

**HENDERSON CITY COUNCIL  
ANNUAL STRATEGIC PLANNING RETREAT  
JANUARY 26-27, 2016  
Henderson Country Club  
January 27, 2016**

**PRESENT:** Mayor Eddie Ellington, Council Members Marion Brodie Williams, Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Melissa Elliott, Garry D. Daeke, Fearldine A. Simmons, and George M. Daye

**STAFF PRESENT:** City Manager Frank Frazier and City Clerk Esther J. McCrackin

**FACILITATOR:** Madeline Henley, Walking Stick Associates

**GUEST:** Sara Mansur, *Daily Dispatch*

Mayor Ellington opened the meeting at 6:15 p.m. and the invocation was given by Council Member Elliott.

**OPENING REMARKS:**

Mayor Ellington then turned the meeting over to Ms. Henley.

**GETTING STARTED**

Ms. Henley began by asking each member why they ran for office. Comments were positive with everyone saying they look forward to working together, better times are ahead, desire to bring facts to the citizens, show citizens “we” care, looking forward to great things in the future, and to not become discouraged by challenges.

Ms. Henley asked that everyone participate fully in this day and a half retreat. It was also agreed that discussion would be specific to the issue being discussed.

**OBJECTIVES:**

Next, Ms. Henley asked for what objectives Council would like to see come out of this Retreat. The objectives agreed upon by the Board were:

1. Develop Board Unity on vision and mission
2. Clear plan of action with not more than 4 major goals
3. Find ways to show who we are
4. Be Pro-active
5. Serve as one body
6. Be mindful of individual communities

7. Help City
8. Work together as a team with all ideas welcome
9. Accomplish good things even with constraints
10. Be a force not a face

## **ROLES AND RESPONSIBILITIES:**

Discussion began with a review of the Council's needs and expectations of other Council Members. There was a brief discussion and Council agreed no changes were needed with *City Council's Needs & Expectations of Other Council Members*

### **Under City Council's Needs & Expectations of Other Council Members**

There was a brief discussion but when Ms. Henley asked if Council could agree and meet the expectations as presented everyone was in agreement.

### **Under City Council's Needs and Expectations of Mayor**

Again, there was a brief discussion about existing items such as reminding Mayor Ellington that he has a Mayor Pro-Tem to rely on and that other Council Members are willing to step in so he does not overdo or burn himself out. Council asked the Mayor to consider creating a quarterly report to citizens (i.e., State of the City). When Ms. Henley asked the Mayor if he could agree to these needs and expectations, he confirmed he could and would.

### **Under Council's and Mayor's Needs and Expectations of City Manager**

Council did not make any changes to the expectations but did compliment Mr. Frazier for his ability to relate to citizens and staff in his personable manner. City Manager Frazier confirmed he could meet the expectations as they are currently listed.

### **Under Manager's Need and Expectations of Mayor and City Council**

Mr. Frazier said he would welcome any additions Council may suggest. The discussion revolved around agenda issues and Council should not hesitate to call Mr. Frazier to discuss an item prior to the meeting. Ms. Henley summarized the discussion by complimenting members desire to protect their peers from embarrassment and what she called the "gotcha" syndrome when someone springs something on the group. Her suggestion was to call for a 5 minute recess so other members during a meeting are not caught off guard and also so the entire board is seen as functioning as a unit.

## **PURPOSE, MISSION AND VISION STATEMENTS**

Council reviewed the existing Vision, Mission and Purpose Statements and it was the consensus to make no changes.

## **KEY CUSTOMERS**

Ms. Henley asked the Board to review the Key Customers and Key Customer Expectations. The consensus was that there were no changes to the Key Customers.

There was some discussion about KCE 3 – Fair Treatment. It was the consensus that you cannot have a set of rules for each individual/issue even though implementation may be seen as unfair.

