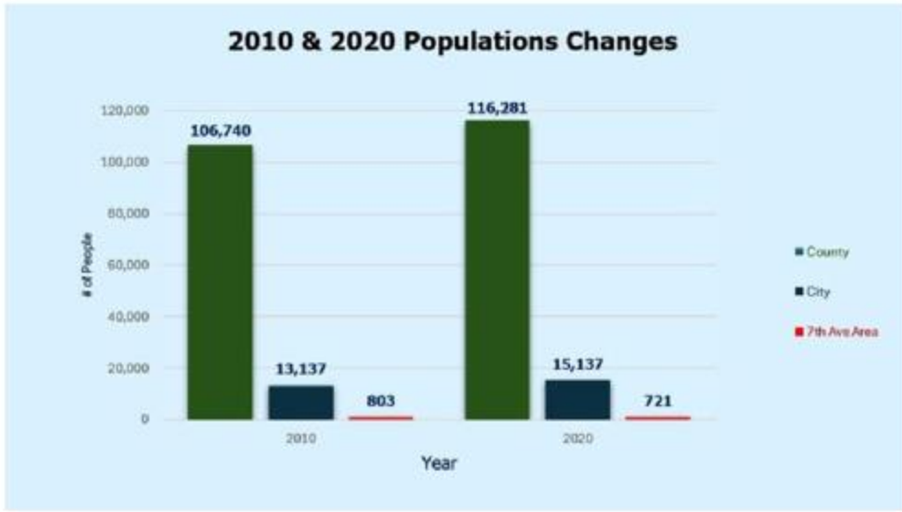
- Hendersonville's 7th Avenue Municipal Service District (MSD) demonstrates a case study in which city investment can help transform a historically stigmatized area marked by vacant buildings, homelessness, and public safety concerns into a vibrant business district, while also influencing the surrounding neighborhoods



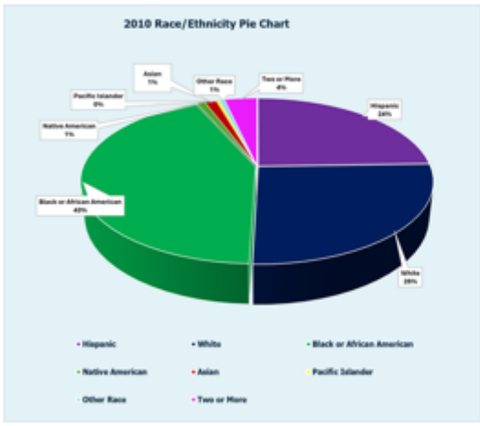
Demographics

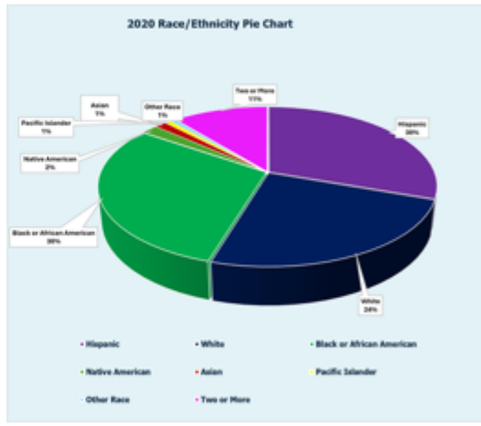
- Census Data 2010 & 2020
- County
- City
- 7th Ave Area (36 Census Blocks)

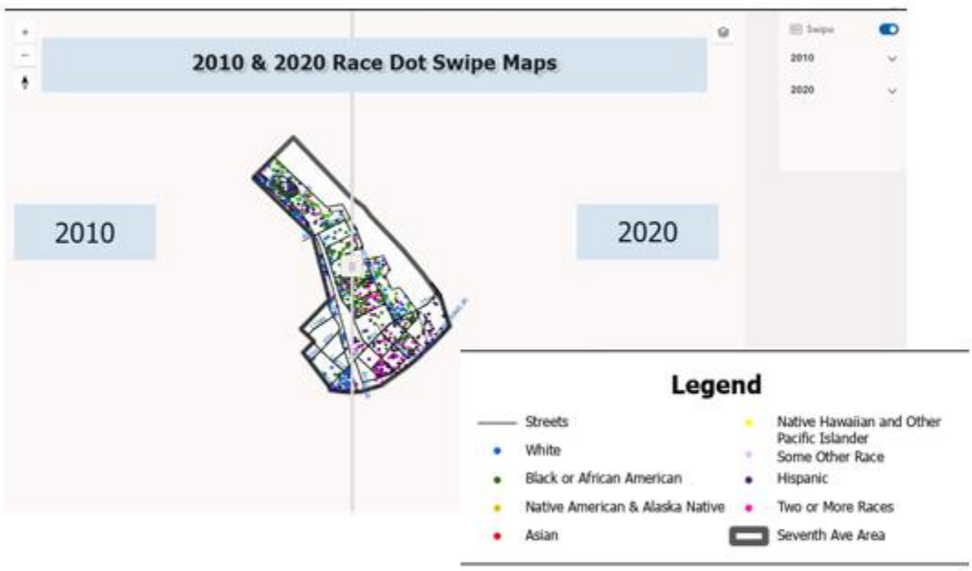




Race Demographics Pie Chart









Historical Context

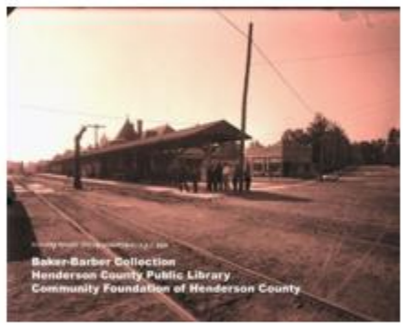
- Timeline
- Train Depot
- Urban Renewal
- Brooklyn Neighborhood
  ↓
  Green Meadows

Key Moments in Time (7th Ave Area)



Historic Train Depot

- Hendersonville's first train depot was built in 1879. With the new mode of transportation connecting Hendersonville to Saluda and other cities, this area became a bustling hub of commercial business
- Used for passengers as well as for business, however, the train stopped passenger service in 1968



Urban Renewal

1960s - 1970s

Urban Renewal was a federal government-led strategy aimed at revitalizing declining city areas considered as "blighted," and upgrading infrastructure (in this case housing), and spurring private development.

* Housing Act of 1949
&
* Era of "Slum Clearance"



Mapping Inequality in Hendersonville

1930s Red Lining Map

Source: University of Richmond







* Best Residential
* Good Residential
* Poor Residential
* Blighted

* Industrial



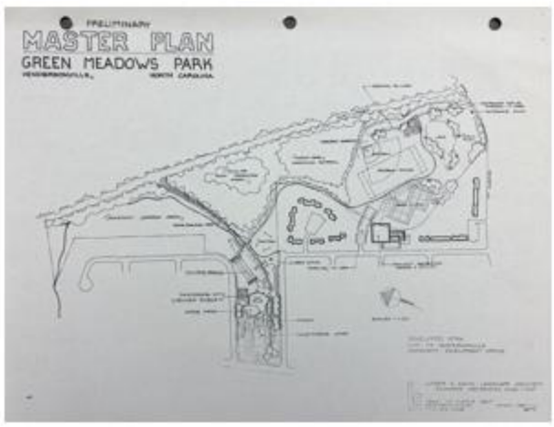
Brooklyn Neighborhood

* Historically, a primarily African American neighborhood, present day Green Meadows
* Brooklyn took root in the late 1800s, emancipated slaves sought work & settled nearby a brook
* Urban Renewal Displacement, by 1972, all the homes were demolished to create new housing development
* Neighborhood culture & community was loss due to displacement & the unaffordability after Urban Renewal
* Faded community spirit after being displaced

← Map of the original Brooklyn Neighborhood

Green Meadows Park

* Renamed to William H King Memorial Park in 1982



Green Meadows Park Preliminary Plan Overlay on Aerial



Views into the Case Study

6 Key Focus Areas

1. Neighborhood History & Community Organizations
2. Zoning & Policy
3. Public Safety
4. Strong Infrastructure
5. Housing
6. Economic Development



Neighborhood History & Community Organizations





- 1989, district est. in National Register
- Community Garden
  - 2023 revitalization
  - Project secured funding ~$55,000
- Brooklyn Creek
  - Naming
  - Bird Sanctuary
- Rescue Mission
- Boys and Girls Club
- Preserving neighborhood history

Zoning & Policy

- Urban Redevelopment Area is defined as a geographic area targeted for redevelopment by a local government in compliance with the Urban Redevelopment Law (NCGS Chapter 160A, Article 22).

For an area to be eligible:

- Area considered as "blighted"
- Designed to attract private investment & facilitate redevelopment

- The city did not choose to pursue this option



2011 & 2026 Zoning Changes Swipe Map





Public Safety

- Police Station (2021)
  - $11.5 million
- Lighting Improvements
- Public Safety Cameras
- Community Public Input
  - Upcoming Splash Day





Strong Infrastructure

Past & Current Projects

Year	Project	Cost
2018	Maple St Sidewalk Improvements	$111,000
2024	7th Ave Streetscape	$3,600,000
2025	Brooklyn Creek Stormwater Clean-Up	$462,000
2025-2026	Ashe St Neighborhood Water/ Sewer	$3,933,243
2025-2026	Cherry & Beech St Sidewalks	$403,281
2026	Street Resurfacing & Curb Ramps	$980,000
Total:		**$9,489,524**

Future Budget Allocated Projects

Year	Project	Allocated Cost
2027	Sullivan Park Improvements	$723,524
2027	Sidewalk & Drainage Improvements	$946,000
Total:		**$1,669,524**

Housing





- Home Rehab Program
- Community Development Block Grant (CDBG21)
  - (NR= Neighborhood Revitalization)
- Rehab 3 homes
- $931,000 total investment (CDBG Grant & City)



Economic Development

- MSD/Businesses
  - 1998, est. of 7th Ave MSD
  - 2015, under City & expansion
- MainStreet Program
  - Facade Grants
  - Hanging Baskets
  - Events Staff
- Farmer's Market on Maple (2020)



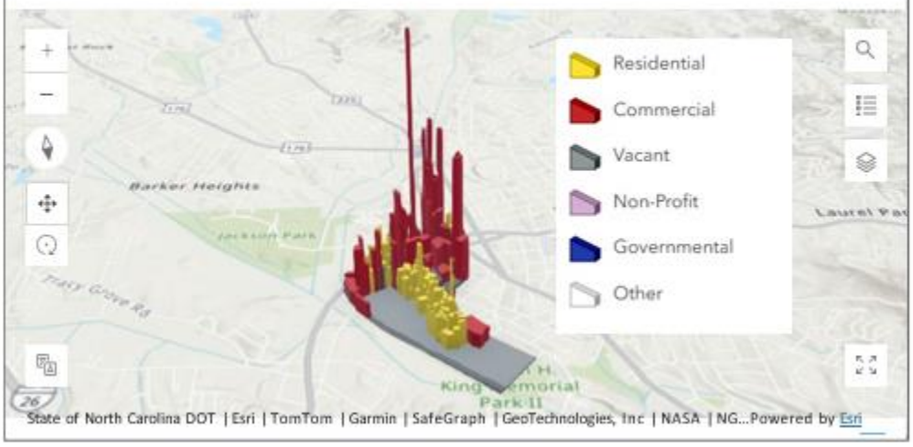


Value per Acre Maps

Now, onto some 3D Interactive Maps



New 3D Value Per Acre App



Average Value per Acre Percent Changes

Period	Total Avg VPA % Change
2011-2016	-19.06%
2016-2020	47.13%
2020-2026	136.30%
2011-2026	176.27%

Period (For Commercial)	Avg VPA % Change
2011-2016	-8.46%
2016-2020	21.15%
2020-2026	44.80%
2011-2026	60.59%

Period (For Residential)	Avg VPA % Change
2011-2016	-10.60%
2016-2020	25.98%
2020-2026	91.50%
2011-2026	115.68%

Conclusion

Key Question (Revisited):

How can local governments use tools such as Municipal Service Districts (MSDs) alongside various other city investments to promote economic revitalization, while minimizing gentrification and the risk of resident displacement?

Overall, this Case Study analyzed the use of a MSD & city investment strategies in order to revitalize the 7th Ave Area, the data we have analyzed does not show trends that would heighten the risks of displacement

- Potential future MSD expansions

For 7th avenue MSD, since 2018 (aprox.)

- 27 net jobs
- 12 net businesses
- $1.45 million private investment
  - Building renovations & uplifts





Thank You!

Any Questions?

References

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D. Encampment Procedures - *Ethan Walls, Intern*

Intern Ethan Walls gave the following PowerPoint presentation.



About Me

- From Asheville, North Carolina
- Studying political science and public policy at UNC Chapel Hill
  - Graduating in May 2027
- Interested in local government
  - Want to pursue MPA at UNC School of Government



Desired Outcomes

- Get direction from council on how to address encampments
- Protect the health and safety of the community, including people experiencing homelessness
- Give staff tools to provide a healthier and safer environment for the community
- Ensure consistent enforcement of city policies
- Assist private property and business owners
- Explore opportunities to address contributing factors to encampments

Overview

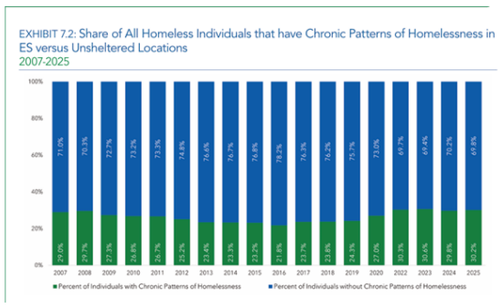
- Background
- Homelessness in Hendersonville/Henderson County
- Review of Existing Methods to Address Encampments
- Legal and Legislative Overview
- New Encampment Options
- Additional Opportunities to Address Encampments

Background

- Chronically homeless (HUD definition)
  - "A 'homeless individual with a disability' who"
    - "Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and"
    - Has lived under these conditions for 12 months
  - Also includes:
    - People in jails or treatment facilities who met these criteria prior to entry
    - Families in which the head of household meets these criteria

Background

- 169,467 individuals chronically homeless in the United States (HUD 2025)
  - 30 percent of all homeless individuals (HUD 2026)
- 2,560 individuals who are chronically homeless in North Carolina (HUD 2025)



Source: HUD

Homelessness in Hendersonville/Henderson County

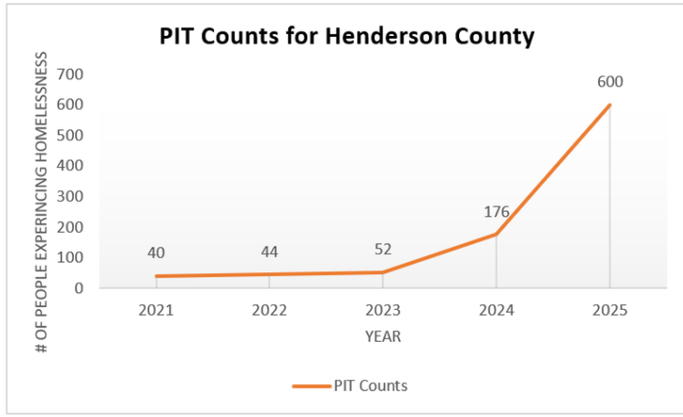


- Most information on homelessness in Henderson County comes from point-in-time (PIT) counts
  - Represents all homeless persons who meet HUD definition of sheltered and unsheltered on a single night during the last 10 days of January
  - Not included:
    - People in institutions (jails, juvenile correction facilities, foster care, hospital beds, detox centers.)
    - People temporarily staying with family or friend (i.e., "doubled-up" or "couch surfing")
- GAO Study (2020): PIT Counts "likely underestimate the size of the homeless population"

Henderson County PIT Count Data

182

Average number of people experiencing homelessness each year (2021-2025)



Source: NC Coalition to End Homelessness

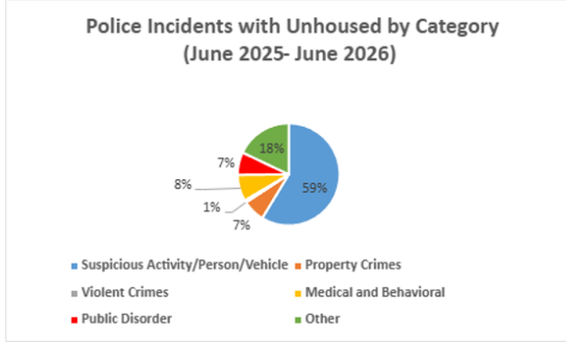
Henderson County Shelter Situation



- Hendersonville Rescue Mission
  - 82 beds
  - Requires shelter guests be "medically stable, ambulatory, and able to care for their own bodily needs
  - Sobriety requirements
  - Also requires 3 night-minimum stays and Henderson County residency
- Actions by community partners
  - Physical and mental health services
  - Coordination with county services (i.e. drug court)
  - Offer addiction counseling and support

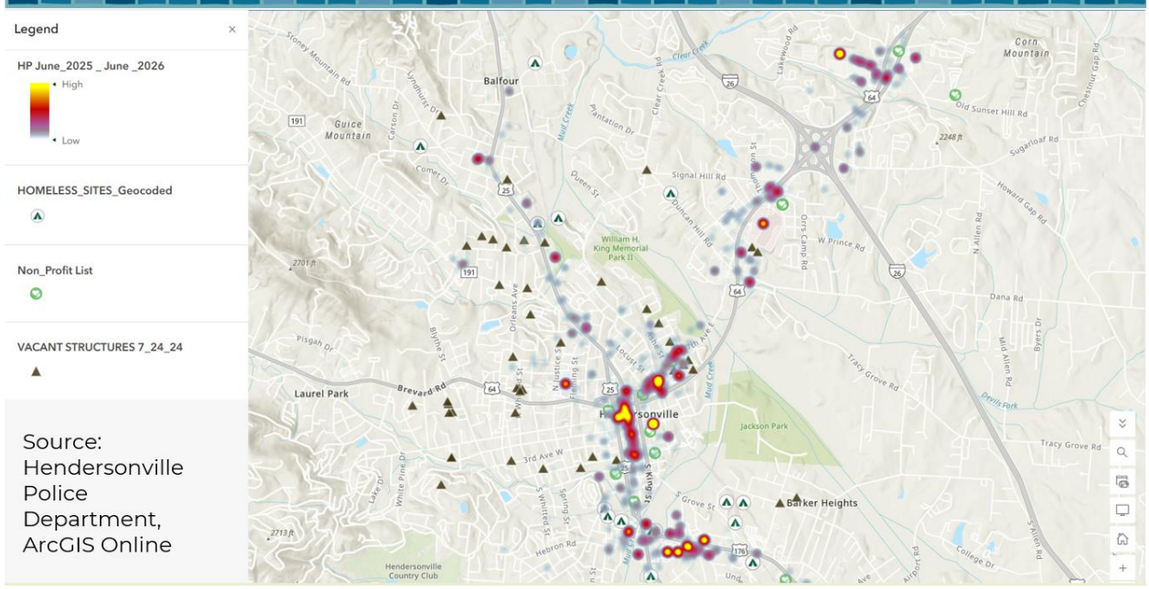
Reasons to Address Encampments

- Public health and safety issues
  - More vulnerability to violent crime for people living in encampments
  - Exposes community to unsanitary conditions
- Deterred use of public spaces
- Challenges for Hendersonville Police Department (HPD)
  - 1,816 incidents involving unhoused individuals from June 2025-June 2026
    - Increase from 1,057 incidents from June 2024-June 2025



Source: Hendersonville Police Department

HPD Unhoused Encounters Heat Map



Existing Methods to Address Encampments

- Code enforcement:
  - Enumerations (Sec 26-38)
    - Weeds or grass over 24 inches
    - Accumulation of animal or vegetable matter
    - Accumulation of undisposed trash
    - Graffiti



Source: COH

- Police Powers:
  - 36-1 – Blocking or impeding street and sidewalk access
  - 36-2 – Urinating or defecating in public or on private property.
  - 36-3 – Solicitation in parking lots and parking garages operated by the City
  - 36-4 – Harassment in public places prohibited
    - Following to threaten, intimidate or cause fear for personal safety
    - Surrounding individual or intentionally and physically directing the individual's movement with intent of threatening, intimidating or causing fear for personal safety.
    - If person continues conduct after victim makes negative response to stop.
  - 36-41 – Trespass = on public or private property. Posted or against oral or written notice, warning or protest of owner or occupant
  - 36-42 – Disturbing the peace
  - 50-22 Solicitation in public rights of way prohibited.
    - Includes solicitation from sidewalks

New Encampment Options

01

Public Camping Ordinance

02

Zoning Ordinance Amendments

Legal Review



Source: U.S. Supreme Court

- *Grants Pass v. Johnson* (2024)
  - Local governments regulating encampments even when shelter space is unavailable is not considered cruel or unusual punishment
- Points of contention in the litigation
  - Selective enforcement of ordinance
  - Barriers associated with shelter admittance
  - Policies cannot criminalize based on status
    - *Robinson v. California*

Legislative Review

- July 1, 2026: N.C. General Assembly ratified HB 437
  - Establishes drug-free homeless service zones
  - Increases penalties for drug use in these zones
  - Restricts local governments from allowing camping on their property
- July 8, 2026: Governor Stein vetoed the bill

Source: State of North Carolina

Potential Impacts of HB 437 on the City

- State definition for public camping/sleeping
  - Cannot allow public camping/sleeping on city-owned or controlled property
- City could set up a regulated encampment on its property
- Designated property would need approval from the NC Department of Labor (DOL)
  - Request to DOL must prove the following
    - Lack of shelter bed availability
    - Designated property
      - Not next to an area zoned for residential use
      - Would not negatively affect property values or child safety
      - Meets certain public health and safety standards

Camping Ordinance (Police Powers)

- Would make it unlawful to camp or store personal belongings on city-owned or city-controlled property
- Camping definition:
  - Based on public sleeping/camping definition in HB 437
  - Public camping/sleeping: Lodging or residing overnight in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings or lodging or residing overnight in an outdoor space without a tent or other temporary shelter. The term does not include (i) lodging or residing overnight in a motor vehicle that is registered, insured, and located in a place where it may be lawfully used or (ii) camping for recreational purposes on property designated for those purposes.



Source: COH

Camping Ordinance Enforcement



Source: COH

- Ordinance written to give HPD discretion to enforce civil and criminal penalties
  - First offense:
    - Written warning or criminal penalty
  - Subsequent offenses:
    - Civil or criminal penalties
  - Criminal penalty
    - Misdemeanor as provided in N.C.G.S. § 14-4

Zoning Ordinance Amendments

- Camps listed as a use, but not clearly defined
- Zoning text amendments
  - Define camps
  - Create a new use called campgrounds that is distinguishable from camps
    - Encampments would fall under campgrounds
- Sanitation standards for camps and campgrounds



Source: COH

Recommended Definitions

Camps: Establishments consisting of one or more permanent buildings (not including recreational vehicles or mobile homes) used periodically for temporary or seasonal accommodation of individuals, typically providing programmed activities including outdoor recreational or educational opportunities.



Campground: Any parcel or tract of land under the control of any person, organization, or governmental entity wherein sites are offered for the use of the public or members of any organization for the establishment of temporary living sites for two or more recreational vehicles or camping units (Borrowed/modified from Indian Trail, NC)



Additional Opportunities to Address Encampments

- Address shelter accessibility
- Establish centralized wrap-around services
- Leverage relations with local healthcare providers for behavioral health urgent care (BHUC)
- Encourage courts to direct people to mental health services
- Develop Encampment Response Policy and SOP
- Strategic housing plan implementation

CITY OF HENDERSONVILLE
STRATEGIC HOUSING PLAN





Source: COH

Feedback/Questions?

References

- An Act to establish drug-free homeless service zones and increase the punishment imposed for committing certain drug offenses in a drug-free homeless service zone and to ban unauthorized public camping or sleeping in the state and local government units of the state, HB 437. (2025). https://www.ncleg.gov/Sessions/2025/Bills/House/PDF/H437v6.pdf
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- North Carolina General Assembly. (2025). Drug-Free Zones/Unauthorized Public Camping, H.B. 437, 2025–2026 Regular Session. https://www.ncleg.gov/BillLookUp/2025/H437
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- U.S. Department of Housing and Urban Development (HUD) (2026). The 2025 Annual Homelessness Assessment Report (AHAR) to Congress - PART 1: POINT-IN-TIME ESTIMATES OF HOMELESSNESS. https://www.huduser.gov/portal/sites/default/files/pdf/2025-AHAR-Part-1.pdf
- U.S. Department of Housing and Urban Development (HUD) (2025) *2025 CoC Homeless Populations and Subpopulations Report - All States, Territories, Puerto Rico, and DC*. https://files.hudexchange.info/reports/published/CoC_PopSub_NatlTerrDC_2025.pdf
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- U.S. Department of Housing and Urban Development (HUD). (2014). *Point-in-Time Count Methodology Guide*. https://files.hudexchange.info/resources/documents/PIT-Count-Methodology-Guide.pdf

7. PUBLIC HEARINGS

A. Annexation: Public Hearing – Merriman ave |Grooms/Borges (26-35-ANX) – *Mattheew Manley, AICP-Long-Range Planning Manager*

Matt Manley was not present at the meeting, so Planner Sam Hayes explained that the City of Hendersonville received a petition from Greg Grooms (applicant) and Juan Borges (owner) for contiguous annexation of PIN 9569-37-3239 located on Merriman Ave. The property is approximately 0.5 acres and contains lots 85, 86, & 87. On July 2, 2026, City Council accepted the City Clerk's Certificate of Sufficiency for the petition submitted by Greg Grooms & Juan Borges and set August 6, 2026, as the date for the public hearing.

Merriman Ave Annexation

(26-35-ANX)

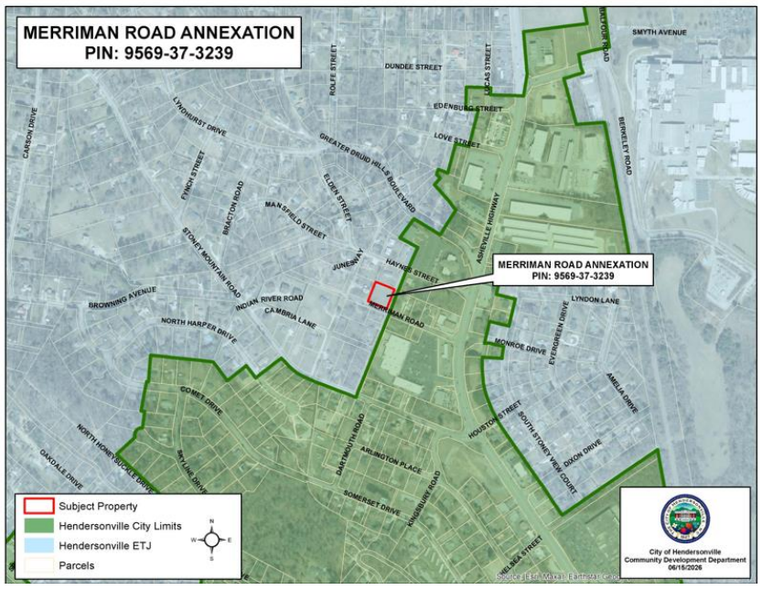
Contiguous Annexation Petition

City of Hendersonville City Council | August 6, 2026 | Sam Hayes, Planner II

Contiguous Annexation | Merriman Ave | 26-35-ANX

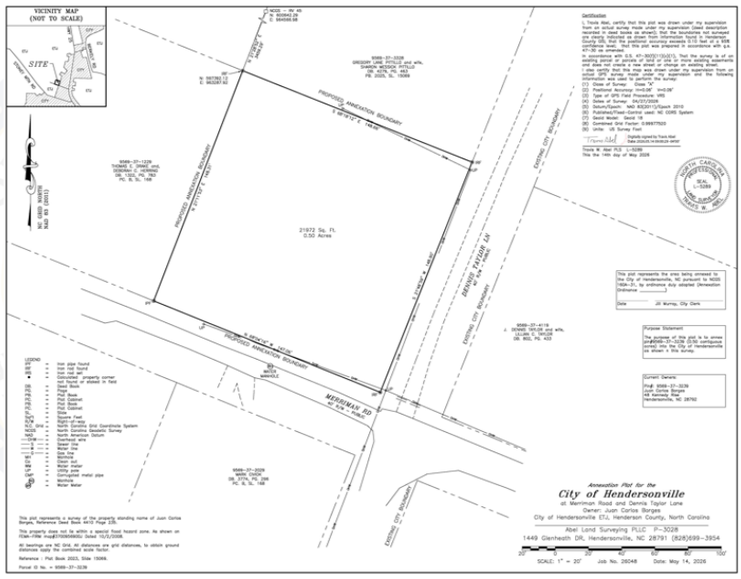
Background

- Petitioners:
  - Greg Grooms (Applicant)
  - Juan Borges (Owner)
- PIN/Lot #'s:
  - 9569-37-3239
  - Lots 85, 86, 87
- Acreage:
  - 0.50 acres



Contiguous Annexation | Merriman Ave | 26-35-ANX

Annexation Plat



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

The public hearing was opened at 6:57 p.m.

There were no public comments.

The public hearing was closed at 6:57 p.m.

Council Member Melinda Lowrance moved City Council adopt an ordinance of the City of Hendersonville to extend the corporate limits of the City as a contiguous annexation, to annex that property owned by Juan Carlos Borges, identified as PIN 9569-37-3239, finding that the standards established by North Carolina General Statute 160A-31 have been satisfied and that the annexation is in the best interest of the City. A unanimous vote of the Council followed. Motion carried.

Ordinance #O-26-24

Return to: City of Hendersonville box

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO EXTEND THE CORPORATE LIMITS OF THE CITY AS A CONTIGUOUS ANNEXATION

IN RE: Petition for Contiguous Annexation
Petitioner: Juan Borges (owner) & Greg Grooms (applicant)
File No. 26-35-ANX

WHEREAS, The City of Hendersonville has been petitioned by Juan Borges, owner, & Greg Grooms, applicant, pursuant to North Carolina General Statutes (NCGS) 160A-31, as amended, to annex the area described herein below; and

WHEREAS, the City Clerk has investigated and certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held at 305 Williams St (City Operations Center), Hendersonville, NC at 5:45 pm, on the 6th day of August 2026, after due notice by publication as provided by law on July 26 & August 2, 2026; and

WHEREAS, the City Council further finds the areas described therein meets the standards of N.C. G.S. 160A-31; and

WHEREAS, the City further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation will be best served by annexing the area described.

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

1: By virtue of the authority granted by N.C.G.S. 160A-31, as amended, the following described contiguous area is hereby annexed and made part of the City of Hendersonville as of the 6th day of August 2026.

Being all of that real property consisting of PIN 9569-37-3239 described in the plat recorded in Book 2026-_____ [to be inserted at recording of the plat] of the Henderson County Registry, said PIN 9569-37-3239 being described by metes and bounds as follows:

Exhibit A
Lying and being at the intersection of Merriman Road and Dennis Taylor Lane in Hendersonville, North Carolina.
Beginning at an Iron rod found having the NC grid coordinates of N:597392.12 E:963287.92. Said Iron rod found also being found S 21°28' 52" W 3459.29' from NC Grid monument RV 45. Thence from the beginning point and with the property now owned by Gregory Pittillo and wife Sharon Pittillo Deed Book 4279 Page 463, S 68°18'12" E 148.66' to an Iron rod found in the west margin of the 40' right-of-way of Dennis Taylor Lane; Thence with the margin of Dennis Taylor Lane S 21°48'59" W 148.90' to an Iron rod found at the intersection of said west margin of Dennis Taylor Lane and the north margin of the 40' right-of-way of Merriman Road; Thence with said north margin of Merriman Road N 68°04'16" W 147.06' to an Iron pipe found; Thence leaving the said margin and with the property now owned by Thomas Drake and Deborah Herring Deed Book 1322 Page 783, N 21°11'53" E 148.31' to the beginning. Being 0.50 acres

2: Upon and after the 6th day of August 2026, the above-described territory, and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Hendersonville and shall be entitled to the same privileges and benefits as other parts of the City of Hendersonville. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10, as amended.

3: The Mayor of the City of Hendersonville shall cause to be recorded in the office of the Register of Deeds of Henderson County and at the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Henderson County Board of Elections, as required by G. S. 163-288.1.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of August, 2026.

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

B. Rezoning: Standard Rezoning – Ironwood Square | 26-43-RZO – *Sam Hayes, Planner II*

Planner Sam Hayes explained that the City of Hendersonville has initiated a Zoning Map Amendment application for three properties located at 831, 835, 837 Case Street, Pins 9577-79-2337, 9577-79-3365, and 9577-79-4384 totaling 0.87 Acres. The property is currently Henderson County Community Commercial. The subject properties were recently annexed into the City limits at the July 2nd City Council meeting. Because of this, the City has 60 days to zone the properties. The City is requesting initial zoning of the properties to C-3 Highway business, which aligns with other adjacent properties in the City limits. If rezoned, there will not be a binding site plan, list of uses, nor conditions placed on the site. All permitted uses within the CHMU district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.



Project Background

- Location:
  - Case Street
  - Pins: 9577-79-2337, 9577-79-3365, 9577-79-4384
- Applicant/Owner
  - Conserving Carolina
  - Children and Family Resource Center
  - City Initiated Initial Zoning
- Acreage:
  - .87 acres
- Proposed Zoning:
  - C-3
- Future Land Use Designation:
  - Mixed Use - Commercial

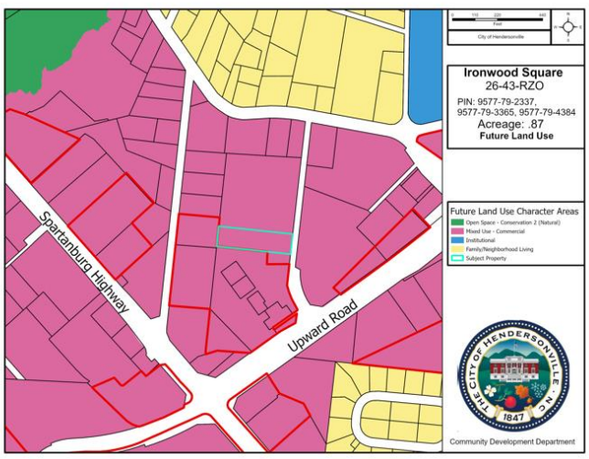


Site Photos





Comprehensive Plan Consistency

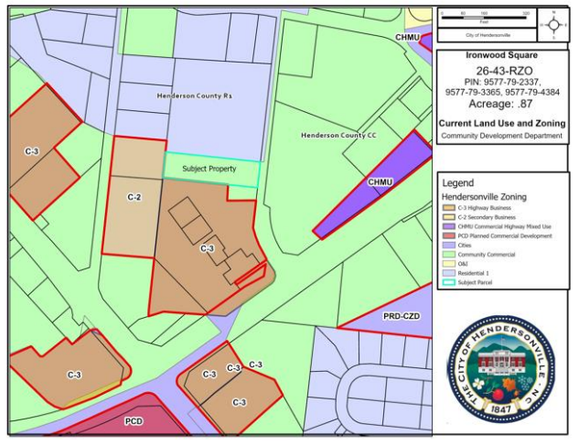


C-3 Vs. CHMU

C-3
- Does not allow multi-family
- Dimensional requirements

CHMU
- Design Standards
  - Building design requirements
  - Traffic flow requirements

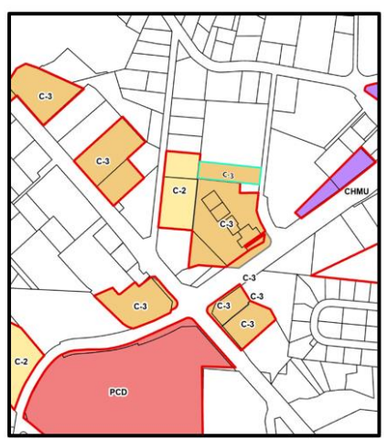
Current Land Use and zoning



Draft: Comprehensive Plan Consistency Statement

The proposed zoning of C-3 aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Mixed Use – Commercial'.

Questions



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

The public hearing was opened at 7:01 p.m.

There were no public comments.

The public hearing was closed at 7:01 p.m.

Council member Gina Baxter asked to be recused from voting as her boss owns the property. Council Member Lyndsey Simpson made a motion to recuse Council Member Baxter from voting on the rezoning. A unanimous vote of the remaining Council members followed. Motion carried.

Council Member Lyndsey Simpson moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs 9577-79-2337, 9577-79-3365, and 9577-79-4384) from Henderson County Community Commercial to City of Hendersonville C-3 Highway Business, based on the following:

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

> ***The proposed zoning of C-3 aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Mixed Use – Commercial'.***

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

1. ***C-3 zoning would allow for greater economic use of the subject property given the wide range of permitted uses***
2. ***C-3 Zoning along this corridor could lead to additional opportunities for commercial uses along a corridor that is seeing moderate development pressure.***

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-26-25

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBER 9577-79-2337, 9577-79-3365, AND 9577-79-4384) BY CHANGING THE ZONING DESIGNATION FROM HENDERSON COUNTY COMMUNITY COMMERCIAL, TO CITY OF HENDERSONVILLE C-3 HIGHWAY BUSINESS

IN RE: Parcel Numbers: 9577-79-2337, 9577-79-3365, and 9577-79-4384
Ironwood Square | File # 26-43-RZO

WHEREAS, the Planning Board took up this application at its regular meeting on July 9th, 2026 voting 6-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on August 6th, 2026; and

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

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on August 6th, 2026.

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9577-79-2337, 9577-79-3365, and 9577-79-4384, by changing the zoning designation from Henderson County Community Commercial to City of Hendersonville C-3 Highway Business.

2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.

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

Adopted this 6th day of August, 2026.

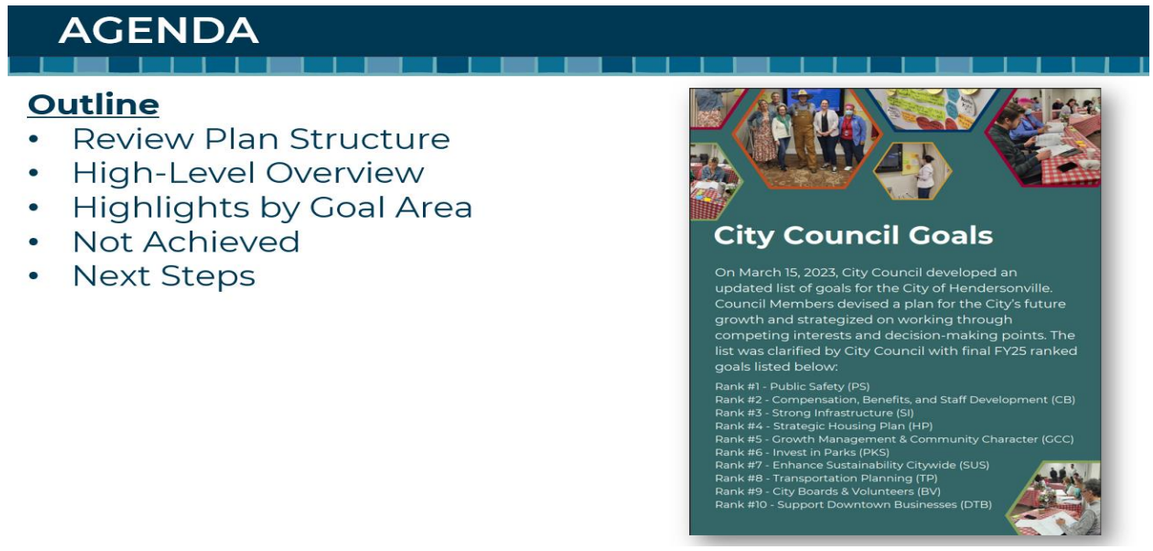
Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

8. NEW BUSINESS

A. FY24-FY26 Strategic Plan Closeout – *Brian Pahle, Deputy City Manager*

Deputy City Manager Brian Pahle gave the following PowerPoint presentation.



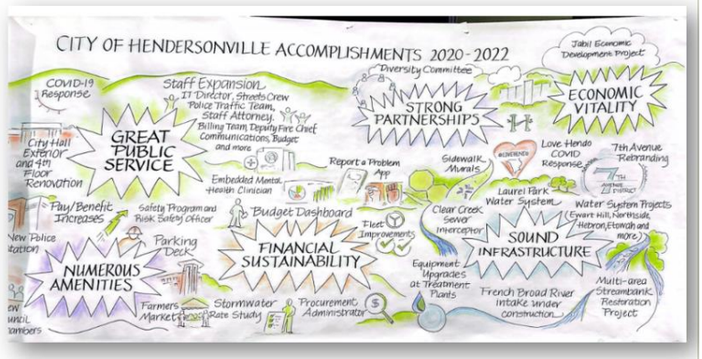




PLAN STRUCTURE

The Plan

- Celebrate Accomplishments





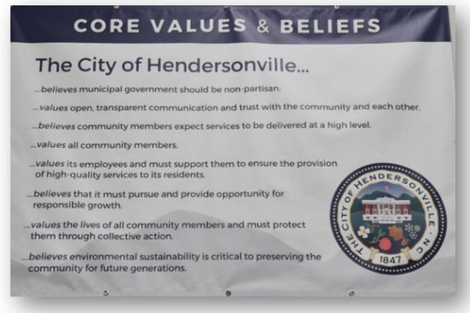
PLAN STRUCTURE

Vision

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

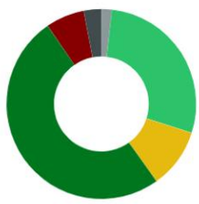
Mission

The City of Hendersonville is committed to providing quality, efficient services to all citizens, visitors, and businesses through open communication, timely responses, and quality results.



PLAN AT A GLANCE

Progress at a Glance



Not Started	3	(2%)
On Track	47	(28%)
Off Track	17	(10%)
Achieved	84	(50%)
Not Achieved	11	(7%)
Canceled	5	(3%)

At a Glance...

The vision of Hendersonville — a vibrant mountain city where the government and citizens work together for a high quality of life — guided this plan's execution. The City of Hendersonville is committed to providing quality, efficient services to all citizens, visitors, and businesses through open communication, timely responses, and quality results. The FY24–FY26 Strategic Plan delivered on its core promise. The City navigated one of the most challenging periods in its history — including the aftermath of Hurricane Helene — while still achieving the majority of its strategic objectives. The next strategic plan cycle is well-positioned to build on this foundation.

Over three fiscal years, staff executed core infrastructure investments, expanded public safety initiatives, adopted foundational policy frameworks, and supported a resilient downtown economy. With 76.8% of the plan complete — surpassing the required 70% achievement threshold — the FY24–FY26 Strategic Plan closes as **Achieved**. This closeout reflects disciplined execution, comprehensive reporting, and an operational focus that positions the City well for the next planning cycle.

✅ **All 167 progress updates were submitted on time — 100% up-to-date.**

HIGHLIGHTS BY GOAL AREA

By Plan Goal...

Rank #1 — Public Safety | 70.13%

Overall Public Safety ended the planning period on track. Four goals were fully achieved: Enhance Downtown Safety Program, Explore Social Worker Co-responder Program, Expand Code Enforcement Capacity, and Create Vacant Property Registry.

- **Downtown Safety:** The goals of hiring a Downtown police officer and installing new camera and security infrastructure were both successfully completed. The Downtown officer continues to build relationships with Downtown business owners and residents.
- **Social Worker Co-responder:** The full-time social worker is successfully co-responding to crisis calls and building relationships with city residents in need of support.
- **Quick Response Vehicle (QRV):** Over the plan period, the QRV was in service on average for 10 shifts per month, for a total of 15 months. The QRV was placed in service April 1st of 2025. It played a significant role in mitigating the impact of staffing shortages and helped keep larger fire apparatus available and prepared to respond to other emergencies.
- **Code Enforcement Expansion:** A second code enforcement position was created and initially occupied. While currently vacant, its creation represents the achievement of the goal to expand capacity in Code Enforcement.
- **Vacant Property Registry:** Various departments (fire, water/sewer, etc.) are contributing to a Community Development-maintained database of vacant properties.

HIGHLIGHTS BY GOAL AREA

By Plan Goal...

Rank #2 — Compensation, Benefits & Staff Development | 92.68%

Compensation, Benefits, and Staff Development remained on track. The adopted FY27 budget includes a 4% cost-of-living adjustment and an additional 1% 401k match.

- **Career Ladders:** Career ladders were significantly developed following the City's prior FY22 pay and classification study.
- **Performance Pay:** Staff identified and fine-tuned the new performance evaluation system. All employees received performance ratings and will notice commensurate pay increases.
- **Living Wage Calculator:** A living wage draft calculation was presented to City Council during the FY26 budget process, accompanied by a draft living wage policy. Upon further discussion, it was determined the City should pursue a living wage in alignment with JustEconomics. Council continues to provide COLAs in excess of the inflationary rate, in order to mitigate the living wage gap.