## **CORE VALUES AND PRINCIPLES THAT GUIDE OUR WORK**

Discussion here centered on several core values, the first being

CV 3: Fairness: Ms. Henley said the Mayor sets the moral compass and leadership comes into play to provide fairness. Discussion revolved around the importance of listening and understanding policy and to be consistent yet understanding there may be gray areas.

Other core values that elicited discussion were CV 9 – Good Working Relationship with Vance County and CV 12 – Data Based Decision Making. Both are seen as necessary.

## **DISCUSSION ITEMS:**

Ms. Henley now turned the discussion to the survey results. One item for Thursday's discussion had already been determined and that was the housing/demolition issue. She asked Council to review the results from their questionnaire and determine what three items they felt were the top three items for discussion on Thursday.

After a short period of discussion it was determined that the order of discussion on Thursday should be:

1. Budget – review of mid-year revenues
2. Housing/Demolition
3. Economic Development Initiatives
4. Crime and Public Safety

Another item of concern was updating the city ordinance regarding animal control and it was determined this could be discussed during a work session.

*(Clerk's Note: At this time, due to other commitments, Council Members Daeke and Elliott left the meeting.)*

Ms. Henley clarified the agenda for Thursday, January 28 and asked if Council had anything else it would like to discuss.

City Manager Frazier said if time allowed, Council has the opportunity to tour the new performing arts center on Thursday at the conclusion of the Retreat. The consensus was Council would like to do this.

Since time allowed, Ms. Henley asked Council's permission to go through the *Board Communications and Process Review* which was originally scheduled for Thursday morning. Ms. Henley asked City Manager Frazier for his preference on how he would like Council to deal with staff. Mr. Frazier said it is preferable to channel most items through him. She then asked Council for their input.

Council Member Coffey asked who to contact after hours for issues such as a broken water main. Mr. Frazier said although he is happy to take calls from Council at any time it would be best to call 911 as they know who is on call.

Council Member Simmons asked who to call when power lines are down. Calling 911 is best.

This portion of the Retreat ended with Council Member Williams thanking Council for its patience with the newly elected members.

With no further business, Mayor Ellington recessed the Retreat until Thursday, January 28 at 8:30 a.m. when the meeting will move to the Henderson Police Station's Roll Call Room.

**Henderson Police Station Roll Call Room  
Thursday, January 28, 2016**

**PRESENT:** Mayor Eddie Ellington, Council Members Marion Brodie Williams, Sara M. Coffey, Michael C. Inscoe, Melissa Elliott, Garry D. Daeke, and Fearldine A. Simmons

**ABSENT:** Council Members Daye and Rainey

**STAFF PRESENT:** City Manager Frank Frazier and City Clerk Esther J. McCrackin

**FACILITATOR:** Madeline Henley, Walking Stick Associates

**GUEST:** Sara Mansur, *Daily Dispatch*

The meeting began at 8:30 a.m. with Ms. Henley reviewing Council's objectives that were set Wednesday evening and she also re-verified that the four major issues for discussion today.

She then turned the meeting over to City Manager Frazier to begin the discussion regarding the budget schedule and its current revenues.

## DISCUSSION ITEMS

### Budget

Mr. Frazier first presented the timeline for completing the FY16-17 budget. He then reviewed the current revenue status of the General Fund, and the Water, Sewer and Regional funds.

General Fund – There was discussion about whether the City receives any monies from motel tax (only the County receives motel tax dollars); how the lower fuel costs and the salary from unfilled positions (Finance Director) will increase anticipated revenues and if any unexpected expenses have occurred (none to date). Mr. Frazier did say the cost of snow removal has yet to be calculated and most of the salt/sand supplies have been depleted and will need to be replaced.

Council Member Daeke requested information regarding how the current revenue compares to the revenue received during the same time in FY15-16. Mr. Frazier stated this was not immediately available but he would be glad to supply this information at a later date.

Council Member Inscoe added debt payoffs such as final payments for the Aycock Center and City Hall in FY15-16 will provide additional revenue.

Water – Mr. Frazier said the Water Fund revenue seems to be on target. He added Kittrell seems to be slightly lower than anticipated and the meters are currently being checked.