HIGHLIGHTS BY GOAL AREA

By Plan Goal...

Rank #3 — Strong Infrastructure | 74.96%

Excellent strides were made in improving the city's infrastructure, including 0 SSOs the last quarter of the plan period, near completion of the final of 3 water/sewer master plans, and high levels of progress in both the completion rate and timeframe to complete street cut work orders. With the Transportation GO Bond Phase 1 beginning this fiscal year, great progress should continue.

- ⏳ **Water Treatment Plant Expansion:** The Water Treatment Plant was expanded to 15 MGD — a generational infrastructure investment — with the French Broad River and Filter Expansion projects substantially complete and activated.
- **Street Cut Repairs:** The addition of 3 Environmental Services positions and restructuring of the Streets Division, made Streets Workers more available to respond to work orders and repairs, finishing the last quarter with 98% of work orders closed within our goal of 30 days.
- **Stormwater Master Plan:** The Stormwater Master Plan was presented to City Council along with a Capital Projects Viewer GIS page identifying major Capital Improvement Projects and showing the reduction of flood zones and areas of risk in future flooding events.
- **City Hall Renovations:** First Floor Renovations at City Hall were completed in fall 2024, and third floor construction and finishing touches were completed, with Community Dev. services and staff now located in City Hall.
- **ADA Transition Plan Funding:** The increase of the motor vehicle fee from $15 to $30 will provide over $200K in additional funding to support both roadway and ADA transition projects.

HIGHLIGHTS BY GOAL AREA

By Plan Goal...

Rank #4 — Strategic Housing Plan | 83.33%

The Strategic Housing Plan was adopted by City Council in December 2025. A formatted version of the plan is in process, and plan implementation is ongoing.

- **Plan Adoption:** The Plan was adopted by City Council in December 2025.
- **Affordable Units:** The fiscal year ended with 44% of entitled units being affordable, with 77 units of the 175 entitled units coming from the Laurel Meadows LIHTC project — exceeding the 20% target.
- **Unit Volume Gap:** The fiscal year ended with 175 entitled units — well short of the 2,000-unit target.
- **Housing Planner:** The City is hiring a Housing planner who will work to advance the tasks associated with the housing plan.

HIGHLIGHTS BY GOAL AREA

By Plan Goal...

Rank #5 — Growth Management & Community Character | 72.14%

The FY26–27 budget included funding for hiring a consultant for the initial step of implementing a UDO update. There is also a parallel staff-driven effort to develop and begin implementing form-based design features, including a Downtown Design Overlay District and, in the future, an Entry Corridor Overlay.

- **Comprehensive Plan:** The Comprehensive Plan was completed.
- **Right Density Strategy:** The Right Density Strategy was achieved with the adoption and definition of density desires.
- **Downtown Design Overlay:** The Downtown Design Overlay District ZTA is moving through the boards and commissions towards adoption by City Council this Fall.
- **Missing Middle Housing:** Initial achievements pertain to "missing middle housing" and the integration of allowable "gentle density" or infill housing in existing neighborhoods through Small Lot provisions, Minor PRD allowances, double density or "half unit" allowance for under 1,200 sq ft units, and reduced setbacks.

HIGHLIGHTS BY GOAL AREA

By Plan Goal...

Rank #6 — Invest in Parks | 50%

Although barriers were faced in replacing wayfinding signage, the City is refocusing on a Trailhead Kiosk project along Clear Creek. Patton & Whitmire centers are being pursued through 2 grants. Clear Creek Greenway is under construction and should be complete by the start of the new calendar year.

- **Clear Creek Greenway:** Construction has begun on the Clear Creek Greenway.
- **Patton Park Pickleball Courts:** Pickleball courts at Patton Park were completed.
- **Bike Racks:** All 20 bike racks have been installed citywide.
- **Parks Bond Deferred:** Due to Hurricane Helene, many priorities changed during the FY26 budget process. It was determined that a Parks Bond should not be pursued until FY29.

HIGHLIGHTS BY GOAL AREA

By Plan Goal...

Rank #7 — Enhance Sustainability Citywide | 85%

The majority of goals were complete in 2025, with focus continuing on improving tree plantings on park properties and along the Clear Creek & Oklawaha Greenways. These projects are planning to increase educational resources along the trails and expand communication around sustainable lifestyle practices.

- **Sustainability Plan Adopted:** The Sustainability Plan has been adopted.
- **Tree Ordinance:** A new tree ordinance was adopted to strengthen canopy protection.
- **Sustainable Fleet Policy:** City Council adopted the Sustainable Fleet Transition Policy in January 2026.
- 🌳 **Tree Planting:** 100 trees were planted annually — double the stated target of 50.
- **Neighborwoods Program:** Additional funding was allocated to the Neighborwoods Program.

HIGHLIGHTS BY GOAL AREA

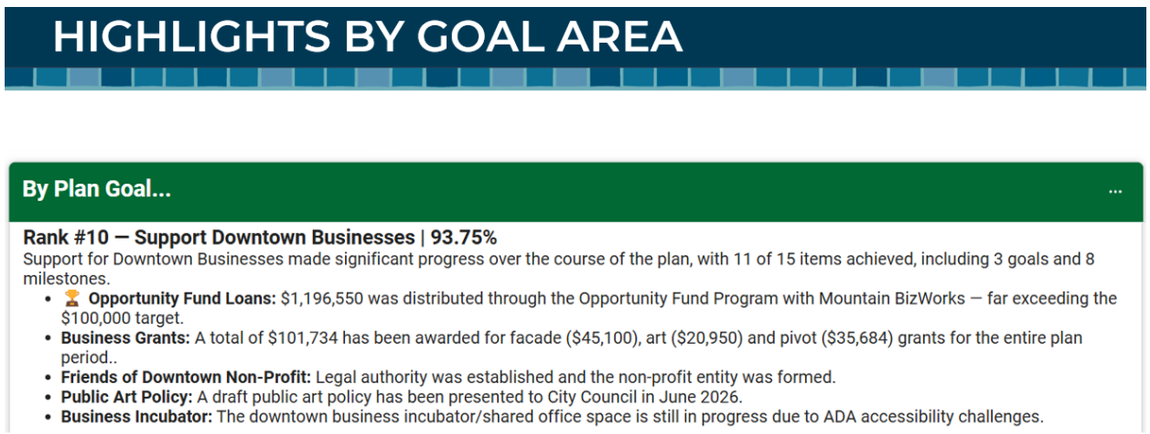
By Plan Goal...

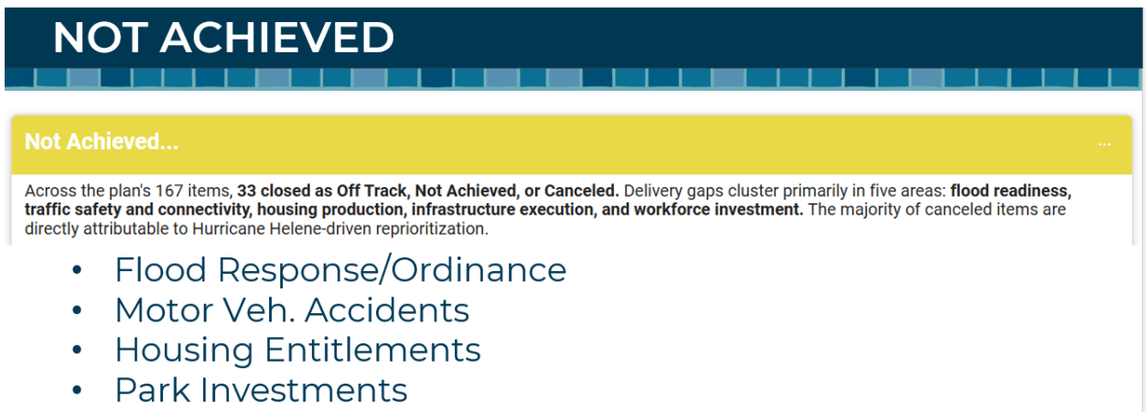
Rank #8 — Transportation Planning | 71%

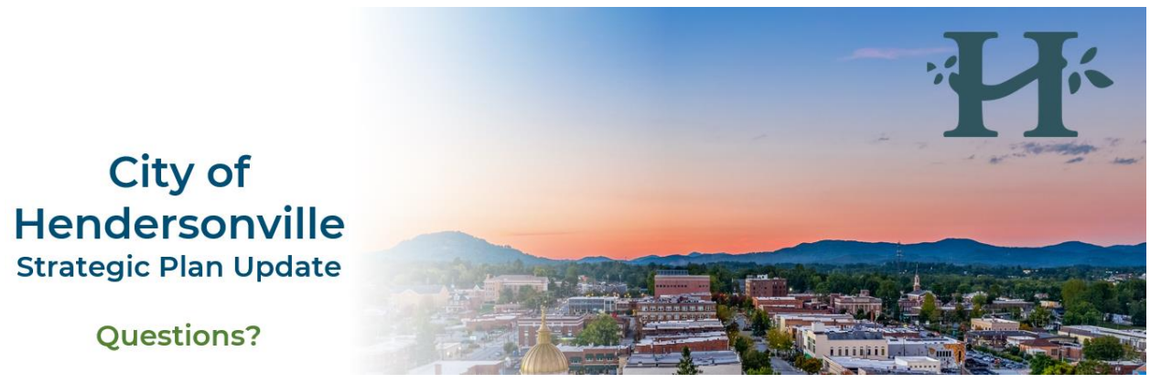
Great progress was made in identifying and planning GO Bond projects, through a voter approved referenda in March of 2026. The City is striving to develop and adopt a traffic calming policy, and the King St narrowing project is moving forward as a SPOT project with funding identified.

- 🏆 **Transportation GO Bond Passed:** The Transportation GO Bond was voted on and passed, moving into the next stage of planning and designing the first years' worth of transportation projects to begin in 2027.
- **STIP Priorities:** Eight projects were prioritized for SPOT P8, including Church St/King St Protected Sidewalk, Above the Mud Greenway Connector, N Main/Clear Creek Sidewalk, and Oklawaha Greenway extension to BRCC, among others.
- **King Street:** SPOT P8.0 preliminary scoring shows the Church St + King St Pedestrian Improvements project as the highest scoring project in the Funding Region.









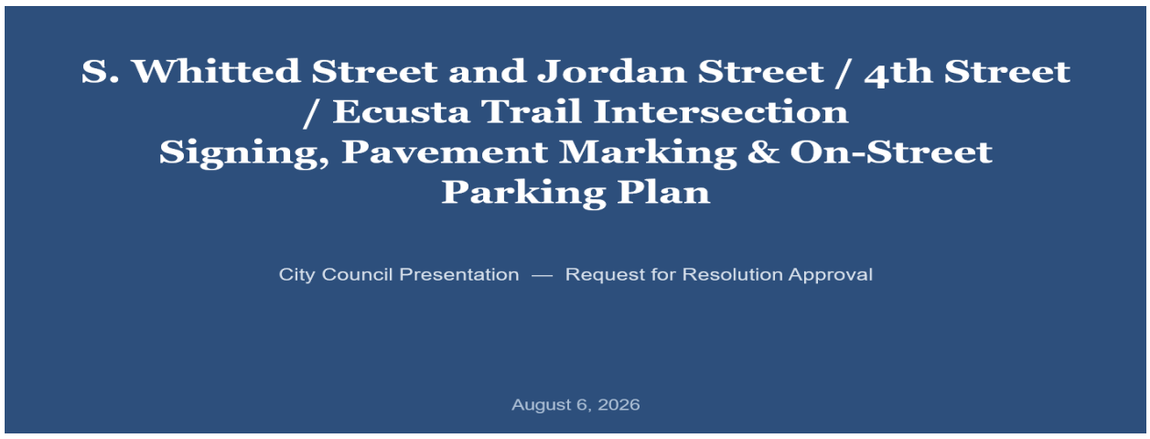
B. Discussion Regarding 4th Avenue Halloween Street Closure – *John Connet, City Manager*

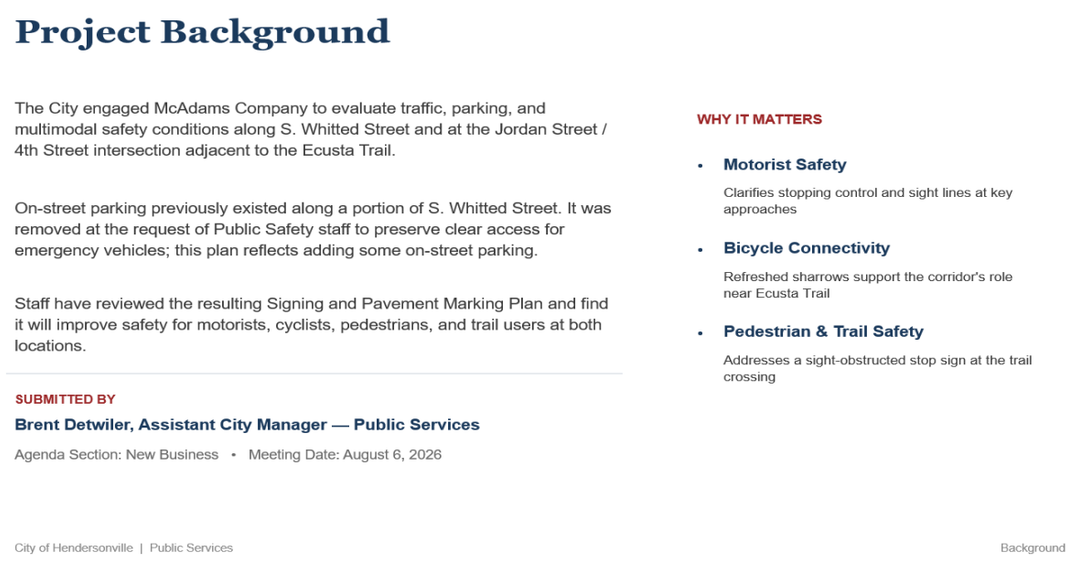
City Manager John Connet explained that the city can no longer close down 4th Avenue during Halloween. Our insurance company's risk management team said that we have to do one of two things, either close it down completely (which will take a lot of extra resources and add to it that the streets don't line up so that causes issues as well), or you're going to have to get out of the 4th Avenue Street Closure business. So, after speaking with staff and going over the cost as well as the ability to get fire and police down there in case of an emergency, we just don't have the capacity to do a complete street closure and that is why he is recommending discontinuing the 4th Avenue Halloween Street Closure.

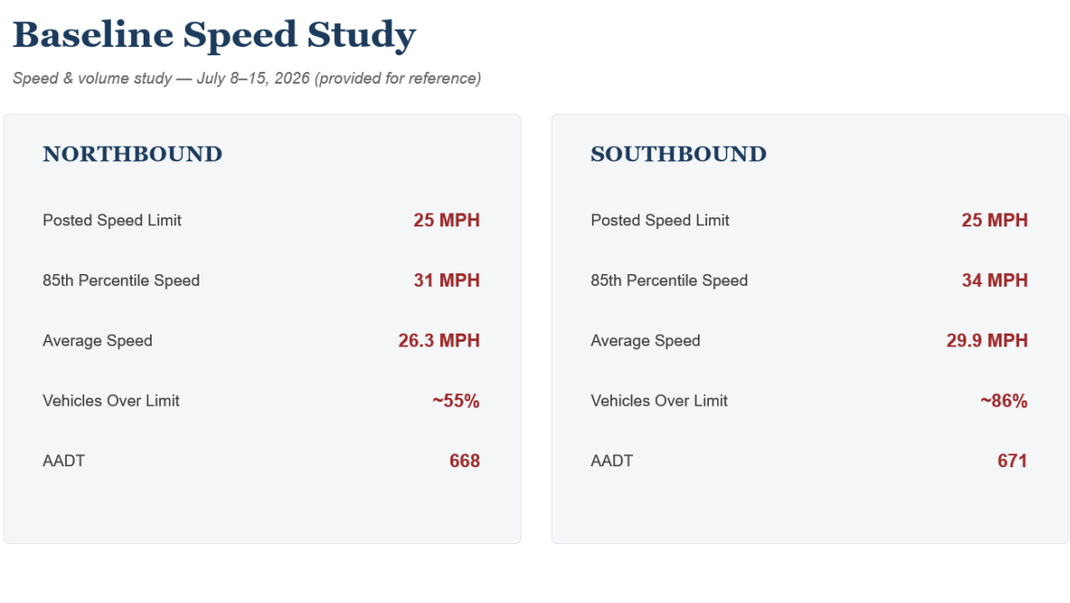
Council Member Jennifere Hensley moved that the City Council discontinue the 4th Avenue Halloween Street Closure. A unanimous vote of the Council followed. Motion carried.

C. Approval of On-Street Parking, Signage, and Pavement Marking Plan for S. Whitted Street and the Jordan Street/4th Street/Ecusta Trail Intersection – *Brent Detwiler, Assistant City Manager-Public Services*

Brent Detwiler gave the following PowerPoint presentation.







Key Improvements — S. Whitted Street

On-street parking, signing & pavement marking corridor

1

Revised On-Street Parking

"No Parking Any Time" zones with ~20' buffers to existing driveways for clear sight distance

2

Updated Sharrows

Shared-lane bicycle markings refreshed along the corridor to support cyclists

3

Advance Warning Signage

New STOP AHEAD sign for the northbound S. Whitted approach with pavement striping

4

Trail Crossing Visibility

Vegetation cleared for signage to maximize sight distance at the Ecusta Trail crossing

5

Speed Limit Reinforcement

Speed limit signage retained/confirmed along the corridor

6

Traffic Calming (future consideration)

Staff will assess how changes impact speeds and potentially come back with future speed calming recommendations

Final Design Layout

S. Whitted Street — On-Street Parking, Signing & Pavement Marking Plan



PRELIMINARY DESIGN — NOT RELEASED FOR CONSTRUCTION • Prepared by McAdams Company

Key Improvements — Jordan St / 4th Ave W

Intersection at the Ecusta Trail crossing

1

All-Way Stop Conversion

Install STOP (R1-1) signs with "ALL WAY" plaques on the Midway St and 4th Ave W approaches, completing four-way stop control at the intersection

2

Advance Warning Signage

New Stop Ahead (W3-1) signs added on multiple approaches to give drivers advance notice of the new stop control

3

Trail Crossing Protection

Ped Crossing Ahead (W11-15) and No Motor Vehicles signage reinforce the Ecusta Trail crossing for pedestrians and cyclists

Final Design Layout

Jordan St / 4th Ave W & the Ecusta Trail — Signing & Pavement Marking Plan



PRELIMINARY DESIGN — NOT RELEASED FOR CONSTRUCTION • Prepared by McAdams Company

Requested Action

SUGGESTED MOTION

Motion to adopt the resolution approving the Signing and Pavement Marking Plan and associated on-street parking regulations for S. Whitted Street and the Jordan Street / 4th Street / Ecusta Trail intersection, as presented.

Adoption of this resolution will:

- Approve the Signing and Pavement Marking Plan prepared by McAdams Company
- Authorize the City Manager, or designee, to install the parking regulations, traffic control devices, and markings shown, consistent with the MUTCD and N.C. Gen. Stat. § 136-30
- Direct staff to update the City's official Traffic Control and Parking Map

BUDGET IMPACT

N/A — covered under the annual operating budget.

PATH FORWARD

Staff will monitor speeds over the coming months; hardscaped bulb-outs or added traffic calming may follow if warranted.

City of Hendersonville | Public Services Requested Action

Questions?

Thank you — Staff respectfully request Council's approval of the attached resolution.

Council Member Lyndsey Simpson moved that the City Council adopt a resolution approving the Signing and Pavement Marking Plan and associated on-street parking regulations for S. Whitted Street and the Jordan Street/4th Street/Ecusta Trail intersection, as presented. A unanimous vote of the Council followed. Motion carried.

Resolution #R-26-78

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL APPROVING THE SIGNING AND PAVEMENT MARKING PLAN AND ON-STREET PARKING REGULATIONS FOR S. WHITTED STREET AND THE JORDAN STREET/4TH STREET/ECUSTA TRAIL INTERSECTION

WHEREAS, N.C. Gen. Stat. § 160A-300 authorizes the City to provide for the design, installation, and maintenance of traffic control devices upon its streets, and N.C. Gen. Stat. § 160A-301(a) authorizes the City to regulate, restrict, and prohibit the parking of vehicles on its streets by ordinance; and

WHEREAS, Sec. 50-181(a) of the City of Hendersonville Code of Ordinances authorizes the City Council to designate parking zones, stop streets and intersections, and other traffic control measures within the City, with such designations to be reflected on the City's official Traffic Control and Parking Map maintained pursuant to Sec. 50-199 of the Code; and

WHEREAS, the City engaged McAdams Company to evaluate traffic, parking, and multimodal safety conditions along S. Whitted Street and at the intersection of Jordan Street and 4th Street adjacent to the Ecusta Trail; and

WHEREAS, McAdams Company has prepared a Signing and Pavement Marking Plan recommending on-street parking revisions, updated shared-lane bicycle markings (sharrows), additional stop sign control, and other traffic control devices for S. Whitted Street and the Jordan Street/4th Street/Ecusta Trail intersection; and

WHEREAS, City staff have reviewed the recommended plan and find that it will improve traffic and pedestrian/bicycle safety, on-street parking management, and connectivity to the Ecusta Trail at both locations.

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

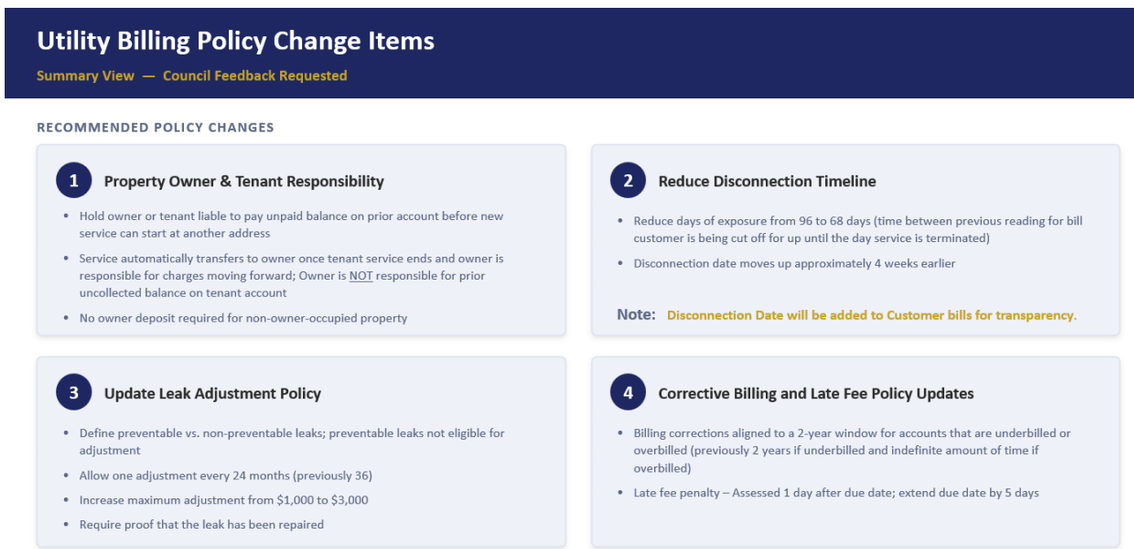
1. The City Council hereby approves the Signing and Pavement Marking Plan prepared by McAdams Company for S. Whitted Street and the Jordan Street/4th Street/Ecusta Trail intersection, attached hereto and incorporated herein by reference.
2. The City Council hereby approves the on-street parking regulations, traffic control devices, and pavement markings depicted on the attached plans, and authorizes the City Manager, or his designee, to cause said signage and markings to be installed in conformance with the Manual on Uniform Traffic Control Devices (MUTCD), consistent with N.C. Gen. Stat. § 136-30.
3. The Assistant City Manager – Public Services, or designee, is directed to update the City's official Traffic Control and Parking Map, maintained pursuant to Sec. 50-199 of the City Code, to reflect the parking regulations and traffic control devices approved herein.
4. The City Manager, or designee, is authorized to take all actions reasonably necessary to implement this Resolution.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of August, 2026.

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

D. Proposed Utility Billing Changes – *Krystal Powell, Finance Director*

Finance Director Krystal Powell gave the following PowerPoint presentation.



Late Fee Assessment Timing

Council Discussion — Late Fee Policy

CURRENT PRACTICE Due Date = 15 days from Bill Date • Late fee assessed 10 days after the due date (Total of 25 days)

A 20-Day Due Date

★ STAFF PROPOSAL

- Bills due = 20 days from bill date
- Late fee assessed 1 day after due date (Total of 21 days to pay)
- Consistent with industry best practice among neighboring municipalities

B 5-Day Grace Period

ALTERNATIVE 1

- Bills due = 15 days from bill date
- Late fee assessed 5 days after due date (Total of 20 days to pay)
- Keeps the current due date; only the late fee timing changes
- Not consistent with neighboring municipalities

C Keep Current Due Date

ALTERNATIVE 2

- Bills due = 15 days from bill date
- Late fee assessed 1 day after due date (Total of 16 days to pay)
- The 15-day due date is an aggressive approach compared to neighboring municipalities

FEEDBACK REQUESTED Which approach should staff move forward with — Option A, Option B, or Option C?

PATH TO ADOPTION

Implementation Timeline

Jul 22	Aug 6	Sep 3	Oct 1
Present at Workshop Meeting	Council Feedback Council Meeting	Proposed Adoption at Council Meeting	Effective Go-Live Date

WHAT TAKES EFFECT

- New customer contract terms
- Ordinance amendment
- Billing policy amendment
- Credit card fees absorbed by customer
- Disconnection 4 weeks earlier for unpaid account balances
- Collection efforts kick off
- New leak adjustment policy
- Other minor policy changes

IMPLEMENTATION STEPS

- ✓ Staff training
- ✓ Customer notification campaign (letters, social media, website, realtors, attorneys)
- ✓ New contracts process made easy — customers can complete electronically without visiting City Hall
- ✓ Late Fee and Delinquent Account Fee waived for 2 months for customers to get used to new processes

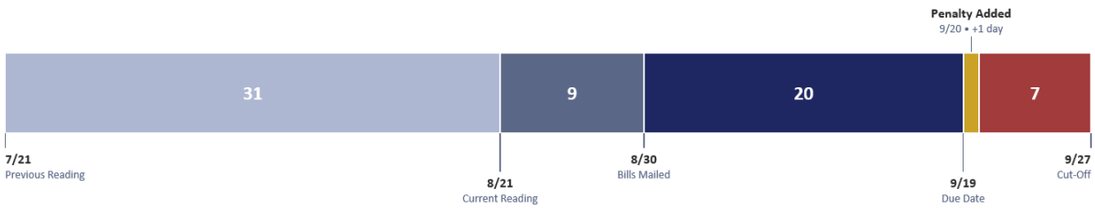
13

Days of Exposure Example

Reduce Disconnection Timeline

68 Days of Exposure

Time between previous reading for bill customer is being cut off for up until the day service is terminated.



Utility Billing and Collection Recommendations

July 22, 2026

Why Action Is Needed

$844,000

Total uncollected utility balance

92%

Of balances are 120+ days old

Balances aged past 120 days are historically very difficult to recover.

Outstanding Utility Receivables

Category	# of Accounts	Uncollected Balance
Inactive Accounts	4,800	$621,000
Suspended Accounts	240	$223,000
Total Outstanding	**5,040**	**$844,000**

Without intervention, these balances continue to grow — shifting costs onto paying customers and weakening the utility fund's financial position.

How Unpaid Balances Occur

Inactive Accounts	Customer moves out →	Final bill exceeds security deposit →	Remaining balance unpaid
Suspended Accounts	Service disconnected for nonpayment →	Charges continue accumulating →	Balance unpaid and continues to grow

Result

Large balances that age into uncollectible debt turning into missed utility revenue and bad-debt the utility fund must absorb.

What Have We Already Done?

Independent Utility Billing Business Review

- Reviewed operations, policy, security deposits & aging/collection processes
- Benchmarked against municipal utility best practices
- Delivered a roadmap of improvements

Strengthened Internal Operations

- Restructured Finance Dept. responsibilities
- Added dedicated collection specialist
- Increased focus on delinquent account management

Improved Collection Efforts

- Partnered with a professional collection agency
- Established formal collection procedures
- Expanded tools and ACH campaigns

Updated Security Deposit Requirements

- First comprehensive review in 7 years
- Better aligned deposits with customer risk & utility usage
- Reduces future bad debt and protects paying customers

Guiding Principles

Fiscal Responsibility

Protect utility revenues that fund City services and infrastructure.

Customer Fairness

Treat customers consistently and equally under policy and ordinance.

Operational Efficiency

Simplify administration and improve consistency across billing operations.

Governance & Compliance

Align contracts, policies, and ordinance with legal best practices.

Why Are We Proposing Changes?

These recommendations are designed to:

- Reduce bad debt and improve revenue recovery to help maintain affordable utility services
- Improve collection rates
- Protect utility revenues and support long-term rate stability
- Protect paying customers
- Provide consistency between Ordinance, Billing Policy, and Customer Contracts
- Legally protect the City

Recommended Council Actions

1. Clarify Property Owner and Tenant Responsibilities
2. Reduce Days of Exposure from 96 to 68 Days for Disconnection of Service
3. Update the Leak Adjustment Policy
4. Corrective Billing & Late Fee Policy Updates
5. Improve Collection Processes and Reduce Uncollectible Accounts
6. Align Ordinance, Billing Policy, and Customer Contract Terms

EXPECTED OUTCOMES

- ✓ Reduced bad-debt write-offs
- ✓ Increased legal & regulatory compliance for the City
- ✓ Fairer treatment across all customers
- ✓ Greater consistency across Ordinance, Billing Policy, & Customer Contract Terms
- ✓ Protect utility revenues

Property Owner & Tenant Responsibility

Current Challenge

When a tenant or owner leaves or stops service without paying the remaining balance, collection opportunities are very limited.

We have not been able to hold tenants or owners liable for these balances before they can request new service on a new property location.

KEY RECOMMENDATION

Proposed Solution

- Update contract terms that hold the property owner or tenant liable for paying balance on account before they can start service on a new account
- Service automatically transfers to owner once tenant service ends and owner responsible for charges
- No owner deposit for non-owner-occupied property
- Formal process to dispute amounts owed
- Ordinance, Policy & Contract updated to best practices

Result

- Improved collections
- Reduced bad debt
- Greater accountability

Reduction of Days of Exposure

Disconnection of Service for Unpaid Utility Accounts





28 Days Sooner

Approximately 4 weeks earlier

BENEFITS

- ✓ Multiple customer notifications remain in place (4 notices go out before customer disconnected)
- ✓ Earlier identification of delinquent accounts
- ✓ Lower unpaid balance accumulation
- ✓ Improved collections

Customer Benefit: Disconnection dates will now appear directly on bills

Giving customers a clear, visible deadline to pay on time and avoid service interruption

Leak Adjustment Requests

Eligible (Non-Preventable)

- ✓ Underground service line leaks between meter and structure
- ✓ Hidden plumbing or fixture failures, include running toilets
- ✓ Sudden pipe bursts
- ✓ Service line failures not attributable to customer action
- ✓ Internal leaks not visible or reasonably discoverable

Not Eligible (Preventable)

- ✗ Faucets or spigots left running
- ✗ Hoses left on
- ✗ Irrigation systems left operating unattended
- ✗ Customer negligence or misuse (e.g. improperly closed valves)

Goal: Provide relief for unexpected leaks while encouraging responsible water use.

Leak Adjustment Request Form — available on the City website under Customer Service

Leak Adjustment Policy

Current vs. Proposed

Current	Proposed
No language in current policy regarding preventable leaks vs non-preventable leaks	**Preventable Leaks will not be eligible for leak adjustment**
Eligible for one adjustment every 36 months	**Eligible for one adjustment every 24 months**
$5 minimum leak adjustment to qualify for processing	**$20 minimum leak adjustment to qualify for processing**
$1,000 maximum adjustment allowed water and sewer combined	**$3,000 maximum adjustment allowed water and sewer combined**
Proof of leak being repaired not currently required	**Require proof that leak has been repaired**
Large leaks require bills to be recalculated using the lowest volumetric rate, followed by a fixed dollar adjustment.	**Leak adjustments are calculated using each customer's normal water usage rate, providing a more equitable and consistent adjustment.**

10

Leak Adjustments: Current vs. Proposed

Sample Adjustment Comparisons

Current	Proposed	Difference
$190.78	$209.41	+$18.63
$83.62	$116.34	+$32.72
$2,839.23	$3,000.00	+$160.77

Most customers would see equal or improved assistance under the proposed policy.

FY26 DATA

429 leak adjustments totaling $216,585 | Average of $505 per adjustment

8.62% of leak adjustments exceeded $1,000

Fewer than 1% of leak adjustments were under $20

$216,585

Total leak adjustments issued in FY26

$505

Average adjustment amount

429

Adjustments processed

Corrective Billing & Late Fee Policy

Current vs. Proposed

Policy Area	Current	Proposed
Corrective Billing Adjustments	Two-year correction period if customer underbilled; indefinite correction period if customer overbilled.	**Two-year correction if customer underbilled and two-year correction if customer overbilled**
Late Fee Penalty	Assessed 10 days after due date	**Assessed 1 day after due date**

WHY THIS MATTERS

- ✓ Ensures corrective billing changes are applied consistently across all accounts
- ✓ Earlier delinquency signal supports faster collections
- ✓ Consistent with industry best practice on applying late fees

Benefits to the City

These initiatives are designed to reduce bad debt, improve collection rates, protect utility revenues, and minimize the financial burden placed on paying customers — while creating consistency between Ordinance, Billing Policy, and Customer Contracts.

A comprehensive update of the Customer Contract, Ordinance, and Billing Policy streamlines processes, incorporates industry best practices, strengthens collections and enforcement, and better protects the financial interests of the City and its customers.

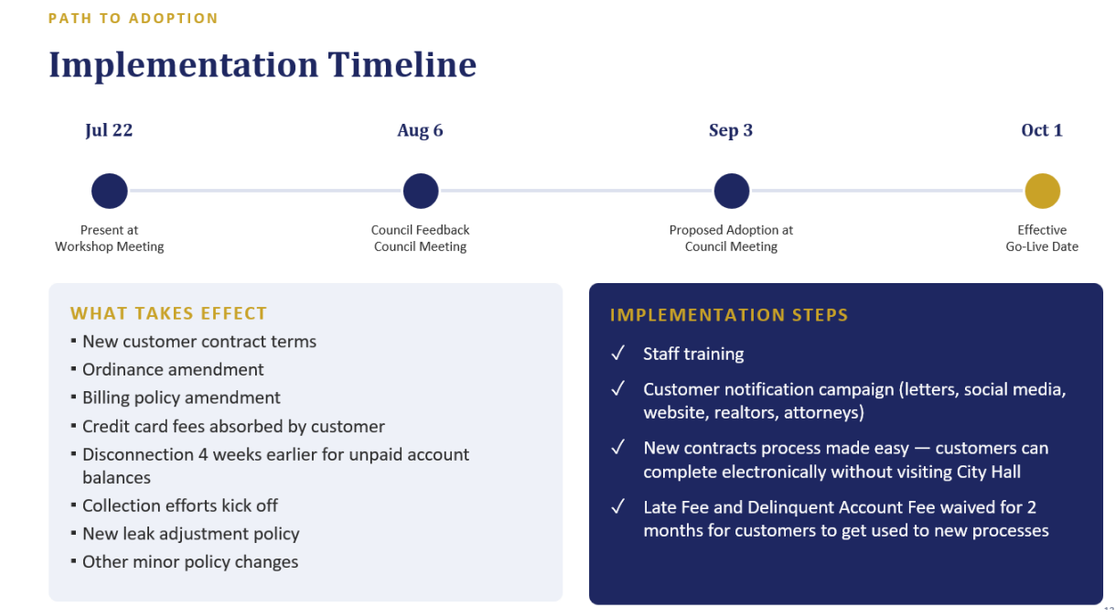
Helps keep the City legally compliant.

RESULTS

- **Fairer for Customers**
- **Consistent and Transparent Administration**
- **Reduced Financial Risk**
- **Sustainable Utility Operations**
- **Greater Rate Stability Over Time**

NEXT STEPS

Timeline, adoption process, and implementation actions





Council Member Lyndsey Simpson moved that the City Council adopt the recommendations of Option A below and direct staff to move forward with the public information now and bring the ordinance and policy changes back on the consent agenda for the September meeting for final approval. A unanimous vote of the Council followed. Motion carried.



E. Consideration of Community Advisory Committee Charter Rules of Procedure – *John Connet, City Manager*

City Manager John Connet said that upon direction of City Council, we are introducing a new advisory committee, the Community Advisory Committee. This will be a committee of citizens and residents of Hendersonville and possibly a greater area, whose purpose would be to advise City Council on matters of transparency, communication and engagement. They would serve as a committee for staff to take on complaints, for example utility billing or flock cameras or things that we can have a committee for citizens to help provide feedback to staff as we're developing policies and engaging the public, where we can do better with communication. Ultimately those things come to you, but this is an advisory committee to help us do some work. We are getting ready to revamp our service excellence program so this committee would help support service excellence as it relates to how we're dealing with external customers. Another thing that we need to work on is a very clear complaint process. If a citizen has a complaint, who does it go to, how do we track that the complaint has been addressed and how do we make sure that the citizen or community is notified how we respond to that complaint. So, we are proposing this Citizen Advisory Committee which will take place of the Diversity and Inclusion Committee. One of the questions for Council is how you would like the membership and the appointment of this committee. The terms of service are very typical for the rest of our committees, so we'll start out with a staggered appointment, and the rest of this charter is very similar to your other boards and committees. It would consist of 7 members, either totally at-large or my recommendation would be 4 city residents and 3 at-large, and the mayor would serve as city liaison and the mayor pro tem

serving as the alternate because this committee is really about engagement and working with the community.

Council member Simpson said she agreed with 4 city residents and 3 at-large members.

Mayor Volk asked the membership could read "at least" 4 city members.

Council Member Jennifer Hensley moved that the City Council approve the Community Advisory Committee Charter and Rules of Procedure as amended. A unanimous vote of the Council followed. Motion carried.

9. CITY MANAGER REPORT

City Manager John Connet reminded everyone that weather permitting, Splash Day is this coming Saturday, August 8th from 10am-1pm at Sullivan Park.

A. July 2026 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) BUDGET AMENDMENTS AND ADJUSTMENTS			Completed Proposed	Corrected Denied					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
010-0000-534999	Contingencies	100,000	-	18,440	81,560	Less than Lethal munitions	Yes	adjustment	7/14/2026
010-1300-521001	Supplies & Materials	154,500	18,440	-	172,940	Less than Lethal munitions	Yes	adjustment	7/14/2026

B. Mayor's Memories – *John Connet, City Manager*

August 7, 2014, it was a short meeting, we considered a budget and management position. It was our current Deputy City Managers (Brian Pahle) first promotion so that's a little ironic. Our Finance Director Lisa White updated our petty cash policy to make sure we were handling cash across the orgnaization properly and protecting the taxpayer's money. We had a public hearing around Grace Blue Ridge Church and Florence Street. I think we have finally settled that issue but there were a number of public hearings involving that. Another public hearing about rezoning two vacant parcels that also became part of Interfaith Assistance Ministry over on Freeman Street. One of our first formal budget documents were presented as a matter of information and we had formatted it for the GFOA award which we won that year. Parking at Half Moon Trail was a topic. We also had a consideration of parking issues with our first more modern comprehensive parking study with Dixon Unlimited when they came in and looked at how we were doing enforcement. Other things, pedestrian safety, the squaredance club at the Whitmire Center were on the agenda. Ironically, on August 11, 2014, there was a special joint meeting of the 7th Avenue Advisory Committee and the City Council. Steve Carricker was a champion of that area and he made sure that we had a special meeting where we had brought in an architect to look at facades and give some kind of free architecture work. They did a charrette and we invited the owners to comee over and we talked about how we can improve the area related to visibility, walking, and looking at the structure. The third meeting that month was the City Attorney's performance evaluation which is also ironic because we'll do that later this month. A lot of irony this month.

10. CITY COUNCIL COMMENTS

11. ADJOURN

City Council went into closed session at 8:01 p.m.

At 9:50 p.m. City Council came back into open session and Council Member Lyndsey Simpson moved that City Council accept the resignation of John Connet and appoint Brian Pahle as City Manager, both to be effective October 1, 2026 and authorize the mayor to negotiate and enter into an employment agreement with Mr. Pahle on behalf of City Council. A unanimous vote of the Council followed. Motion carried.

There being no further business, the meeting adjourned at 9:55 p.m. upon unanimous assent of the Council.

_____
Barbara G. Volk, Mayor

ATTEST:

_____
Jill Murray, City Clerk

MINUTES

August 26, 2026

SECOND MONTHLY MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 4:00 p.m.

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

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

1. CALL TO ORDER

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

2. CONSIDERATION OF AGENDA

City Manager John Connet asked that the following be amended on the agenda:

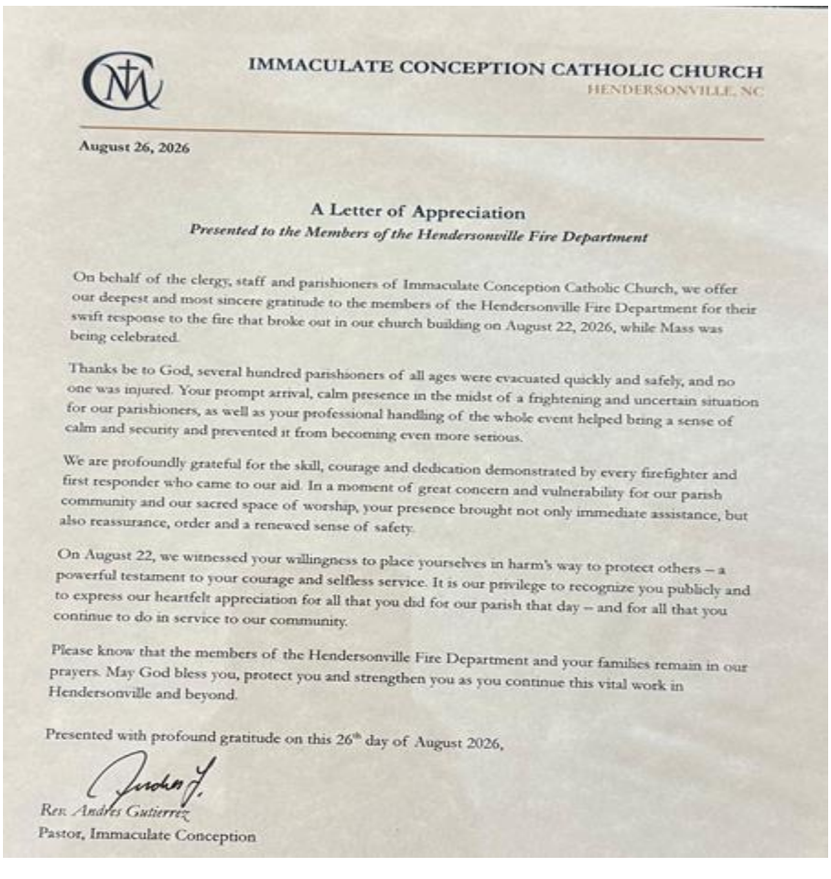
- ***Remove - Item A. Farmland Preservation Bond Referendum and move to next workshop meeting***
- ***Add – new item A. Letter of Appreciation from Immaculata Church***
- ***Add – Item E Lennie's Law Discussion***

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

3. PRESENTATIONS

A. Letter of Appreciation from Immaculata Church – *Jennifer Hensley, Mayor Pro Tem*

Rev. Andres Gutierrez of Immaculate Conception Catholic Church presented Fire Chief Justin Ward with a letter of appreciation for their swift response to a fire that broke out in their church building on August 22, 2026 while Mass was being celebrated.



IMMACULATE CONCEPTION CATHOLIC CHURCH
HENDERSONVILLE, NC

August 26, 2026

A Letter of Appreciation
Presented to the Members of the Hendersonville Fire Department

On behalf of the clergy, staff and parishioners of Immaculate Conception Catholic Church, we offer our deepest and most sincere gratitude to the members of the Hendersonville Fire Department for their swift response to the fire that broke out in our church building on August 22, 2026, while Mass was being celebrated.

Thanks be to God, several hundred parishioners of all ages were evacuated quickly and safely, and no one was injured. Your prompt arrival, calm presence in the midst of a frightening and uncertain situation for our parishioners, as well as your professional handling of the whole event helped bring a sense of calm and security and prevented it from becoming even more serious.

We are profoundly grateful for the skill, courage and dedication demonstrated by every firefighter and first responder who came to our aid. In a moment of great concern and vulnerability for our parish community and our sacred space of worship, your presence brought not only immediate assistance, but also reassurance, order and a renewed sense of safety.

On August 22, we witnessed your willingness to place yourselves in harm's way to protect others – a powerful testament to your courage and selfless service. It is our privilege to recognize you publicly and to express our heartfelt appreciation for all that you did for our parish that day – and for all that you continue to do in service to our community.

Please know that the members of the Hendersonville Fire Department and your families remain in our prayers. May God bless you, protect you and strengthen you as you continue this vital work in Hendersonville and beyond.

Presented with profound gratitude on this 26th day of August 2026,

Rev. Andres Gutierrez
Pastor, Immaculate Conception

B. Presentation Regarding Improvements to City Board and Commission Support – *John Connet, City Manager and Jenny Floyd, Assistant to the City Manager*

City Manager John Connet and Assistant to the City Manager Jenny Floyd gave the following PowerPoint presentation regarding revamping the boards and committees structure.



Desired Outcomes

Feedback on proposed changes

- Marketing
- Training
- On-Boarding
- Appointments

Council Concerns

Why

Strategic Plan

- Focus Area: Engaged and Educated Community
  - Big Rock: Overhaul of City Boards and Commissions

Increase Retention of Members

Empower Staff Assists

Background

Feedback

- Staff Assists
- Board/Committee Chairs

Themes

- A lack of understanding of role and time obligations
- A lack of board specific training
- A desire to have input on applicants
- Concerns with civility

Suggested Actions

Update Marketing

Board and Committee specific introduction videos and webpages clarifying roles, responsibilities, on-going projects, and typical tasks

Require Prerequisites

Prior to Applying

2 Board/Committee meetings

or

1 Board/Committee meeting & 1 Meeting with Staff Assist

Suggested Actions

Increase Training

- 1 on 1 on-boarding of new board member(s) by staff assist
- Yearly training for board members and staff assists
  - Procedural rules
  - Civility
  - Conflicts of Interest
  - Attendance Requirements
- Council Liaison
  - Roles and Responsibilities
- Support training via School of Government

Suggested Actions

Input on Appointments

- Share applications with Staff Assists for general comment
  - Final decision lies with Council
- Change Appointment Months
  - June > May
  - December > November

  This will allow for proper on-boarding of new members before their term begins

Suggested Actions

Professionalization

- Creation of yearly work plan
  - Identify events, policies, and projects
  - Budget requests
  - Identify alignment with City Strategic Plan
  - Adoption by Council along with Budget
- Semi-Annual Meeting with Staff Assists
- Annual Meeting with Chairs

Off-Boarding

Conduct exit interview or survey

Questions?

C. Draft Data Center Moratorium Plan – *Lew Holloway, Community Development Director*

Community Development Director Lew Holloway gave the following PowerPoint presentation.











D. Legislative Update – *John Connet, City Manager*

City Manager John Connet gave City Council an update on the short-session wrap-up from the North Carolina League of Municipalities.









NCLM LEGISLATIVE RESOURCES

League Bulletin
- Published weekly during Session
- Monthly during legislative interim

Other resources
- Member-driven policy agenda
- Relevant talking points
- Supplemental media

Upcoming advocacy events
- Legislative Summit (Sept. 30, 2026)
- Town & State Dinner (Feb. 17, 2027)



2026 POLICY DEVELOPMENT PROCESS

NCLM NC LEAGUE OF MUNICIPALITIES

September	Oct-Nov	December	January	February
Gather ideas NCLM membership	Refine ideas Legislative Policy Committee	Recommend ideas NCLM Board of Directors	Finalize ideas NCLM membership vote	Unite behind ideas NCLM members & legislators

NC POLITICAL LANDSCAPE



GROWTH …

N.C. Population: 11.2 M (est. '25)

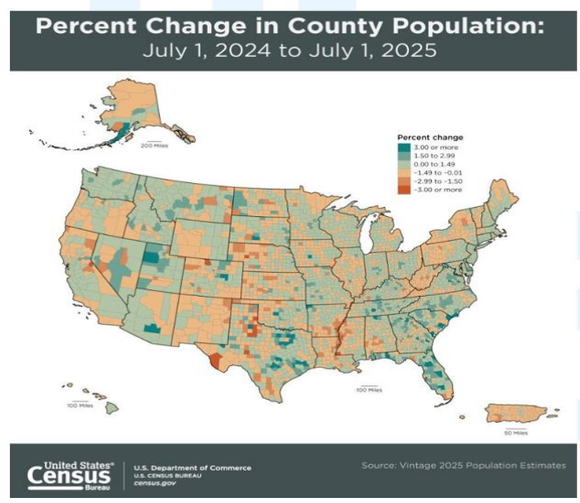
Since 2020: Added **757,000**

Percent Increase – **7.2%**

3rd fastest growth in country (# and %)

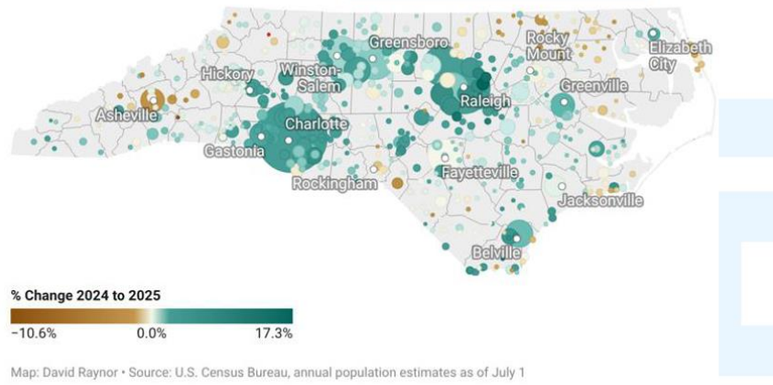
Currently, 9th largest state and projected to surpass Georgia and Ohio in early 2030s

Source: U.S. Census Bureau and N.C. Office of State Budget and Management



… BUT …

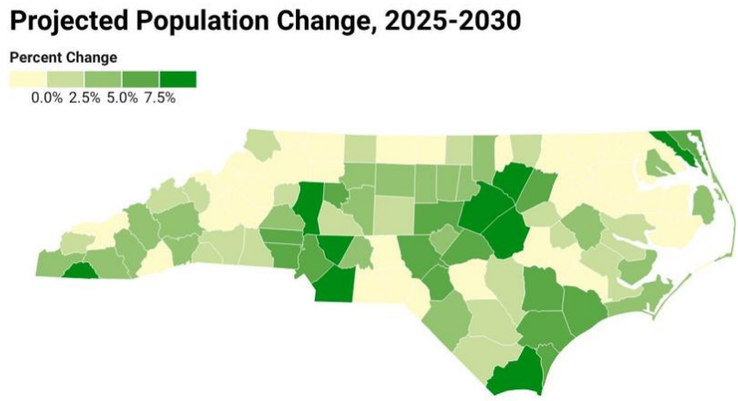
- Seven of the 10 fastest-growing NC cities in 2025 were in the Triangle area
- Small towns in western NC experienced the highest rate of population loss in 2024-25, due to Hurricane Helene



Map: David Raynor • Source: U.S. Census Bureau, annual population estimates as of July 1

… UNEVEN GROWTH.

- Urban and "halo" counties growing rapidly, while some* rural counties are losing population
- Helene slowed growth in mountain region
- Cities and towns continue to drive population growth



Map: NC Office of State Budget & Management • Source: NCOSBM, Vintage 2025 Population Projections • Created with Datawrapper

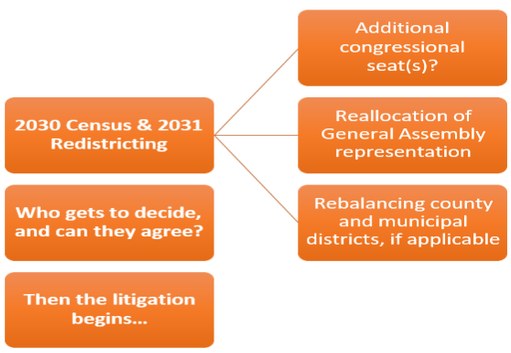
NC'S GROWING MUNICIPALITIES

- Charlotte gained more people in 2024-25 than any other city in the country. It is now the 14th largest city with 964,784 population.
- Raleigh's population now exceeds 500,000.
- Seventy percent of all NC municipalities added population in 2025, a decrease from the prior year.
- Hurricane Helene caused many of the population losses in NC cities in 2024-25.

Top Ten Fastest Growing NC Cities 2024-25	17% Wendell
	14% Zebulon
	13% Angier
	11% Four Oaks
	9% Rolesville
	7 % Bolivia
	6% Knightdale, Monroe, Navassa, Apex

Credit: Michael Cline, North Carolina State Demographer

POLITICAL IMPACT OF GROWTH



Urban representation should continue to grow

Rural Congressional Delegation

- 10 Republicans – all in geographically large rural districts
- 4 Democrats – only one in a rural district

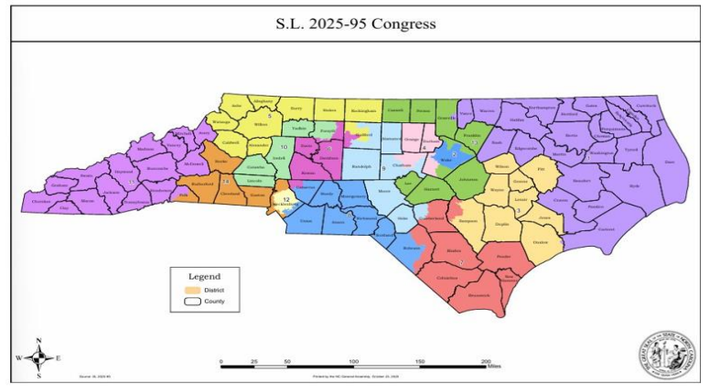
Urban NCGA Representation (30% of seats in top 3 counties)

- Mecklenburg: 6 Senators, 13 Reps
- Wake: 6 Senators,13 Reps
- Guilford: 3 Senators, 6 Reps

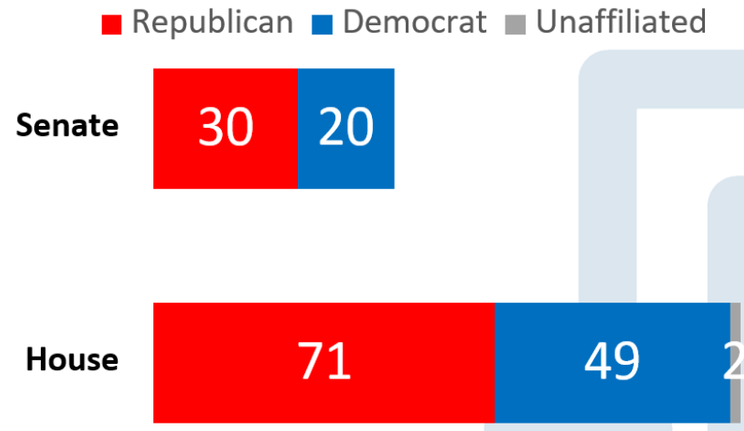
NC FEDERAL DELEGATION

2 Senators – both GOP
- Tillis (retiring)
- Budd

14 House Members
- 10 GOP, 4 DEM
- District 1 redrawn in 2025
- Impact of Louisiana v. Callais



NC LEGISLATURE 2025-2026



POLITICAL TRENDS

- POLLING
- NATIONALIZATION OF STATE POLITICS
- LEADERSHIP UNCERTAINTY

PROCEDURAL REALITIES

- TRUNCATED PROCEDURE
- SHORTENED WORK WEEK
- FEW LAWS PASSED IN 2025
- ONE BIG BEAUTIFUL BILL MODEL

STATE BUDGET CONTEXT

- NO COMPREHENSIVE BUDGET SINCE 2023
- GROWING MEDICAID PRESSURE
- HELENE RELIEF
- DESIRE TO LOWER INCOME TAXES

PRACTICAL IMPACTS

- Unpredictability
- Log Rolling
- Omnibuses
- Proposed Committee Substitute (Gut-and-replace)
- Contradictory Results
- Hostage Taking

"IT'S REALLY HARD TO STOP BAD THINGS RIGHT NOW."

- Anonymous Insider

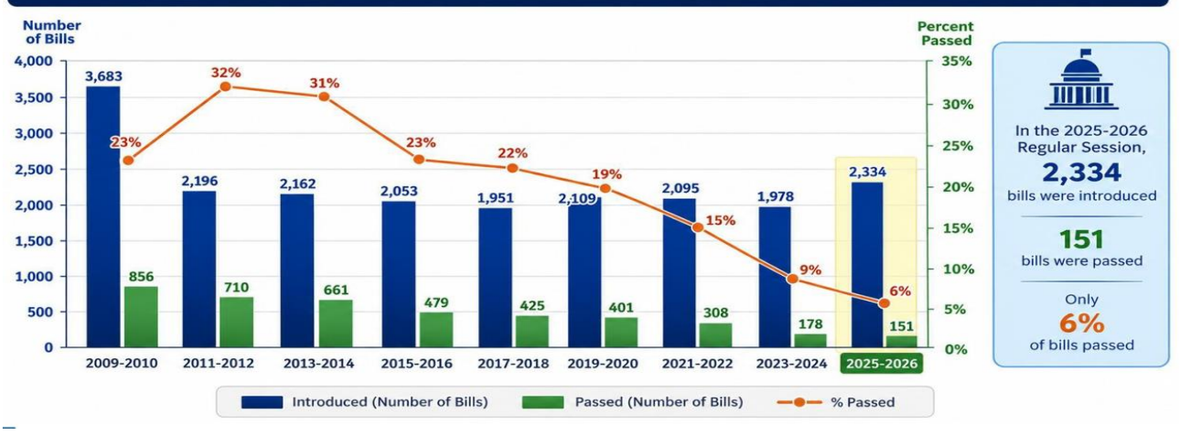
NCGA HISTORICAL BILLS INTRODUCED ('85 – PRESENT)

Number of bills introduced each biennium, reflecting long-term legislative trends.



NCGA Bills Passed by Regular Session

A look at introduced, passed, and percent passed over the past nine regular legislative sessions.



SESSION WRAP-UP



WAIT, WAIT, WHAT DID THEY DO?

- ✓ Passed a budget…
  …and the Governor signed it.
- ✓ Overrode some vetoes
- ✓ Added two more constitutional amendments on the 2026 ballot (total is now 3)
- ✓ Redrew the Congressional Map
- ✓ …and so much more!

LEGISLATIVE ISSUE RECAP

- Property Tax
- Infrastructure Investment
- Budget Special Provisions
- Downzoning
- Preemption Issues
- Land Use and Zoning
- Deannexation
- Local Elections
- Local Govt Oversight

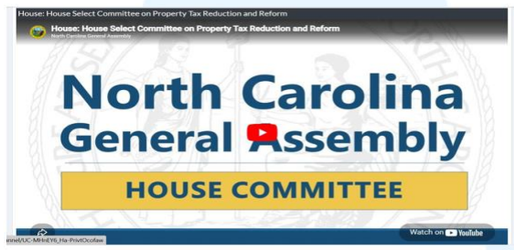
PROPERTY TAXES

House Select Committee on Property Tax Reduction & Reform

- Monthly meetings Dec 2025—April 2026
- Examined current local property tax system and potential reforms

Senate Property Tax Working Group

- Announced by Pres. Pro Temp Berger just before primary election
- Membership was only Republicans, with many having prior local government experience
- No public meetings



PROPERTY TAXES

mbly of North Carolina enacts:

ION 1. Subsection (5) of Section 2 of Article V of as rewritten:

~~es of property tax.~~ Property tax purposes, limitation. Th any county, city or town, special district, or other unit of perty, except for purposes authorized by general law u ate, unless the tax is approved by a majority of the qualifi The General Assembly shall enact general laws limiting t n property may increase, which may include exceptions."

ION 2. The amendment set out in Section 1 of this act s s of the State at the statewide general election to be held or all be conducted in accordance with the laws governing e used in the voting systems and ballots shall be:

"[ ] FOR [ ] AGAINST

tutional amendment requiring limits on property tax

- ✓ **Constitutional Amendment subject to voter approval provides:**

  "The General Assembly shall enact general laws limiting the amount by which the levy of taxes on property may increase, which may include exceptions."

- ✓ **Legislation forthcoming if approved**

- ✓ **Also "Truth in Taxation" is nearing the finish line**

PROPERTY TAXES

SB 889 Property Tax Reappraisal Moratorium (S.L. 2026-8)

- 12-month pause on using property revaluations from 2026
- SB 474 Adjust Counties/Reappraisal Moratorium (S.L. 2026-47) modified the counties to which the pause applied

HB 1042 Affordable Housing Exemption Mods

- Bill to close tax loophole utilized by multifamily owners
- Loophole reduces tax liability to nearly zero, with no corresponding creation of affordable housing



INFRASTRUCTURE INVESTMENTS

Earmarks | Very few "directed grants" over $1 million in budget

Transportation | Powell Bill protected, Charlotte regional transit tax

Water | Federal grant programs fully matched (SRFs, CDBG)

Contracting | New DEI laws and elimination of HUB office

BUDGET SPECIAL PROVISIONS

- SNAP error rate payment from county/municipal sales taxes
- Law enforcement officer $1,750 bonus
- Economic development reporting to State Auditor of expenditures over $25k
- Create a merged agency within the Dept. of Labor that combines 3 Building Code Councils
- Inter-basin transfer moratoriums and studies
- Shift appointment powers from Governor to NCGA or Council of State offices

DOWNZONING

Problematic Downzoning provision passed into law in 2024 (SB 382)

- Prohibits local governments from initiating down-zoning without written consent from all affected property owners
- Broadly defines "down-zoning" as any zoning amendment that reduces the density, permitted uses of a property or creates nonconformities

Senate Solution: SB 587 Clarify Nonconforming Uses

- Senate passed the bill in early May 2025
- House adopted a committee substitute to regulate “wake surfing”
- Harnett airport exemption; Mills River repeal; no action on statewide issue

PRE-EMPTION ISSUES

Minimum Lot Size	Residential in Commercial and Light Industrial	ADUs	Vested Rights	Fee Schedules Online
Shot Clocks	Parking Minimums	Stormwater	Home-based Businesses	Homelessness
Property tax	DEI	Deannexations	Elections Changes	Oversight hearings

LAND USE & ZONING

SB 445 Regulatory Reform Act of 2026 (S.L. 2026-59), SB 1047 Regulatory Reform Act

- Minimum lot size
- Residential in commercial/light industrial
- ADUs
- Vested rights
- Permit choice (became law in budget)
- Shot clocks
- Fee schedules online



HB 372 Home-Based Business Fairness Act (S.L. 2026-51)

- Must allow “no-impact” home-based businesses

HB 162 Parking Lot Reform/Stormwater Control (S.L. 2026-39)

- Parking minimum partial repeal

LAND USE LITIGATION

- Appeal from administrative zoning decisions w/o BoA decision+
- Association standing for appeal of zoning decisions+
- Extend the time for appeal of zoning decisions from 1 to 3 years+
- Establish new permit choice and vesting rights per legislative zoning decisions*
- Adds mandatory award of costs to prevailing party in a zoning decision*
- Prohibits withholding zoning permits to compel employment agreements+

* Provision included in bills that passed one chamber

+ Provision not considered in legislation by either chamber

HOMELESSNESS

HB 437 Drug-Free Zones/Unauthorized Public Camping

- Vetoed by Gov. Stein
- House must take first override vote
- Local governments may not allow public camping
  - May establish regulated camps
  - Allows residents and business owners to sue if local governments do not address public camping

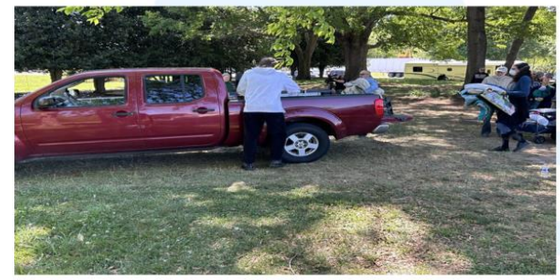


Photo credit: Greg Childress/NC Newsline

DEANNEXATION

By the numbers

- 11 single-city bills introduced
- One single-city bill enacted
- Four omnibus bills enacted that included de-annexations, impacting 17 cities
- Property tax debate leads to interest in legislation 2026

By the way…

- House advances a proposal to enact a de-annexation statute that would authorize municipal-level de-annexations
  - HB 199 Authorize Municipal Deannexation
  - Remains pending…



LOCAL ELECTIONS

Trend toward even-year and/or partisan elections

Bills this biennium affected cities statewide

Kannapolis, Albemarle, Moore County municipalities, Pink Hill, Bolivia, Belville, New Bern, Everetts, Snow Hill, Rural Hall, Catawba County municipalities, McDowell County municipalities, Kitrell, Asheboro, Madison, Faith, China Grove, Pamlico County Municipalities, Simpson, Monroe



LOCAL GOVERNMENT OVERSIGHT



NCLM

CASE STUDIES IN LAWMAKING TODAY

HB 437 Drug-Free Zones/Unauthorized Public Camping

April 2025	6/10/26	6/11/26	6/18/26	6/24/26	6/30/26	7/8/26
• Passed two House committees, passed House 76-36	• Senate Judiciary Cmte approves version including public camping ban in 160D	• Senate Health Care Cmte passes, amended	• Senate Rules Cmte passes	• Senate approves	• House approves	• Gov. Stein veto





E. Lennie's Law Discussion – *Jennifer Hensley, Mayor Pro Tem*

Mayor Pro Tem Jennifer Hensley talked about a coalition of people who have gotten together and would like the City of Hendersonville to pass a resolution in honor of Leonard Antonelli and Jacob Hill Bicycle Safety Zone Act of 2025 a/k/a Lennie's Law and would like the city to pass a resolution. She said the MPO unanimously adopted it last week. Consensus of Council was to draft a resolution and put it on the consent agenda at the next regular meeting.

Leonard Antonelli and Jacob Hill Bicycle Safety Zone Act of 2025
Aka: *Lennie's Law*

To honor the lives of Leonard Antonelli (Lennie, 27) and Jacob Hill (Jake, 32) - who tragically lost their lives on July 1st, 2025 when a commercial vehicle crossed the center line on a weekly group cycling ride near Asheville, NC on a popular cycling route - this bill proposes a simple solution to encourage and enforce stricter adherence to posted speed limits on popular cycling routes in North Carolina.

Similar to school zones with reduced speed limits and higher penalties for speeding, **Lennie's Law** proposes to designate certain popular cycling routes as **Bicycle Safety Zones** with higher penalties for speeding.

Local and State officials shall make road designations based on data of cycling related accidents and feedback from cycling groups in communities. Once a stretch of road is designated as a Bicycle Safety Zone, new signage should be put up along the route utilizing the existing "share the road" sign with this additional signage:

Bicycle Safety Zone
Fines Higher for Speeding
Next 15 Miles



This simple, cost effective measure will raise awareness of cyclists on the road and impose a greater penalty for disobeying posted speed limits - a leading cause of cyclist/vehicle related accidents.

It's time we had safer places to ride in Western North Carolina, and Lennie's Law is one easy piece of legislation that will move us further down the road in honor of two young cyclists who should still be riding today.

5. ADJOURN

There being no further business, the meeting adjourned at 5:18 p.m. upon unanimous assent of the Council. No further action was taken.

_____
Barbara G. Volk, Mayor

ATTEST:

_____
Jill Murray, City Clerk

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 9/3/26

AGENDA SECTION: CONSENT, **DEPARTMENT:** Administration

TITLE OF ITEM: Consideration of Ordinance Amending Section 36-87 of the Hendersonville City Code Related to City Manager Authority to Authorize City Employees to Carry Concealed Weapons on Duty – *John Connet, City Manager*

SUGGESTED MOTION(S):

I move that the City Council adopt the Ordinance to amend Section 36-87 of the Hendersonville City Code.

SUMMARY:

The City Council previously granted the City Manager the authority to permit City employees to carry concealed weapons on duty. This authority was granted prior to 2019 and in my opinion no longer necessary. Due to liability concerns, I am recommending that this authority be rescinded prior to my departure as City Manager.

BUDGET IMPACT: $ NA

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

If no, describe how it will be funded. NA

ATTACHMENTS:

Proposed Ordinance

Ordinance #___-____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND SECTION 36-87 OF THE CODE OF ORDINANCES TO ELIMINATE THE CITY MANAGER'S AUTHORITY TO PERMIT NON-SWORN CITY EMPLOYEES TO CARRY CONCEALED WEAPONS WHILE ON DUTY

WHEREAS, the City Council previously granted the City Manager authority to permit non-sworn employees to carry concealed weapons while performing city duties; and

WHEREAS, this authority was granted under a former Police Chief and City Attorney, and without consultation with our insurance carrier; and

WHEREAS, additional safety measures (body cameras) are now available to all City employees to ensure that any inappropriate interactions are recorded in a manner that protects the employee; and

WHEREAS, law enforcement is always available to accompany employees when necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that Section 36-87 of the Code of Ordinances for the City of Hendersonville shall be amended to add a new subparagraph (a) as follows:

Sec. 36-87. Weapons on city-owned or city-maintained property.

(a) *Carry of certain weapons prohibited.*

(1) *Prohibited acts.* Except as provided in subsection (b) of this section, all persons are prohibited from possessing firearms as defined in G.S. 14-415.10 in city government buildings and their appurtenant premises.

(2) Where posted, the carrying of a concealed handgun on city government recreational facilities identified specifically as follows is hereby prohibited:

a. Patton Park athletic fields including any appurtenant facilities such as restrooms, during an organized athletic event, if the fields have been scheduled for use with the city department of public works;

b. Patton Park swimming pool, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool;

c. Boyd Park and Patton Park tennis courts during organized athletic events, if the courts have been scheduled for use with the city department of public works;

d. William H. King Park baseball field including any appurtenant facilities such as restrooms, during an organized athletic event, if the field has been scheduled for use with the city department of public works;

e. Sullivan Park basketball facility including appurtenant facilities such as restrooms, during an organized athletic event, if the facility has been scheduled for use with the city department of public works;

f. Whitmire Activity Center shuffleboard courts including appurtenant facilities such as restrooms, during an organized athletic event, if the courts have been scheduled for use with the city department of public works.

(b) Exceptions. This prohibition of subsection (a) of this section shall not apply to the following persons:

(1) Officers and enlisted personnel of the armed forces of the United States when discharging their official duties as such and acting under orders requiring them to carry arms and weapons;

(2) Civil officers of the United States while in the discharge of their official duties;

(3) Officers and soldiers of the national guard when called into actual service;

(4) Sworn law enforcement officers;

(5) County animal control officers while in the discharge of their official duties as such and acting under orders requiring them to carry arms and weapons;

(6) Employees of the city, a utility company, or a contractor to the city, may possess tools approved by their employer so long as such tools are not used as a weapon; and

(7) Persons possessing a written permit from the chief of police to possess weapons for ceremonial purposes or funerals.

~~(8) City employees with a valid North Carolina concealed carry permit and prior approval which may be granted by the city manager in consultation with the chief of police in such places and under such circumstances as the city manager may from time to time designate. The city manager is hereby authorized and directed to draw up and keep current from time to time such policies for the carrying of concealed weapons as the city manager, in consultation with the chief of police, may determine is in the interest of the health, safety and welfare of the city.~~

(c) In addition to any other remedy available, violation of this section is also a misdemeanor as provided in section 1-6.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September 2026.

Attest: Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst III

MEETING DATE: 09/03/2026

AGENDA SECTION: CONSENT AGENDA

DEPARTMENT: Public Services

TITLE OF ITEM: Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*

SUGGESTED MOTION(S):

I move that City Council approve city staff's plan to apply to the NC DOC CDBG-DR ReNew NC Infrastructure grant program for the Waste Water Treatment Facility Mitigation Project.

SUMMARY:

The United States Department of Housing and Urban Development announced that North Carolina will receive $1.4 billion dollars in funding to support long-term recovery efforts following Hurricane Helene. The Community Development Block Grant Disaster Recover (CDBG-DR) funding program is designed to address needs that remain after all other assistance has been exhausted. We plan to submit a grant application for the Waste Water Treatment Facility Mitigation Project to complete necessary repairs and reconstruction activities to restore the damaged Waste Water Treatment Facility infrastructure back to pre-disaster standards.

BUDGET IMPACT: **Grant Maximum award amount is $15 million. No match required.**

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Blake Fulgham, Management Analyst III

MEETING DATE: 09/03/2026

AGENDA SECTION: CONSENT AGENDA

DEPARTMENT: Public Services

TITLE OF ITEM: Plan to Apply for the Department of Commerce ReNew NC Grant Program - *Blake Fulgham, Management Analyst III*

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BUDGET IMPACT: **Grant Maximum award amount is $15 million. No match required.**

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

If no, describe how it will be funded. N/A

ATTACHMENTS:

N/A

Resolution #__-____

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF APPLICATION FOR THE RENEW NC CDBG-DR GRANT PROGRAM FOR THE HENDERSONVILLE WASTEWATER TREAMENT FACILITY MITIGATION PROJECT

WHEREAS, the United States Department of Housing and Urban Development announced the State of North Carolina will receive $1.4 billion in funding to support recovery efforts following Hurricane Helene.

WHEREAS, eligible communities must be located within a "Most-Impacted and Distressed" area defined by HUD or the State of North Caroline.

WHEREAS, the City of Hendersonville wishes to pursue funding opportunities that would allow the City to restore, repair, and/or replace critical infrastructure on public property and provide safe access to these properties.

WHEREAS, the City's financial resources have limited the City's ability to fund restorative and repair projects as well as implement necessary mitigation measures to increase resiliency to future weather-related disasters.

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

1. The City hereby endorses the application for the ReNew NC Infrastructure Grant Program and staff assistance for the duration of the project; and
2. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September, 2026.

_____

Attest: Barbara G. Volk, Mayor, City of Hendersonville

_____

Jill Murray, City Clerk

Approved as to form:

_____

Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Richard Shook **MEETING DATE:** 09/03/2026

AGENDA SECTION: Consent Agenda **DEPARTMENT:** Engineering

TITLE OF ITEM: Hendersonville City Hall 2026 Roofing and Façade Repairs Tentative Award– *Richard Shook, Assistant Engineering Director*

SUGGESTED MOTION(S):

I move City Council adopt the *Resolution Authorizing the City Manager to Execute a Tentative Contract Award with Exterior Diagnostic Services, LLC* for $1,063,027.81 and Authorize the City Manager to Approve Change Orders for the Hendersonville City Hall – Roofing and Façade Repairs project as presented.

SUMMARY:

The City of Hendersonville received and opened seven (7) bids for Hendersonville City Hall – Roofing and Façade Repairs project on August 13h, 2026. *Exterior Diagnostic Services, LLC* was the lowest bidder.

BUDGET IMPACT: $0

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

If no, describe how it will be funded

ATTACHMENTS:
Resolution
Bid Tabulation

CERTIFIED BID TABULATION

HENDERSONVILLE CITY HALL - 2026 ROOFING AND FAÇADE REPAIRS

Hendersonville Project No#:	**Date:** 08/13/2026	**Notes:** Bidding Contractors are listed alphabetically from left to right. There were seven (7) total bidders.
Construction Budget: N/A	**Time:** 2:00 pm	This Certified Bid Tabulation reflects the values provided on the Contractor-submitted Bid Proposal Forms and the amounts reported at the bid opening. The certification of this tabulation is limited to confirming that the values shown herein accurately reflect the amounts submitted and/or reported at the bid opening and does not constitute verification or certification of the accuracy of the Contractors' calculations.
SKA Project No.: 230370.0	**Location:** Hendersonville City Hall Public Works Department 305 Williams Street, Hendersonville, North Carolina 28792	

DOCUMENT REVIEW AND TOTAL LUMP SUM BASE BID

CONTRACTOR:	Black and Alm Construction, LLC	Carolina Restoration & Waterproofing Inc.	Exterior Diagnostic Services, LLC	Kennedy Richter Construction, LLC	Owens Roofing Inc.	Queens Waterproofing and Restoration, LLC	WxTite, LLC
LICENSE NO.	86049	34577	53582	99388	24442	102250	83433
SIGNED AND/OR SEALED BID FORM:	Yes	Yes	Yes	Yes	Yes	Yes	Yes
ADDENDUM 1 ACKNOWLEDGED:	Yes	Yes	Yes	Yes	Yes	Yes	Yes
ADDENDUM 2 ACKNOWLEDGED:	Yes	Yes	Yes	Yes	Yes	Yes	Yes
BID BOND w/ POWER OF ATTORNEY	Yes	Yes	Yes	Yes	Yes	Yes	Yes
SIGNATURE PAGE OF SUPPLEMENTARY CONDITIONS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
BIDDERS QUALIFICATION FORM	Yes	Yes	Yes	Yes	Yes	Yes	Yes
TOTAL BASE BID:	**$1,953,002.50**	**$2,417,475.00**	**$1,063,027.81**	**$1,242,344.69**	**$2,634,358.00**	**$1,154,078.00**	**$1,554,734.00**
LUMP SUM BASE BID ITEMS							
Lump Sum Item 1: General Conditions.	$472,786.00	$342,539.00	$99,485.06	$208,197.03	$118,753.00	$114,888.00	$171,937.00
Lump Sum Item 2: Staging and Access.	$50,400.00	$245,048.00	$15,024.81	$60,957.80	$28,922.00	$46,250.00	$100,896.00
Lump Sum Item 3: New KEE Roofing System.	$768,499.00	$643,500.00	$588,652.01	$415,741.53	$931,877.00	$474,271.00	$311,982.00
Lump Sum Item 4: New Chimney Cap.	$1,792.00	$2,469.00	$1,696.81	$2,654.57	$5,000.00	$8,500.00	$500.00
Lump Sum Item 5: Remove Metal Grates.	$280.00	$2,940.00	$848.94	$550.99	$5,000.00	$2,500.00	$140.00
Lump Sum Item 6: Install New Scupper, Collector Head, and Downspout at Area 6.	$2,800.00	$8,016.00	$2,033.63	$5,044.66	$2,500.00	$3,500.00	$2,300.00
Lump Sum Item 7: Remove Red-Colored Coating.	$87,360.00	$147,200.00	$26,658.13	$23,931.38	$189,422.00	$50,400.00	$90,546.00
Lump Sum Item 8: Sealant at Parapet Capstone.	$16,800.00	$11,550.00	$3,715.56	$7,620.91	$26,425.00	$3,150.00	$6,305.00
Lump Sum Item 9: Lintel Repairs at Window Head.	$3,920.00	$10,580.00	$873.38	$2,345.26	$8,942.00	$4,760.00	$3,465.00
Lump Sum Item 10: Structural Steel Support System.	$128,800.00	$399,256.00	$149,035.81	$235,013.35	$976,452.00	$258,229.00	$568,600.00
Lump Sum Item 11: Electrical Allowance	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00	$10,000.00
LUMP SUM COST SUBTOTAL	**$1,543,437.00**	**$1,823,098.00**	**$898,024.13**	**$972,057.48**	**$2,303,293.00**	**$976,448.00**	**$1,266,671.00**

UNIT RATE BASE BID ITEMS

Unit Rate 1: Remove Damaged 2x Nailes and Install New (50 Board Feet).	4.95	$247.50	$34.00	$1,700.00	$5.93	$296.44	$9.78	$489.00	$3.50	$175.00	$4.30	$215.00	$7.00	$350.00
Unit Rate 2: Restore Rusted but Sound Decking (20 SF).	$5.75	$115.00	$458.00	$9,160.00	$12.14	$242.89	$9.20	$184.00	$2.00	$40.00	$5.00	$100.00	$37.50	$750.00
Unit Rate 3: Repair Discrepant Decking (20 SF).	$12.65	$253.00	$602.00	$12,040.00	$18.22	$364.44	$13.80	$276.00	$5.00	$100.00	$11.00	$220.00	$37.50	$750.00
Unit Rate 4: Replace Discrepant Decking (20 SF).	$24.15	$483.00	$1,499.00	$29,980.00	$23.53	$470.69	$24.15	$483.00	$20.00	$400.00	$21.00	$420.00	$48.75	$975.00
Unit Rate 5: Repair Damaged Concrete Roof Deck (50 SF).	$46.00	$2,300.00	$80.00	$4,000.00	$75.89	$3,794.72	$92.00	$4,600.00	$100.00	$5,000.00	$40.00	$2,000.00	$31.25	$1,563.00
Unit Rate 6: Install New Overflow Scuppers (21 EA).	$4,370.00	$91,770.00	$10,257.00	$215,397.00	$1,214.31	$25,500.51	$358.80	$7,534.80	$250.00	$5,250.00	$352.00	$7,392.00	$2,875.00	$60,375.00
Unit Rate 7: Tuckpoint 70% of Mass Masonry Wall Area (14,000 LF).	$19.51	$273,140.00	$16.00	$244,000.00	$7.75	$108,438.75	$15.22	$213,080.00	$13.00	$182,000.00	$9.65	$135,100.00	$10.75	$150,500.00
Unit Rate 8: Replace Spalled Brick Units (300 EA).	$36.43	$10,929.00	$79.00	$23,700.00	$27.24	$8,172.75	$36.15	$10,845.00	$95.00	$28,500.00	$57.80	$17,340.00	$56.00	$16,800.00
Unit Rate 9: Remove and Salvage Brick Units (800 EA).	$37.91	$30,328.00	$93.00	$74,400.00	$22.15	$17,722.50	$38.55	$30,840.00	$137.00	$109,600.00	$17.87	$14,296.00	$70.00	$56,000.00
Unit Rate 10: General Conditions (0 Days).	$920.00	$0.00	$3,800.00	$0.00	$425.00	$0.00	$1,955.41	$1,955.41	$1,000.00	$0.00	$547.00	$547.00	$2,000.00	$0.00
UNIT RATE COST SUBTOTAL	**$409,565.50**		**$594,377.00**		**$165,003.68**		**$270,287.21**		**$331,065.00**		**$177,630.00**		**$288,063.00**	

I certify that the above bids were received via mail or delivered in person prior to 2:00 pm on August 13, 2026, that the bids were opened publicly, were read aloud at the time and place indicated, and that this is a true and correct tabulation of all bids received for this project.

Eric A. Couch, PE - Senior Project Engineer

Printed Name and Title

08/18/2026

Signature

Resolution #R-XXXXX

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF HENDERSONVILLE CITY HALL 2026 ROOFING AND FAÇADE REPAIRS

WHEREAS, the City of Hendersonville, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the Hendersonville City Hall 2026 Roofing and Façade Repairs and

WHEREAS, the City Engineer reviewed each bid for completeness and accuracy; and

WHEREAS, *Exterior Diagnostic Services, LLC* was the lowest bidder for the 2026 Hendersonville City Hall 2026 Roofing and Façade Repairs project, and

WHEREAS, the City Engineer recommends **TENTATIVE AWARD** to the lowest bidder for the project cost.

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

1. The City Manager is authorized to execute a contract for the construction of the Hendersonville City Hall 2026 Roofing and Façade Repairs to *Exterior Diagnostic Services, LLC* in the total amount of $1,063,027.81

2. The City Manager is authorized to approve change orders which, cumulatively, do not exceed 10% of the approved contract amount of $1,169,330.59 provided that any necessary amendments must be brought to the City Council for approval.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September 2026.

Attest: _____ Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Krystal Powell **MEETING DATE:** 9/3/2026

AGENDA SECTION: Consent **DEPARTMENT:** Finance

TITLE OF ITEM: Approval of United Financial, a Division of HomeTrust Bank to Provide Installment Financing for Vehicles and Equipment in Fiscal Year 2027– *Krystal Powell, Finance Director*

SUGGESTED MOTION(S):

I move that City Council adopt the Resolution to Approve Financing Terms for the Purchase of Vehicles and Equipment as presented.

SUMMARY:

As detailed in the Capital Improvement Plan, the City has or will purchase vehicles and equipment totaling $1,425,350 to be financed. Staff is requesting that we again use United Financial for this financing. We used United Financial as well to finance our FY2026 vehicle and equipment purchases.

The financing agreement, terms proposed are as follows:

Proposal #1: 4 years at a principal amount not to exceed $1,175,350 with an annual rate of 4.05%

Proposal #2: 7 years at a principal amount not to exceed $250,000 with an annual rate of 4.27%

BUDGET IMPACT: $1,425,350

Is this expenditure approved in the current fiscal year budget? No

If no, describe how it will be funded. Capital Project Budget # VE027 – Debt Proceeds

ATTACHMENTS:

Resolution

Proposal #1

Proposal #2

Resolution #__-____

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

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

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

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

1. The City of Hendersonville herby determines to finance the purchase of a vehicles and equipment through United Financial, in accordance with the proposal dated August 18, 2026. The amount financed shall not exceed $1,175,350 with an annual interest rate of 4.05% for a term of 4 years.

2. The City of Hendersonville herby determines to finance the purchase of a vehicles and equipment through United Financial, in accordance with the proposal dated August 18, 2026. The amount financed shall not exceed $250,000 with an annual interest rate of 4.27% for a term of 7 years.

3. All financing contracts and all related documents for the closing of the financing shall be consistent with the foregoing terms. City staff are hereby authorized to and directed to execute and deliver any financing documents, and to take all such action as they may consider necessary to carry out the financing as contemplated by the proposal and this resolution.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____, 20____.

_____
Barbara G. Volk, Mayor, City of Hendersonville

Attest:

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

United Financial
A Division of HomeTrust Bank
324 Ridgefield Court
Asheville, NC. 28806

August 18, 2026

City of Hendersonville, NC
160 Sixth Ave. E
Hendersonville, NC 28792
ATT: Krystal Powell, CLGFO
Finance Director

Amended Proposal to Reimbursement or Fund the Acquisition & Finance of: Various pieces of rolling stock (Vehicles and motorized equipment)

Dear Krystal,

As per your request, we are enclosing our proposal for the above captioned transaction. This transaction is structured on a four-year basis with eight (8) semi-annual payments beginning six months after funding and each six months thereafter. This transaction is calculated at an annual percentage rate of 4.05%. Terms assume a Bank Qualified Tax-Exempt transaction and may require LGC approval.

United Financial will take a security interest only in the vehicles and equipment we are financing. There are no direct bank closing costs or origination fees related to the transaction, and the rate is fixed for the duration of the financial commitment. Please review the PAYMENTS section of the attached proposal regarding rate lock-in periods and rate adjustment terms. The concluding payment on the enclosed repayment schedule is calculated at 101% of the outstanding balance for the first four payments followed by 100% of the outstanding balance for the remainder of the term. The bank will also document on the same forms as our previous equipment/rolling stock transactions for the City. We will provide them for your review and execution.

If you have any questions or need additional information, please contact me at your convenience. Thank you for the opportunity to provide this proposal to you.

Very truly yours,

John M. Tench

John M. Tench
Senior Vice President
Director of Municipal Finance

Ph. #/828-684-5643
Fax #/828-684-5616

United Financial
A Division of HomeTrust Bank
324 Ridgefield Court
Asheville, NC 28806

August 18, 2026

City of Hendersonville, NC
160 Sixth Ave. E
Hendersonville, NC 28792
ATT: Krystal Powell, CLGFO
Finance Director

Amended Proposal to Reimbursement or Fund the Acquisition & Finance of: Various pieces of rolling stock (Vehicles and motorized equipment)

Dear Krystal,

As a follow-up to your recent request for a proposal regarding the above-mentioned transaction, United Financial is pleased to offer a finance proposal as follows:

LENDER:	United Financial, ***A Division of HomeTrust Bank***
BORROWER:	City of Hendersonville, NC
COLLATERAL:	Equipment described above.
AMOUNT:	Up to $1,175,350.00
START DATE:	Immediately upon funding
TERM:	Four Years
PAYMENTS:	Option 1: Payments will consist of eight (8) semi-annual payments of $160,619.72 comprised of principal and interest
EXPIRATION:	Payment terms quoted herein are subject to transaction being documented by 10/18/2026.
LEGAL TITLE:	Legal Title to the Equipment during the Term shall vest in the Borrower with Lendor perfecting a first security interest through Equipment Title, UCC, or other filing instruments as may be required by law.
OPERATIONAL COSTS:	All costs and responsibility of maintenance, insurance, taxes and other items of a similar nature shall be for the account of the Borrower.
INSURANCE:	Borrower shall provide evidence of insurance coverage at the time of delivery of the Equipment, in accordance with the provisions of the Financing Agreement.
FINANCIALS:	Borrower shall furnish Lender with its last three, (3) fiscal years financial statements and its latest interim financial statements, plus such other pertinent information as Lender may reasonably request.

Phone 828-684-5643
Fax 828-684-5616

APPROVAL: Closing of the transaction(s) described herein, and the implementation thereof, is expressly conditioned upon approval of Lendor's Senior Loan Committee, the receipt, review and acceptance of properly executed documentation acceptable to Lender, and the absence of any material adverse change in Borrower's financial condition prior to deliver and acceptance of the Equipment.