Council Member Williams asked for more details to better understand the need for processing more water.

Council Member Daeke asked how many new users there has been in regard to water taps. Mr. Frazier said he was not sure of the exact number but mentioned it was much less than previously. He mentioned the new development of 40-50 single family homes at Carey Chapel Crossing that which is much more than we have had in a long time.

Council Member Inscoe mentioned that according to the consultants, the cost of running the new plant should include a reduction in the current cost for chemicals. Mr. Frazier added the current \*\*\*\*\* included a reduction of approximately \$250,000.

Regional Water – Mr. Frazier said revenue is on target and mentioned the addition of Middleburg customers and Council Member Inscoe added the City paid Warren County for the rights to add Middleburg to the system.

Ms. Henley asked if Council is comfortable and understands the financial system. She then asked Mr. Frazier to explain how the re-valuation will affect property values. Following the explanation, Ms. Henley asked Council what they would prefer --- to raise utility rates or taxes, if needed.

Council Member Coffey preferred to raise rates because many citizens are not homeowners. Council Member Elliott preferred to raise taxes because she felt many citizens are already struggling to pay their utility bill. There were no other specific responses.

Before moving on to the second most important issue, Ms. Henley asked if there were any other concerns/comments.

Council Member Inscoe mentioned Regional Water is looking into a \$20-25M expansion of the water plant which led to a discussion as to why this is important (additional water capacity). It was mentioned that our partners were in need of additional water.

Council Member Daeke asked for the unassigned fund balance which Mr. Frazier said he would research and provide. Mr. Frazier mentioned the unassigned fund balance is approaching 40%. Further information will be forthcoming with the audit presentation at the February Council meeting.

**KSOs** - Ms. Henley now directed Council to review the existing KSO's and suggested new items. She said some of the KSO's contain action items that are really work philosophies and suggested Council may wish to make those changes. She also suggested re-formatting the KSO's so they are expanded for more legibility and tracking. The City Clerk will present a draft to Council for its approval. This issue was discussed in more detail later in the meeting.

Ms. Henley suggested a break at this time, after which the Directors and City Attorney joined the meeting which was around 10:00 a.m.

**Staff Introductions** - At this time, Ms. Henley asked each Director to introduce themselves to Council. Some of the highlights were the length of service to the City by the Directors which ranged from 3 months to 35 years; 32 of the Henderson police officers were born/raised in Henderson, involvement in the community with reading to and/or mentoring students; and the pro-active actions being taken to improve services to the citizens of Henderson such as the institution of a citizen academy for the Fire Department, initiatives to provide better fire protection which will ultimately reduce homeowners insurance costs; reduction in *use of force* by the police department and an upgraded sewer plant. Human Resources Director Brown distributed a handout of accomplishments which is incorporated by reference and hereby made part of these minutes.

Council was thanked many times for their foresight, planning and support.

Council had questions of some of the Directors such as how/where fire hydrants are located; and how drinking water is determined safe (i.e. lead contaminates).

City Attorney Rix Edwards gave Council a brief summary of his background and why he chose to return to Henderson, where he was born and raised.

Ms. Henley thanked the Directors for sharing and said the next item to be discussed would be the housing/demolition issue. The Directors were advised they were free to stay or if duties required, they were free to return to their department.

### **Housing/Demolition**

City Attorney Edwards began the discussion by providing general information on the due process required legally relating to abandoned/uninhabitable structures. He then turned the discussion over to Mr. Corey Williams, Development Services Director.

Mr. Williams presented Council with a handout outlining the general procedures for the repair, closing or demolition of hazardous and uninhabitable dwellings and abandoned structures which is incorporated by reference and hereby made part of these minutes. Mr. Williams summarized each step to give Council an understanding of the time and steps needed to complete this process. He showed a map of the City where various abandoned structures exist, indicated which ones are city/county owned and where structures have already been demolished. He said there is definitely room to work smarter and better.