ACCEPTANCE: Borrower acknowledges that the terms and conditions of this proposal are satisfactory and that upon execution hereof by Borrower this proposal shall constitute a valid and binding obligation of Borrower. As further condition to Lendor's approval hereof, Borrower must acknowledge its acceptance of this proposal by signing below in the space provided and returning it to the Lender by 09/18/2026.

TERMS PRESENTED IN THIS PROPOSAL SHALL SURVIVE CLOSING.

Important Information You Need to Know About Opening a New Account

To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify, and record information that identifies each individual or business that opens an account.

What This Means for You

When you open an account, we may ask for your name, address, date of birth, and other information that allows us to identify you. We may also ask to see your driver's license or other identifying documents.

If you determine that this finance structure meets the needs of your organization, please have the appropriate officer indicate the chosen option, place their signature at the bottom of this page, and return it to us via fax, email or US Postal Service. Upon receipt of the signed proposal, we will be in touch with you to make provision for documenting the finance. Thank you for the opportunity to submit this proposal letter for your review and approval. Should you have any questions or comments regarding the terms and conditions, or if we can be of any further assistance to you, please do not hesitate to call.

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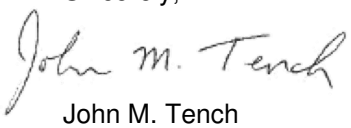
Sincerely,



John M. Tench
Senior Vice President
Director of Municipal Finance

ACCEPTED BY:

SIGNATURE: _____

NAME: _____**TITLE:** _____ **DATE:** _____

City of Hendersonville, NC Repayment Schedule B

Compounding Period: Semiannual

Nominal Annual Rate: 4.050%

Cash Flow Data - Loans and Payments

	Event	Date	Amount	Number	Period	End Date
1	Loan	09/15/2026	1,175,350.00	1		
2	Payment	03/15/2027	160,619.72	8	Semiannual	09/15/2030

TValue Amortization Schedule - Normal, 360 Day Year

	Date	Payment	Interest	Principal	Concluding Payment
Loan	09/15/2026			1,175,350.00	
1	03/15/2027	160,619.72	23,800.84	136,818.88	1,048,916.43
2	09/15/2027	160,619.72	21,030.26	139,589.46	907,931.08
3	03/15/2028	160,619.72	18,203.57	142,416.15	764,090.77
4	09/15/2028	160,619.72	15,319.64	145,300.08	617,337.68
5	03/15/2029	160,619.72	12,377.31	148,242.41	462,983.02
6	09/15/2029	160,619.72	9,375.41	151,244.31	311,738.71
7	03/15/2030	160,619.72	6,312.71	154,307.01	157,431.70
8	09/15/2030	160,619.72	3,188.02	157,431.70	0.00
Grand Totals		**1,284,957.76**	**109,607.76**	**1,175,350.00**	

Last interest amount increased by 0.03 due to rounding.

United Financial
A Division of HomeTrust Bank
324 Ridgefield Court
Asheville, NC. 28806

August 18, 2026

City of Hendersonville, NC
160 Sixth Ave. E
Hendersonville, NC 28792
ATT: Krystal Powell, CLGFO
Finance Director

Amended Proposal to Reimbursement or Fund the Acquisition & Finance of:
One (1) New Recycling Truck

Dear Krystal,

As per your request, we are enclosing our proposal for the above captioned transaction. This transaction is structured on a seven-year basis with fourteen (14) semi-annual payments beginning six months after funding and each six months thereafter. This transaction is calculated at an annual percentage rate of 4.27%. Terms assume a Bank Qualified Tax-Exempt transaction and may require LGC approval.

United Financial will take a security interest only in the vehicles and equipment we are financing. There are no direct bank closing costs or origination fees related to the transaction, and the rate is fixed for the duration of the financial commitment. Please review the PAYMENTS section of the attached proposal regarding rate lock-in periods and rate adjustment terms. The concluding payment on the enclosed repayment schedule is calculated at 101% of the outstanding balance for the first seven payments followed by 100% of the outstanding balance for the remainder of the term. The bank will also document on the same forms as our previous equipment/rolling stock transactions for the City. We will provide them for your review and execution.

If you have any questions or need additional information, please contact me at your convenience.
Thank you for the opportunity to provide this proposal to you.

Very truly yours,

John M. Tench

John M. Tench
Senior Vice President
Director of Municipal Finance

Ph. #/828-684-5643
Fax #/828-684-5616

United Financial
A Division of HomeTrust Bank
324 Ridgefield Court
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August 18, 2026

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160 Sixth Ave. E
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ATT: Krystal Powell, CLGFO
Finance Director

Amended Proposal to Reimbursement or Fund the Acquisition & Finance of:
One (1) New Recycling Truck

Dear Krystal,

As a follow-up to your recent request for a proposal regarding the above-mentioned transaction, United Financial is pleased to offer a finance proposal as follows:

LENDER:	United Financial, ***A Division of HomeTrust Bank***
BORROWER:	City of Hendersonville, NC
COLLATERAL:	Equipment described above.
AMOUNT:	Up to $250,000.00
START DATE:	Immediately upon funding
TERM:	Seven Years
PAYMENTS:	Payments will consist of fourteen (14) semi-annual payments of $20,847.20 comprised of principal and interest
EXPIRATION:	Payment terms quoted herein are subject to transaction being documented by 11/01/2026.
LEGAL TITLE:	Legal Title to the Equipment during the Term shall vest in the Borrower with Lendor perfecting a first security interest through Equipment Title, UCC, or other filing instruments as may be required by law.
OPERATIONAL COSTS:	All costs and responsibility of maintenance, insurance, taxes and other items of a similar nature shall be for the account of the Borrower.
INSURANCE:	Borrower shall provide evidence of insurance coverage at the time of delivery of the Equipment, in accordance with the provisions of the Financing Agreement.
FINANCIALS:	Borrower shall furnish Lender with its last three, (3) fiscal years financial statements and its latest interim financial statements, plus such other pertinent information as Lender may reasonably request.

Phone 828-684-5643
Fax 828-684-5616

APPROVAL: Closing of the transaction(s) described herein, and the implementation thereof, is expressly conditioned upon approval of Lendor's Senior Loan Committee, the receipt, review and acceptance of properly executed documentation acceptable to Lender, and the absence of any material adverse change in Borrower's financial condition prior to deliver and acceptance of the Equipment.

ACCEPTANCE: Borrower acknowledges that the terms and conditions of this proposal are satisfactory and that upon execution hereof by Borrower this proposal shall constitute a valid and binding obligation of Borrower. As further condition to Lendor's approval hereof, Borrower must acknowledge its acceptance of this proposal by signing below in the space provided and returning it to the Lender by 10/01/2026.

TERMS PRESENTED IN THIS PROPOSAL SHALL SURVIVE CLOSING.

Important Information You Need to Know About Opening a New Account

To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify, and record information that identifies each individual or business that opens an account.

What This Means for You

When you open an account, we may ask for your name, address, date of birth, and other information that allows us to identify you. We may also ask to see your driver's license or other identifying documents.

If you determine that this finance structure meets the needs of your organization, please have the appropriate officer indicate the chosen option, place their signature at the bottom of this page, and return it to us via fax, email or US Postal Service. Upon receipt of the signed proposal, we will be in touch with you to make provision for documenting the finance. Thank you for the opportunity to submit this proposal letter for your review and approval. Should you have any questions or comments regarding the terms and conditions, or if we can be of any further assistance to you, please do not hesitate to call.

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Sincerely,

John M. Tench
Senior Vice President
Director of Municipal Finance

ACCEPTED BY:

SIGNATURE: _____

NAME: _____**TITLE:** _____ **DATE:** _____

City of Hendersonville, NC Repayment Schedule B

Compounding Period: Semiannual

Nominal Annual Rate: 4.270%

Cash Flow Data - Loans and Payments

	Event	Date	Amount	Number	Period	End Date
1	Loan	09/15/2026	250,000.00	1		
2	Payment	03/15/2027	20,847.20	14	Semiannual	09/15/2033

TValue Amortization Schedule - Normal, 360 Day Year

	Date	Payment	Interest	Principal	Concluding Payment
Loan	09/15/2026			250,000.00	
1	03/15/2027	20,847.20	5,337.50	15,509.70	236,835.20
2	09/15/2027	20,847.20	5,006.37	15,840.83	220,835.96
3	03/15/2028	20,847.20	4,668.17	16,179.03	204,495.14
4	09/15/2028	20,847.20	4,322.74	16,524.46	187,804.59
5	03/15/2029	20,847.20	3,969.95	16,877.25	170,759.42
6	09/15/2029	20,847.20	3,609.62	17,237.58	153,349.46
7	03/15/2030	20,847.20	3,241.60	17,605.60	135,567.81
8	09/15/2030	20,847.20	2,865.72	17,981.48	116,244.07
9	03/15/2031	20,847.20	2,481.81	18,365.39	97,878.68
10	09/15/2031	20,847.20	2,089.71	18,757.49	79,121.19
11	03/15/2032	20,847.20	1,689.24	19,157.96	59,963.23
12	09/15/2032	20,847.20	1,280.21	19,566.99	40,396.24
13	03/15/2033	20,847.20	862.46	19,984.74	20,411.50
14	09/15/2033	20,847.20	435.70	20,411.50	0.00
Grand Totals		**291,860.80**	**41,860.80**	**250,000.00**	

Last interest amount decreased by 0.09 due to rounding.

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Adam Murr **MEETING DATE:** 09/03/2026

AGENDA SECTION: CONSENT **DEPARTMENT:** Administration

TITLE OF ITEM: September 2026 Budget Amendments – *Adam Murr, Budget & Eval. Director*

SUGGESTED MOTION(S):

I move City Council adopt budget amendment(s) 09032026-01, 09032026-02, 09032026-03, 09032026-04, 09032026-05, 09032026-06, 09032026-07, and 09032026-08, as presented.

SUMMARY:

- **09032026-01.** An FY26 amendment reflecting project closeouts occurring with the annual audit process.
- **09032026-02.** An FY26 amendment changing a transfer to the 7th Ave Streetscape project from FY25 to FY26.
- **09032026-03.** An FY26 amendment reflecting the transfer in of W&S generator funding to project #23007.
- **09032026-04.** An FY26 amendment transferring FY26 W&S SDF revenues of $1,211,511 from the operating fund to the appropriate capital reserve fund as required by NCGS 162A-211(d).
- **09032026-05.** An FY27 amendment increasing the 4th & Ashe project using $116,500 capital reserve funds.
- **09032026-06.** An FY26 amendment transferring prior unused vehicle and equipment loan funds to the FY27 vehicle and equipment loan project (#VE027) for the acquisition of construction inspector vehicles, and transferring the remaining unused FY25 transfer back to the operating fund in FY26.
- **09032026-07.** An FY27 amendment increasing the Water Resiliency Looping project (#25019), reflecting increased revenues totaling $7,300,000 from lending and granting agencies.
- **09032026-08.** An FY27 amendment increasing Police Department Misc. Income by $500 to reflect a donation for the National Night Out event.

BUDGET IMPACT: Described Above

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

If no, describe how it will be funded.

ATTACHMENTS:
Budget Amendments 09032026-01, 09032026-02, 09032026-03, 09032026-04, 09032026-05, 09032026-06, 09032026-07, and 09032026-08

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: September 03, 2026 **FORM: 09032026-01**

BUDGET AMENDMENT

FUND 010 | 067 | 301 | 410 | 459 | 460 | 467					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
010-0000-470900	Fund Balance Appropriated (FY25)	1,112,756	-	443,250	669,506
010-0000-598901	Transfer Out (to 410, #17126 (FY25))	2,145,426	-	443,250	1,702,176
010-0000-470010	Transfer In (from 301, #G2205)	2,576,234	75,000	-	2,651,234
010-0000-470900	Fund Balance Appropriated (FY26)	3,747,277	465,455	-	4,212,732
010-0000-598901	Transfer Out (to 410, #17126 (FY26))	2,132,528	443,250	-	2,575,778
010-0000-598901	Transfer Out (to 410, #16021 (FY26))	2,575,778	4,506	-	2,580,284
010-0000-598901	Transfer Out (to 410, #00420 (FY26))	2,575,778	456	-	2,576,234
010-0000-598901	Transfer Out (to 410, #19140 (FY26))	2,580,284	17,243	-	2,597,527
FUND 010 General Fund	TOTAL REVENUES	4,860,033	465,455	443,250	4,882,238
	TOTAL EXPENDITURES	12,009,794	465,455	443,250	12,031,999
067-0000-470900	Fund Balance Appropriated (FY26)	-	84,894	-	84,894
067-0000-598901	Transfer Out (to 467, #19900)	450,000	1,077	-	451,077
067-0000-598901	Transfer Out (to 467, #G2129)	451,077	83,817	-	534,894
FUND 067 Stormwater Fund	TOTAL REVENUES	-	84,894	-	84,894
	TOTAL EXPENDITURES	901,077	84,894	-	985,971
459-0000-470010	Transfer In (from 460, #16019)	-	46,883	-	46,883
459-0000-470010	Transfer In (from 460, #19014)	-	14,669	-	14,669
459-0000-470010	Transfer In (from 460, #19014)	-	63,249	-	63,249
459-0000-470010	Transfer In (from 460, #21012)	-	52,440	-	52,440
459-0000-470010	Transfer In (from 460, #23007)	-	133,367	-	133,367
459-0000-470010	Transfer In (from 460, #VE026)	-	77,442	-	77,442
459-0000-470010	Transfer In (from 460, #23019)	-	10,582	-	10,582
459-0000-598901	Transfer Out (to 460, #23003)	-	1,559	-	1,559
459-0000-598901	Transfer Out (to 460, #16003)	-	8,805	-	8,805
459-0000-598901	Transfer Out	-	388,268	-	388,268
FUND 459 W&S Capital Reserve	TOTAL REVENUES	-	398,632	-	398,632
	TOTAL EXPENDITURES	-	398,632	-	398,632
410-0000-470010-17126	Transfer In (from 010, FY25)	443,250	-	443,250	-
410-0000-470010-17126	Transfer In (from 010, FY26)	-	443,250	-	443,250

FUND 410, #17126 White & S. Main St	TOTAL REVENUES	443,250	-	443,250	-
	TOTAL EXPENDITURES	-	443,250	-	443,250
301-0000-598901-G2205	Transfer Out (to 010, FY26)	-	75,000	-	75,000
301-1502-550103-G2205	Capital Outlay - CIP	325,000	-	75,000	250,000
FUND 301, #G2205 NCSCIF Grant	TOTAL REVENUES	-	75,000	-	75,000
	TOTAL EXPENDITURES	325,000	-	75,000	250,000
301-0000-470010-16021	Transfer In (from 010, FY26)	-	4,506	-	4,506
301-1014-519104-16021	Professional Services - Engineering	583,079	4,506	-	587,585
FUND 301, #16021 Mud Creek Dump	TOTAL REVENUES	-	4,506	-	4,506
	TOTAL EXPENDITURES	-	4,506	-	587,585
301-0000-470010-00420	Transfer In (from 010, FY26)	-	456	-	456
301-1300-534000-00420	Non-Capital Equipment	24,480	456	-	24,936
FUND 301, #00420 Gov. Crime Com. Tasers	TOTAL REVENUES	-	456	-	456
	TOTAL EXPENDITURES	-	456	-	24,936
467-0000-470100-19900	Transfer In (From 067, FY26)	77,000	1,077	-	78,077
467-7555-519200-19900	Contracted Services	175,000	1,077	-	176,077
FUND 467, #19900 Stormwater 319 Grant	TOTAL REVENUES	-	1,077	-	78,077
	TOTAL EXPENDITURES	-	1,077	-	176,077
467-0000-470100-G2129	Transfer in (from 067, FY23)	65,000	-	10,817	54,183
467-0000-470100-G2129	Transfer In (from 067, FY24)	73,000	-	73,000	-
467-0000-470100-G2129	Transfer In (from 067, FY26)	-	83,817	-	83,817
FUND 467, #G2129 Sullivan Park Streambank	TOTAL REVENUES	138,000	83,817	83,817	138,000
	TOTAL EXPENDITURES	-	-	-	-
410-0000-470100-19140	Transfer In (from 010, FY26)	-	17,243	-	254,696
410-0000-470100-19140	Transfer In (from 410, #23021)	-	35,278	-	254,696
410-1002-550103-19140	Capital Outlay - CIP	232,196	-	52,521	232,196
FUND 410. #19140 City Hall & Ops Security	TOTAL REVENUES	-	52,521	-	509,392
	TOTAL EXPENDITURES	232,196	-	52,521	232,196
410-1002-550103-23021	Capital Outlay - CIP	165,712	-	35,278	130,434
410-1002-598901-23021	Transfer Out (to 410, #19140)	-	35,278	-	35,278

FUND 410, #23021 City Hall 3rd Floor Project	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	165,712	35,278	35,278	165,712
460-0000-598901-16019	Transfer Out (to 460, #18017)	-	116,500	-	116,500
460-0000-598901-16019	Transfer Out (to 459)	-	46,883	-	46,883
460-1014-550103-16019	C/O - CIP	5,437,825	-	163,383	5,274,442
FUND 460, #16019 Northside Water	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	5,437,825	163,383	163,383	5,437,825
460-0000-598901-19014	Transfer Out (to 459)	-	14,669	-	14,669
460-0000-598901-19014	Transfer Out (to 459: Pre-pay 23 Rev.Bond)	-	63,249	-	63,249
460-7055-550103-19014	Capital Outlay - CIP	1,096,676	-	77,918	1,018,758
FUND 460, #19014 Church and King W&S	TOTAL REVENUES	-	77,918	-	77,918
	TOTAL EXPENDITURES	1,096,676	-	77,918	1,018,758
460-0000-470010-23003	Transfer In (from 459)	-	1,559	-	1,559
460-0000-598901-23003	Debt Proceeds (23 Rev.Bond)	525,000	-	-	525,000
460-7055-550103-23003	Capital Outlay - CIP	525,000	1,559	-	526,559
FUND 460, #23003 AMI Meter Replacement Project	TOTAL REVENUES	525,000	1,559	-	526,559
	TOTAL EXPENDITURES	525,000	1,559	-	526,559
460-7055-550103-21012	Capital Outlay - CIP	1,557,917	-	52,440	1,505,477
460-0000-598901-21012	Transfer Out (to 459: Pre-pay 23 Rev.Bond)	-	52,440	-	52,440
FUND 460, #21012 Fleetwood Improvements	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	1,557,917	52,440	52,440	1,557,917
460-7055-550103-23007	Capital Outlay - CIP	-	-	133,367	(133,367)
460-0000-598901-23007	Transfer Out (to 459)	-	133,367	-	133,367
FUND 460, #23007 W&S Generators	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	-	133,367	133,367	-
460-0000-450001-23019	Interest Income	-	10,582	-	10,582
460-0000-598901-23019	Transfer Out (to 459: Pre-pay 23 Rev.Bond)	-	10,582	-	10,582
FUND 460, #23019 WTP Thickener Drive	TOTAL REVENUES	-	10,582	-	10,582
	TOTAL EXPENDITURES	-	10,582	-	10,582
460-0000-470100-16003	Transfer In (from 459)	865,000	8,805	-	873,805
460-7055-550103-16003	Capital Outlay - CIP	865,000	8,805	-	873,805

FUND 460, #16003 Etowah Water Improvements	TOTAL REVENUES	865,000	8,805	-	873,805
	TOTAL EXPENDITURES	865,000	8,805	-	873,805

An end-of-year FY26 budget amendment to reflect various project closeouts occurring with the annual audit process.

The City Manager and City Clerk certify budget ordinance amendment 09032026-01 was approved by City Council on September 03, 2026.

City Manager Date

City Clerk Date

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: September 03, 2026 **FORM: 09032026-02**

BUDGET AMENDMENT

FUND 010| 410					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
010-0000-470900	Fund Balance Appropriated (FY25)	1,474,563	-	60,410	1,414,153
010-0000-598901	Transfer Out (to FY25 410, #16030)	649,797	-	60,410	589,387
FUND 010 General Fund (FY25)	TOTAL REVENUES	1,474,563	-	60,410	1,414,153
	TOTAL EXPENDITURES	649,797	-	60,410	589,387
010-0000-470900	Fund Balance Appropriated (FY26)	4,212,732	66,999	-	4,279,731
010-0000-598901	Transfer Out (to FY26 410, #16030)	2,597,527	66,999	-	2,664,526
FUND 010 General Fund (FY26)	TOTAL REVENUES	4,212,732	66,999	-	4,279,731
	TOTAL EXPENDITURES	2,597,527	66,999	-	2,664,526
410-0000-450001-16030	Interest Income (2021 IFC)	228,903	-	-	228,903
410-0000-470010-16030	Debt Proceeds (2021 IFC)	2,038,592	-	-	2,038,592
410-0000-470100-16030	Transfer In (from 010)	140,000	-	-	140,000
410-0000-470100-16030	Transfer In (from 010 | FY25)	649,797	-	60,410	589,387
410-0000-470100-16030	Transfer In (from 010 | FY26)	-	66,999	-	66,999
410-0000-470100-16030	Transfer In (from 021)	81,439	-	-	81,439
410-2202-550103-16030	Capital Outlay - CIP	3,138,731	6,589	-	3,145,320
FUND 410 Gov. Project Fund	TOTAL REVENUES	3,138,731	66,999	60,410	3,145,320
	TOTAL EXPENDITURES	3,138,731	6,589	-	3,145,320
An end of year (FY26) amendment changing a transfer in to the 7th Avenue Streetscape project from FY25 to FY26, reflecting actual transfer action for the audit process.					

The City Manager and City Clerk certify budget ordinance amendment 09032026-02 was approved by City Council on September 03, 2026.

City Manager Date

City Clerk Date

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: September 03, 2026 **FORM: 09032026-03**

BUDGET AMENDMENT

FUND 460					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
460-0000-420050-23007	Transfer in (from 060, FY23)	124,000	-	-	124,000
460-0000-420050-23007	Transfer in (from 060, FY24)	150,000	-	-	150,000
460-0000-420050-23007	Transfer in (from 060, FY26)	-	75,000	-	75,000
460-7032-550103-23007	Capital Outlay - CIP	274,000	75,000	-	349,000
FUND 460, #23007 W&S Generator Project	TOTAL REVENUES	274,000	75,000	-	349,000
	TOTAL EXPENDITURES	274,000	75,000	-	349,000
An amendment reflecting a transfer in from the Water and Sewer Operating Fund (060) in FY26 to increase the Water and Sewer Generator Project, #23007.					

The City Manager and City Clerk certify budget ordinance amendment 09032026-03 was approved by City Council on September 03, 2026.

City Manager Date

City Clerk Date

TO MAYOR & COUNCIL
APPROVAL: September 03, 2026

FISCAL YEAR 2026
FORM: 09032026-04

BUDGET AMENDMENT

FUND 060 | 459					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
060-0000-444299	Water System Dev. Fees	511,000	236,845	-	747,845
060-0000-445299	Sewer System Dev. Fees	489,000	-	115,334	373,666
060-0000-598901	Transfer Out (to 459, SDFs [water])	-	747,845	-	747,845
060-0000-598901	Transfer Out (to 459, SDFs [sewer])	-	373,666	-	373,666
FUND 060 W&S Operating	TOTAL REVENUES	1,000,000	236,845	115,334	1,121,511
	TOTAL EXPENDITURES	-	1,121,511	-	1,121,511
459-0000-470100	Transfer In (from 060, FY25 [water])	143,269	-	-	143,269
459-0000-470100	Transfer In (from 060, FY25 [sewer])	32,211	-	-	32,211
459-0000-470100	Transfer In (from 060, FY26 [water])	-	747,845		747,845
459-0000-470100	Transfer In (from 060, FY26 [sewer])	-	373,666		373,666
459-0000-470100	Transfer In (from 060, FY27 [water])	600,000	-	-	600,000
459-0000-470100	Transfer In (from 060, FY27 [sewer])	250,000	-	-	250,000
459-0000-598901	Transfer Out	1,025,480	1,121,511	-	2,146,991
FUND 459 W&S Capital Reserve (SDFs)	TOTAL REVENUES	1,025,480	1,121,511	-	2,146,991
	TOTAL EXPENDITURES	1,025,480	1,121,511	-	2,146,991

In accordance with N.C.G.S. 162A-211(d) The City must account for system development fee revenues by means of a capital reserve fund. This budget amendment increases FY26 water system development fee revenue budget, and decreases FY26 sewer system development fee revenue budget to reflect actual revenues recieved, and transfer the $1,121,511 revenues to the Water & Sewer Capital Reserve Fund (459).

The City Manager and City Clerk certify budget ordinance amendment 09032026-04 was approved by City Council on September 03, 2026.

City Manager _____ Date _____

City Clerk _____ Date _____

TO MAYOR & COUNCIL **FISCAL YEAR 2027**
APPROVAL: September 03, 2026 **FORM: 09032026-05**

BUDGET AMENDMENT

FUND 459 | 460					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
460-0000-470010-18017	Transfer In (from 459[water])	3,500	-	-	3,500
460-0000-470010-18017	Transfer In (from 459[sewer])	6,500	-	-	6,500
460-0000-470010-18017	Transfer In (from 460, #16019)	-	116,500	-	116,500
460-0000-470100-18017	Debt Proceeds (water SRF)	1,577,495	-	-	1,577,495
460-0000-470100-18017	Debt Proceeds (sewer SRF)	2,937,450	-	-	2,937,450
460-7055-550103-18017	Capital Outlay - CIP [water]	1,580,995	-	-	1,580,995
460-7155-550103-18017	Capital Outlay - CIP [sewer]	2,943,950	116,500	-	3,060,450
FUND 460, #18017	TOTAL REVENUES	4,524,945	116,500	-	4,641,445
4th & Ashe Project	TOTAL EXPENDITURES	4,524,945	116,500	-	4,641,445
An FY27 budget amendment increasing the 4th and Ashe project using $116,500 from the W&S Capital Reserve Fund (459).					

The City Manager and City Clerk certify budget ordinance amendment 09032026-05 was approved by City Council on September 03, 2026.

City Manager Date

City Clerk Date

TO MAYOR & COUNCIL **FISCAL YEAR 2026**
APPROVAL: September 03, 2026 **FORM: 09032026-06**

BUDGET AMENDMENT

FUND 060 | 410 | 460 | 468

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-470900	Fund Bal. Appropriated (FY26)	2,466,441	-	289,855	2,176,586
060-0000-470100	Transfer In (from 460, VE025)	-	289,855	-	289,855
FUND 060	TOTAL REVENUES	2,466,441	289,855	289,855	2,466,441
W&S Operating Fund	TOTAL EXPENDITURES	-	-	-	-
410-0000-450001-VE024	Interest Income (FY24)	-	26,159	-	26,159
410-0000-598901-VE024	Transfer Out (to 410, #VE027)	-	26,159	-	26,159
FUND 410	TOTAL REVENUES	-	26,159	-	26,159
'24 V&E Loan, #VE024	TOTAL EXPENDITURES	-	26,159	-	26,159
468-0000-470100-VE024	Transfer In (from 010)	49,065	-	-	49,065
468-0000-470010-VE024	Debt Proceeds (Vehicle & Equip. Loan)	500,000	-	-	500,000
468-7855-554002-VE024	C/O-Vehicles (14-18, 3500 Series)	75,000	-	-	75,000
468-7855-554001-VE024	C/O-Equipment (61-17 Leaf Machine)	174,065	-	-	174,065
468-7855-554001-VE024	C/O-Equipment (Waste Truck)	300,000	-	4,375	295,625
468-0000-598901-VE024	Transfer Out (to 410, #VE025)	-	3,891	-	3,891
468-0000-598901-VE024	Transfer Out (to 410, #VE027)	-	484	-	484
FUND 468	TOTAL REVENUES	549,065	-	-	549,065
'24 V&E Loan, #VE024	TOTAL EXPENDITURES	549,065	4,375	4,375	549,065
410-0000-470010-VE025	Debt Proceeds (Vehicle & Equip. Loan)	675,120	-	-	675,120
410-0000-470010-VE025	Transfer In (from 468, #VE024)	-	3,891	-	3,891
410-1002-554002-VE025	Capital Outlay - Vehicles	675,120	3,891	-	679,011
FUND 410	TOTAL REVENUES	675,120	3,891	-	679,011
'25 V&E Loan, #VE025	TOTAL EXPENDITURES	675,120	3,891	-	679,011
460-0000-470100-VE025	Interest Income (FY25)	-	18,084	-	18,084
460-0000-470100-VE025	Transfer In (from 060, FY25)	530,000	-	18,084	511,916
460-7002-554001-VE025	Capital Outlay-Equipment	191,412	-	267	191,145
460-7002-554002-VE025	Capital Outlay - Vehicles	205,000	-	205,000	-
460-0000-598901-VE025	Transfer Out(to 360, #H2024)	133,588	-	133,588	-
460-0000-598901-VE025	Transfer Out (to 460, #VE027)	-	49,000	-	49,000
460-0000-598901-VE025	Transfer Out (to 060)	-	289,855	-	289,855
FUND 460	TOTAL REVENUES	530,000	18,084	18,084	530,000
'25 V&E Loan, #VE025	TOTAL EXPENDITURES	530,000	338,855	338,855	530,000

460-0000-470100-VE026	Transfer In (from 060)	342,000	-	-	419,442
460-7002-554002-VE026	C/O-Vehicles	150,000	-	49,000	101,000
460-7002-554001-VE026	C/O-Equipment (22-12 Dump Truck)	110,000	-	-	110,000
460-7002-554001-VE026	C/O-Equipment (44-17 Excavator)	82,000	-	-	82,000
460-0000-598901-VE026	Transfer Out (to 460, #VE027)	-	49,000	-	49,000
460-0000-598901-VE026	Transfer Out (to 459)	-	77,442	-	77,442
FUND 460, #VE026 (Water & Sewer)	TOTAL REVENUES	342,000	-	-	419,442
	TOTAL EXPENDITURES	342,000	126,442	49,000	419,442
410-0000-470010-VE027	Debt Proceeds (FY27 V&E Loan)	219,500	-	-	219,500
410-0000-470100-VE027	Transfer In (from 468, #VE024)	-	484	-	484
410-0000-470100-VE027	Transfer In (from 410, #VE024)	-	26,159	-	26,159
410-1523-554002-VE027	C/O-Vehicles (14-30 Truck)	55,000	-	-	55,000
410-1523-554001-VE027	C/O-Equipment (42-10 Tractor)	64,500	-	-	64,500
410-1555-554002-VE027	C/O-Vehicles (22-19 Dump Truck)	100,000	-	-	100,000
410-1014-554002-VE027	C/O-Vehicles (Ford Rangers)	-	26,643	-	26,643
FUND 410 '27 V&E Loan, #VE027	TOTAL REVENUES	549,065	484	-	549,549
	TOTAL EXPENDITURES	549,065	-	4,375	544,690
460-0000-470100-VE027	Transfer In (from 060)	240,000	-	-	240,000
460-0000-470100-VE027	Transfer In (from 460, #VE026)	-	49,000	-	49,000
460-1014-554002-VE027	C/O-Vehicles (Ford Rangers)	-	49,000	-	49,000
460-7002-554002-VE027	C/O-Vehicles	150,000	-	-	150,000
460-7002-554001-VE027	C/O-Equipment (50-03 Skid Steer)	90,000	-	-	90,000
FUND 460 '27 V&E Loan, #VE027	TOTAL REVENUES	240,000	49,000	-	289,000
	TOTAL EXPENDITURES	240,000	49,000	-	289,000

An amendment transferring budget from prior vehicle and equipment loan projects being closed out as part of the annual audit process. This amendment moves resources to the FY27 vehicle and equipment project (#VE027) for the acquisition of 2 Ford Rangers by the Engineering Department.

The City Manager and City Clerk certify budget ordinance amendment 09032026-06 was approved by City Council on September 03, 2026.

City Manager _____ Date _____

City Clerk _____ Date _____

TO MAYOR & COUNCIL **FISCAL YEAR 2026**

APPROVAL: September 03, 2026 **FORM: 09032026-07**

BUDGET AMENDMENT

FUND 460					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
460-0000-420050-25019	Grant Revenue (NCDWI)	5,000,000	1,750,000	-	6,750,000
460-0000-470010-25019	Debt Proceeds (NCDWI, 0 Interest)	5,000,000	1,750,000	-	6,750,000
460-0000-420050-25019	Grant Revenue (GoldenLEAF)	-	1,938,000	-	1,938,000
460-0000-420050-25019	Grant Revenue (CDBG-ED)	-	1,862,000	-	1,862,000
460-7055-550103-25019	Capital Outlay - CIP	10,000,000	7,300,000	-	17,300,000
FUND 460, #25019 Water Resiliency Looping	TOTAL REVENUES	10,000,000	7,300,000	-	17,300,000
	TOTAL EXPENDITURES	10,000,000	7,300,000	-	17,300,000
An amednemnt increasing the Water System Resiliency Looping Project, #25019 by $7,300,000. This amendment follows confirmation of increased funding opportunity from NCDWI, the GoldenLEAF foundation, and CDBG-ED funding. This amendment increases the total project appropriation to $17,300,000.					

The City Manager and City Clerk certify budget ordinance amendment 09032026-07 was approved by City Council on September 03, 2026.

City Manager Date

City Clerk Date

TO MAYOR & COUNCIL **FISCAL YEAR 2027**
APPROVAL: September 03, 2026 **FORM: 09032026-08**

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
010-0000-460002	Misc. Income - Police (NNO)	1,000	500		1,500
010-1300-532250	Outreach Program	24,500	500	-	25,000
FUND 010	TOTAL REVENUES	1,000	500	-	1,500
	TOTAL EXPENDITURES	24,500	500	-	25,000

An amendment increasing contribution/donation revenues related to Hendersonville Police Department's National Night Out event.

The City Manager and City Clerk certify budget ordinance amendment 09032026-08 was approved by City Council on September 03, 2026.

City Manager Date

City Clerk Date

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Jamie Carpenter **MEETING DATE:** September 3, 2026

AGENDA SECTION: Consent **DEPARTMENT:** Downtown

TITLE OF ITEM: Resolution to Permit Alcoholic Beverages at the Board & Commission Volunteer Reception– *Jamie Carpenter, Downtown Manager*

SUGGESTED MOTION(S): I move City Council to adopt the resolution to permit the possession and consumption of alcoholic beverages at the 2026 Board & Commission Volunteer Reception.

SUMMARY: The 2026 Boards & Commission reception will occur at Edwards Park, not during public hours. The Friends of Downtown are requesting to serve beer and wine at this reception.

ATTACHMENTS:
Resolution

Resolution #

HENDERSONVILLE, NORTH CAROLINA
RESOLUTION TO PERMIT THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE BOARD AND COMMISSION VOLUNTEER RECEPTION

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

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

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

> The Friends of Downtown Hendersonville are permitted to host the Board and Commission Volunteer Reception at Edwards Park on Thursday, October 22.
>
> Furthermore, that the possession of alcohol in the form of malt beverages and unfortified wine, be permitted within the event footprint established by the City Special Events Committee and the associated North Carolina Alcohol Beverage Control Special Event Permit on the dates listed above.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 3rd day of September 2026.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Chief Blair Myhand **MEETING DATE:** September 3rd, 2026

AGENDA SECTION: CONSENT AGENDA **DEPARTMENT:** Police

TITLE OF ITEM: Governors Highway Safety Grant Award for Overtime for Traffic Enforcement Activities

SUGGESTED MOTION(S):

The North Carolina Governors Highway Safety Program has offered up to $10,000.00 to be reimbursed for funding of Over Time for Traffic Enforcement related activities conducted by the Hendersonville Police Department. I move that the City Council approve the Resolution for the reimbursement amount of up to $10,000.00 for funding of Over Time for Traffic Enforcement related activities conducted by the Hendersonville Police Department.

SUMMARY:

The City of Hendersonville is committed to reducing speed related fatalities, unrestrained fatalities, serious injury crashes and property damage crashes. This overtime grant will fund extra-duty efforts by Hendersonville Police Officers to conduct high-visibility enforcement activities concentrating on speed, occupant restraint violations and high crash incidence intersections or areas.

The North Carolina Governor's Highway Safety Program has approved our grant request as of August 7th, 2026.

The Hendersonville Police Department will use these overtime funds for its officers to conduct high-visibility or saturation type enforcement efforts focusing on speed, seatbelt, and red-light enforcement.

The Hendersonville Police Department Officers will work 4–6-hour shifts. To be reimbursed for funds spent on overtime (time and a half) salary and benefits, the agency will submit a monthly schedule for the overtime efforts and the monthly on-duty schedules for officers who worked the overtime enforcement activities that month. The Hendersonville Police Department agrees to submit copies of CAD reports that coincide with each officer's overtime shift, payroll detail sheets which document the officer's salary and fringe benefit information for all officers working the overtime enforcement activities, enforcement data, and copies of citations issued during the overtime shift.

While working the detail, these officers will focus their efforts into vigorous enforcement of speed, restraint, red light and safe movement violations.

Funding will be spent on overtime (time and a half) salary, the agency will submit a monthly schedule for the overtime efforts and the monthly on-duty schedules for officers who worked the overtime enforcement

activities that month. The Hendersonville Police Department agrees to submit copies of CAD reports that coincide with each officer's overtime shift, payroll detail sheets which document the officer's salary and fringe benefit information for all officers working the overtime enforcement activities, enforcement data, and copies of citations issued during the overtime shift.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

GHSP Overtime Traffic Enforcement Resolution

HPD Grant, Approval Application, Agreement of Conditions

North Carolina Governor's Highway Safety Program

LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Hendersonville Police Department (herein called the "Agency")
(The Applicant Agency)

has completed an application contract for traffic safety funding; and that Hendersonville City Council
(The Governing Body of the Agency)

_____ (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Hendersonville City Council IN OPEN MEETING ASSEMBLED IN THE CITY OF Hendersonville, NORTH CAROLINA, THIS 3 DAY OF September, 20 26, AS FOLLOWS:
(Governing Body)

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Sergeant Austin Putnam is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of $ 10,000 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
   (Name and Title of Representative)
   (Federal Dollar Request)
3. That the Governing Body has formally appropriated the cash contribution of $0 as required by the project contract; and
   (Local Cash Appropriation)
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____
(Chairperson/Mayor)

ATTESTED BY _____ **SEAL**
(Clerk)

DATE _____

North Carolina Governor's Highway Safety Program

SECTION A – GENERAL INFORMATION

1. Project Title: * Hendersonville Traffic Enforcement Activities Overtime FY27	Fiscal Year: 2027
2. Agency: 1000000140 - CITY OF HENDERSONVILLE POLICE DEPT	3. Contact Person for Agency: Alicia Lockhart
4. Agency Address: 145 FIFTH AVE EAST HENDERSONVILLE, NC 28792	5. Telephone Number: * 828-697-3025 6. Cell Phone:
7. Physical Location of Agency * 630 Ashe St Hendersonville, NC 28792	8. Email of Contact Person * amlockhart@hvlnc.gov
9. Federal Tax ID Number / Type of Agency Federal Tax ID Number: * 56-6001242 Unique Entity Identifier: GV32X87GLW33 County: * HENDERSON Type of Agency ○ State ○ Non-Profit ○ County ○ Higher Education ◉ Municipality ○ Hospital	10. Project Year * ◉ New ○ Continuation Year: ◉ 1 ○ 2 ○ 3 ○ 4+ Application Number: 1000028379 11. Allocation of Funding * Federal % 100.00 Local % 0.00

12. Budget	Total Project Amount	Source of Funds: Federal Amount	Source of Funds: State/Local Amount
Personnel Costs	$10,000.00	$10,000.00	
Contractual Services			
Other Direct Costs			
Indirect Costs			
Total Project Costs	**$10,000.00**	**$10,000.00**	

13. Specify How Non-Federal Share Will Be Provided: *
None - Fronted with GPO

Project Number: PT-27-06-59	CFDA#: 20. 600
Additional Project Number:	Work Type: Traffic Enforcement Services
Additional Project Number1:	Additional Work Type:
Additional Project Number2:	Additional Work Type1:
	Additional Work Type2:

SECTION B – DESCRIPTION OF PROJECT

Statement of Problem (*Provide detailed information of the highway safety problems in your area to be addressed through this project. Include countywide crash data for the last three years and any other relevant information to validate the statements. For more detailed information see "How to write an effective traffic safety project" located at:*

https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx)

Hendersonville PD has forty-six total sworn officers, with thirty-seven assigned to general patrol and an additional three officers assigned to a designated "Traffic Safety Team." In calendar year 2024, Hendersonville PD responded to 1,346 traffic cras

where DMV-349 reports were completed. In calendar year 2025, Hendersonville PD responded to 1,323 traffi
DMV-349 reports were completed. Over the past three years, Hendersonville PD responded to a total of 4,064 traffic crashes. From January 2023 thru December 2025, a total of 7 fatalities resulted and 339 crashes involved serious injuries in the city of Hendersonville. According to 2024 NC DOT data, Hendersonville PD was responsible for completing 44.8% of DMV-349 reports in Henderson County.

Per NC DOT data, Henderson County ranked 40th in the state with a five-year (2020-2024) average of 14.4 fatal crashes per year. Between 2019-2023, NC DOT data shows that Henderson County ranks 28th in pedestrian-related fatalities, 24th in motorcycle fatalities and 42nd in teen driver-related fatalities.

As with many agencies across the state, Hendersonville PD has regularly been understaffed with an average of 4-5 sworn officer positions unfilled at any given time in the last 3 years. These deficiencies have reduced the ability to focus efforts on designated traffic enforcement to achieve the agency's goals; including the current staffing of Hendersonville PD's Traffic Safety Team being limited to two officers. In fall 2025, Henderson County opened a 6 mile portion of a multi-use greenway space which includes crossings over DOT maintained roadways throughout the city. There have been continued reports of feeling unsafe by trail users and increased officer presence has been the most effective encouragement of safe behavior by drivers as well as trail users.

Proposed Solution *(Begin with a one-sentence summary of your project. Then describe in detail how your proposed project will address the problem identified in the "Statement of Problem" section):*

Hendersonville PD will utilize funds for officers to conduct saturations or directed patrols for high-visibility traffic enforcement efforts emphasizing speed-related violations as well as seatbelt and child restraint violations. Hendersonville PD further acknowledges that funds WILL NOT be used to conduct checkpoints. Hendersonville PD will schedule a minimum of forty (40) hours of overtime throughout the month with officers working 4 to 6-hour shifts.

To be reimbursed for funds spent on overtime salary, Hendersonville PD will submit both a monthly traffic enforcement overtime schedule as well as the regular monthly work schedule or personnel assigned to overtime traffic enforcement activities. In addition, Hendersonville PD agrees to submit copies of payroll reports and/or pay memos demonstrating that personnel were compensated at a rate of one and a half times (1.5x) their normal rate of pay regardless of whether an officer uses leave during any given pay period.

Similarly, Hendersonville PD agrees to provide CAD/Activity Reports and copies of all North Carolina Uniform Citations and written warnings issued during scheduled overtime as supporting documentation for each assigned employee and shift. At the end of each month, Hendersonville PD agrees to submit a Monthly Enforcement Data (MED) report outlining the agency's efforts as a whole.

Budget Justification *(Provide a detailed explanation of the costs associated with proposed project):*

Hendersonville PD will utilize these funds to pay off-duty law enforcement officers to conduct high-visibility saturation or directed patrols for the purpose of enforcing speed, seat belt, and child restraint violations. Compensation to assigned employees will be provided at a rate of one and half times (1.5x) the normal rate of pay and reimbursements WILL NOT be claimed at any other pay rate. No fringe benefits will be claimed.

Travel Justification *(Provide justification for all travel expenses):*

Not Applicable

To be completed by all law enforcement agencies:	
Provide the agency's number of sworn officers	46
Does the agency currently have a dedicated traffic or DWI unit?	Yes ◉ No ○
If a dedicated traffic or DWI unit exists, how many officers are assigned to the unit?	2

For applicants requesting enforcement grants, please provide the following county fatality rankings:
Information can be located at:

https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx)

Overall Fatality Ranking:	43
Alcohol Fatality Ranking:	44
Unrestrained Fatality Ranking:	48
Speed Related Fatalities:	59
Other Applicable Rankings: *(Specify)*	Motorcycle: 24; Pedestrian: 28

As part of this project all law enforcement agencies must enter traffic enforcement citations data of their agency for the past three years.						
Year 2023	Occupant Protection Citations	92	DWI Citations	80	Speed Citations	705
Year 2024	Occupant Protection Citations	25	DWI Citations	98	Speed Citations	634
Year 2025	Occupant Protection Citations	7	DWI Citations	82	Speed Citations	430

Goals and Objectives *(Provide at least one SMART (Specific, Measurable, Attainable, Realistic and Timely) goals and objectives. For more detailed information see "How to write an effective traffic safety project" located at: https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx)*

Goal #1:	Reduce speed related fatalities in Henderson County by 50% from the 2020-2024 average of 2.2 to 1 by September 30, 2027.
Objectives:	Increase speed related contacts by 25% from 430 in 2025 to 538 by September 30, 2027.
Goal #2:	Reduce unrestrained fatalities in Henderson County by 25% from the 2020-2024 average of 4.2 to 3 by September 30, 2027.
Objectives:	Increase occupant protection contacts by 200% from 7 in 2025 to 21 by September 30, 2027.
Goal #3:	
Objectives:	

Below are the 5-year goals of the NC Governor's Highway Safety Program (GHSP). To be eligible for funding, your traffic safety project should match one or more of the GHSP goals. Check all that apply.

- ☒ Reduce NC's traffic fatalities by 6% from the 2024 total of 1,748 to 1,643 by December 31, 2029.
- ☒ Reduce NC's alcohol-related fatalities by 6% from the 2020-2024 five-year average of 428.2 to 402 by December 31, 2029.
- ☒ Reduce NC's unrestrained fatalities by 6% from the 2020-2024 five-year average of 510.8 to 480 by December 31, 2029.
- ☒ Reduce NC's speed-related fatalities by 6% from the 2020-2024 five-year average of 409 to 384 by December 31, 2029.
- ☒ Reduce NC's young driver-related fatalities by 6% from the 2024 total of 191 to 179 by December 31, 2029.
- ☒ Reduce NC's motorcycle fatalities by 6% from the 2020-2024 five-year average of 199.2 to 187 by December 31, 2029.
- ☒ Increase NC's seat belt usage rate from the 2025 usage rate of 92.17% to 93.17% by December 31, 2029.

SECTION C – BUDGET DETAIL

Personnel Costs

#	Personnel Position	Salary
1	Traffic Enforcement Overtime Activity Hours	$10,000.00
	Total Salaries Cost:	$10,000.00

#	Personnel Fringe Benefits	Cost
	Total Fringe Benefits Cost:	
	Total Personnel Costs:	$10,000.00

SECTION D – SCHEDULE OF TASKS BY QUARTERS

List the schedule of tasks by quarters, referring specifically to the objectives in Section B. Tasks should be a bulleted list of activities to be performed in each quarter.

Conditions for Enforcement Projects Only

By checking this box, the above agency agrees to the terms below as additional activities to be performed project.

☒
- A minimum of one (1) nighttime and one (1) daytime seat belt initiative per month;
- A minimum of one (1) impaired driving checkpoint per month;
- A minimum of 50% of seat belt initiatives must be conducted at night between the hours of 7:00 p.m. and 7:00 a.m.;
- Participation in all "Click It or Ticket" and "Booze It & Lose It" campaigns;
- Participation in any event or campaign as required by the GHSP;
- Attempt to utilize one of the Forensic Tests for Alcohol Branch's Mobile Breath Alcohol Testing (BATMobiles) units during at least one of the impaired driving checkpoints.

First Quarter (October, November, December)
a) Conduct enforcement projects scheduled for the quarter
b) Submit monthly claims
c) Submit monthly enforcement results
d) Participate in GHSP sponsored events / campaigns
e) Submit quarterly reports

Second Quarter (January, February, March)
a) Conduct enforcement projects scheduled for the quarter
b) Submit monthly claims
c) Submit monthly enforcement results
d) Participate in GHSP sponsored events / campaigns
e) Submit quarterly reports

Third Quarter (April, May, June)
a) Conduct enforcement projects scheduled for the quarter
b) Submit monthly claims
c) Submit monthly enforcement results
d) Participate in GHSP sponsored events / campaigns
e) Submit quarterly reports

Fourth Quarter (July, August, September)
a) Conduct enforcement projects scheduled for the quarter
b) Submit monthly claims
c) Submit monthly enforcement results
d) Participate in GHSP sponsored events / campaigns
e) Submit quarterly reports and final accomplishments report

AGENCY AUTHORIZING SIGNATURE

☒ I have read and accept terms and conditions of the grant funding and attached the Grant Agreement. The information supplied in this application is true to the best of my knowledge

Name: Alicia Lockhart PIN: **** Date: Aug 11, 2026

Note:
1. Submitting grant application is not a guarantee of grant being approved.
2. Once form has been submitted, it cannot be changed unless it has a status of "Return".

FOR GHSP USE ONLY:

Recommendation:

Date:

North Carolina Governor's Highway Safety Program
Agreement of Conditions/Conflict of Interest

This Agreement is made by and between the North Carolina Department of Transportation, hereinafter referred to as the "Department", to include the Governor's Highway Safety Program, hereinafter referred to as "GHSP"; and the applicant agency, for itself, its assignees and successors in interest, hereinafter referred to as the "Agency". During the performance of this contract, and by signing this contract, the Agency agrees as follows:

A. Federal Provisions

1. **Equal Opportunity/Nondiscrimination.** The Agency will agree to comply with all Federal statutes and implementing regulations relating to nondiscrimination concerning race, color, sex, religion, national origin, handicaps, and age. These include but are not limited to:
   (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252);
   (b) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601)
   (c) Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686);
   (d) Non-Discrimination in Federally assisted programs of the United States Department of Transportation
   - Effectuation of Title VI of the Civil Rights Act of 1964 (49 CFR Part 21), hereinafter referred to as "USDOT", as amended;
   (e) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, and 49 CFR Part 27; and
   (f) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.);
   (g) The Civil Rights Restoration Act of 1987, (Pub. L. 100-209);
   (h) Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) and 49 CFR parts 37 and 38;
   (i) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
   (j) Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency

2. **Drug Free Workplace.** The Agency agrees to comply with the provisions cited in the Drug-Free Workplace Act of 1988 (41 U.S.C. 8103).

3. **Federal Grant Requirements and Contracts.** The Agency shall comply with the following statutes and the implementing regulations as applicable:
   (a) Highway Safety Act of 1966 (23 U.S.C. Chapter 4 -), as amended;
   (b) Sec. 1906, Pub. L.109-59, as amended by Sec. 4011, Pub. L. 114-94;
   (c) Uniform Procedures for State Highway Safety Grant Programs (23 CFR part 1300);
   (d) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 1201);
   (e) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) and all other relevant Federal regulations covering the Highway Safety Program;
   (f) NHTSA Highway Safety Grant Funding Guidance, as revised, July 2015 (www.nhtsa.gov) and additions or amendments thereto.

4. **Political Activity (Hatch Act)** The Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501- 1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

5. **Lobbying.**

   (a) **Certification Regarding Federal Lobbying**. The undersigned certifies, to the best of his or her knowledge and belief, that:

   (i) No Federal appropriated funds have been paid or will be paid, by or on behalf of the

undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(iii) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

(b) **Restriction on State Lobbying.** None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

6. **Audits.**

(a) **Audit Required.** Non-Federal entities that spend $750,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of 2 CFR, Subpart F, §200.500. Guidance on determining Federal awards expended is provided in 2 CFR, Subpart F, §200.502.

(b) **Single Audit.** Non-Federal entities that expend $750,000 or more in a year in Federal awards shall have a single audit conducted in accordance with 2 CFR, Subpart F, §200.501, except when they elect to have a program-specific audit conducted in accordance with 2 CFR, Subpart F, §200.501, paragraph (c).

(c) **Non-Governmental Entities.** Non-governmental entities (not-for-profit and for-profit entities) must adhere to North Carolina General Statute 143C-6.22 and 09 NCAC Subchapter 03M.

7. **Instructions for Lower Tier Certification.**

(a) By signing and submitting this proposal, the prospective lower tier participant (the Agency) is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1200.

(b) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

(c) The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed

circumstances.

(d) The terms "covered transaction", "civil judgement", "debarment", "suspension", "ineligible", "participant", "person", "principal", and "voluntarily excluded", as used in this clause, are defined in 2 CFR Part 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

(e) The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

(f) The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1200.

(g) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction, provided that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

(h) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(i) Except for transactions authorized under paragraph 7(e) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies including suspension or debarment.

(j) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions.

(i) The prospective lower tier participant (the Agency) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any Federal department or agency.

(ii) Where the prospective lower tier participant is unable to certify any of the statements in this certification, such prospective participants shall attach an explanation to this contract proposal.

8. **Buy America Act.** The Agency and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Note that recent DOT waivers allows for waivers under two criteria. A *De Minimis Costs* waiver applies to the total value of the non-compliant products where the cost is no more than the lesser of $1,000,000 or 5% of total applicable costs for the project. The *Small Grants* waiver applies when the total amount of Federal financial assistance applied to the project, through awards or subawards, is below $500,000. The Small Grants waiver may be applied to both financial assistance awards and

subawards, where the subaward is made by a passthrough entity for a specific project. However, it is not applicable to a subaward made under an award of $500,000 or more if the scope of the subaward is not a separately identifiable, independent project.

9. **Prohibition On Using Grant Funds To Check For Helmet Usage.** The Agency and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

10. **Conditions for State, Local and Indian Tribal Governments.** State, local and Indian tribal government Agencies shall adhere to the standards established by 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments and additions or amendments thereto, for principles for determining costs applicable to grants and contracts with state, local and Indian tribal governments.

11. **Conditions for Institutions of Higher Education.** If the Agency is an institution of higher education, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2 CFR 220 Cost Principles for Educational Institutions for determining costs applicable to grants and contracts with educational institutions.

12. **Conditions for Non-Profit Organizations.** If the Agency is a non-profit organization, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2 CFR Part 230 Cost Principles for Non-Profit Organizations for determining costs applicable to grants and contracts with non-profit organizations.

13. **Conditions for Hospitals.** If the Agency is a hospital, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.

B. General Provisions

1. **Contract Changes.** This document contains the entire agreement of the parties. No prior contract, either oral or implied, shall supersede this Agreement. Any proposed changes in this contract that would result in any change in the nature, scope, character, or funding amount in this contract require a written addendum to this contract on a form provided by the Department.

2. **Subcontracts Under This Contract.** The Agency shall not assign any portion of the work to be performed under this contract, or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this contract without the prior written concurrence of the Department. Any subcontract under this contract must include all required and applicable clauses and provisions of this contract. Subcontracting does not relieve the Agency of any of the duties and responsibilities of this agreement. The subcontractor must comply with standards contained in this agreement and provide information that is needed by the Agency to comply with these standards. The Agency must submit any proposed contracts for subcontracted services to the Governor's Highway Safety Program for final approval no less than 30 days prior to acceptance.

3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the Agency for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Agency of the Agency's obligations under this contract. Additionally, Agencies making purchases or entering into contracts as provided for by this contract must adhere to the policies and procedures of 2 CFR Part 200 and North Carolina General Statute 143-128.4. Historically underutilized business defined; statewide uniform certification as it pertains to Historically Underutilized Businesses.

4. **Incorporation of Provisions in Subcontracts.** The Agency shall include the provisions of section A-1 through A-13 of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the regulations, or directives issued pursuant thereto. The Agency shall take such action with respect to any subcontract or procurement as th

Department, the State of North Carolina, hereinafter referred to as the "State", the National Highway Traffic Safety Administration, hereinafter referred to as "NHTSA", may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event the Agency becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Agency may request the Department or the State to enter into such litigation to protect the interests of the Department or the State. In addition, the Agency may request the NHTSA to enter into such litigation to protect the interests of the United States.

5. **Outsourcing.** All work shall be performed in the United States of America. No work will be allowed to be outsourced outside the United States of America.

6. **Property and Equipment.**
   (a) **Maintenance and Inventory.** The Agency shall maintain and inventory all property and equipment purchased under this contract.
   (b) **Utilization.** The property and equipment purchased under this contract must be utilized by the Agency for the sole purpose of furthering the traffic safety efforts of the Agency for the entire useful life of the property or equipment.
   (c) **Title Interest.** The Department and NHTSA retain title interest in all property and equipment purchased under this contract. In the event that the Agency fails or refuses to comply with the provisions of this Agreement or terminates this contract, the Department, at its discretion, may take either of the following actions:
      (i) Require the Agency to purchase the property or equipment at fair market value or other mutually agreed to amount; or
      (ii) Require the Agency to transfer the property or equipment and title of said property or equipment, if any, to the Department or to another Agency, as directed by the Department.
   (d) **Non-expendable Property.** Non-expendable property is defined as property or equipment having a value of $5000 or more with a life expectancy of more than one year. Non-expendable property purchased under this contract cannot be sold, traded, or disposed of in any manner without the expressed written permission of the Department.

7. **Educational or Other Materials.** If allowed, any educational or other materials developed using funds from this contract must be reviewed and approved by the GHSP prior to their production or purchase. The cost of these materials is generally limited to a maximum of $5.00 per item. The purchase of promotional items and memorabilia are not an allowable cost.

8. **Review of Reports and Publications.** Any reports, papers, publications, or other items developed using funds from this contract must be reviewed and approved by the GHSP prior to their release.

9. **Reimbursement.**
   (a) **General.** Payments are made on a reimbursement basis. There is no schedule of advance payments. Only actual allowable costs are eligible for reimbursement. Claims for reimbursement must be made a minimum of quarterly and no more than once a month via the Grants Management System. Claims for reimbursement not made within the three month threshold are subject to denial. The itemized invoice shall be supported by documentation of costs as prescribed by the Department. Reimbursements will not be processed if other required reports are incomplete or have not been submitted. Failure to submit complete reports by the required deadline may result in denial of reimbursement.
   (b) **Approval.** Prior to payment, the itemized invoice must be approved by the Governor's Highway Safety Program and the Department shall approve the itemized invoice prior to payment.
   (c) **Unapproved Costs.** Any rejected or unaccepted costs shall be borne by the Agency. The Agency agrees that in the event the Department determines that grant funds must be refunded, the Agency will reimburse the Department a sum of money equal to the amount of Federal and State participation in the rejected costs.
   (d) **Final Claims for Reimbursement.** Final claims for reimbursement must be received by the GHSP within 30 days following the close of the approved contract period. Project funds not claimed by this date are subject to reversion.
   (e) **Expending Funds Under This Contract.** Under no circumstances will reimbursement be

made for costs incurred prior to the contract effective date or after the contract ending date.

10. **Project Costs.** It is understood and agreed that the work conducted pursuant to this contract shall be done on an actual cost basis by the Agency. The amount of reimbursement from the Department shall not exceed the estimated funds budgeted in the approved contract. The Agency shall initiate and prosecute to completion all actions necessary to enable the Agency to provide its share of the project costs at or prior to the conclusion of the project.

11. **Program Income.** The Agency shall account for program income related to projects financed in whole or in part with federal funds in accordance with 2 CFR 200.307. Program income earned during the contract period shall be retained by the Agency and deducted from the federal funds committed to the project by the GHSP unless approved in advance by the Federal awarding agency as an addition to the project. Program income must be accounted for separately and the records made available for audit purposes.

12. **Project Directors.** The Project Director, as specified on the signature page of this Agreement, must be an employee of the Agency or the Agency's governing body. Any exception to this provision must have the expressed written approval of GHSP.

13. **Reports Required.**
    (a) **Quarterly Progress Reports.** Unless otherwise directed, the Agency must submit Quarterly Progress Reports to the GHSP, on forms provided by the Department, which reflect the status of project implementation and attainment of stated goals. Each progress report shall describe the project status by quarter and shall be submitted to GHSP no later than fifteen (15) days after the end of each quarter. If the Agency fails to submit a Quarterly Progress Report or submits an incomplete Quarterly Progress Report, the Agency will be subject to having claims for reimbursement withheld. Once a Quarterly Progress Report that substantiates adequate progress is received, cost reimbursement requests may be processed or denied at the discretion of GHSP.

    (b) **Final Accomplishments Report.** A Final Accomplishments Report must be submitted to the GHSP within fifteen (15) days of completion of the project, on forms provided by the Department, unless otherwise directed. If the Agency fails to submit a Final Accomplishments Report or submits an incomplete Final Accomplishments Report, the Agency will be subject to having claims for reimbursement withheld. Once a Final Accomplishments Report that substantiates adequate progress is received, claims for reimbursement may be processed or denied at the discretion of GHSP.

    (c) **Audit Reports.** Audit reports required in Section A-6 above shall be provided to the Department within thirty (30) days of completion of the audit.

14. **Out-of-State Travel.**
    (a) **General.** All out-of-state travel funded under this contract must have prior written approval by the Governor's Highway Safety Program.
    (b) **Requests.** Requests for approval must be submitted to the GHSP, on forms provided by the Department, no less than thirty (30) days prior to the intended departure date of travel.
    (c) **Agency Travel Policy Required.** For Agencies other than state agencies, out-of-state travel requests must include a copy of the Agency's travel policy, to include allowances for lodging, meals, and other travel-related expenses. For state agencies, maximum allowable subsistence is limited to the prevailing per diem rates as established by the North Carolina General Assembly.
    (d) **Agenda Required.** Out-of-state travel requests must include a copy of the agenda for the travel requested.

15. **Conditions for Law Enforcement.** In addition to the other conditions provided for in this Agreement, grants to law enforcement agencies are subject to the following:
    (a) **Certifications Required.**
        (i) **In-car Camera or Video System.** For any in-car camera or video system purchased under this contract, it is required that the operator of that equipment has successfully completed Standardized Field Sobriety Testing training (SFST). A copy of this certificate must be filed with GHSP prior to reimbursement of in-car camera or video systems.

(ii) **Radar.** For any radar equipment purchased under this contract, it is required that the operator of that equipment has successfully completed Radar Certification Training. A copy of this certificate must be filed with GHSP prior to reimbursement of radar equipment.

(iii) **Alcohol Screening Devices.** For any preliminary alcohol screening devices purchased under this contract, it is required that the operator of that equipment has successfully completed the Alcohol Screening Test Device training offered by the Forensic Test for Alcohol Branch.

(b) **Report Required - Monthly Enforcement Data Report.** In addition to the reports mentioned above, law enforcement agencies engaging in enforcement activities must submit a Monthly Enforcement Data Report on the form provided by the Department no later than fifteen (15) days after the end of each month. If the Agency fails to submit a Monthly Enforcement Data Report or submits an incomplete Monthly Enforcement Data Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Monthly Enforcement Data Report that substantiates adequate progress is received, cost reimbursement requests will be processed. The Agency head must sign the form. However, the Agency head may assign a designee to sign the form by providing written signature authority to the GHSP.

16. **Conditions for Local Governmental Agencies.**
    (a) **Resolution Required.** If the Agency is a local governmental entity, a resolution from the governing body of the Agency is required on a form provided by the Department.
    (b) **Resolution Content.** The resolution must contain a commitment from the governing body to provide the local funds as indicated in this contract. Additionally, the resolution is required even if the funding is one hundred percent from federal sources, as it serves as recognition by the governing body of federal funding for purposes of Section A-6 above.

17. **Seat Belt Policy and Use.** Agency must adopt and enforce a seat belt use policy required for all seating positions unless exempted by state law.

18. **Text Messaging Policy.** Agency must adopt and enforce a policy banning text messaging while driving unless exempted by state law.

19. **Prohibited Interests.** No member, officer, or employee of the Agency during his or her tenure, and for at least one (1) year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof or therefrom.

20. **Continued Federal and State Funding.**
    (a) **Federal Funding.** The Agency agrees and understands that continuation of this project with Federal funds is contingent upon Federal funds being appropriated by the United States Congress specifically for that purpose. The Agency further agrees and understands that in the event funds originally

    appropriated by Congress for these grants are subsequently reduced by further acts of Congress, funding to the Agency may be proportionately reduced.

    (b) **State Funding.** The Agency agrees and understands that continuation of this project with funds from the State of North Carolina is contingent upon State funds being appropriated by the General Assembly specifically for that purpose. The Agency also agrees that any State funds received under this contract are subject to the same terms and conditions stated in this Agreement.

21. **Performance.** All grants provided by the Governor's Highway Safety Program are performance-based and, as such, require that continual progress be made toward the reduction of the number and severity of traffic crashes. Any agency whose performance is deemed unsatisfactory by the GHSP, shall be subject to the sanctions provided for in this contract. Additionally, unsatisfactory performance shall be cause for the Department to reduce or deny future funding.

22. **Resolution of Disputes.** Any dispute concerning a question of fact in connection with the work not disposed of by contract by and between the Agency and the Department, or otherwise arising between the parties to this contract, shall be referred to the Secretary of the North Carolina Department of Transportation and the authorized official of the Agency for a negotiated settlement. In any dispute concerning a question of fact in connection with the project where such negotiated

settlement cannot be resolved in a timely fashion, the final decision regarding such dispute shall be made by the Secretary of the North Carolina Department of Transportation, with the concurrence of the Federal funding agency, and shall be final and conclusive for all parties.

23. **Department Held Harmless.**
    (a) **For State Agencies.** Subject to the limitations of the North Carolina Tort Claims Act, the Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.
    (b) **For Agencies Other Than State Agencies.** The Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

24. **Records Access and Retention.** The Agency shall provide all information and reports required by the regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department, the State, NHTSA, or FHWA, as appropriate, to be pertinent to ascertain compliance with such regulations, orders and instructions. Furthermore, the Agency shall maintain such materials during the contract period, and for five (5) years from the date of final payment from the Department or until all audit exceptions have been resolved, for such inspection and audit. Where any information required of the Agency is in the exclusive possession of another who fails or refuses to furnish this information, the Agency shall certify to the Department, State, NHTSA, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information. Pursuant to N.C.G.S. §147-64.7, the Department, the State Auditor, appropriate federal officials, and their respective authorized employees or agents are authorized to examine all books, records, and accounts of the Agency insofar as they relate to transactions with any department, board, officer, commission, institution, or other agency of the State of North Carolina pursuant to the performance of this Agreement or to costs charged to this Agreement.

25. **Sanctions for Non-Compliance.** The applicant Agency agrees that if it fails or refuses to comply with any provisions and assurances in this contract, the Department may take any or all of the following actions:
    (a) Cancel, terminate, or suspend this contract in whole or in part;
    (b) Withhold reimbursement to the Agency until satisfactory compliance has been attained by the Agency;
    (c) Refrain from extending any further funding to the Agency under this contract with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency;
    (d) Refer the case to the United States Department of Justice for appropriate legal proceedings.

26. **Cancellation, Termination, or Suspension of Contract.**

    (a) **By the Department.** For noncompliance with any of the said rules, regulations, orders or conditions, due to management deficiencies or criminal activity, this contract may be immediately canceled, terminated, or suspended in whole or in part by the Department. For noncompliance not indicative of management deficiencies or criminal activity the Department shall give sixty (60) days written notice to take corrective action. If the Agency has not taken the appropriate corrective action after sixty (60) days the Department may cancel, terminate, or suspend this contract in whole or in part.
    (b) **By mutual consent.** The Agency or the Department may terminate this contract by providing sixty (60) days advanced written notice to the other party.
    (c) **Unexpended funds.** Any unexpended funds remaining after cancelation or termination will revert to the Department.

27. **Completion Date.** Unless otherwise authorized in writing by the Department, the Agency shall commence, carry on, and complete the project as described in the approved Highway Safety Project Contract by September 30 of the Federal fiscal year for which it was approved.

28. **E-Verify requirements.** If this contract is subject to NCGS 143-133.3, the contractor and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NC General Statutes.

29. **CERTIFICATION ON CONFLICT OF INTEREST**

a) No employee. officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate. make, accept, or approve. or to take part in negotiating. making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee. officer. or agent any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

(b) The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions for violations of such standards by officers, employees, or agents.

(c) The code or standards shall provide the recipient's officers, employees. or agents may may neither solicit or accept gratuities, favors, or anything of monetary value from present or potential subawards, including contractors or parties to subcontracts.

(d) The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations as permitted by State or local law or regulations.

The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

30. **The end date for the Agency's fiscal year is** _____

31. **Signature.** By signing below, the Agency agrees to adhere to the terms and conditions of this Agreement.

AGENCY PROJECT DIRECTOR		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER
AGENCY AUTHORIZING OFFICIAL		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER
AGENCY OFFICIAL AUTHORIZED TO RECEIVE FUNDS		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

August 7, 2026

Alicia Lockhart
CITY OF HENDERSONVILLE POLICE DEPT
145 FIFTH AVE EAST
HENDERSONVILLE NC 28792

Application number: 1000028379
Ref : 2027 Application Approval

Dear Alicia Lockhart,

The Governor's Highway Safety Program (GHSP) grant management team has completed its final review of applications for fiscal year 2027, which begins October 1, 2026.

Your application is approved to proceed to the next stage of the funding process. Your next step is to review and sign the Agreement of Conditions. Some grantees will need to provide additional documentation. If that's the case, your Grants Specialist will provide you with those documents. These completed documents must be returned via email to your Grants Specialist.

Although your application has been conditionally approved, this does not ensure funding. Final approval of funds will not be made until your Agreement is finalized. You are not authorized to spend any grant funds until you receive final approval **and** the new federal fiscal year begins on October 1st.

Please contact your Grants Specialist should you have any questions or concerns about this process. The GHSP appreciates your dedication and contribution to highway safety and your continued partnership in keeping North Carolinians safe.

Sincerely,

Mark Ezzell
Director

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
GOVERNOR'S HIGHWAY SAFETY PROGRAM
1508 MAIL SERVICE CENTER
RALEIGH, NC 27699-1508

Telephone: (919) 814-3650

Website: www.ncdot.gov/programs/GHSP/

Location
750 NORTH GREENFIELD PARKWAY
GARNER, NC 27529

North Carolina Governor's Highway Safety Program

LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Hendersonville Police Department (herein called the "Agency")
(The Applicant Agency)

has completed an application contract for traffic safety funding; and that Hendersonville City Council
(The Governing Body of the Agency)

_____ (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Hendersonville City Council IN OPEN
(Governing Body)

MEETING ASSEMBLED IN THE CITY OF Hendersonville, NORTH CAROLINA, THIS 3 DAY OF September, 20 26, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Sergeant Austin Putnam is authorized to file, on behalf of the Governing
(Name and Title of Representative)
Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of $ 10,000 to be made to the Governing Body to assist in defraying
(Federal Dollar Request)
the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of $0 as
(Local Cash Appropriation)
required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____
(Chairperson/Mayor)

ATTESTED BY _____ **SEAL**
(Clerk)

DATE _____

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 8/3/2026

AGENDA SECTION: CONSENT AGENDA **DEPARTMENT:** Administration

TITLE OF ITEM: Resolution in Support of the Leonard Antonelli and Jacob Hill Bicycle Safety Zone Act of 2025 (Lennie's Law) – *Jennifer Hensley, Mayor Pro Tem*

SUGGESTED MOTION(S):

I move that the City Council adopt the resolution supporting Lennie's Law

SUMMARY:

The City Council directed staff to prepare a resolution of support for Lennie's Law. The resolution is attached for your consideration.

BUDGET IMPACT: $ NA

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

If no, describe how it will be funded. NA

ATTACHMENTS:

Proposed Resolution

Resolution #R-26-XX

RESOLUTION IN SUPPORT OF THE LEONARD ANTONELLI AND JACOB HILL BICYCLE SAFETY ZONE ACT OF 2025 ("LENNIE'S LAW")

WHEREAS, the City of Hendersonville is committed to promoting the safety, health, and well-being of all residents and visitors, including those who utilize public roadways for cycling and other forms of active transportation; and

WHEREAS, Western North Carolina is home to a vibrant and growing cycling community, with many roadways—particularly in and around Hendersonville—serving as popular and heavily trafficked cycling routes; and

WHEREAS, on July 1, 2025, Leonard Antonelli ("Lennie", age 27) and Jacob Hill ("Jake", age 32) were tragically killed, while Griffin Tichenor was injured, when a commercial vehicle crossed the center line and struck them during a weekly group cycling ride near Woodfin, North Carolina; and

WHEREAS, this tragic crash underscores the urgent need for enhanced roadway safety measures to protect cyclists and prevent future loss of life; and

WHEREAS, the proposed Leonard Antonelli and Jacob Hill Bicycle Safety Zone Act of 2025, also known as "Lennie's Law," seeks to establish designated Bicycle Safety Zones on popular cycling routes across North Carolina, where stricter enforcement of posted speed limits and increased penalties for violations would apply; and

WHEREAS, "Lennie's Law" proposes a practical, cost-effective approach—modeled after school zone safety measures—that is non-invasive to private property owners and existing roadways, including the installation of clear signage designating bicycle safety zones to increase driver awareness and accountability; and

WHEREAS, data consistently identifies excessive speed as a leading contributing factor in vehicle-cyclist collisions, and enhanced enforcement mechanisms can play a critical role in reducing such crashes; and

WHEREAS, local leaders and advocates have expressed support for the concept of bicyclist safety zones as a proactive step toward improving roadway safety; and

WHEREAS, regional partners, including the French Broad Metropolitan Planning Organization and the North Carolina Department of Transportation, are actively evaluating strategies to improve safety along key corridors further demonstrating the need for coordinated action; and

WHEREAS, the City of Hendersonville recognizes that safer roadways benefit all users, including motorists, cyclists, and pedestrians, and contributes to a more livable, connected, and resilient community.

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

1. The City of Hendersonville formally expresses its strong support for the establishment of a law that increases awareness and consequences for speeding on designated roadways that meet prescribed criteria for bicycle safety; and
2. The City supports collaboration with state and regional agencies to identify and designate appropriate Bicycle Safety Zones within and near Hendersonville, based on data, community input, and demonstrated need; and
3. The City encourages the North Carolina General Assembly to adopt this legislation to enhance cyclist safety through the establishment of Bicycle Safety Zones and increased penalties for speeding violations within those zones; and
4. The City honors the memory of Leonard Antonelli and Jacob Hill and recognizes this legislation as a meaningful step toward preventing future tragedies.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September, 2026.

_____

Attest: Barbara G. Volk, Mayor, City of Hendersonville

_____

Jill Murray, City Clerk

Approved as to form:

_____

Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Sam Hayes **MEETING DATE:** September 3, 2026

AGENDA SECTION: Consent Agenda **DEPARTMENT:** Community Development

TITLE OF ITEM: Resolution to Accept Grant Funds for CLG Grant– *Sam Hayes, Planner II*

SUGGESTED MOTION(S):

For Approval:	**For Denial**:
I move that City Council adopt a resolution accepting the funds of the Certified Local Government Grant awarded through the State Historic Preservation Office for the restoration of the Oakdale Cemetery Round House. [DISCUSS & VOTE]	I move that City Council deny a resolution accepting the funds of the Certified Local Government Grant awarded through the State Historic Preservation Office for the restoration of the Oakdale Cemetery Round House. [DISCUSS & VOTE]

SUMMARY:

The City has applied for a grant from the State Historic Preservation Office Certified Local Government Grant Program. The grant funds, amounting to $25,000, will be combined with funds already allocated by City Council for the preservation and maintenance of Oakdale Cemetery to restore the Round House building. The specific scope of the grant is to 1) repair the deck, ensuring that it is structurally sounds and 2) restore the windows and install tempered glass storm windows.

BUDGET IMPACT: $50,000 (a budget amendment will be included on a future agenda)

ATTACHMENTS:	1. Resolution to Accept Grant Funds 2. Grant Application

RESOULTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL ACCEPTING A GRANT FROM THE STATE HISTORIC PRESERVATION OFFICE CERTIFIED LOCAL GOVERNMENT GRANT PROGRAM

WHEREAS, the State Historic Preservation Office, utilizing pass through funds from the National Preservation Fund, has established a grant program for qualified Certified Local Governments (CLGs) in North Carolina to be used for restoration work on historic buildings within their jurisdiction; and

WHEREAS, the Historic Preservation Commission applied for and was awarded $25,000 for work on the Round House in Oakdale Cemetery; 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 Oakdale Cemetery; and

WHEREAS, the City is not required to provide matching funds for this grant; and

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

1. The City hereby accepts the $25,000 Certified Local Government grant from the State Historic Preservation Office 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 Certified Local Government grant as outlined in the Grant Agreement.

Adopted by City Council of the City of Hendersonville, North Carolina on this 3rd day of September, 2026.

North Carolina
State Historic Preservation Office
Department of Natural and Cultural Resources
Office of Archives and History

2026 HISTORIC PRESERVATION FUND (HPF) GRANT FOR CERTIFIED LOCAL GOVERNMENTS (CLG) APPLICATION FORM

(Deadline 11:59 p.m. April 30, 2026)

PROJECT INFORMATION (Please complete)

Name of project: Oakdale Cemetery Octagon Building Restoration

Project Type:

- ☐ Archaeological Investigation
- ☐ Architectural/Archaeological survey
- ☐ National Register (NR) nomination
- ☐ Survey publication manuscript
- ☐ Architectural/engineering study. Name of NR property: _____
- ☑ Restoration/rehabilitation. Name of NR property: Oakdale Cemetery Pavilion - Called the
- ☐ Educational Program
- ☐ Other (specify): _____

CLG GRANT - APPLICANT INFORMATION (CLG, or CLG commission)

Name of CLG governing board or CLG commission: City of Hendersonville Historic Preservation
Contact person: Sam Hayes Title: Planner II
Address: 160 6th Avenue E, Hendersonville, NC 28792
Telephone: 828-341-7081 E-mail: shayes@hvlnc.gov
Federal ID # 566001242

Only CLGs or CLG commissions may apply for CLG grants. If the CLG is applying at the request of a nonprofit or educational institution, provide the following information:
Name of nonprofit or educational institution: _____
Contact person: _____ Title: _____
Address: _____
Telephone: _____ E-mail: _____
***Please attach the CLG commission's review comments or letter of support for this application.*

LOCAL PROJECT COORDINATOR

Person who will be the local project coordinator (in most cases this will be the CLG staff):
Name: Sam Hayes Title: Planner II
Local government or organization: City of Hendersonville - Historic Preservation commission
Address: 160 6th Avenue E, Hendersonville, NC 28792
Telephone: 828-341-7081 E-mail: shayes@hvlnc.gov

COMMITMENT OF LOCAL MATCHING FUNDS

Name of donor: City of Hendersonville

Source of funds (e.g., general fund, private donations, foundation funds, etc): Special fund designated by City Council for Oakdale Cemetery restoration projects and maint

Amount of cash: $95,000 Other: _____ Date Available: 07/01/2026

Attach list if more than one donor.

BUDGET: AN ESTIMATE OF PROJECT COSTS

Submit an itemized budget for work to be accomplished with the proposed grant project and matching funds. Suggested matching funds are forty percent of total project costs. Please contact the grants coordinator if you have a project in mind, but the local government is unable to support a forty percent match.

Budget Item:	**Estimated Cost:**
Restore six original windows	$12,000
Rebuild porch framing to support 100 psf live load	4,836
Install new exterior decking	5,239
Install railing around porch on 7 sides	10,600
Architectural fees at 12%	3,921

TOTAL ESTIMATED PROJECT COST $ 36,596

GRANT REQUEST $ 19,000 LOCAL MATCHING FUNDS $ 17,596

Budget Notes:

Cash funds must be available for payment of direct costs, such as consultant/contractor fees, duplicating, and newspaper notices (for National Register historic districts with more that 50 owners). Be sure that grant funds are matched with sufficient local nonfederal cash match to meet this requirement. Funds should be available through the project completion deadline of February 29, 2028.

EQUAL OPPORTUNITY STATEMENT

*** Please attach a completed "Equal Opportunity Statement" signed by the applicant (see page 4)*

ABSTRACT OF PROPOSED PROJECT

On a separate page, briefly describe what will be accomplished with the grant and matching funds and briefly describe how the project meets the goals of North Carolina's historic preservation plan for 2025-2034 (see goals, attached). * ***Please limit the abstract to three double- spaced pages***.

APPLICATION REMINDERS

- ✓ **Attach an abstract** of the proposed project and signed Equal Opportunity Statement.
- ✓ Contact Historic Preservation Office (HPO) staff for assistance in developing the project description and estimating the budget. A site visit may be needed. HPO staff contact information is listed in the Instructions.
- ✓ Applications for architectural surveys must include the estimated number of acres or square miles and estimated number of properties to be surveyed.

- ✓ Properties and districts proposed for nomination to the National Register must be on the HPO Study List and/or deemed potentially eligible by HPO staff.
- ✓ National Register historic district applications **must include a map** of the district and its estimated number of properties.
- ✓ National Register historic district nomination proposals must demonstrate local support.
- ✓ Archaeological survey project abstracts must be accompanied by a map (USGS Quad) showing the area(s) to be covered and an estimate of the acreage to be covered.
- ✓ Applications for predevelopment or development projects **must include photos** of the structure.

****

**** Historic Preservation Office or Office of State Archaeology staff member contacted regarding this application:**

Jennifer Cathey _____ 02/16/2026 _____

Name of HPO/OSA Staff Contacted **DATE**

CLG Applicant or Other Applicant:

Samuel Hayes _____ 04/30/2026 _____

SIGNATURE of local government official or officer of the Applicant **DATE**

Sam Hayes _____ Planner II _____

NAME **TITLE**

If the applicant above is a local government or local historic preservation commission applying at the request of a non-profit organization or educational institution, an official of the nonprofit organization or educational institution must sign below:

_____ _____

SIGNATURE of official of nonprofit or educational institution submitting application through a local government or historic preservation commission **DATE**

_____ _____

NAME **TITLE**

STATE HISTORIC PRESERVATION OFFICE
OFFICE OF ARCHIVES AND HISTORY
NORTH CAROLINA DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

Addendum to Grant Application

EQUAL OPPORTUNITY STATEMENT

THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE RECEIVES FEDERAL FUNDS FROM THE NATIONAL PARK SERVICE. REGULATIONS OF THE U.S. DEPARTMENT OF THE INTERIOR STRICTLY PROHIBIT UNLAWFUL DISCRIMINATION IN FEDERALLY ASSISTED DEPARTMENTAL PROGRAMS ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX (INCLUDING PREGNANCY AND GENDER IDENTITY), AGE, DISABILITY, SEXUAL ORIENTATION, OR GENETIC INFORMATION, OR REPRISAL FOR PROTECTED EEO ACTIVITY IN ITS FEDERALLY ASSISTED PROGRAMS. ANY PERSON WHO BELIEVES HE OR SHE HAS BEEN DISCRIMINATED AGAINST IN ANY PROGRAM, ACTIVITY, OR FACILITY OPERATED BY A RECIPIENT OF FEDERAL ASSISTANCE SHOULD CONTACT THE EQUAL OPPORTUNITY PROGRAM OFFICE, U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, 1849 C STREET, NW, MAIL STOP 7360, WASHINGTON, D.C. 20240; VISIT HTTPS://WWW.DOI.GOV/PMB/EEO OR PHONE (202) 208-5693.

CLG Applicant or Other Applicant:

Samuel Hayes 04/30/2026
Signature Date
Sam Hayes Planner II
Name Title
City of Hendersonville - Historic Preservation Commission
Name of local government, local historic preservation commission, nonprofit, or educational institution

Project: Oakdale Cemetery Octagon Building Restoration

**If the applicant is a local government or local historic preservation commission applying at the request of a non-profit organization or educational institution, an official of the nonprofit organization or educational institution must sign below:

_____
Signature Date

_____
Name Title

_____
Name of nonprofit or educational institution

***Note**: Acknowledgement of the Equal Opportunity Statement above shall accompany each application for federal funding. Receipt of this signed and dated statement will fulfill this requirement. The applicant must sign the statement; and, if the applicant is a local government or local historic preservation commission applying at the request of a nonprofit or educational institution, the nonprofit or educational institution must also sign the statement.*

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Sam Hayes

MEETING DATE: September 3rd, 2026

AGENDA SECTION: CONSENT

DEPARTMENT: Community Development

TITLE OF ITEM: Annexation: Certificate of Sufficiency – Jabil Expansion (26-60-ANX) – *Sam Hayes, Planner II*

SUGGESTED MOTION(S):

I move Council to accept the City Clerk's Certificate of Sufficiency for the petition submitted by Jeffrey Butt (applicant) and SMBC Leasing and Finance, Inc. (property owners), and set October 1st, 2026, as the date for public hearing.

SUMMARY: *File # 26-60-ANX*

The City of Hendersonville has received a petition from Jeffrey Butt (applicant) and SMBC Leasing and Finance, Inc. (owner) for satellite annexation of PINs 9587-48-3861 and 9587-38-8841 located on Commercial Boulevard that is approximately 7.23 acres. Please refer to the attached maps for additional information.

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

PROJECT/PETITIONER NUMBER:	• 26-60-ANX
PETITIONER NAME:	• Jeffrey Butt (Applicant) • SMBC Leasing and Finance, Inc (Owner)
ATTACHMENTS:	1. Certificate of Sufficiency 2. Resolution setting public hearing 3. Annexation Plat 4. Typed legal description 5. GIS map 6. Deeds 7. Annexation Applications

CERTIFICATE OF SUFFICIENCY

Re: Petition for Satellite Annexation
Petitioners: Jeffrey Butt and SMBC Leasing and Finance, Inc
File No. 26-60-ANX

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:
I, Jill Murray, City Clerk, being first duly sworn, hereby certify that:

1. A petition has been received for satellite annexation of properties consisting of +/- 7.23 acres located off of Commercial Boulevard in Hendersonville, NC, being tax parcel(s) PINs 9587-48-3861 and 9587-38-8841, and being more particularly described on Exhibit A, attached hereto and incorporated by reference, hereinafter "Petition."

2. An investigation has been completed as required by N.C.G.S. § 160A-58.2 of the Petition for compliance with the requirements of N.C.G.S. § 160A-58.1.

Based upon this investigation, I find that:

1. The Petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area.
2. The nearest point on the proposed satellite corporate limit is approximately 8381’ from the primary corporate limits of the City of Hendersonville, which is less than 3 miles.
3. The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S.160A-58.1 (a).
4. 4. Pursuant to N.C. Gen. Stat. § 160A-58.1(b)(2) and (b2), all points on the proposed satellite corporate limits are within the area designated for annexation by the City of Hendersonville under the Annexation Agreement between the City of Hendersonville and the Village of Flat Rock dated August 3, 2018, as amended.
5. The area is situated so the City will be able to provide the same services within the proposed corporate limits that is provided within the primary corporate limits.
6. The area proposed for annexation is a subdivision as defined in N.C.G.S. § 160D-802. All portions of the subdivision are included in the annexation petition.
7. The total area within the proposed satellite corporate limits, when added to the area within all the other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.
8. The area for annexation meets all other requirements defined in NC 160A-58.54 regarding the character of the area to be annexed.

Having made the findings stated above, I hereby certify the Petition appears to be valid.

In witness hereof, I have set my hand and the City Seal on this the _____ day of _____, 2026.

(City Seal)

_____

Jill Murray, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING at a 5/8" rebar with cap stamped "Holmes Geospatial" set flush with existing grade (hereafter referred to as "Holmes rebar"); said Holmes rebar lying in the eastern boundary of that North Carolina Department of Transportation (referred to as NCDOT hereafter) fee simple right of way tract as described per deed book 3731 page 303 and being the northwestern most corner of Lot 2 as shown per plat book 2021 page 13013 of the Henderson County Register of Deeds (referred to hereafter as Henderson County registry); said Holmes rebar having NC Grid NAD83 coordinates of Northing: 578918.08' Easting: 983408.15'; thence with the northern boundary of Lot 2 as shown per plat book 2021 page 13013 the following three calls; 1. S 69°48'33" E 14.73 feet to a calculated point; 2. A curve to the right having an arc length of 0.54 feet, a radius of 141.27 feet, a chord bearing of S 69°27'08" E, and a chord length of 0.54 feet to a Holmes rebar set flush with existing grade; 3. S 84°10'04" E 112.25 feet to a calculated point lying at the southwestern most corner of the Appleland Business Park Property Owners Association property as described per deed book 1031 page 161 of the Henderson County registry; thence with the southern boundary of the property as described per deed book 1031 page 161 and the northern boundary of Lot 2 as shown per plat book 2021 page 13013 S 84°10'04" E 638.44 feet to a 1" axle found 0.7 feet below existing grade; said 1" axle being the southeastern most corner of Lot 7a as shown per plat book 1995 page 2042 and being the northeastern most corner of that property as described per deed book 3258 page 544 of the Henderson County registry; thence with the eastern boundary of Lot 7a, Lot 7, and Lot 11 of plat book 1995 page 2042 N 06°38'07" E 414.24 feet to a 4"x4" concrete monument found 1 foot above existing grade; said concrete monument being the northwestern most corner of that property as described per 1289 page 412; said concrete monument also being a common corner of Lot 11 per plat book 1995 page 2042; thence with the common boundary of deed book 1289 page 412 and Lot 11 as shown per plat book 1995 page 2042, S 84°56'34" E 91.18 feet to a 1/2" open iron pipe found 0.5 feet above existing grade; said open iron pipe lying in the western right of way line of Interstate 26 and being a common corner of Lot 11 as shown per plat book 1995 page 2042 of the Henderson County Register of Deeds; said open iron pipe being the northwestern most corner of that 3.7 acre right of way tract as described per deed book 421 page 299 of the Henderson County registry; said open iron pipe having NC Grid NAD83(2011) coordinates of Northing: 579239.87' Easting: 984307.77'; thence with the western right of way line of Interstate 26 as described per deed book 421 page 299 the following three calls; 1. S 32°35'44" E 44.26 feet to a 6" x 6" concrete right of way monument found 0.4 feet below existing grade; 2. S 32°21'25" E 196.82 feet to a 1/2" rebar found 0.3 feet above existing grade; 3. thence with a curve to the right

having an arc length of 593.18 feet, a radius of 4448.67 feet, a chord bearing of S 27°41'47" E, and a chord length of 592.74 feet to a calculated point lying in the northern boundary line of the John M. Magnusson Revocable Trust property as described in deed book 1345 page 308 of the Henderson County Register of Deeds; said calculated point lying N 84° 22' 13" W 0.79 feet from a 3/4" open iron pipe found broken at existing grade; thence with the northern boundary of the John M. Magnusson Revocable Trust Property as described per deed book 1345 page 308, N 84°22'13" W 515.99 feet to a 5/8" rebar with cap stamped "Ed Holmes & Associates" found 0.0 feet above existing grade; said 5/8' rebar with cap being the northwestern most corner of the John M. Magnusson Revocable Trust property and the northeastern most corner of Lot 3 as shown per plat book 2021 page 13013 of the Henderson County registry; thence with the northern boundary of Lot 3 per plat book 2021 page 13013 the following two calls; 1. N 47°18'56" W 303.88 feet to a 1/2" rebar found 0.2 feet above existing grade; 2. N 85°01'19" W 499.94 feet to a Holmes rebar set flush with existing grade; said Holmes rebar lying in the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303; thence with the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303 a curve to the left having an arc length of 128.30 feet, a radius of 280.00 feet, a chord bearing of N 33°09'14" W, and a chord length of 127.19 feet to the point and place of BEGINNING containing 7.23 ± Acres.

ALSO BEING all of Lot 2 as shown per plat book 2021 page 13013 of the Henderson County Register of Deeds.

Resolution #__-____

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 Operations Center located at 305 William St. Hendersonville NC, 28792 at 5:45 p.m. October 1st, 2026, or as soon thereafter as it may be heard.

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

BEGINNING at a 5/8" rebar with cap stamped "Holmes Geospatial" set flush with existing grade (hereafter referred to as "Holmes rebar"); said Holmes rebar lying in the eastern boundary of that North Carolina Department of Transportation (referred to as NCDOT hereafter) fee simple right of way tract as described per deed book 3731 page 303 and being the northwestern most corner of Lot 2 as shown per plat book 2021 page 13013 of the Henderson County Register of Deeds (referred to hereafter as Henderson County registry); said Holmes rebar having NC Grid NAD83 coordinates of Northing: 578918.08' Easting: 983408.15'; thence with the northern boundary of Lot 2 as shown per plat book 2021 page 13013 the following three calls; 1. S 69°48'33" E 14.73 feet to a calculated point; 2. A curve to the right having an arc length of 0.54 feet, a radius of 141.27 feet, a chord bearing of S 69°27'08" E, and a chord length of 0.54 feet to a Holmes rebar set flush with existing grade; 3. S 84°10'04" E 112.25 feet to a calculated point lying at the southwestern most corner of the Appleland Business Park Property Owners Association property as described per deed book 1031 page 161 of the Henderson County registry; thence with the southern boundary of the property as described per deed book 1031 page 161 and the northern boundary of Lot 2 as shown per plat book 2021 page 13013 S 84°10'04" E 638.44 feet to a 1" axle found 0.7 feet below existing grade; said 1" axle being the southeastern most corner of Lot 7a as shown per plat book 1995 page 2042 and being the northeastern most corner of that property as described per deed book 3258 page 544 of the Henderson County registry; thence with the eastern boundary of Lot 7a, Lot 7, and Lot 11 of plat book 1995 page 2042 N 06°38'07" E 414.24 feet to a 4"x4" concrete monument found 1 foot above existing grade; said concrete monument being the northwestern most corner of that property as described per 1289 page 412; said concrete monument also being a common corner of Lot 11 per plat book 1995 page 2042; thence with the common boundary of deed book 1289 page 412 and Lot 11 as shown per plat book 1995 page 2042, S 84°56'34" E 91.18 feet to a 1/2" open iron pipe found 0.5 feet above existing grade; said open iron pipe lying in the western right of way line of Interstate 26 and being a common corner of Lot 11 as shown per plat book 1995 page 2042 of the Henderson County Register of Deeds; said open iron pipe being the northwestern most corner of that 3.7 acre right of way tract as described per deed book 421 page 299 of the Henderson County registry; said open iron pipe having NC Grid NAD83(2011)

coordinates of Northing: 579239.87' Easting: 984307.77'; thence with the western right of way line of Interstate 26 as described per deed book 421 page 299 the following three calls; 1. S 32°35'44" E 44.26 feet to a 6" x 6" concrete right of way monument found 0.4 feet below existing grade; 2. S 32°21'25" E 196.82 feet to a 1/2" rebar found 0.3 feet above existing grade; 3. thence with a curve to the right having an arc length of 593.18 feet, a radius of 4448.67 feet, a chord bearing of S 27°41'47" E, and a chord length of 592.74 feet to a calculated point lying in the northern boundary line of the John M. Magnusson Revocable Trust property as described in deed book 1345 page 308 of the Henderson County Register of Deeds; said calculated point lying N 84° 22' 13" W 0.79 feet from a 3/4" open iron pipe found broken at existing grade; thence with the northern boundary of the John M. Magnusson Revocable Trust Property as described per deed book 1345 page 308, N 84°22'13" W 515.99 feet to a 5/8" rebar with cap stamped "Ed Holmes & Associates" found 0.0 feet above existing grade; said 5/8' rebar with cap being the northwestern most corner of the John M. Magnusson Revocable Trust property and the northeastern most corner of Lot 3 as shown per plat book 2021 page 13013 of the Henderson County registry; thence with the northern boundary of Lot 3 per plat book 2021 page 13013 the following two calls; 1. N 47°18'56" W 303.88 feet to a 1/2" rebar found 0.2 feet above existing grade; 2. N 85°01'19" W 499.94 feet to a Holmes rebar set flush with existing grade; said Holmes rebar lying in the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303; thence with the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303 a curve to the left having an arc length of 128.30 feet, a radius of 280.00 feet, a chord bearing of N 33°09'14" W, and a chord length of 127.19 feet to the point and place of BEGINNING containing 7.23 ± Acres.

ALSO BEING all of Lot 2 as shown per plat book 2021 page 13013 of the Henderson County Register of Deeds.

Re: Petition for Satellite Annexation
Petitioners: Jeffrey Butt (applicant) and SMBC Leasing and Finance, Inc (owner)
File No. 26-60-ANX

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

Adopted by the City Council of the City of Hendersonville, North Carolina on this ____day of _____ 20_____.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

NOTES

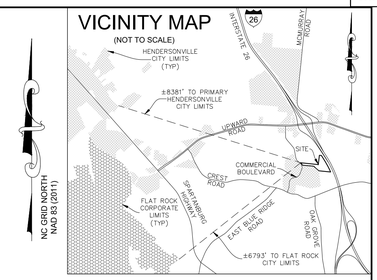
1. THE PURPOSE OF THIS PLAT IS FOR A PROPOSED ANNEXATION OF HENDERSON COUNTY, NC PINS: 9587483861 & 9587388841 INTO THE HENDERSONVILLE CITY LIMITS. TOTAL AREA OF PROPOSED ANNEXATION IS 7.23 ± ACRES. AREAS TO BE ANNEXED, AS NOTED HEREON, ARE INTENDED TO BE ADDED TO THE GARRISON INDUSTRIAL PARK AND WILL BE SUBJECT TO THAT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS DESCRIBED PER DEED BOOK 3721 PAGE 204. SEE VICINITY MAP HEREON FOR APPROXIMATE LOCATION OF THE NEAREST PRIMARY HENDERSONVILLE CITY LIMITS IN RELATION TO THE SUBJECT PROPERTY. DISTANCES, AS SHOWN ON THE VICINITY MAP HEREON, ARE BASED ON HENDERSON COUNTY GIS PARCEL LINES AND SHOULD BE CONSIDERED APPROXIMATE.
2. THE SUBJECT PROPERTY MAY BE SUBJECT TO RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS AND RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED, NOT SHOWN OR DISCOVERED DURING THE COURSE OF THIS SURVEY.
3. AREAS TO BE ANNEXED, AS NOTED HEREON, ARE SUBJECT TO COUNTY ZONING PER THAT INTERLOCAL AGREEMENT, DATED NOVEMBER 18, 2020, AS AMENDED BY THAT FIRST AMENDED AND RESTATED INTERLOCAL AGREEMENT, DATED _____ PER HENDERSON COUNTY ZONING MAP. THE SUBJECT PROPERTY IS SHOWN WITHIN THE INDUSTRIAL (I) DISTRICT. SETBACKS FOR THE INDUSTRIAL (I) DISTRICT PER HENDERSON COUNTY ZONING ORDINANCE ARE AS FOLLOWS:

   INDUSTRIAL (I) DISTRICT

   FRONT OR RIGHT OF WAY: 20' (LOCAL ROAD), 30' (COLLECTOR ROAD), 40' (THOROUGHFARE), 50' (BOULEVARD EXPRESSWAY), 60' (FREEWAY)
   SIDE: 20'
   REAR: 20'

   SETBACKS GRAPHICALLY DEPICTED HEREON, ARE THE SURVEYORS BEST INTERPRETATION OF THE ZONING ORDINANCE AND SHOULD BE VERIFIED WITH THE HENDERSON COUNTY PLANNING DEPARTMENT FOR COMPLIANCE. SEE THE HENDERSON COUNTY ZONING ORDINANCE FOR ADDITIONAL RESTRICTIONS AND ALLOWANCES.
4. PORTIONS OF THE SUBJECT PROPERTY APPEAR TO LIE WITHIN FLOOD HAZARD AREAS (ZONE AE), AND (ZONE X) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP 3700958700J, EFFECTIVE DATE OCTOBER 2nd, 2008. APPROXIMATE LOCATIONS OF FLOOD HAZARD LINES ARE DEPICTED HEREON AND WERE OBTAINED FROM FRIS NC.GOV. THE SUBJECT PROPERTY MAY BE SUBJECT TO STREAM BUFFERS AS REQUIRED BY LOCAL ORDINANCES. STREAM BUFFERS ARE NOT DEPICTED HEREON.
5. FIELD WORK WAS PERFORMED FROM 4/7/2026 THROUGH 6/18/2026, BY GNSS AND TRADITIONAL SURVEY METHODS. MONUMENTS FOUND ARE FLUSH WITH EXISTING GRADE UNLESS NOTED OTHERWISE.
6. NO FIELD INVESTIGATION OF UNDERGROUND UTILITIES, OTHER THAN ABOVE GROUND STRUCTURES, WAS PERFORMED BY THIS FIRM. SEE LINE LEGEND HEREON FOR UNDERGROUND UTILITIES SHOWN BASED ON PAINT MARKINGS FOUND. UNDERGROUND UTILITIES MAY EXIST ON THE SUBJECT PROPERTY, NOT SHOWN, THAT WERE NOT VISIBLE AND APPARENT AND COULD NOT BE DISCOVERED DURING THE SURVEY.
7. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS NOTED OTHERWISE. ALL COORDINATES SHOWN ARE NC GRID NAD83(2011) COORDINATES.
8. LANGUAGE PER DEED BOOK 421 PAGE 299 "EASEMENTS, IN PERPETUITY FOR RIGHT OF WAY" DOES NOT APPEAR TO IMPLY FEE SIMPLE CONVEYANCE. HOWEVER, LANGUAGE PER DEED BOOK 1289 PAGE 412 SUGGESTS INTENT TO EXCEPT THE LAND WITHIN THE RIGHT OF WAY AREA AS CONVEYED TO THE STATE HIGHWAY COMMISSION PER DEED BOOK 421 PAGE 299. CONSIDERING THE LANGUAGE OF DEED BOOK 1289 PAGE 412, CALLS L6 THROUGH C2 , AS SHOWN HEREON, ARE INTENDED TO RUN WITH THE WESTERN RIGHT OF WAY LINE OF INTERSTATE 26 AS DESCRIBED PER DEED BOOK 421 PAGE 299 AND AS SHOWN ON STATE HIGHWAY COMMISSION PLANS FOR PROJECT #8.18293. PLANS PER HIGHWAY PROJECT# 8.18293 DEPICT A TOTAL RIGHT OF WAY WIDTH OF 270 FEET ALONG THE SUBJECT PROPERTY (135' FROM CENTERLINE). HIGHWAY PLANS, AS NOTED ABOVE, DEPICT A 135' SPIRAL CURVE OFFSET CORRESPONDING TO THE PORTION OF RIGHT OF WAY SHOWN HEREON BY CALLS L7 & L7a. HOWEVER, DEED BOOK 421 PAGE 299 CALLS FOR A CHORD BEARING AND DISTANCE FOR THIS PORTION OF RIGHT OF WAY. CONSIDERING AMBIGUITY BETWEEN HIGHWAY PLANS AND THE RECORD RIGHT OF WAY CONVEYANCE, THE CHORD BEARING AND DISTANCE AS CALLED FOR, PER DEED BOOK 421 PAGE 299, WAS HELD TO RE ESTABLISH THE RIGHT OF WAY FOR CALLS L7 & L7a SHOWN HEREON.
9. NO DEED WAS FOUND FOR CONVEYANCE OF THAT 20 FOOT PROPOSED SEWER EASEMENT AS DEPICTED PER PLAT BOOK 1994 PAGE 1652, PLAT BOOK 1995 PAGE 1927, AND PLAT BOOK 1995 PAGE 2042. THE APPROXIMATE LOCATION OF SAID EASEMENT IS SHOWN HEREON. IT IS UNCERTAIN IF THE PROPOSED EASEMENT AS DEPICTED ON PLATS NOTED ABOVE CORRESPONDS TO THAT "20 FOOT SANITARY SEWER EASEMENT TO BE GRANTED TO THE GARRISON'S" AS DEPICTED ON EXHIBIT A OF DEED BOOK 843 PAGE 421. NO DEED OF CONVEYANCE WAS FOUND FOR SAID 20 FOOT SANITARY SEWER EASEMENT TO BE GRANTED TO THE GARRISON'S.
10. NO DEED WAS FOUND REGARDING CONVEYANCE OF RIGHTS TO THE USE OF THAT PORTION OF THE "ABANDONED RIGHT OF WAY" EXTENDING THROUGH THE SUBJECT PROPERTY AS SHOWN PER PLAT BOOK 2021 PAGE 13013, BASED ON HISTORICAL NCDOT AERIAL PHOTOGRAPHY, IT APPEARS SAID PORTION OF THE "ABANDONED RIGHT OF WAY" MAY NEVER HAVE BUILT OR USED FOR ACCESS. SEE DEED BOOK 3721 PAGE 231 FOR LANGUAGE OF ABANDONMENT TO RIGHTS FOR THE PORTION OF "ABANDONED RIGHT OF WAY" EXTENDING THROUGH THE SUBJECT PROPERTY AS SHOWN HEREON.
11. SEE DETAIL 1 FOR LOCATION OF A PORTION OF DEED BOOK 3258 PAGE 352 (ALSO PORTION OF LOT 8 PER PLAT BOOK 1994 PAGE 1652) THAT LIES WITHIN THE BOUNDARIES OF TRACT 1 SHOWN HEREON. SAID PORTION OF DEED BOOK 3258 PAGE 352 APPEARS TO BE INCLUDED IN THE DESCRIPTION OF THE TRACT ONE EXCEPTION AS DESCRIBED PER DEED BOOK 3647 PAGE 640.

VICINITY MAP
(NOT TO SCALE)

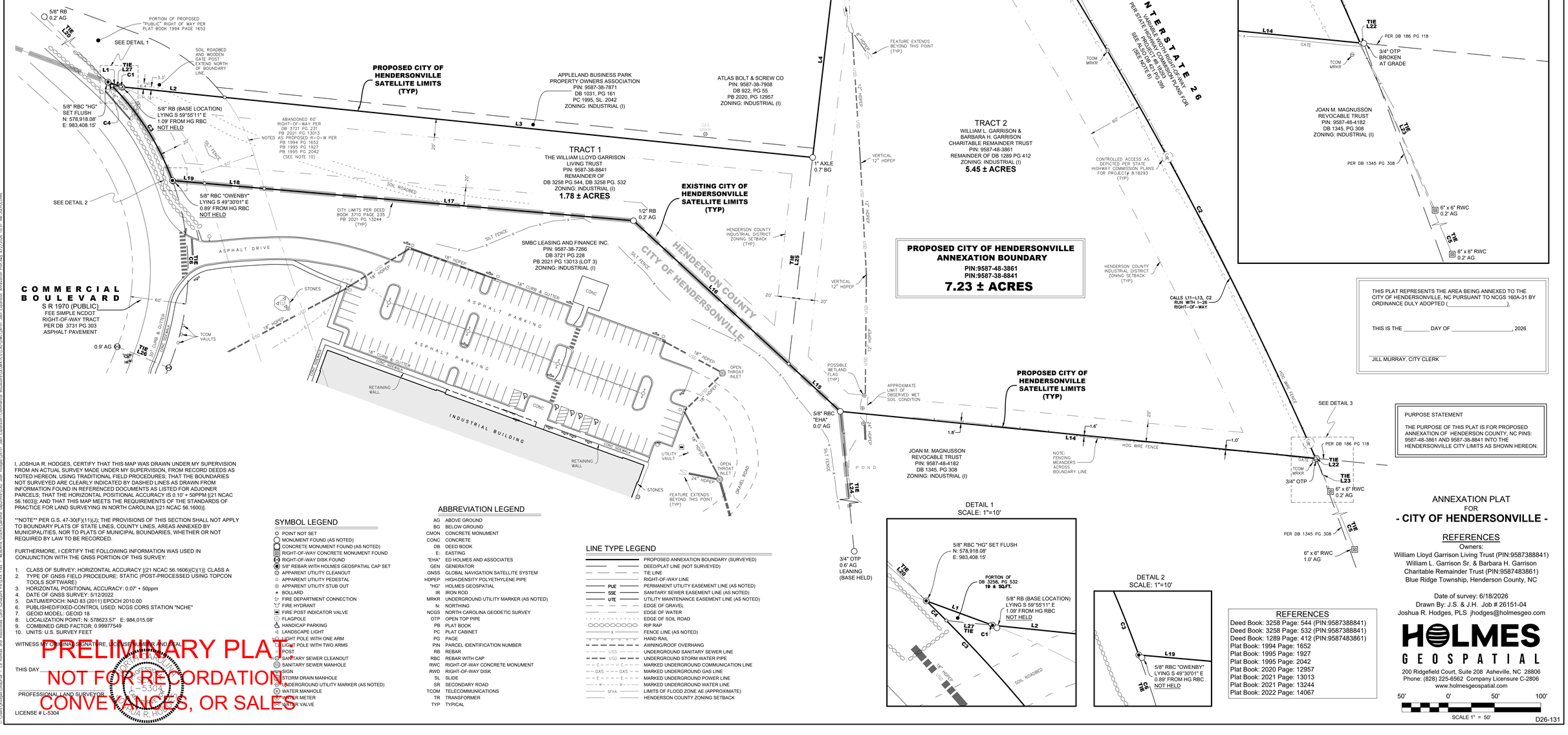


CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	141.27'	0.54'	0.54'	S 69°27'08" E	0°13'14"
C2	4448.67'	593.18'	592.74'	S 27°41'47" E	7°38'23"
C3	280.00'	122.22'	121.25'	N 32°31'52" W	25°00'32"
C4	280.00'	6.09'	6.09'	N 45°39'30" W	1°14'45"
C5	4448.67'	691.50'	690.80'	N 19°25'24" W	8°54'22"
C6	280.00'	206.94'	202.26'	N 01°08'47" E	42°20'45"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 69°48'33" E	14.73'
L2	S 84°10'04" E	112.25'
L3	S 84°10'04" E	638.44'
L4	N 06°38'07" E	211.80'
L5	N 06°38'07" E	64.88'
L6	N 06°38'07" E	77.15'
L7	N 06°38'07" E	17.26'
L8	N 06°38'07" E	20.17'
L9	N 06°38'07" E	22.98'
L10	S 84°56'34" E	91.18'
L11	S 32°35'44" E	44.26'
L12	S 32°21'25" E	117.15'
L13	S 32°21'25" E	79.67'
L14	N 84°22'13" W	515.99'
L15	N 47°18'56" W	75.89'
L16	N 47°18'56" W	228.00'
L17	N 85°01'19" W	400.36'
L18	N 85°01'19" W	64.71'
L19	N 85°01'19" W	34.87'
L20	S 44°18'13" E	373.90'
L21	S 32°45'16" E	479.69'
L22	N 84°22'13" W	0.79'
L23	N 24°06'53" W	39.58'
L24	N 05°40'50" W	695.27'
L25	N 06°38'07" E	224.38'
L26	S 67°40'07" E	60.03'
L27	S 84°10'02" E	10.03'



DETAIL 1
SCALE: 1"=10'

DETAIL 2
SCALE: 1"=10'

DETAIL 3
SCALE: 1"=10'

SYMBOL LEGEND

- POINT NOT SET
- MONUMENT FOUND (AS NOTED)
- CONCRETE MONUMENT FOUND (AS NOTED)
- RIGHT-OF-WAY CONCRETE MONUMENT FOUND
- RIGHT-OF-WAY DISK FOUND
- 5/8" REBAR WITH HOLMES GEOSPATIAL CAP SET
- APPARENT UTILITY CLEANOUT
- APPARENT UTILITY PEDESTAL
- APPARENT UTILITY STUB OUT
- BOLLARD
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT
- FIRE POST INDICATOR VALVE
- FLAGPOLE
- HANDICAP PARKING
- LANDSCAPE LIGHT
- LIGHT POLE WITH ONE ARM
- LIGHT POLE WITH TWO ARMS
- POST
- SANITARY SEWER CLEANOUT
- SANITARY SEWER MANHOLE
- SIGN
- STORM DRAIN MANHOLE
- UNDERGROUND UTILITY MARKER (AS NOTED)
- WATER MANHOLE
- WATER METER
- WATER VALVE

ABBREVIATION LEGEND

AG	ABOVE GROUND
BG	BELOW GROUND
CMON	CONCRETE MONUMENT
CONC	CONCRETE
DB	DEED BOOK
E:	EASTING
"EHA"	ED HOLMES AND ASSOCIATES
GEN	GENERATOR
GNSS	GLOBAL NAVIGATION SATELLITE SYSTEM
HDPEP	HIGH-DENSITY POLYETHYLENE PIPE
"HG"	HOLMES GEOSPATIAL
IR	IRON ROD
MRKR	UNDERGROUND UTILITY MARKER (AS NOTED)
N	NORTHING
NCGS	NORTH CAROLINA GEODETIC SURVEY
OTP	OPEN TOP PIPE
PB	PLAT BOOK
PC	PLAT CABINET
PG	PAGE
PIN	PARCEL IDENTIFICATION NUMBER
RB	REBAR
RBC	REBAR WITH CAP
RWC	RIGHT-OF-WAY CONCRETE MONUMENT
RWD	RIGHT-OF-WAY DISK
SL	SLIDE
SR	SECONDARY ROAD
TCOM	TELECOMMUNICATIONS
TR	TRANSFORMER
TYP	TYPICAL

LINE TYPE LEGEND

- PROPOSED ANNEXATION BOUNDARY (SURVEYED)
- DEED/PLAT LINE (NOT SURVEYED)
- TIE LINE
- RIGHT-OF-WAY LINE
- PUE — PERMANENT UTILITY EASEMENT LINE (AS NOTED)
- SSE — SANITARY SEWER EASEMENT LINE (AS NOTED)
- UTE — UTILITY MAINTENANCE EASEMENT LINE (AS NOTED)
- EDGE OF GRAVEL
- EDGE OF WATER
- EDGE OF SOIL ROAD
- RIP RAP
- FENCE LINE (AS NOTED)
- HAND RAIL
- AWNING/ROOF OVERHANG
- USS — UNDERGROUND SANITARY SEWER LINE
- USD — UNDERGROUND STORM WATER PIPE
- C — C — MARKED UNDERGROUND COMMUNICATION LINE
- GAS — GAS — MARKED UNDERGROUND GAS LINE
- E — E — MARKED UNDERGROUND POWER LINE
- W — W — MARKED UNDERGROUND WATER LINE
- SFHA — LIMITS OF FLOOD ZONE AE (APPROXIMATE)
- HENDERSON COUNTY ZONING SETBACK

I, JOSHUA R. HODGES, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM RECORD DEEDS AS NOTED HEREON, USING TRADITIONAL FIELD PROCEDURES; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED BY DASHED LINES AS DRAWN FROM INFORMATION FOUND IN REFERENCED DOCUMENTS AS LISTED FOR ADJOINER PARCELS; THAT THE HORIZONTAL POSITIONAL ACCURACY IS 0.10' + 50PPM [(21 NCAC 56.1603)]; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA [(21 NCAC 56.1600)].

NOTE PER G.S. 47-30(F)(11)(J); THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BOUNDARY PLATS OF STATE LINES, COUNTY LINES, AREAS ANNEXED BY MUNICIPALITIES, NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED.

FURTHERMORE, I CERTIFY THE FOLLOWING INFORMATION WAS USED IN CONJUNCTION WITH THE GNSS PORTION OF THIS SURVEY:

1. CLASS OF SURVEY: HORIZONTAL ACCURACY [(21 NCAC 56.1606)(C)(1)]: CLASS A
2. TYPE OF GNSS FIELD PROCEDURE: STATIC (POST-PROCESSED USING TOPCON TOOLS SOFTWARE)
3. HORIZONTAL POSITIONAL ACCURACY: 0.07' + 50ppm
4. DATE OF GNSS SURVEY: 5/12/2022
5. DATUM/EPOCH: NAD 83 (2011) EPOCH 2010.00
6. PUBLISHED/FIXED-CONTROL USED: NCGS CORS STATION "NCHE"
7. GEOID MODEL: GEOID 18
8. LOCALIZATION POINT: N: 578623.57' E: 984,015.08'
9. COMBINED GRID FACTOR: 0.99977549
10. UNITS: U.S. SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS DAY _____

_____
PROFESSIONAL LAND SURVEYOR

LICENSE # L-5304

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES, OR SALES

THIS PLAT REPRESENTS THE AREA BEING ANNEXED TO THE CITY OF HENDERSONVILLE, NC PURSUANT TO NCGS 160A-31 BY ORDINANCE DULY ADOPTED (_____).

THIS IS THE _____ DAY OF _____, 2026

_____
JILL MURRAY, CITY CLERK

PURPOSE STATEMENT

THE PURPOSE OF THIS PLAT IS FOR PROPOSED ANNEXATION OF HENDERSON COUNTY, NC PINS: 9587-48-3861 AND 9587-38-8841 INTO THE HENDERSONVILLE CITY LIMITS AS SHOWN HEREON.

ANNEXATION PLAT
FOR
- CITY OF HENDERSONVILLE -

REFERENCES
Owners:
William Lloyd Garrison Living Trust (PIN:9587388841)
William L. Garrison Sr. & Barbara H. Garrison Charitable Remainder Trust (PIN:9587483861)
Blue Ridge Township, Henderson County, NC

Date of survey: 6/18/2026
Drawn By: J.S. & J.H. Job # 26151-04
Joshua R. Hodges, PLS jhodges@holmesgeo.com

HOLMES GEOSPATIAL
200 Ridgefield Court, Suite 208 Asheville, NC 28806
Phone: (828) 225-6562 Company Licensure C-2806
www.holmesgeospatial.com

REFERENCES
Deed Book: 3258 Page: 544 (PIN:9587388841)
Deed Book: 3258 Page: 532 (PIN:9587388841)
Deed Book: 1289 Page: 412 (PIN:9587483861)
Plat Book: 1994 Page: 1652
Plat Book: 1995 Page: 1927
Plat Book: 1995 Page: 2042
Plat Book: 2020 Page: 12957
Plat Book: 2021 Page: 13013
Plat Book: 2021 Page: 13244
Plat Book: 2022 Page: 14067

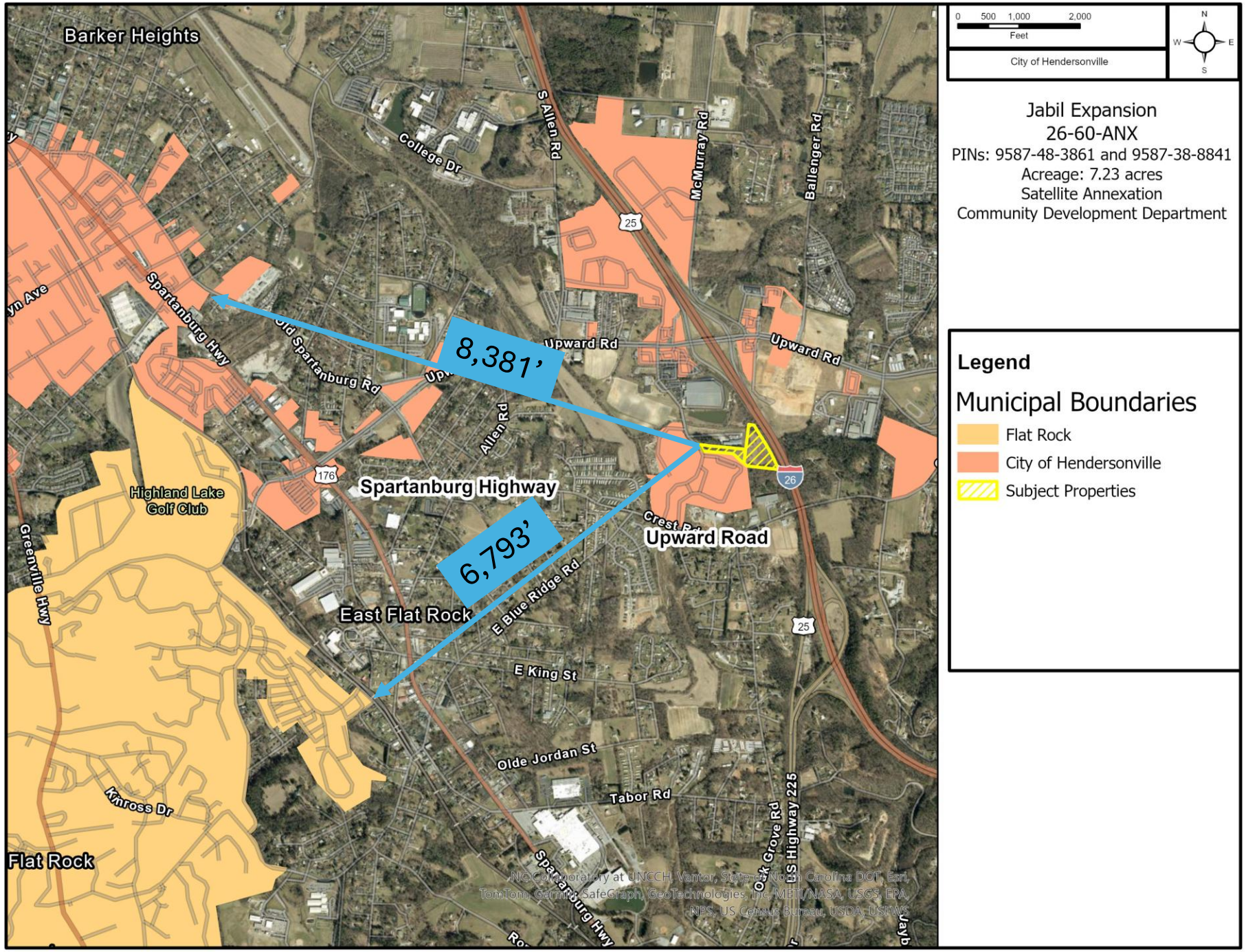
50' 0' 50' 100'
SCALE 1" = 50'

D26-131

C:\Users\JHodges\OneDrive - Ed Holmes and Associates Ltd\Surveys\PA\SHA Area - RESERVE\LWDPS\Survey\Survey.CAD Job Maps\26151 Job Exposition Commercial Boulevard\DRAWINGS\CAD\DWG\26151 Job Exposition Annexation Plat.dwg, 3/12/2026 10:51:16 AM, JEFFCLORE

BEGINNING at a 5/8" rebar with cap stamped "Holmes Geospatial" set flush with existing grade (hereafter referred to as "Holmes rebar"); said Holmes rebar lying in the eastern boundary of that North Carolina Department of Transportation (referred to as NCDOT hereafter) fee simple right of way tract as described per deed book 3731 page 303 and being the northwestern most corner of Lot 2 as shown per plat book 2021 page 13013 of the Henderson County Register of Deeds (referred to hereafter as Henderson County registry); said Holmes rebar having NC Grid NAD83 coordinates of Northing: 578918.08' Easting: 983408.15'; thence with the northern boundary of Lot 2 as shown per plat book 2021 page 13013 the following three calls; 1. S 69°48'33" E 14.73 feet to a calculated point; 2. A curve to the right having an arc length of 0.54 feet, a radius of 141.27 feet, a chord bearing of S 69°27'08" E, and a chord length of 0.54 feet to a Holmes rebar set flush with existing grade; 3. S 84°10'04" E 112.25 feet to a calculated point lying at the southwestern most corner of the Appleland Business Park Property Owners Association property as described per deed book 1031 page 161 of the Henderson County registry; thence with the southern boundary of the property as described per deed book 1031 page 161 and the northern boundary of Lot 2 as shown per plat book 2021 page 13013 S 84°10'04" E 638.44 feet to a 1" axle found 0.7 feet below existing grade; said 1" axle being the southeastern most corner of Lot 7a as shown per plat book 1995 page 2042 and being the northeastern most corner of that property as described per deed book 3258 page 544 of the Henderson County registry; thence with the eastern boundary of Lot 7a, Lot 7, and Lot 11 of plat book 1995 page 2042 N 06°38'07" E 414.24 feet to a 4"x4" concrete monument found 1 foot above existing grade; said concrete monument being the northwestern most corner of that property as described per 1289 page 412; said concrete monument also being a common corner of Lot 11 per plat book 1995 page 2042; thence with the common boundary of deed book 1289 page 412 and Lot 11 as shown per plat book 1995 page 2042, S 84°56'34" E 91.18 feet to a 1/2" open iron pipe found 0.5 feet above existing grade; said open iron pipe lying in the western right of way line of Interstate 26 and being a common corner of Lot 11 as shown per plat book 1995 page 2042 of the Henderson County Register of Deeds; said open iron pipe being the northwestern most corner of that 3.7 acre right of way tract as described per deed book 421 page 299 of the Henderson County registry; said open iron pipe having NC Grid NAD83(2011) coordinates of Northing: 579239.87' Easting: 984307.77'; thence with the western right of way line of Interstate 26 as described per deed book 421 page 299 the following three calls; 1. S 32°35'44" E 44.26 feet to a 6" x 6" concrete right of way monument found 0.4 feet below existing grade; 2. S 32°21'25" E 196.82 feet to a 1/2" rebar found 0.3 feet above existing grade; 3. thence with a curve to the right having an arc length of 593.18 feet, a radius of 4448.67 feet, a chord bearing of S 27°41'47" E, and a chord length of 592.74 feet to a calculated point lying in the northern boundary line of the John M. Magnusson Revocable Trust property as described in deed book 1345 page 308 of the Henderson County Register of Deeds; said calculated point lying N 84° 22' 13" W 0.79 feet from a 3/4" open iron pipe found broken at existing grade; thence with the northern boundary of the John M. Magnusson Revocable Trust Property as described per deed book 1345 page 308, N 84°22'13" W 515.99 feet to a 5/8" rebar with cap stamped "Ed Holmes & Associates" found 0.0 feet above existing grade; said 5/8' rebar with cap being the northwestern most corner of the John M. Magnusson Revocable Trust property and the northeastern most corner of Lot 3 as shown per plat book 2021 page 13013 of the Henderson County registry; thence with the northern boundary of Lot 3 per plat book 2021 page 13013 the following two calls; 1. N 47°18'56" W 303.88 feet to a 1/2" rebar found 0.2 feet above existing grade; 2. N 85°01'19" W 499.94 feet to a Holmes rebar set flush with existing grade; said Holmes rebar lying in the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303; thence with the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303 a curve to the left having an arc length of 128.30 feet, a radius of 280.00 feet, a chord bearing of N 33°09'14" W, and a chord length of 127.19 feet to the point and place of BEGINNING containing 7.23 ± Acres.

ALSO BEING all of Lot 2 as shown per plat book 2021 page 13013 of the Henderson County Register of Deeds.


Barker Heights
College Dr
S Allen Rd
McMurray Rd
Ballenger Rd
25
Spartanburg Hwy
Old Spartanburg Rd
Upward Rd
Upward Rd
8,381'
Allen Rd
176
Spartanburg Highway
Highland Lake Golf Club
Upward Road
26
6,793'
Greenville Hwy
East Flat Rock
E Blue Ridge Rd
25
E King St
Olde Jordan St
Tabor Rd
Knross Dr
Flat Rock
Oak Grove Rd
S Highway 225
Spartanburg Hwy
0 500 1,000 2,000
Feet
City of Hendersonville
N
W
E
S
Jabil Expansion
26-60-ANX
PINs: 9587-48-3861 and 9587-38-8841
Acreage: 7.23 acres
Satellite Annexation
Community Development Department
Legend
Municipal Boundaries
Flat Rock
City of Hendersonville
Subject Properties

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: $ 525.00

Tax Parcel Information: 9587-38-8841
REID: 10006846

Verified by Henderson County on the ____ day of September, 2026.
By: _____

Mail/Box to: Jeffrey Drew Butt, Jabil Inc., 10800 Roosevelt Blvd. N, St Petersburg, FL 33716

This Instrument was prepared by:
George Hollodick, Esq., Blanco Tackabery. P.O. Drawer 25008, Winston-Salem • NC • 27114-5008, a licensed North Carolina attorney

Delinquent taxes, if any, to be paid by the Closing attorney to the county tax collector upon disbursement of closing proceeds.

Brief Description for the Index: William Lloyd Garrison Living Trust

---

THIS DEED made this 2nd day of September, 2026, by and between

GRANTOR	GRANTEE
Carole Ann Garrison, successor trustee of The William Lloyd Garrison Living Trust under trust dated January 24, 2007, as restated on September 12, 2018 4017 Little River Road Hendersonville, NC 28739	SMBC Leasing and Finance, Inc., a Delaware corporation c/o Jabil Inc. Attn: Real Estate 10800 Roosevelt Blvd N. St. Petersburg, FL USA 33716

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Henderson County, North Carolina and more particularly described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference.

TOGETHER with all of all of Grantor's right, title and interest in and to: (a) any strips and gores of land adjoining or abutting such parcel(s) owned by the Grantor; (b) any real property owned by the Grantor lying in the bed of any street, road, avenue or alley, opened or proposed, in front of, running through such parcel(s); (c) any easement or right-of-way over, contiguous to or adjoining such real property, and all other easements, riparian or littoral rights, if any, inuring to the benefit of the Grantor; (d) all timber, trees, wood and/or forest products thereon; (e) the privileges, appurtenances and hereditaments primarily belonging to or appurtenant to such parcel(s), including any development, air, water, gas, oil or mineral rights in, on, under or with respect to such parcel(s) and (f) all buildings, structures, paving, landscaping, lighting or other improvements situated on such parcel(s), if any.

The property hereinabove described is the property acquired by Grantor by instrument recorded in Book 3258, Page 544, Henderson County, North Carolina Register of Deeds.

A map showing the above describer property is recorded in Plat Book 2022, Page 14542, Henderson County, North Carolina Register of Deeds.

TO HAVE AND TO HOLD the same unto said Grantee and Grantee's successors and assigns, forever.

None of the property conveyed hereby constitutes the principal residence or homestead of the Grantor.

And Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend against the lawful claims of all persons claiming by, under and through Grantor, other than the following exceptions:

1. the lien of all ad valorem real estate taxes and assessments for the current year and subsequent years which are not yet due and payable;

2. local, state and federal laws, ordinances or governmental regulations, including but not limited to, building and zoning laws, ordinances and regulations, now or hereafter in effect relating to the property;

3. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 2020, Slide 12957; Plat Book 2021, Slide 13013; and Plat Book 2022, Slide 14542, Henderson County, North Carolina Register of Deeds.

[remainder of page intentionally left blank]
[signatures follow on next page]

IN WITNESS WHEREOF, GRANTOR has duly executed the foregoing as of the day and year first above written.

GRANTOR:

Carole Ann Garrison, successor trustee of The William Lloyd Garrison Living Trust under trust dated January 24, 2007, as restated on September 12, 2018

STATE OF NORTH CAROLINA)
) ss.
COUNTY OF HENDERSON)

I, Dawn D. Maniscalco, Notary Public, certify that Carole Ann Garrison personally appeared before me this day and acknowledged the due execution of this document.

Witness my hand and official seal this day, 27th August, 2026.

(Official Seal)

DAWN D MANISCALCO
NOTARY PUBLIC
HENDERSON COUNTY, NC
My Commission Expires 4-17-2027

PRINT NAME: Dawn D. Maniscalco, Notary Public
My commission expires: April 17, ~~2026~~ 2027

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

BEGINNING at a 5/8" rebar with cap stamped "Holmes Geospatial" set flush with existing grade (hereafter referred to as "Holmes rebar"); said Holmes rebar lying in the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303, and being the northwestern most corner of Lot 2 as shown per plat book 2021 page 13013; said Holmes rebar having NC Grid NAD83(2011) coordinates of Northing: 578918.08' Easting: 983408.15'; thence with the northern boundary of Lot 2 as excepted from tract 1 of deed book 3647 page 640 the following three calls; 1. S 69°48'33" E 14.73 feet to a calculated point; 2. A curve to the right having an arc length of 0.54 feet, a radius of 141.27 feet, a chord bearing of S 69°27'08" E, and a chord length of 0.54 feet to a Holmes rebar set flush with existing grade; 3. S 84°10'04" E 750.69 feet to a 1" axle found 0.7 feet below existing grade; said 1" axle being the southeastern most corner of Lot 7a as shown per plat book 1995 page 2042 and being the northeastern most corner of that property as described per deed book 3258 page 544; thence with the eastern boundary of that property as described per deed book 3258 page 544 S 06°38'07" W 224.38 feet to a calculated point lying in the northern boundary of Lot 3 as shown per plat book 2021 page 13013; thence with the northern boundary of Lot 3 per plat book 2021 page 13013 the following two calls; 1. N 47°18'56" W 228.00 feet to a 1/2" rebar found 0.2 feet above existing grade; 2. N 85°01'19" W 499.94 feet to a Holmes rebar set flush with existing grade; said Holmes rebar lying in the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303; thence with the eastern boundary of that NCDOT fee simple right of way tract as described per deed book 3731 page 303 a curve to the left having an arc length of 128.30 feet, a radius of 280.00 feet, a chord bearing of N 33°09'14" W, and a chord length of 127.19 feet to the point and place of BEGINNING containing 1.78 ± Acres.

NOTE FOR INFORMATION ONLY:

Address: Commercial Blvd, Flat Rock, NC

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: $ 1,575.00

Tax Parcel Information: 9587-48-3861
REID: 10006845

Verified by Henderson County on the ____ day of September, 2026.
By: _____

Mail/Box to: Jeffrey Drew Butt, Jabil Inc., 10800 Roosevelt Blvd. N, St Petersburg, FL 33716

This Instrument was prepared by:
George Hollodick, Esq., Blanco Tackabery. P.O. Drawer 25008, Winston-Salem • NC • 27114-5008, a licensed North Carolina attorney

Delinquent taxes, if any, to be paid by the Closing attorney to the county tax collector upon disbursement of closing proceeds.

Brief Description for the Index: William L. Garrison Sr. and Barbara H. Garrison Charitable Remainder Trust

---

THIS DEED made this 2nd day of September, 2026, by and between

GRANTOR	GRANTEE
Lee C. Mulligan, Special Trustee of the William L. Garrison Sr. and Barbara H. Garrison Charitable Remainder Trust under trust dated September 15, 2006 104 North Washington Street Hendersonville, NC 28739	SMBC Leasing and Finance, Inc., a Delaware corporation c/o Jabil Inc. Attn: Real Estate 10800 Roosevelt Blvd N. St. Petersburg, FL USA 33716

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Henderson County, North Carolina and more particularly described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference.

TOGETHER with all of all of Grantor's right, title and interest in and to: (a) any strips and gores of land adjoining or abutting such parcel(s) owned by the Grantor; (b) any real property owned by the Grantor lying in the bed of any street, road, avenue or alley, opened or proposed, in front of, running through such parcel(s); (c) any easement or right-of-way over, contiguous to or adjoining such real property, and all other easements, riparian or littoral rights, if any, inuring to the benefit of the Grantor; (d) all timber, trees, wood and/or forest products thereon; (e) the privileges, appurtenances and hereditaments primarily belonging to or appurtenant to such parcel(s), including any development, air, water, gas, oil or mineral rights in, on, under or with respect to such parcel(s) and (f) all buildings, structures, paving, landscaping, lighting or other improvements situated on such parcel(s), if any.

The property hereinabove described is the property acquired by Grantor by instrument recorded in Book 1289, Page 412, Henderson County, North Carolina Register of Deeds.

A map showing the above describer property is recorded in Plat Book 2022, Page 14542, Henderson County, North Carolina Register of Deeds.

TO HAVE AND TO HOLD the same unto said Grantee and Grantee's successors and assigns, forever.

None of the property conveyed hereby constitutes the principal residence or homestead of the Grantor.

And Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend against the lawful claims of all persons claiming by, under and through Grantor, other than the following exceptions:

1. the lien of all ad valorem real estate taxes and assessments for the current year and subsequent years which are not yet due and payable;

2. local, state and federal laws, ordinances or governmental regulations, including but not limited to, building and zoning laws, ordinances and regulations, now or hereafter in effect relating to the property;

3. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 2020, Slide 12957; Plat Book 2021, Slide 13013; and Plat Book 2022, Slide 14542, Henderson County, North Carolina Register of Deeds.

[remainder of page intentionally left blank]
[signatures follow on next page]

IN WITNESS WHEREOF, GRANTOR has duly executed the foregoing as of the day and year first above written.

GRANTOR:

Lee C. Mulligan, Special Trustee of the William L. Garrison Sr. and Barbara H. Garrison Charitable Remainder Trust under trust dated September 15, 2006

STATE OF NORTH CAROLINA)
) ss.
COUNTY OF HENDERSON)

I, DAWN D. MANISCALCO, Notary Public, certify that Lee C. Mulligan personally appeared before me this day and acknowledged the due execution of this document.

Witness my hand and official seal this day, 27TH AUGUST, 2026.

(Official Seal)

DAWN D MANISCALCO
NOTARY PUBLIC
HENDERSON COUNTY, NC
My Commission Expires 4-17-2027

PRINT NAME: DAWN D. MANISCALCO, Notary Public

My commission expires: APRIL 17, 2027

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

BEGINNING at a 1/2" open iron pipe found 0.5 feet above existing grade; said open iron pipe lying in the western right of way line of Interstate 26 and being a common corner of Lot 11 as shown per plat book 1994 page 1652 of the Henderson County Register of Deeds; said open iron pipe being the northwestern most corner of that 3.7 acre right of way tract as described per deed book 421 page 299 of said Registry; said open iron pipe having NC Grid NAD83(2011) coordinates of Northing: 579239.87' Easting: 984307.77'; thence with the western right of way line of Interstate 26 as described per deed book 421 page 299 the following three calls; 1. S 32°35'44" E 44.26 feet to a 6" x 6" concrete right of way monument found 0.4 feet below existing grade; 2. S 32°21'25" E 196.82 feet to a 1/2" rebar found 0.3 feet above existing grade; 3. thence with a curve to the right having an arc length of 593.18 feet, a radius of 4448.67 feet, a chord bearing of S 27°41'47" E, and a chord length of 592.74 feet to a calculated point lying in the northern boundary line of the John M. Magnusson Revocable Trust property as described in deed book 1345 page 308 of the Henderson County Register of Deeds; said calculated point lying N 84° 22' 13" W 0.79 feet from a 3/4" open iron pipe found broken at existing grade; thence with the northern boundary of the John M. Magnusson Revocable Trust Property as described per deed book 1345 page 308, N 84°22'13" W 515.99 feet to a 5/8" rebar with cap stamped "Ed Holmes & Associates" found 0.0 feet above existing grade; said 5/8' rebar with cap being the northwestern most corner of the John M. Magnusson Revocable Trust property and the northeastern most corner of Lot 3 as shown per plat book 2021 page 13013; thence with the northern boundary of Lot 3 per plat book 2021 page 13013 N 47°18'56" W 75.89 feet to a calculated point; said calculated point lying in the eastern boundary of that ± 17.8 acre tract as described per deed book 3258 page 544; thence with the eastern boundary of that property as described per deed book 3258 page 544 N 06°38'07" E 224.38 feet to a 1" axle found 0.7 feet below existing grade; said 1" axle being the northeastern most corner of that property as described per deed book 3258 page 544 and also being the southeastern most corner of Lot 7A as shown per plat book 1995 page 2042; thence with the eastern boundary of Lot 7a, Lot 7, and Lot 11 of plat book 1995 page 2042 N 06°38'07" E 414.24 feet to a 4"x4" concrete monument found 1 foot above existing grade; said concrete monument being the northwestern most corner of that property as described per deed book 1289 page 412; said concrete monument also being a common corner of Lot 11 per plat book 1995 page 2042; thence with the common boundary of deed book 1289 page 412 and Lot 11 as shown per plat book 1995 page 2042, S 84°56'34" E 91.18 feet to the point and place of BEGINNING containing 5.45 ± Acres.

NOTE FOR INFORMATION ONLY:

Address: Commercial Blvd, Flat Rock, NC

WORKSPACE INFORMATION

Application number
26-60-ANX

Category
Annexation

Workspace state
Waiting for payment

Workspace created
07/27/2026, 5:33:55 PM EDT

Application submitted
08/31/2026, 11:59:16 AM EDT

Assignee

Package generation date
09/02/2026, 10:02:01 AM EDT

LOCATION INFORMATION

Address
0 NO ADDRESS ASSIGNED, Hendersonville, NC

Property information
9587-48-3861, 9587-38-8841, BEGINNING at a 1/2" open iron pipe found 0.5 feet above existing grade; said open iron pipe lying in the western right of way line of Interstate 26 and being a common corner of Lot 11 as shown per plat book 1994 page 1652 of the Henderson County North Carolina Register of Deeds (Registry); said open iron pipe being the northwestern most corner of that 3.7 acre right of way tract as described per deed book 421 page 299 of said Registry; said open iron pipe having NC Grid NAD83(2011) coordinates of Northing: 579239.87' Easting: 984307.77'; thence with the western right of way line of Interstate 26 as described per deed book 421 page 299 the following three calls; 1. S 32°35'44" E 44.26 feet to a 6" x 6" concrete right of way monument found 0.4 feet below existing grade; 2. S 32°21'25" E 196.82 feet to a 1/2" rebar found 0.3 feet above existing grade; 3. thence with a curve to the right having an arc length of 593.18 feet, a radius of 4448.67 feet, a chord bearing of S 27°41'47" E, and a chord length of 592.74 feet to a calculated point lying in the northern boundary line of the John M. Magnusson Revocable Trust property as described in deed book 1345 page 308 of the Registry; said calculated point lying N 84° 22' 13" W 0.79 feet from a 3/4" open iron pipe found broken at existing grade; thence with the northern boundary of the John M. Magnusson Revocable Trust Property as described per deed book 1345 page 308, N 84°22'13" W 515.99 feet to a 5/8" rebar with cap stamped "Ed Holmes & Associates" found 0.0 feet above existing grade; said 5/8' rebar with cap being the northwestern most corner of the John M. Magnusson Revocable Trust property and the northeastern most corner of Lot 3 as shown per plat book 2021 page 13013; thence with the northern boundary of Lot 3 per plat book 2021 page 13013, N 47°18'56" W 75.89 feet to a calculated point; said calculated point lying in the eastern boundary of that ± 17.8 acre tract as described per deed book 3258 page 544 of the

Registry; thence with the eastern boundary of that property as described per deed book 3258 page 544, N 06°38'07" E 224.38 feet to a 1" axle found 0.7 feet below existing grade; said 1" axle being the northeastern most corner of that property as described per deed book 3258 page 544 and also being the southeastern most corner of Lot 7A as shown per plat book 1995 page 2042 of the Registry; thence with the eastern boundary of Lot 7a, Lot 7, and Lot 11 of plat book 1995 page 2042, N 06°38'07" E 414.24 feet to a 4"x4" concrete monument found 1 foot above existing grade; said concrete monument being the northwestern most corner of that property as described per deed book 1289 page 412; said concrete monument also being a common corner of Lot 11 per plat book 1995 page 2042 of the Registry; thence with the common boundary of deed book 1289 page 412 and Lot 11 as shown per plat book 1995 page 2042, S 84°56'34" E 91.18 feet to the point and place of BEGINNING containing 5.45 ± Acres.

PARTIES

NAME AND COMPANY	CONTACT DETAILS	ROLES
[redacted]	[redacted]	Applicant, Property owner

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Annexation Petition

Property Information		
Property Address 0 unassigned address	Parcel Identification Number (PIN) 9587-48-3861	
Does this property currently adjoin the present corporate City limits (not satellite limits)? ☐ Yes ☑ No	Is the property within the City's Extra Territorial Jurisdiction? ☐ Yes ☑ No	Are you declaring any site-specific vested right with respect to the properties subject to this petition as established under G.S. 160D-108.1? ☐ Yes ☑ No
Reason for Annexation: There is an existing facility at 265 Commercial Blvd. that is within the City limits and that facility is being expanded. This property is being bought and added to that facility campus and it makes sense to have one set of building codes governing the entire campus.		

Zoning-Applicant (Developer) Company Information

Applicant (Developer) Company Information	
Authorized Representative Name: John Matzke	Company Name (if applicable, check corresponding box below) Jabil Inc.

Company Type:

- [x] Corporation:
- [ ] Limited Liability Company:
- [ ] Trust:
- [ ] Partnership:
- [ ] Other:

If other:

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)
Vice President

Zoning-Property Owner Company Information

Property Owner Company Information (if different from Applicant)

Authorized Representative Name:
Jeffrey Butt

Company Name (if applicable, check corresponding box below)
Jabil Inc.

Company Type:

- [x] Corporation:
- [ ] Limited Liability Company:
- [ ] Trust:
- [ ] Partnership:
- [ ] Other:

If other:

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)
Authorized Agent

CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
160 6th Ave. East, Hendersonville, NC 28792
Phone (828) 697-3010|Fax (828) 698-6185
www.hendersonvillenc.gov

Petition Requesting Annexation

The following are the **required** submittals for a complete application for a Voluntary Annexation. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

[✓] 1. Completed Application Form

[✓] 2. A copy of the deed indicating ownership of the property.

[✓] 3. A Survey Plat of the property prepared by a registered surveyor licensed to practice in the state of North Carolina.

[✓] 4. A typed boundary description of the property.

A. Property Information

PIN(s): 9587-48-3861 and 9587-38-8841

Address(es) / Location of Property: 0 No Address Assigned, Hendersonville, NC

Does this property adjoin the present City Limits? [ ] Yes [✓] No

Is the property within the ETJ? [ ] Yes [✓] No

Are you declaring any vested rights with respect to the properties subject to this petition have been established under G.S. 160D-108 or G.S. 160D-108.1?
[ ] Yes [✓] No

If yes, please provide proof of such rights including relevant documents

Reason for Annexation:
There is an existing Facility at 265 Commercial Blvd. that is within the City limits and that facility is being expanded. This property is being bought and added to that facility campus and it makes sense to have one set of building codes governing the entire campus.

B. Property Owner Contact Information

Stephen R Perry
* Printed Applicant Name

Date

SMBC Leasing and Finance, INC
Printed Company Name (if applicable)

☑ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Property Owner Signature

President
Property Owner Title (if applicable)

277 Park Avenue
Address of Property Owner

New York, NY 10172
City, State, and Zip Code

Telephone

Email

STATE OF NEW YORK

COUNTY OF NEW YORK

I, ANDREW GLENN SINCLAIR a Notary Public of the State and County aforesaid, certify that STEPHEN PERRY personally appeared before me this day and acknowledged that they are PRESIDENT of SMBC LEASING AND FINANCE, INC, and that by authority duly given and as the act of said entity, they signed the foregoing instrument in its name on its behalf as its act and deed.

WITNESS my hand and official stamp or seal, this 1ST day of SEPTEMBER, 2026.

Notary Public

ANDREW GLENN SINCLAIR
NOTARY PUBLIC-STATE OF NEW YORK
No. 02SI6445936
Qualified in New York County
My Commission Expires 01-03-2027

My commission Expires:
1/3/2027

Protect the **Source**

Source Water Protection Week

September 27–October 3, 2026

Mayoral Proclamation

In support of Source Water Protection Week

WHEREAS, the health, prosperity, and quality of life of Hendersonville's citizens and communities depend on a reliable supply of safe, high-quality drinking water; and

WHEREAS, protecting our drinking water is essential to preserve our own health and economy and that of future generations; and

WHEREAS, we strive to build opportunities and work together to ensure clean, safe source water for all; and

WHEREAS, [Hendersonville citizens are encouraged to recognize this precious resource and help conserve the watersheds that are the source of our water, protect our shared water resources from pollution, practice water conservation, become involved in local water issues, and plan to protect water for future community health and economic vitality.

NOW, THEREFORE, as Mayor of Hendersonville I do hereby proclaim September 27-October 3, 2026 SOURCE WATER PROTECTION WEEK in Hendersonville and urge all citizens to join in supporting this observance.

PROCLAIMED this 3rd day of September, 2026.

Seal

Barbara G. Volk, Mayor
City of Hendersonville

Attest:

Jill Murray, City Clerk

Proclamation

DECLARING SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH IN THE CITY OF HENDERSONVILLE

WHEREAS, ovarian cancer is the fifth leading cause of cancer-related deaths among women, profoundly impacting patients, caregivers, and families across our nation and within our own community; and

WHEREAS, public awareness is vital, as there is currently no reliable early detection screening test for ovarian cancer, making knowledge of its subtle symptoms—such as bloating, pelvic pain, difficulty eating, and urinary urgency—the most effective defense; and

WHEREAS, the dedication of advocates, including local survivors and leadership from the National Ovarian Cancer Coalition (NOCC), plays a critical role in educating the public, supporting patients, and honoring the memory of the family members and friends we have lost to this disease; and

WHEREAS, 19-year survivor and NOCC Vice Chair, Debbie Robbins, resides in our community exemplifies the strength of our citizens and the vital importance of early detection, timely medical care, and continued research; and

WHEREAS, the City of Hendersonville stands united with survivors, families, and medical professionals to raise awareness and improve health outcomes for all women;

NOW, THEREFORE, I, Barbara G. Volk, Mayor of the City of Hendersonville, do hereby proclaim September as **OVARIAN CANCER AWARENESS MONTH** in our community, and urge all citizens to wear teal, learn the symptoms, and support the fight against this disease.

PROCLAIMED this 3rd day of September, 2026.

Seal

_____
Barbara G. Volk, Mayor
City of Hendersonville

Attest:_____
Jill Murray, City Clerk

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 9/3/2026

AGENDA SECTION: PRESENTATION **DEPARTMENT:** Administration

TITLE OF ITEM: Utilization of License Plate Reader and Camera Technology by Hendersonville Police Department – Blair Myhand, Chief of Police

SUGGESTED MOTION(S):

NA

SUMMARY:

Police Chief Myhand will update the City Council on the current utilization of license plate readers (LPRs) and camera technology by the Hendersonville Police Department.

BUDGET IMPACT: $ NA

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

If no, describe how it will be funded. NA

ATTACHMENTS:

None

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER:	Matthew Manley	**MEETING DATE:**	September 3, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Community Development

TITLE OF ITEM: Zoning Text Amendment: Small Cell Wireless Facilities (26-47-ZTA) – *Lew Holloway – Community Development Director*

SUGGESTED MOTION(S):

For Approval:	**For Denial:**
I move City Council **adopt** an ordinance amending the official City of Hendersonville Zoning Ordinance Article XII. 'Definition of Terms' And Article XVI. 'Supplementary Standards' for Small Cell Wireless Facilities based on the following: **1. The petition is found to be consistent with the Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because**: The proposed amendment aligns with the Gen H Comprehensive Plan Goals & Guiding Principles **2. We [find] this petition, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:** 1. The proposed amendment aligns with state law and federal guidelines 2. The proposed amendment allows for the installation, expansion, and improvement of telecommunications infrastructure 3. The proposed amendment establishes standards for order, compatibility and safety in the deployment of small cell facilities. **[DISCUSS & VOTE]**	I move City Council **deny** an ordinance amending the official City of Hendersonville Zoning Ordinance, Article XII. 'Definition of Terms' And Article XVI. 'Supplementary Standards' for Small Cell Wireless Facilities based on the following: **1. The petition is found to be consistent with the Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:** The proposed amendments aligns with the Gen H Comprehensive Plan Goals & Guiding Principles **2. We [do not find] this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because**: 1. The proposed amendment is overly restrictive and hinders improvements to the local telecommunications network OR 2. The proposed amendment is overly relaxed and does not go far enough in protecting the public from the impacts of widespread deployment of small cell facilities. **[DISCUSS & VOTE]**

SUMMARY: *The City of Hendersonville has initiated a zoning text amendment to address the deployment of small cell wireless telecommunications facilities across the city. The proposed updates to this zoning ordinance are precipitated by state and federal laws on this same topic. These existing laws limit what can be done to address these facilities at the local level. The proposed ordinance is based upon model policies that reflect conformance with state and federal regulations.*

Small cell wireless facilities are a type of infrastructure that helps improve cell phone and wireless internet service, especially in areas where signals are weak or overloaded. They are small, low-powered antennas that transmit data within the larger cellular network. These facilities are typically found on standalone poles in the right-of-way but can be mounted to existing structures such as streetlights, utility poles, traffic signals, and buildings and are much smaller than traditional towers.

The proposed standards provide guidance for the installation of small cell facilities that mirror in form the City's existing telecommunication zoning standards on where and how traditional towers are installed. Because small cell facilities are and will continue to be located along public rights-of-way, aesthetic standards are a principal focus for certain areas of town (downtown + historic districts) to address concerns over appearance and visual clutter.

PROJECT/PETITIONER NUMBER:	26-47-ZTA
PETITIONER NAME:	City of Hendersonville
ATTACHMENTS:	1. Staff Report 2. Draft Ordinance Changes 3. Comprehensive Plan Consistency & Evaluation

ZONING TEXT AMENDMENT:
SMALL CELL WIRELESS (TELECOMMUNICATIONS) FACILITIES
(26-47-ZTA)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT
STAFF REPORT

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PROJECT SUMMARY

- Project Name & Case #:
  - Small Cell Wireless Telecommunications Facilities
  - 26-47-ZTA
- Applicant:
  - City of Hendersonville
- Articles Amended:
  - Zoning Ordinance
    - Article XVI or VI
    - City Code of Ordinances
- Zoning Districts Impacted:
  - All
- Relevant Future Land Use Designations:
  - Downtown

Summary

The City of Hendersonville has initiated a zoning text amendment to address the deployment of small cell wireless telecommunications facilities across the city. The proposed updates to this zoning ordinance are precipitated by state and federal laws on this same topic. These existing laws limit what can be done to address these facilities at the local level. The proposed ordinance is based upon model policies that reflect conformance with state and federal regulations.

Small cell wireless facilities are a type of infrastructure that helps improve cell phone and wireless internet service—especially in areas where signals are weak or overloaded. They are small, low-powered antennas that transmit data within the larger cellular network. They are much smaller than the traditional cell towers. These facilities are typically found on standalone poles in the right-of-way but can be mounted to) existing structures such as streetlights, utility poles, traffic signals, and buildings.

The proposed standards provide guidance for the installation of small cell facilities in much the same way that the City's existing telecommunication zoning standards guide where and how traditional towers are installed. Because small cell facilities are and will continue to be located along public rights-of-way, aesthetic standards are a principal focus for certain areas of town (downtown + historic districts) to address concerns over appearance and visual clutter.

AMENDMENT OVERVIEW - AMMENDMENT ANALYSIS

Legal preemptions, intended to reduce local oversight and allow for the speedy deployment of small cell facilities, were first introduced in 2015-2016 at the Federal level; with the State of North Carolina ultimately adopting their own standards in mid-2017. The NC law that passed (Session Law 2017-159) allowed for some local oversight by allowing for the enforcement of objective aesthetic design standards. Design standards have to be adopted locally in order to be enforceable.

Over the first several years after the adoption of SL2017-159, the City of Hendersonville received minimal interest from the various wireless communication providers for local deployment of small cell facilities - with only a few inquiries and permit requests. However, in recent months, small cell wireless facilities (and/or their associated poles and underground wiring) have been deployed in the city and/or have sought permitting approval from the City. With this recent uptick in activity and installation of facilities within rights-of-way across various locations in Hendersonville, the City is past due for adopting standards to guide their deployment.

The proposed standards are organized and summarized as follows:

Purpose: The purpose of the proposed changes to address Small Cell Wireless Facilities can be categorized as follows:

1. To facilitate deployment of wireless infrastructure;
2. To protect the public health, safety, and welfare; and
3. To preserve the aesthetic character of the public realm

Placement: The preferred location hierarchy is as follows:

1. Collocation on existing structures including telecommunication facilities;
2. Collocation on existing utility poles;
3. Collocation on existing streetlight poles;
4. Replacement of existing poles;
5. New poles, where no feasible alternative exists.

Spacing: They are to be spaced a minimum of 300' apart.

Prohibitions: Facilities may not impede on ADA required spaces, obstruct sight distance triangles, interfere with traffic controls, be placed directly in front of residences or storefronts, be located on historic properties, and can only locate within a historic district or where utilities are all underground when no other feasible location exists.

Design Standards:

Facilities shall be designed to minimize visual impact and to be compatible with surroundings, equipment shall be concealed/shrouded, new pole, in some cases, should serve another function such as street lights or traffic lights and poles shall be designed according to the

Zoning District in which they are located:

a) Downtown Design Overlay & Historic Districts – 14'-18' max height with decorative pole with green coating.
b) Residential Zoning - 25' max height. Collocate on existing pole or collocate on a new pole which serves another function.
c) Non-Residential Zoning – 50' max. with non-reflective finish
d) Mixed-Use Zoning - 50' max height. Collocate on existing pole or collocate on a new pole which serves another function.

Foundations & Utilities: Foundations shall meet code requirements and have underground utility connections.

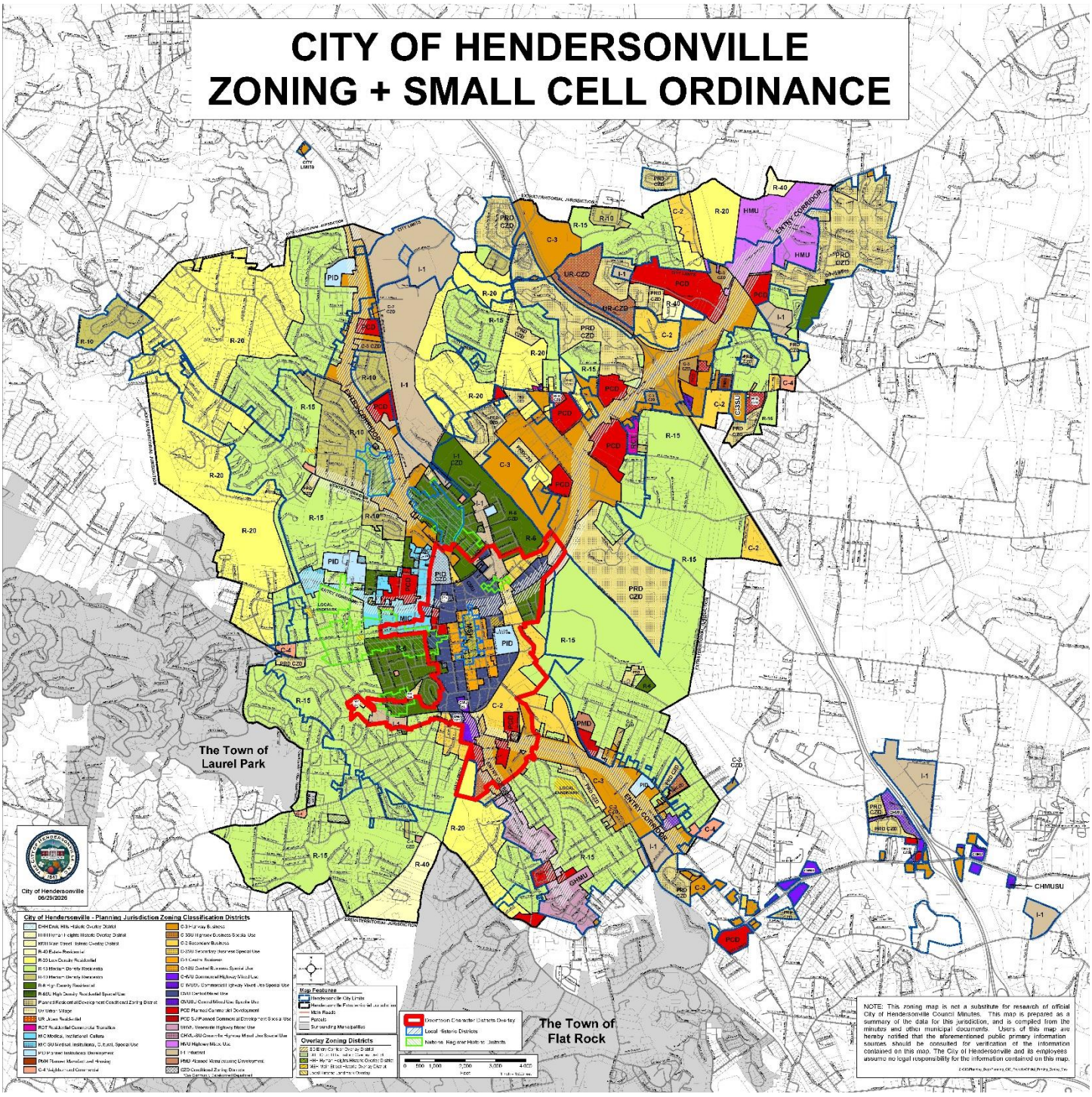
Noise & Ventilation: Facilities will use passive ventilatin and shall be below 30 dBA.

Identification & Safety: Facilities shall include safety signate with 4"x6" max identification plates.

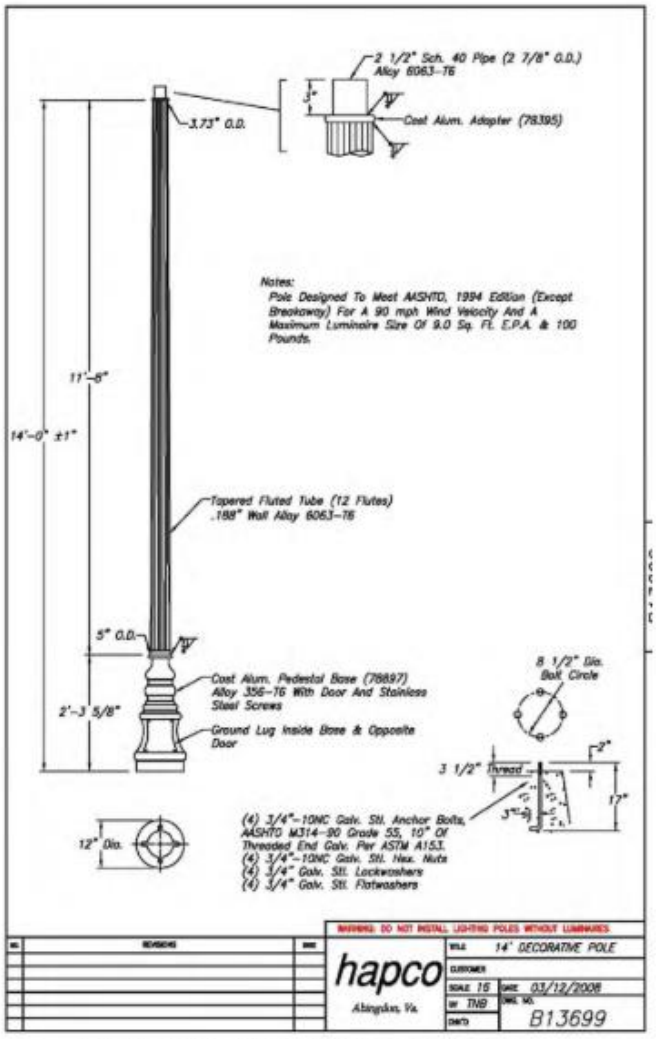
Removal & Abandonment: Facilities abandoned for 12 months shall be removed and the City may remove any facilities which are a safety hazard or no longer maintained.

Nonconforming Facilities: Legally established facilities may continue.

ZONING MAP (WITH DOWNTOWN DESIGN OVERLAY + HISTORIC DISTRICTS)

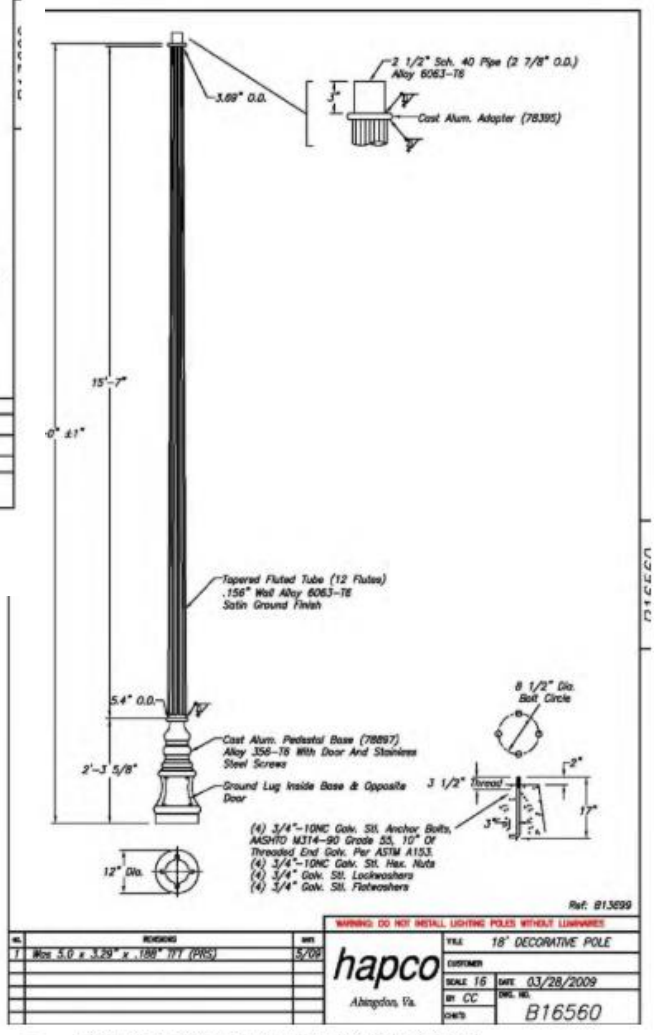


DESIGN SPECIFICATIONS OF DOWNTOWN DESIGN OVERLAY & HISTORIC DISTRICT POLES



1 LA-13 14' DECORATIVE LIGHT POLE

SCALE: 3/4" = 1'-0"



2 LA-13 18' DECORATIVE LIGHT POLE

SCALE: 3/4" = 1'-0"

NOTES:
1. SEE LAYOUT PLAN. FOUR 18' DECORATIVE LIGHT POLES AT CORNERS OF SEVENTH AVENUE AND LOCUST STREET ONLY.
2. 14' AND 18' DECORATIVE LIGHT POLES, TRAFFIC SIGNALS, AND PEDESTRIAN SIGNALS ARE BEING PURCHASED BY THE CITY. CONTRACTOR IS RESPONSIBLE FOR TRANSPORT FROM CITY OPERATIONS CENTER TO THE SEVENTH AVENUE PROJECT AREA AND FOR INSTALLATION OF LIGHTS.

EXAMPLES OF EXISTING DOWNTOWN POLES





EXAMPLES OF SMALL CELL POLES



Source: Jeffrey Beall, CC BY 4.0, via Wikimedia Commons

Stealth Small Cell Pole

Equipment hidden inside the pole structure



Source: Comments of Crown Castle, WT Docket No. 15-180, at 14 (filed September 28, 2015)

Small Cell on a Lamp Post

Small facility deployed in historic Pittsburgh, PA

Small Cell on Utility Poles



Source: Comments of PCIA - Attachment, WT Docket No. 15-180, at 23 (filed September 28, 2015).

COMMITTEE RECOMMENDATION

The proposed amendment was only briefly reviewed by the Downtown Design Overlay Committee.

PROPOSED TEXT REVISIONS

The following revisions to the zoning code are presented for your consideration. The following language in ~~red~~ will be removed and language in green will be added to the current zoning district language, shown in black, as illustrated below.

ZONING ORDINANCE

ARTICLE VI. GENERAL PROVISIONS

***

ARTICLE VI – GENERAL PROVISIONS

Section 6-20. Small Wireless Facility Design and Placement Standards

Sec.6-20- 1. Purpose and Intent

a) The purpose of this subsection is to:

i. Facilitate deployment of wireless infrastructure;
ii. Protect the public health, safety, and welfare; and
iii. Preserve the aesthetic character of the public realm.

b) These standards are intended to be:

i. Technologically neutral;
ii. Non-discriminatory; and
iii. Consistent with applicable federal and state law.

2. Applicability

a) This subsection applies to all small wireless facilities and associated support structures located within the public right-of-way or on publicly owned property with the exception of small wireless facility located in an interior structure or upon the site of any stadium or athletic facility.

b) These standards shall apply to:

i. New poles;
ii. Replacement poles; and
iii. Collocation on existing structures.

c) Where these standards conflict with state or federal law, such law shall control.

3. Administrative Review and Approval

a) Small wireless facilities shall be subject to administrative review.

b) Applications shall be approved if they meet all applicable standards of this Ordinance.

c) The City shall act on applications within the timeframes established by applicable law.

d) Applications shall not be denied for aesthetic reasons unless:

1. The standards are reasonable;
2. The standards are no more burdensome than those applied to other infrastructure deployments; and
3. The standards are published in advance.

4. Placement and Location Standards

a) **Preferred Location Hierarchy**
Small wireless facilities shall be located in the following order of preference:

1) Collocation on existing structures including telecommunication facilities;
2) Collocation on existing utility poles;
3) Collocation on existing streetlight poles;
4) Replacement of existing poles;
5) New poles, where no feasible alternative exists.

b) **Spacing**
New small wireless facility poles shall be separated by a minimum distance of three hundred (300) feet unless the applicant demonstrates that a lesser distance is necessary for service.

c) **Prohibited Locations**
Small wireless facilities shall not be located:

1) Where they would contribute to the obstruction of required sidewalks or ADA access;
2) Within a 10' x 70' sight triangle at intersections;
3) In a manner that interferes with traffic control devices or public safety operations;
4) To the maximum extent feasible, new standalone small cell poles must be aligned with the extension of intersecting side-property lines, rather than directly in front of a primary residential facade or storefront window.
5) On property listed on or eligible for listing on the National Register of Historic Places.
6) On property which a locally-designated historic landmark.

7) Within designated National Register or local historic districts unless no feasible alternative exists;

Note: For purposes of this section, the term "historic" shall refer to districts or landmarks which have been nominated to the National Register of Historic Places or designated pursuant to chapter 28 of the City Code

d) **Underground Districts**
In areas where utilities are underground, new poles shall be prohibited unless:

1) No feasible alternative exists; and
2) The facility is designed to minimize visual impact.

5. Design Standards

a) Antennas shall not exceed a height of three feet (3').
b) All facilities shall be designed and placed to minimize visual impact and be compatible with surrounding streetscape elements. Where no required lighting is included with the facility, locations adjacent to street trees shall be considered to assist with concealment.
c) Equipment and wiring shall be fully concealed, shrouded, or integrated into the pole.
d) All mounting hardware, bolts, and brackets must be hidden from public view using a tapered concealment shroud connecting the base of the radio shroud to the pole.
e) All wiring, cabling, and hardware shall be concealed.
f) No new ground disturbance shall be permitted that would exceed the depth and width of any previous ground disturbance (including footings and anchoring mechanisms). Except up to four lightning grounding rods up to ¾-inch in diameter may be installed.

f). Pole Design

1) Downtown Design Overlay. Per Sec. 5-28, when located within the Downtown Design Overlay Zoning District, poles shall be constructed according to City of Hendersonville specifications for Downtown District post shown below and coated in a color matching other City facilities as approved by the Public Works Director.

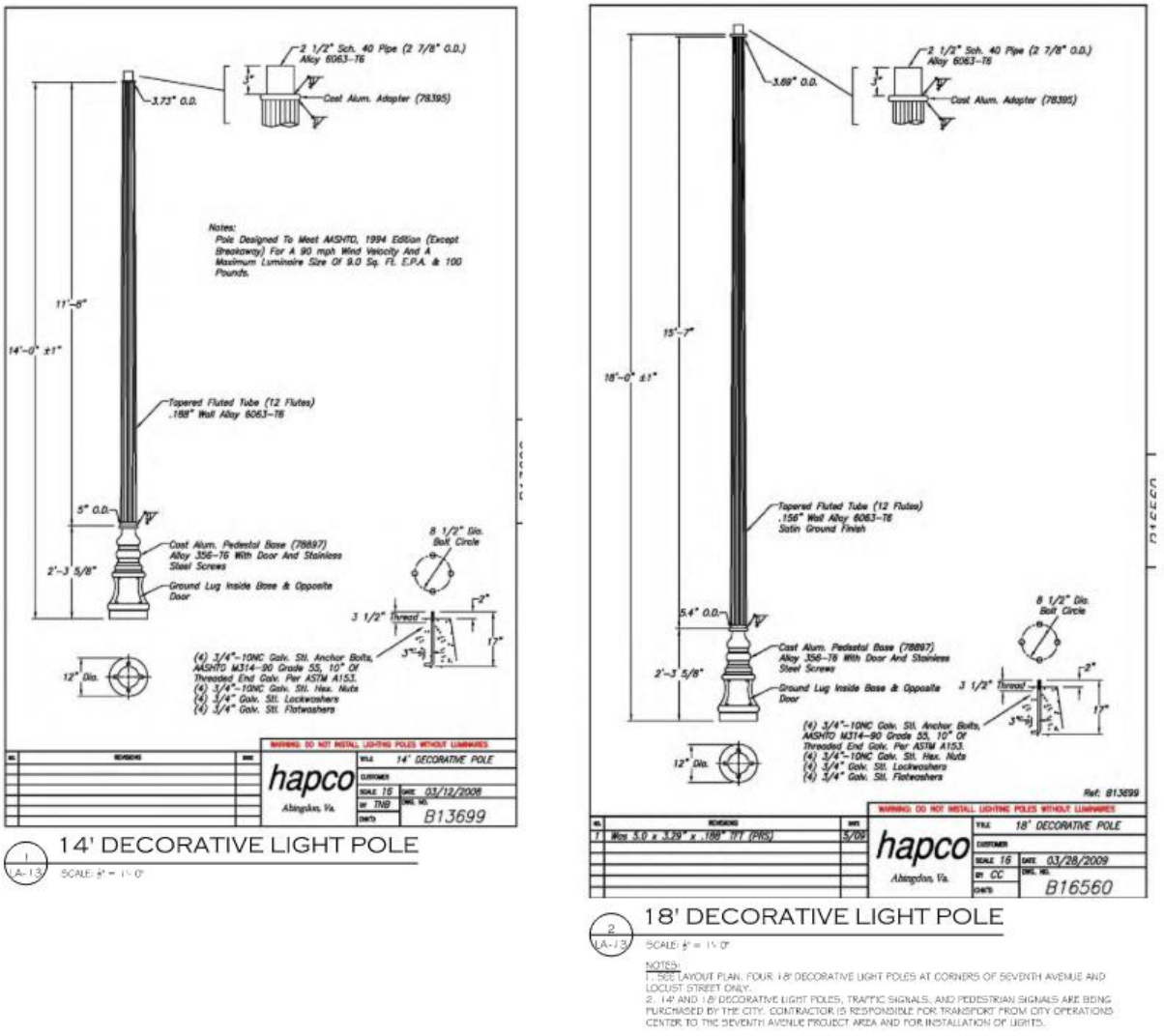


Figure 1: Design Specifications for 14' & 18' Decorative Poles



Figure 2: Photo example of 14' Decorative Pole



Figure 3: Photo example of 18' Decorative Pole

2) Other Historic Districts. In designated historic districts (Local and National Register) outside of the Downtown Design Overlay, newly proposed facilities shall be reviewed by SHPO. New poles shall meet same specifications as above.
3) Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PRD, PMH, R-40, R-20, R-20, R-15, R-10, R-6 or any of these districts' Conditional Zoning District counterpart:
    a. Facilities shall be:
        i. Collocated on existing poles or
        ii. Collocated on replacement poles that combine to serve as a streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.
    b. Pole height shall not exceed twenty-five feet (25')
2) Non-Residential Zoning Districts. Facilities shall meet the following requirements when located within areas zoned PCD, RCT, C-2, C-3, I-1, PMD, PID or any of these districts' Conditional Zoning District counterpart:

1. Pole height shall not exceed:

i. Fifty (50) feet for freestanding poles; or
ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.

2. Finish shall be non-reflective and made of material consistent with utility poles within the district.

e) Mixed Use Zoning Districts. Facilities shall meet the following requirements when located within areas zoned C-1, C-4, MIC, GHMU, HMU, UVCZD, URCZD, CHMU or any of these districts' Conditional Zoning District counterpart:

1. Facilities shall be:
   i. Collocated on existing poles or
   ii. Collocated in replacement poles that combine to serve as streetlight or traffic light, where small wireless facilities are concealed and poles are consistent in height and design with adjacent streetscape elements.
2. Pole height shall not exceed:
   i. Fifty (50) feet for freestanding poles; or
   ii. Ten (10) feet above the height of an existing structure for collocated facilities, unless otherwise allowed by law.

3. Finish shall be non-reflective and made of material consistent with utility poles within the district.

7. Equipment and Antennas

a) Antennas shall be enclosed within a shroud integrated into the pole.

b) Equipment cabinets shall be internal or flush-mounted to the pole.

c) The following dimensional limits shall apply unless otherwise preempted by law:

1) Antenna enclosure diameter/height/width: fourteen (18) inches maximum;
2) Equipment cabinet diameter/height/width: twenty (20) inches maximum;

d) Color and finish shall match the supporting structure.

8 Foundations and Utilities

a) Foundations shall comply with applicable engineering and building code requirements.

b) All conduit and utility connections shall be underground where feasible.

c) Equipment shall be internally separated by ownership where applicable.

9. Noise and Ventilation

a) Facilities shall utilize passive ventilation where feasible.

b) Noise from mechanical equipment shall not exceed:

1) Thirty (30) dBA measured at one (1) meter; or
2) Applicable local noise ordinance standards, whichever is more restrictive.

10 Identification and Safety

a) Facilities shall include required safety signage.

b) Identification plates shall not exceed four (4) inches by six (6) inches and shall include:

1. Provider name;
2. Facility ID; and
3. Emergency contact information.

11 Removal and Abandonment

a) Facilities that are abandoned or not in use for a period of twelve (12) months shall be removed.

b) The City may require removal if the facility:

1. Creates a safety hazard; or
2. Is no longer maintained in accordance with this Section.

12 Nonconforming Facilities

a) Legally existing facilities that do not conform to these standards may continue.

b) Modifications shall comply with applicable federal and state law regarding eligible facilities requests.

ARTICLE XII. DEFINITION OF TERMS

Small Cell Wireless Facility - A wireless facility that meets the following qualifications:

a. Each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet.
b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For the purposes of this sub-subdivision, the

following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.

Micro Wireless Facility - a telecommunication device no larger than 24 inches in length, 15 inches in width, and 12 inches in height, with an exterior antenna no longer than 11 inches A micro wireless facility is not considered a small cell wireless facility.

AMENDMENT STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	**LAND SUPPLY, SUITABILITY & INTENSITY** **Supply:** N/A **Suitability:** N/A **Intensity:** N/A
	FUTURE LAND USE & CONSERVATION MAP Character Area Designations: Downtown (primarily) Character Area Descriptions: Somewhat Consistent Zoning Crosswalk: N/A Focus Area: N/A
2) COMPATIBILITY	***Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property***
	Existing Conditions: The conditions of rights-of-way throughout the City of Hendersonville vary. However, within much of the city, it is characteristic to have numerous utility poles which contribute to an appearance of visual clutter, especially along thoroughfares. The preemptions allowing for the addition of new poles for small cell facilities has the potential to add to the visual clutter and create safety concerns as a result. Standards which require safe placement and construction and first require collocation on existing poles can assist in stabilizing the visual appearance and safety of rights-of-way in the City.
	GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) **Vibrant Neighborhoods**: Consistent **Abundant Housing Choices**: N/A **Healthy & Accessible Natural Environment**: Consistent **Authentic Community Character**: Consistent **Safe Streets and Trails**: Consistent **Reliable & Accessible Utility Services**: Consistent **Satisfying Work Opportunities**: N/A

	Welcoming & Inclusive Community: Consistent **Accessible & Available Community Uses and Services**: Consistent **Resilient Community**: N/A
	GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) **Mix of Uses:** Consistent **Compact Development:** Consistent **Sense of Place:** Consistent **Conserved & Integrated Open Spaces:** Inconsistent **Desirable & Affordable Housing**: Consistent **Connectivity**: Consistent **Efficient & Accessible Infrastructure:** Consistent
	DOWNTOWN MASTER PLAN: RELIABLE & ACCESSIBLE UTILITY SERVICES - Infrastructure and utilities within downtown should be positioned to support existing development and future redevelopment opportunities. ACCESSIBLE & AVAILABLE COMMUNITY USES AND SERVICES - Downtown should be the center for exceptional public facilities and services. DESIGN STANDARDS - Pedestrian-friendly environments should be expanded and clear of obstacles. Lighting should be pedestrian-scaled. Use trees, shrubs, and other landscaping elements to conceal service areas, utilities, and parking spaces.
3) Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment -
	Recent installation of small cell facilities, application of permits to install underground wiring for small cell facilities, and permit applications for above ground small cell facilities have prompted City staff to prioritize the initiation of these proposed code standards.
4) Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -
	The proposed amendment would allow for the installation of facilities that are designed to improve communication infrastructure and do so in an orderly fashion which is safe and minimizes visual impacts. Some claims have been made to suggest that radiofrequency (RF) used by these facilities are a public health concern. However, major health organizations state that the RF emissions fall well within strict guidelines and pose no known health risk.

5) Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment
	The proposed text amendment would not directly impact the provision of publicly-provided services but may enhance communication technology needed to effectively and efficiently provide public services.
6) Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -
	Some research suggest that the wireless spectrum or radiofrequency (RF) used by these facilities have an impact on local flora and fauna including tree damage, absorption of radiation in honeybees and impacts to circadian rhythms and migration patterns. Small cell wireless facilities transmit data using mid- and high-band spectrum vs the traditional low-band spectrum. However, major health organizations state that the RF emissions fall well within strict guidelines and pose no known health risk.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

1. Comprehensive Plan Consistency - Staff finds the proposed text amendment to be consistent with the *Gen H Comprehensive Plan*.
2. Compatibility - The proposed text amendment is designed to prioritize compatibility within the constraints of federal and state law.
3. Changed Conditions - The text amendment is a timely response to emerging demand for new small cell facilities.
4. Public Interest – The text amendment proposes to allow for the orderly deployment of small cell facilities which will help to enhance communications infrastructure.
5. Public Facilities – The deployment of small cell facilities proposes to enhance the communication network.
6. Effect on Natural Environment – No known impacts at this time.

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

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

The proposed text amendment aligns with the Gen H Comprehensive Plan Goals and Guiding Principles

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *The proposed amendment aligns with state law and federal guidelines*
- *The proposed amendment allows for the installation, expansion, and improvement of telecommunications infrastructure*
- *The proposed amendment establishes standards for order, compatibility and safety in the deployment of small cell facilities.*

DRAFT [Rational for Denial]

- *The proposed amendment is overly restrictive and hinders improvements to the local telecommunications network*
- *The proposed amendment is overly relaxed and does not go far enough in protecting the public from the impacts of widespread deployment of small cell facilities.*

Small Cell Wireless Facilities (26-47-CZD)		
Chapter 4 - The Vision for the Future	**Consistent**	**Inconsistent**
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 81, Figure 4.4)	N/A	
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)	N/A	
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	N/A	
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	**Downtown**	
Character Area Description (Pg. 122-131)	Somewhat Consistent	
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	N/A	
Focused Intensity Node (Pg. 119)	Somewhat Consistent	
Focus Area Map (Pg. 134-159)	N/A	

Small Cell Wireless Facilities (26-47-CZD)		
Chapter 4 - The Vision for the Future	**Consistent**	**Inconsistent**
GOALS		
Vibrant Neighborhoods (Pg. 93)		
Promote lively neighborhoods that increase local safety.	Consistent	
Enable well-maintained homes, streets, and public spaces.	Consistent	
Promote diversity of ages (stage of life), income levels, and a range of interests.	N/A	N/A
The design allows people to connect to nearby destinations, amenities, and services.	Consistent	
Abundant Housing Choices (Pg. 93)		
Housing provided meets the need of current and future residents.	N/A	N/A
Range of housing types provided to help maintain affordability in Hendersonville.	N/A	N/A
Housing condition/quality exceeds minimum standards citywide	N/A	N/A
Healthy and Accessible Natural Environment (Pg. 94)		
Recreational (active and passive) open spaces are incorporated into the development.	N/A	N/A
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	N/A	N/A
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	N/A	N/A
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Consistent	
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	N/A	N/A
Authentic Community Character (Pg. 94)		
Downtown remains the heart of the community and the focal point of civic activity	Consistent	
A development near a gateway sets the tone, presenting the image/brand of the community.	Consistent	
Historic preservation is utilized to maintain the city's identity.	N/A	
City Centers and neighborhoods are preserved through quality development.	Consistent	
Safe Streets and Trails (Pg. 95)		
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.	N/A	N/A
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	N/A	N/A
Design embraces the principles of walkable development.	Consistent	
Reliable & Accessible Utility Services		

Wastewater treatment (service and capacity) adequately serves existing and future development		
A compact service area (infill, redevelopment) maximizes the utilization of existing infrastructure and feasible service delivery.	Consistent	
Satisfying Work Opportunities (pg. 96)		
The development promotes quality job options.	N/A	N/A
The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	N/A	N/A
Welcoming & Inclusive Community		
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	Consistent	
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.	Consistent	
Accessible & Available Community Uses and Services (Pg. 97)		
Private development is plentiful, meeting the demands of current and future populations.	Consistent	
Resilient Community		
N/A		
GUIDING PRINCIPALS (pg. 98)		
Mix of Uses (Pg. 98)		
Revitalization of Outdated Commercial Areas		Inconsistent
New business and office space promotes creative hubs.	N/A	N/A
Compact Development (Pg. 100)		
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	N/A	N/A
The infill project is context sensitive [Small Infill Site].	N/A	N/A
Sense of Place (Pg. 102)		
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Placekeeping and Placemaking and 3rd Places]	Somewhat Consistent	Somewhat Consistent
Conserved & Integrated Open Spaces (Pg. 106)		
A diverse range of open space elements are incorporated into the development.	N/A	N/A
Desirable & Affordable Housing (Pg. 108)		
Missing middle housing concepts are used in the development.	N/A	N/A
Connectivity (Pg. 112)		
The development encourages multimodal design solutions to enhance mobility.	N/A	N/A
Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure	Consistent	

Ordinance #

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE XII. 'DEFINITION OF TERMS' AND ARTICLE XVI. 'SUPPLEMENTARY STANDARDS' FOR SMALL WIRELESS FACILITIES

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on August 13th, 2026; voting 6-0 to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

WHEREAS, City Council took up this application at its regular meeting on September 3rd, 2026, and

WHEREAS, the City of Hendersonville aims to establish order, compatibility, and safety in the deployment of small wireless facilities across its jurisdiction, and

WHEREAS, Session Law 2017-159 governs authority to standardize the deployment of small wireless facilities in North Carolina, and

WHEREAS, General Statute allows for small wireless facilities to be regulated by design standards, and

WHEREAS, state & federal laws provide that small wireless facility applications shall not be denied for aesthetic reasons unless: 1) the standards are reasonable; 2) the standards are no more burdensome than those applied to other infrastructure deployments; and 3) the standards are published in advance, and

WHEREAS, these standards are intended to be: 1) technologically neutral; 2) non-discriminatory; and 3) consistent with applicable federal and state law, and

WHEREAS, these standards are intended to: 1) facilitate deployment of wireless infrastructure, 2) protect the public health, safety, and welfare; and 3) preserve the aesthetic character of the public realm, and

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

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on August 6, 2026,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance**,** Article XII, "Definition of Terms" And Article XVI, "Supplementary Standards' for Small Wireless Facilities

ZONING ORDINANCE

ARTICLE IV – Sec. 4-5. - Classification of uses

USE	R-40	R-20	R-15	R-10	R-6	PRDCZD	PMHCZD	RCT	MIC	C-1	C-2	C-3	C-4	CMU	PCDCZD	I-1	PMDCZD	PIDCZD	GHMU	HMU	UVCZD	URCZD	CHMU
Small Wireless Facilities	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS

ARTICLE V – ZONING DISTRICT CLASSIFICATIONS

[*Each Zoning District will include the following Permitted Use*]:

Small Wireless Facility, subject to the supplementary standards contained in Section 16-4, below.

ARTICLE XVI – SUPPLEMENTARY STANDARDS

Section 16-4-34 - Telecommunications towers and antennas.

Special application requirements, procedures, and permitting standards, as set forth herein, apply to telecommunication towers and antennas. The following standards do not apply to Small Wireless Facilities (see Section 16-4-35).

16-4-35 - Small Wireless Facility

16-4-35-1. Applicability

a) Special application requirements, procedures, and permitting standards, as set forth herein, apply to all small wireless facilities and associated support structures, including but not limited to:

1. New poles;
2. Replacement poles; and
3. Collocation on existing structures.

b) The following small cell installations are exempt from these standards:

1. Small wireless facilities located in an interior structure, and;

2. Small wireless facilities located upon the site of any stadium or athletic facility.

c) Small wireless facilities shall be subject to administrative review and shall be reviewed within the time limits established by applicable law.

d) Nothing in this section shall be construed to waive the requirements of additional permits, as applicable, including but not limited to Certificate of Appropriateness and Encroachment Permits.

e) Where these standards conflict with state or federal law, state and federal law shall control.

f) Applications shall include the owner/applicant and shall include documentation on the cellular service provider(s) who intend to locate wireless facilities on the proposed infrastructure.

16-4-35-2. Facility Location Standards

Applicants shall provide a service location analysis which demonstrates the following standards are being met in order to justify any proposed new locations for small wireless facilities. All facilities shall be located to minimize visual impact and integrate with their environs as established by these standards.

a) **Facility Location Hierarchy**

1) Small wireless facility locates shall be in the following order of preference:
    a. Collocation on existing structures including telecommunication facilities;
    b. Collocation on existing utility poles;
    c. Collocation on existing streetlight poles;
    d. Replacement of existing poles;
    e. New Small Wireless Facility Poles, where no feasible alternative exists.
2) Small wireless facilities shall not be located within locally designated or National Register historic districts, or on properties containing locally designated or National Register historic landmarks, unless evidence presented in the location analysis indicates service cannot be provided from outside the district or property.
3) Small wireless facilities shall consider placement near street tree(s) to help screen the facility when feasible and where no detrimental impact to the tree(s) is found.

b) **Spacing**

1) Small wireless facilities shall be spaced at least three hundred (300) feet apart unless the applicant demonstrates that a shorter separation is necessary for service.

c) **Prohibited Locations**

1) Small wireless facilities shall not be located:
   a. Where they would obstruct sidewalks or ADA access;
   b. Within a 10' x 70' sight triangle at intersections;
   c. In a manner that interferes with traffic control devices or public safety operations;
   d. Directly in front of primary residential facades or primary commercial storefronts, new facilities shall align with the extension of side property lines running perpendicular to the primary right of way unless:
      - No feasible alternative exists; and
      - The facility is designed to minimize visual impact.
   e. On streets where utilities are underground, new poles shall be prohibited unless:
      - No feasible alternative exists; and
      - The facility is designed to minimize visual impact.

16-4-35-3. Facility Design Standards

Applicants shall apply the following design standards to all facilities located within the City of Hendersonville. All facilities shall be designed to minimize the visual impact and remain compatible with surrounding streetscape elements.

a) Antenna Design

1) Equipment and wiring shall be fully concealed. shrouded, or integrated into the pole.
2) All mounting hardware, bolts and brackets must be hidden from view using a tapered concealment shroud connecting the base of the antenna shroud to the pole.
3) Color and finish shall match the supporting structure.
4) The following dimensional limits shall apply unless otherwise preempted by law:
   a. Antennas shall not exceed three feet (3') in height.
   b. Antenna enclosure diameter/width: eighteen (18) inches maximum;
   c. Equipment cabinet diameter/width: twenty (20) inches maximum;

b). Decorative Small Wireless Facility Pole Design Requirements

1) New and replacement Small Wireless Facility Poles located within the following areas shall comply with the City of Hendersonville Downtown Municipal Service District pole specifications shown in Figure 1 and shall be color-matched to existing City-approved facilities, as approved by the Public Services Director (Ex. Figures 2 and 3):

   a. C-1 Central Business District
   b. CMU Central Mixed-Use District
   c. Locally designated historic districts
   d. Nationally registered historic districts

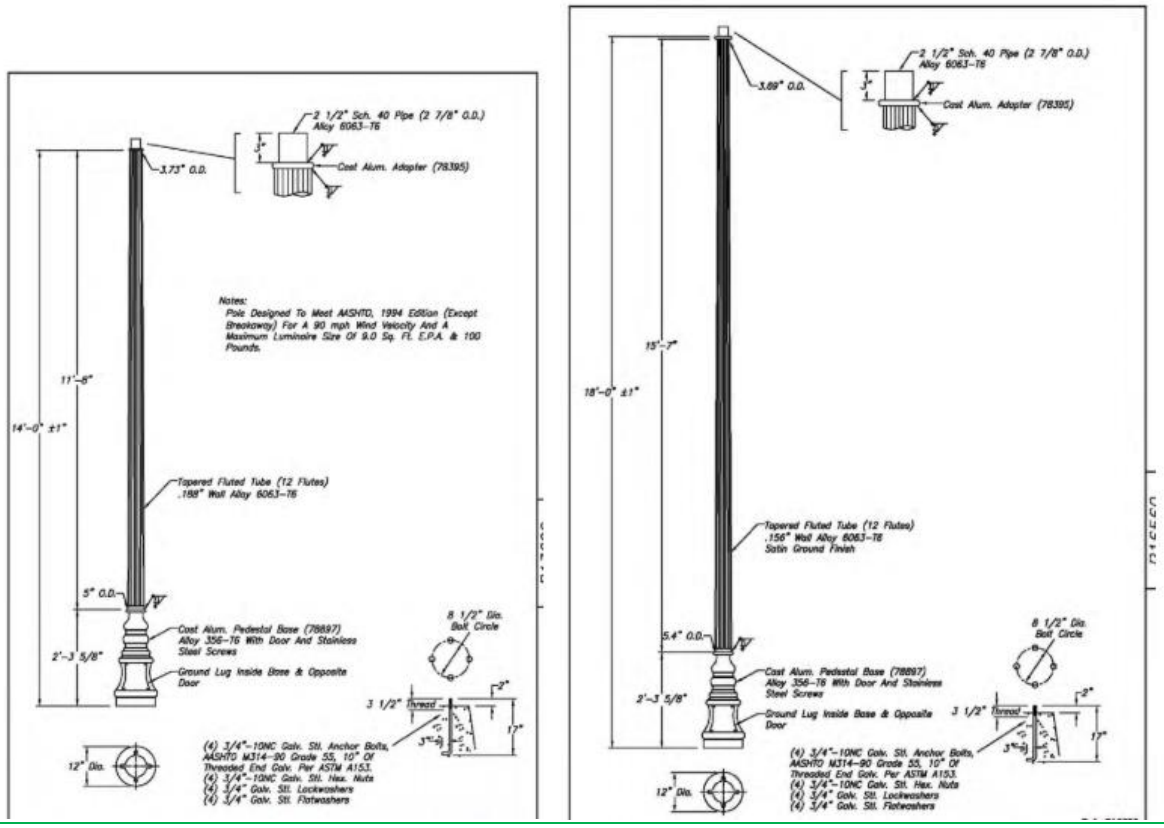


Figure 1: Design Specifications for 14' & 18' Decorative Poles





Figure 2: Photo example of 14' Decorative Pole *Figure 3: Photo example of 18' Decorative Pole*

2) New and replacement Small Wireless Facility Poles located outside the areas listed above shall:

   a) Not exceed:
      - Fifty (50) feet including antennae for freestanding poles; or
      - Ten percent above pre-existing height of the existing structure as a result of the collocation of new antenna facilities.
   b) Have a non-reflective finish and be made of material consistent with surrounding utility poles.

c) Foundations and Utilities

1) Foundations shall comply with engineering and building code requirements.
2) All conduit and utility connections shall be underground where feasible.
3) Equipment shall be internally separated by ownership where applicable.

4) For collocations and replacement poles, no new ground disturbance shall be permitted that would exceed the width of any previous ground disturbance (including footings and anchoring mechanisms). Except up to four lightning grounding rods up to ¾-inch in diameter may be installed.

d) Noise and Ventilation

1) Facilities shall utilize passive ventilation where feasible.
2) Noise from mechanical equipment shall not exceed:
    a. Thirty (30) dBA measured at one (1) meter; or
    b. Applicable local noise ordinance standards, whichever is more restrictive.

e) Identification and Safety

1) Facilities shall include required safety signage.
2) Identification plates shall not exceed four (4) inches by six (6) inches and shall include:
    a. Provider name;
    b. Facility ID; and
    c. Emergency contact information.

16-4-35-4. Facility Maintenance Standards

a) Removal and Abandonment

1) Facilities that are abandoned or not in use for a period of six (6) months shall be removed. Failure to remove will result in City removal and removal cost recovery.
2) The City may require removal if the facility:
    a. Creates a safety hazard; or
    b. Is no longer maintained in accordance with this Section.

b) Nonconforming Facilities

1) Legally existing facilities that do not conform to these standards may continue.
2) Modifications shall comply with applicable federal and state law regarding eligible facilities requests.

ARTICLE XII. DEFINITION OF TERMS

Micro Wireless Facility: a telecommunication device no larger than 24 inches in length, 15 inches in width, and 12 inches in height, with an exterior antenna no longer than 11 inches. A micro wireless facility is not considered a small wireless facility.

Small Wireless Facility: A wireless telecommunications facility that meets the following qualifications:

a. Each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet; and
b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet.

Small Wireless Facility Pole: A wireless support structure, which is 50 feet or less in height, including antennae, which only supports or incorporates, or is intended to only support or incorporate, small wireless facilities.

Telecommunications tower: A tower, pole, or similar structure, exceeding 20 feet in height, which supports or incorporates, or is intended to support or incorporate, one or more telecommunications antennas that is not a small wireless facility, and is operated for commercial or public purposes above ground, whether freestanding, guyed, or affixed to a building. The term shall include mobile towers but shall not include Small Wireless Facility Poles.

Utility pole: A structure that is designed for and used to carry lines, cables, or wires for telephone, cable television, or electricity, small wireless facilities to provide wireless services, or to provide lighting.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of September, 2026.

_____

Attest: Barbara G. Volk, Mayor, City of Hendersonville

_____

Jill Murray, City Clerk

Approved as to form:

_____

Angela S. Beeker, City Attorney

For use by Principal Authority / Para uso de la Autoridad Principal
Cloudpermit application number / Número de solicitud de Cloudpermit US-NC30720-P-2026-99
PIN / Número de rollo 9568881652
Application submitted to / Solicitud presentada a Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte

Description of Subject Property
Address / Dirección 160 6TH AVE E
Municipality / Municipio Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte
PIN / Número de rollo 9568881652

Purpose of Application
Application type / Tipo de solicitud Text Amendment — Zoning Text Amendment

Applicant, Property owner		
Last name / Apellido Manley	First name / Nombre de pila Matthew	Corporation or partnership / Corporación o sociedad City of Hendersonville
Street address / Dirección de la calle 160 SIXTH AVENUE EAST HENDERSONVLLE NC 28792	Unit number / Número de unidad	Lot / Con.
Municipality / Municipio Hendersonville	State / Provincia NC	ZIP code / Código postal 28792
Other phone / Otro teléfono		Mobile phone / Teléfono móvil +1 8286740168
Fax		Email / Correo electrónico

Applicant-Company Information		
Applicant Name: Matthew Manley	Company Name: City of Hendersonville	Authorized Representative Title (if applicable) Long-Range Planning Manager

Property Owner-Company Information		
Property Owner Name: Matthew Manley	Company Name (if applicable, check corresponding box below) City of Hendersonville	Authorized Representat applicable) Long-Range Planning Manager

Declaration and Signatures

Applicant

I, Matthew Manley (The Applicant), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Applicant is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.

Signature of the applicant acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Digitally signed on 06/23/2026, 8:58:28 AM EDT by Matthew Manley with an authorization letter from Matthew Manley. / Firmado digitalmente el 23/6/26 8:58:28 EST por Matthew Manley con una carta de autorización de Matthew Manley.

Property owner

I, Matthew Manley (The Property owner), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Property owner is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.

Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Digitally signed on 06/23/2026, 8:58:44 AM EDT by Matthew Manley with an authorization letter from Matthew Manley. / Firmado digitalmente el 23/6/26 8:58:44 EST por Matthew Manley con una carta de autorización de Matthew Manley.

Information		
Applicable Sections of Zoning Code to be changed: Article V and Article XVI	Description of Proposal: Add standards for the design and deployment of Small Cell Wireless Facilties	Reason for change Currently have outdated standards designed for previous generations of telecommunications facilities.

Section 11-1 Standards	
The advisability of amending the text of the Zoning Ordinance is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of the Ordinance, the City Council shall consider the following factors among others:	
a) Comprehensive Plan Consistency – Consistency with the Comprehensive Plan and amendments thereto.	Complete Aligns with Downtown Master Plan and the Goal Area "RELIABLE & ACCESSIBLE UTILITY SERVICES" - Objective: "Broadband is expanded to all parts of the city, helping residents and business owners keep pace with an everchanging world"
b) Compatibility with surrounding uses – Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property	Complete The installation of small cell facilities must be done in coordination with other public utilities.
c) Changed Conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.	Complete The installation of small cell facilities must be done in coordination with other public utilities.
d) Public Interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public heath, safety and general welfare.	Complete The installation of small cell facilities must be done in coordination with other public utilities.
e) Public Facilities. Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.	Complete The installation of small cell facilities must be done in coordination with other public utilities.
f) Effect on Natural Environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife	Complete Some research claims that the wireless spectrum has an impact on local flora and fauna including tree damage, absorption of radiation in honeybees and impacts to circadian rhythms and migration patterns. Small cell wireless facilities transmit data using mid- and high-band spectrum vs the traditional low-band spectrum.

Applicant (Developer) Company Information

Authorized Representative Name:
Matthew Manley

Company Name (if applicable, check corresponding box below)
City of Hendersonville

Company Type:

- ☐ Corporation:
- ☐ Limited Liability Company:
- ☐ Trust:
- ☐ Partnership:
- ☑ Other:

If other:
Municipality

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)
Long-Range Planning Manager

Property Owner Company Information (if different from Applicant)

Authorized Representative Name:
Matthew Manley

Company Name (if applicable, check correspo
City of Hendersonville

Company Type:

- ☐ Corporation:
- ☐ Limited Liability Company:
- ☐ Trust:
- ☐ Partnership:
- ☑ Other:

If other:
Municipality

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)
Long-Range Planning Manager

PLANNING BOARD RECOMMENDATION
PROJECT#: 26-47-ZTA
MEETING DATE: August 13, 2026

PETITION REQUEST: Small Cell Wireless (26-47-ZTA)

APPLICANT/PETITIONER: City of Hendersonville

PLANNING BOARD ACTION SUMMARY:

The Planning Board considered the proposed Small Cell Wireless Facilities text amendment over two meetings, first as an informational/public hearing item in July 2026 and then for recommendation in August 2026. The discussion focused primarily on balancing federal and state requirements for telecommunications infrastructure with local concerns regarding aesthetics, placement, abandonment, and neighborhood compatibility. [PB Minute July 2026 | Word], [PB Minute Aug 2026 | Word]

1. Local Authority is Limited

Staff emphasized that federal and state laws significantly restrict municipal regulation of small cell wireless facilities. The City cannot prohibit these facilities or treat them differently from other utilities. The City's authority is largely limited to regulating:

- *Design and appearance*
- *Placement preferences*
- *Spacing standards*
- *Abandonment and removal requirements*

Staff repeatedly noted that the ordinance was designed to work within these legal constraints. [PB Minute July 2026 | Word], [PB Minute Aug 2026 | Word]

2. Focus on Design Standards and Compatibility

The ordinance was developed primarily to address aesthetic concerns, particularly in Hendersonville's historic and economically significant districts.

Topics discussed included:

- *Preferred and prohibited locations*
- *Design standards for downtown and historic areas*
- *Camouflaging facilities versus allowing them to remain visible*
- *Requirements for review within historic districts*

The Board generally supported using design standards to reduce visual impacts where legally possible. [PB Minute July 2026 | Word], [PB Minute Aug 2026 | Word]

3. Spacing Requirements Were a Major Issue

Board members spent considerable time discussing the proposed 300-foot spacing standard.

Questions included:

- *How the distance would be measured*
- *Whether a larger spacing requirement could be imposed*
- *Whether municipalities could establish greater separation distances*

Staff advised that spacing standards must remain legally defensible and cannot effectively prohibit deployment. The proposed 300-foot distance was tied generally to city block dimensions. [PB Minute July 2026 | Word], [PB Minute Aug 2026 | Word]

4. Public Concerns Focused on Health, Surveillance, and Appearance

Public comments raised several concerns:

- *Potential health effects of electromagnetic radiation*
- *Fear of increased surveillance and association with camera systems*
- *Visual impacts, particularly in downtown and historic areas*
- *Reliability of communications systems during emergencies*
- *Potential removal of larger cell towers*

Staff stated there was no proposal linking small-cell deployment to removal of existing large towers and clarified that the facilities are telecommunications infrastructure rather than surveillance devices. [PB Minute Aug 2026 | Word], [PB Minute July 2026 | Word]

5. Abandonment and Removal Standards Were Strengthened

Following comments raised during the July meeting, staff revised the ordinance to include clearer abandonment and removal provisions.

Additional discussion included:

- *Shortening the removal timeline to six months*
- *Requiring notification when facilities are no longer in service*
- *Ensuring obsolete equipment does not remain indefinitely in the public right-of-way*

These revisions appeared to address concerns raised by Board members. [PB Minute Aug 2026 | Word]

6. Historic District Treatment Received Special Attention

The Board explored how facilities would be handled in historic districts.

Staff explained:

- *Small cell facilities cannot be prohibited in historic districts.*
- *Design standards can be imposed.*
- *A Certificate of Appropriateness (COA) would be required in local historic districts.*

This was viewed as an important mechanism for preserving historic character while complying with state and federal requirements.

PUBLIC COMMENT:

The public concerns fell into four primary categories:

1. ***Health and electromagnetic radiation concerns**. [PB Minute Aug 2026 | Word]*
2. ***Privacy and surveillance concerns**, particularly references to Flock cameras and license-plate readers. [PB Minute Aug 2026 | Word]*
3. ***Visual and historic character impacts**, especially in downtown and historic districts. [PB Minute Aug 2026 | Word]*
4. ***Emergency communications reliability and infrastructure resiliency** if small cells were to supplement or replace larger towers. [PB Minute Aug 2026 | Word]*

Importantly, unlike the later Small-Scale Multi-Family discussion at the same August meeting, the Small Cell Wireless item generated relatively limited public comment, with only two speakers appearing in the recorded minutes

DELIBERATION:

By August, Board discussion shifted from whether facilities should be permitted to how they should be regulated. Members generally accepted that deployment could not be prevented and focused instead on mitigating impacts through design standards, spacing requirements, and removal provisions. [PB Minute Aug 2026 | Word]

The Chair also expressed interest in helping the public better understand the purpose of the installations and noted support from some members for making facilities visually distinctive rather than heavily camouflaged.

The Planning Board unanimously recommended approval of the Small Cell Wireless Facilities ordinance on August 13, 2026. The recommendation found the amendment:

1. *Consistent with the Gen H Comprehensive Plan.*
2. *Necessary to align with state and federal telecommunications requirements.*
3. *Supportive of telecommunications infrastructure expansion and improvement.*
4. *Effective in establishing standards for order, compatibility, and safety in deployment.*

Co-Pilot was used to generate this summary of the Planning Board discussion from minutes of the July and August minutes before being edited by staff for clarity.

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 9/3/2026

AGENDA SECTION: PUBLIC HEARING **DEPARTMENT:** Administration

TITLE OF ITEM: Data Center Development Moratorium – *Lew Holloway, Community Development Director and Angie Beeker, City Attorney*

SUGGESTED MOTION(S):

I move that the City Council adopt the ordinance establishing a _____ month development moratorium for the construction of data and hyperscale data centers.

SUMMARY:

The City Council has requested a public hearing to consider the establishment of a development moratorium for data and hyperscale data centers. The public hearing has been advertised on accordance with the North Carolina General Statutes. City staff will present a proposed plan to modify our Zoning Ordinance during the moratorium period.

BUDGET IMPACT: $ NA

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

If no, describe how it will be funded. NA

ATTACHMENTS:

Draft Moratorium Plan

DATA CENTER MORATORIUM CONDITIONS & RESPONSE PLAN

Discussion & Direction
City of Hendersonville City Council

August 26th, 2026

Community Development Department

Lew Holloway | Director

Background

- **Current Ordinance**:
- No Use Defined (CZD/Special Use/Etc.)
- No Districts Permitted/Prohibited
- No Design Requirements or Impact Analysis

- **Considerations for Moratorium**:
- Use complexity; Data Center, Hyperscale Data Center
- Research & Development of Standards

- **Impact of Moratorium**:
- No Zoning Compliance Permit issued for Standalone Data Centers

- **Other Factors/Considerations**:
- State Action; Senate Bill 730 (Ratepayer Protection Act) – focused on large facilities



Proposed Work Program

- **September ‘26 to November ‘26**
  - State and Federal law review
  - data center characteristics (typical/hyperscale)
  - statutory authority
  - land use & environmental analysis

- **December ‘26 to March ‘26**
  - Draft ordinance
  - Public outreach & sub-committee review
  - Legal Review & Administrative Review
  - Utility Engagement & Review.

- **April ‘26 to June ‘26**
  - Adoption Process, Planning Board to City Council.

- **Recommended Moratorium Length: Twelve Months**



Potential Ordinance Elements

- **Use Classification**
  - Define “Data Center” and “Hyperscale Data Center”
  - Permitted Districts/Prohibited Districts
  - Special Use Permit/Conditional Zoning
- **Site Requirements & Infrastructure Standards**
  - Site Size & Buffering
  - Electrical Requirements
  - Water Requirements
  - Noise Requirements
- **Submission Requirements**
  - Utility Capacity Study
  - Noise Study
  - Emergency Response Plan
  - Decommissioning Plan





Questions?

Ordinance #O-26-29

ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON DATA CENTER, CRYPTOMINING, AND SIMILAR FACILITIES

WHEREAS, North Carolina General Statute 160D-107 outlines the legal conditions under which local governments can declare moratoria on development approvals; and

WHEREAS, data centers, cryptomining facilities and similar facilities typically involve significant demands on electrical and water infrastructure, generate noise and heat, and may have land use impacts that are not adequately addressed by the City of Hendersonville's Zoning Ordinance ("Zoning Ordinance"); and

WHEREAS, western North Carolina is already home to three large data centers-Apple in Maiden, Meta in Forest City, and Google in Lenoir; and

WHEREAS, at their August 26, 2026 meeting, Hendersonville City Council set a public hearing to consider the possibility of adopting a moratorium on development approvals for data centers and cryptomining facilities; and

WHEREAS, City staff recommend that Hendersonville Planning Board and City Council consider text amendments to clarify the conditions under which data centers, cryptomining facilities, and similar facilities can locate within the City's zoning jurisdiction; and

WHEREAS, City staff also recommend that City Council declare a temporary pause on new data center development, per the provisions of NCGS 160D-107, to protect the public health, safety, and welfare while the City evaluates appropriate zoning and regulatory updates; and

WHEREAS, the NCGS 160D-107 requires that "any development regulation establishing a development moratorium must include, at the time of adoption," the statements proclaimed below.

NOW, THEREFORE, THE CITY COUNCIL OF BREVARD, NORTH CAROLINA FINDS THE FOLLOWING:

Statement 1. Data centers, crypto mining facilities, AI data centers, and other data processing facilities can have significant adverse impacts on the neighboring properties and the community as a whole, depending upon their size, infrastructure, electric use, cooling system methodology, back-up power supplies including by not limited to large generators, on-site electricity generation, and other operational aspects that may not be compatible with residential, mixed use development, small scale commercial development, office and institutional uses, and agricultural uses. Such adverse impacts may include noise, large scale energy generation and consumption, large water consumption, and size and scaling of the facilities to name a few.

Statement 2. Data centers/cryptomining facilities are not specifically addressed in Hendersonville's Zoning Ordinance, but similar facilities, business services, are permitted by right in all districts, and without the imposition of a moratorium, a court could potentially interpret this use to include data centers without the City having adequate land use standards in place to regulate data centers and crytomining facilities. City Council therefore finds that the Zoning Ordinance as written does not adequately evaluate and regulate such high-intensity land uses.

Statement 3. Prior to the start of the public hearing, City staff presented City Council with the following options to consider as an alternative to adopting a moratorium:

Option 1. Do nothing. City Council finds that this is not a viable alternative as there exists the possibility of a data center qualifying as a business service, a use allowed by right in all districts, and doing nothing leaves the City and its residents vulnerable to a data center coming into the City by right, without adequate regulations in place in the Zoning Ordinance.

Option 2. Adopt an ordinance under the police powers found in N.C.G.S. § 160A-174 as a single use police power ordinance. The City finds that such an ordinance would be subject to the requirements for adopting a Zoning Ordinance and therefore a stand-alone single use police power gives no benefit to the City.

Option 3. Do not adopt a moratorium, but direct staff and the Planning Board to study the issue of data centers and cryptomining regulation across the state and propose an amendment to the Zoning Ordinance that regulates the placement of such facilities within the City and its extraterritorial jurisdiction. City Council finds that such an approach is not a viable alternative for the same reasons expressed in Option 1.

Statement 4. The moratorium applies to the acceptance, processing, and approval of development approvals for data centers, cryptomining facilities, server farms, and other high-impact digital infrastructure facilities, including but not limited to zoning permits, special use permits, site plan approvals, building permits, conditional zoning approvals, and other any other development approvals under the City of Hendersonville's Zoning Ordinance. Temporarily suspending these approvals will prevent the establishment or expansion of such facilities under regulatory provisions that do not adequately address their infrastructure demands, noise, heat generation, and utility consumption while the City evaluates and adopts appropriate zoning and development standards.

Statement 5. The moratorium should be effective upon the adoption of an ordinance and should expire 12 months after the adoption unless earlier ended by act of City Council. This date gives the City of Hendersonville adequate time to consider text amendments to its Zoning Ordinance, have them approved by its Planning Board and City Council, and comply with the notice and public hearing requirements that text amendments before those two boards must follow.

Statement 6. The implementation plan to be followed during the moratorium should be as follows:

a) On or before November 30, 2026, staff will conduct the following:
   a. State and Federal law review
   b. data center characteristics (typical/hyperscale)
   c. statutory authority
   d. land use & environmental analysis

b) On or before April 30, 2027, the following will occur:
   a. Draft ordinance
   b. Public outreach & sub-committee review
   c. Legal Review & Administrative Review
   d. Utility Engagement & Review
   e. Revise draft as per a-d.

c) The City of Hendersonville community development staff will present text amendment options to the City's Planning Board on or before May 31, 2027;

d) The Planning Board will approve a recommendation as to any Zoning Ordinance changes within 60 days of being presented with staff's text amendment options;

e) City Council will hold a Public Hearing on any proposed changes to the Zoning Ordinance within 60 days of the Planning Board's meeting at which their recommendation to City Council is approved; and

f) City Council will adopt or decide not to adopt proposed changes on or

before August 30, 2027. City Council may refer the proposed changes back to the Planning Board as needed for further comment or recommendations, between the date of the public hearing and August 30, 2027. Further if required, City Council may hold a second public hearing during this same time period.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HENERSONVILLE, NORTH CAROLINA, as follows:

1. The City hereby imposes a temporary moratorium on the acceptance, processing, and approval of any application for and the issuance of any development approval for data centers, cryptomining facilities, AI data centers, server farms, or any other similar facility. Nothing herein shall be deemed to prevent the issuance of a development approval for a data center as an accessory use to a facility whose primary operation is not the storage and/or processing of data, and provided such accessory use is for the facility's own internal purposes. Such accessory use shall not exceed a total of 1000 square feet of space dedicated to, and used directly for or in support of, the storage and/or processing of data, whether in one or more stand-alone buildings or as part of other buildings.

2. The moratorium shall be effective upon the adoption of this ordinance and shall expire at 11:59 p.m. on September 2, 2027 unless earlier ended by act of City Council, after due compliance with the notice and public hearing requirements that text amendments must follow.

3. The implementation plan as set out in Statement 6 above is hereby approved.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 3rd day of September, 2026.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Matthew Manley

MEETING DATE: September 3, 2026

AGENDA SECTION: Presentation

DEPARTMENT: Community Development

TITLE OF ITEM: Annexation Analysis – The Orchards at Shepherd St | 26-55-ANX – *Matthew Manley, AICP, Long-Range Planning Manager*

SUGGESTED MOTION(S):

I move Council direct staff to move forward in processing the annexation petition submitted for The Orchards at Shepherd St.

or

I direct staff to grant the applicant the right to connect to the City of Hendersonville Utility System without requiring further processing of the petition for annexation.

or

I move Council not approve annexation nor utility connection and direct staff to indicate this position to the applicant.

SUMMARY:

The City of Hendersonville has received a petition from Luis Graef of The Orchards at Shepherd St, LLC (owner) and Jared Derider of WGLA Engineering, PLLC (applicant) for satellite annexation of a 3.45 acre parcel (PIN: 9577-39-3132) located on Shepherd St. The parcel is outside of the City's ETJ and outside (but contiguous to) the City's newly proposed Growth Boundary. The property is within the "Hendersonville" portion of the 2018 Annexation Agreement with the Village of Flat Rock. Per state statute 160A-58.1, the proposed satellite annexation is eligible for annexation.

The petitioner seeks to connect to City Utilities to develop a 24-unit townhome development with a density of 7 units per acre. A City sewer main bisects the property. It is a City of Hendersonville policy that a party must petition for annexation in order to be eligible to connect to the sewer utility. Prior to processing the petition for annexation, City staff is seeking direction from City Council. City Council may 1) direct staff to proceed with the annexation request, 2) indicate that the utility connection can be made without annexation or 3) indicate that neither the utility connection nor the annexation will be approved.

PROJECT/PETITIONER NUMBER:	• 26-55-ANX
PETITIONER NAME:	• Luis Graef of The Orchards at Shepherd St, LLC (owner) • Jared Derider of WGLA Engineering, PLLC (applicant)
ATTACHMENTS:	1. Annexation Request Map (below) 2. Annexation Petition



For use by Principal Authority / Para uso de la Autoridad Principal
Cloudpermit application number / Número de solicitud de Cloudpermit US-NC30720-P-2025-261
PIN / Número de rollo 9577393132
Application submitted to / Solicitud presentada a Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte

Description of Subject Property	
Address / Dirección 405 SHEPHERD STREET, HENDERSONVILLE, NC 28792	
Municipality / Municipio Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte	
PIN / Número de rollo 9577393132	Legal description / Descripción legal 405 Shepherd Street, Hendersonville, NC 28792

Purpose of Application
Application type / Tipo de solicitud Annexation — Satellite

Applicant		
Last name / Apellido DeRidder	First name / Nombre de pila Jared	Corporation or partnership / Corporación o sociedad WGLA Engineering, PLLC
Street address / Dirección de la calle 724 5th Avenue W	Unit number / Número de unidad	Lot / Con.
Municipality / Municipio Hendersonville	State / Provincia North Carolina	ZIP code / Código postal 28739
Other phone / Otro teléfono +1 (828) 687-7177	Mobile phone / Teléfono móvil +1 (828) 687-7177	
Fax	Email / Correo electrónico [redacted]	

Property owner		
Last name / Apellido GRAEF	First name / Nombre de pila LUIS	Corporation or partnership / Corporación o sociedad
Street address / Dirección de la calle 341 N. MAIN STREET	Unit number / Número de unidad	Lot / Con.
Municipality / Municipio HENDERSONVILLE	State / Provincia NORTH CAROLINA	ZIP code / Código postal 28792
Other phone / Otro teléfono	Mobile phone / Teléfono móvil +1 9543258477	
Fax	Email / Correo electrónico [redacted]	

Applicant-Company Information		
Applicant Name: Luis Graef	Company Name: The Orchards at Shepherd Street, LLC	Authorized Representative Title (if applicable) Manager

Property Owner-Company Information		
Property Owner Name: Luis Graef	Company Name (if applicable, check corresponding box below) The Orchards at Shepherd Street, LLC	Authorized Representative Title (if applicable) Manager

Declaration and Signatures

Applicant

I, Jared DeRidder (The Applicant), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Applicant is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.

Signature of the applicant acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Digitally signed on 08/12/2026, 10:40:40 AM EDT by Jared DeRidder. / Firmado digitalmente el 12/8/26 10:40:40 EST por Jared DeRidder.

Property owner

I, LUIS GRAEF (The Property owner), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Property owner is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.

Property owner hereby grants permission to the City of Hendersonville personnel to enter the subject property for any purpose required in processing this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION.

Signature of the property owner acknowledges that if the property is rezoned, the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Digitally signed on 08/10/2026, 5:08:58 PM EDT by LUIS GRAEF. / Firmado digitalmente el 10/8/26 17:08:58 EST por LUIS GRAEF.

Property Information

Property Address
405 Shepherd Street, Hendersonville, NC 28792

Parcel Identification Number (PIN)
9577393132

Does this property currently adjoin the present corporate City limits (not satellite limits)?
☐ Yes ☑ No

Is the property within the City's Extra Territorial Jurisdiction?
☐ Yes ☑ No

Are you declaring any site-specific vested right with respect to the properties subject to this petition as established under G.S. 160D-108.1?
☐ Yes ☑ No

Reason for Annexation:
Tying to City of Hendersonville public sewer.

Applicant (Developer) Company Information

Authorized Representative Name:
Luis Graef

Company Name (if applicable, check corresponding box below)
The Orchards at Shepherd Street, LLC

Company Type:
☐ Corporation: ☑ Limited Liability Company: ☐ Trust:
☐ Partnership: ☐ Other:

If other:

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)
Manager

Property Owner Company Information (if different from Applicant)

Authorized Representative Name:
Luis Graef

Company Name (if applicable, check corresponding box below)
The Orchards at Shepherd Street, LLC

Company Type:
☐ Corporation: ☑ Limited Liability Company: ☐ Trust:
☐ Partnership: ☐ Other:

If other:

Authorized Representative Title (if applicable - i.e. Member/Manager, President, etc.)
Manager

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 8/3/2026

AGENDA SECTION: NEW BUSINESS **DEPARTMENT:** Administration

TITLE OF ITEM: Appointment of City of Hendersonville Representatives on the Asheville Regional Home Consortium – *John Connet, City Manager*

SUGGESTED MOTION(S):

I move that the City Council appoint Lew Holloway as the City of Hendersonville's representative on the Asheville Regional Home Consortium and Sam Hayes as the alternate representative.

SUMMARY:

City Manager John Connet has served as the City of Hendersonville's representative on the Asheville Regional Home Consortium. He is departing to join the North Carolina League of Municipalities and request that Lew Holloway be appointed as the City's representative and Sam Hayes as the alternate representative.

BUDGET IMPACT: $ NA

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

If no, describe how it will be funded. NA

ATTACHMENTS:

None

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Jennifer Floyd **MEETING DATE:** 09/03/2026

AGENDA SECTION: City Manager Report **DEPARTMENT:** Administration

TITLE OF ITEM: August 2026 Contingency and Adjustment Report – *John Connet, City Manager*

SUGGESTED MOTION(S):

N/A – Presentation Only.

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

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

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

BUDGET IMPACT: Detailed Above

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

If no, describe how it will be funded. N/A

ATTACHMENTS:
Contingency and Adjustment Report

FISCAL YEAR 2025 - 2026 (FY26)
BUDGET AMENDMENTS AND ADJUSTMENTS

Completed	Corrected
Proposed	Denied

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION	TYPE	AMENDMENT NUMBER

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet **MEETING DATE:** 09/03/2026

AGENDA SECTION: CLOSED SESSION **DEPARTMENT:** Administration

TITLE OF ITEM: Closed Session – *Angie Beeker, City Attorney*

SUGGESTED MOTION(S):

I move that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) and (3) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and to consider the case of Advenir Azora Development, LLC VS The City of Hendersonville, 26CV000562-440, Henderson County Superior Court.

SUMMARY:

City staff is requesting a closed session to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body

BUDGET IMPACT: $ TBD

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

If no, describe how it will be funded. NA

ATTACHMENTS:

None