There was a general discussion regarding the need for county involvement, the inability of the fire department being able to use structures for fire training (most do not meet State requirements), how many houses could be rehabilitated (approximately 30%), how to find occupants for structures that can be rehabilitated, the appeal process, what areas should take priority and the costs for demolition/rehabilitation

There was discussion about establishing a housing lottery that the City Attorney said he would look into. There was also discussion about creating incentives for rehabilitation, the need for stabilization of renters.

Mayor Ellington suggested a joint task force with the County.

There was also discussion about how the ETJ should be incorporated into this problem.

In summary, the consensus was to create a three point plan with the County and other partners to find ways to finance a five year plan by developing preventive measures, upgrading existing facilities, if possible, with home ownership and to work on job development. The goal is to turn this problem into an asset by creating taxable property which might include selling vacant lots to adjacent property owners, establishing a mow to own program, creating mini-parks, and neighborhood gardens.

It was also agreed that the City Land Planning Committee should meet with the County Commissioner or their designated group to formulate a plan to work together on this issue. After meeting with the County, and possibly working out an agreement, a clear plan of action will be established by the City Manager and the Development Services department with an anticipated completion date of July 1, 2016.

Ms. Henley reminded Council of its tight timeframe to discuss its priorities and asked if they were ready to move on to the next discussion regarding the EDC.

*(Clerk's Note: Council Members Coffey and Daeke left the meeting at this time due to prior commitments.)*

## **EDC**

Council Member Inscoe said the EDC is the *engine that drives the City*. He explained Council has two seats on the EDC. Mr. Inscoe felt industry does not hire people as they use to as automation is quickly replacing people. He feels Downtown Development will be important in helping the City and County grow. He said currently there are 21 empty storefronts on Garnett Street alone. Mr. Inscoe suggested the key to growth will be creativity to provide reasons for businesses to come into the City. He then mentioned a conversation he had with USDA Rural Development staffer, Mr. Garland Barnett, regarding the possibility of obtaining a loan to repair the old city hall (back of Fire Station #2 on Garnett Street) where a business incubator could be established, utilizing private/government partnerships and creating a toolbox for the Downtown Development Commission (DDC). The toolbox would allow the DDC to make certain decisions without having to consult with the City/County.

Council Member Williams asked for details regarding the loan and the discussion led to the conclusion it could lead to the DDC becoming self-sustaining. The possibility of a business incubator in the old downtown city hall, overseen by the DDC, would lead to jobs in the downtown area. There would be a time limit on how long start-up businesses could reside in the incubator with the anticipation they would locate downtown permanently.

The new DDC office will be adjacent to the fire station on Garnett Street and is currently being rehabilitated by a private local construction company. This led to a discussion about the fire station being the oldest active station in North Carolina which was unknown to many of the Council members.

There was a general discussion about the new part-time executive director of the DDS, Carolyn Powell who is actively showing space downtown and the need to do something with the old bank building.

The establishment of a toolbox was suggested so the DDC and EDC can work cohesively without having to receive approval from the city/county for each step in the necessary process.

Mr. Paylor Spruill, Assistant to the City Manager, suggested looking into a TIF (Tax Incremental Financing) that freezes tax values and does not require bond public hearings to be held. He discussed development of a master redevelopment plan and provided a handout of action items and possible initiatives which is incorporated by reference and hereby made part of these minutes. Two areas have been looked at for redevelopment including an area off of Andrews Avenue into the downtown area and an area in South Henderson where there is a good amount of vacant property.

The discussion then moved to one-stop permitting and it was suggested a TRC meeting be set to review and set a process for Council's consideration. Council Member Inscoe distributed a suggested format in hopes it will expedite the process.

Mr. Spruill also addressed Council about the possibility of creating a rollerblade/skate park and also establishing within the downtown area a bicycle/electric cart hub in conjunction with the master plan. There were no objections voiced and the plan appeared to be well received. There is a great amount of work to be done; however, it is anticipated a fully developed master plan will be presented to Council in December 2016.

As facilitator, Ms. Henley asked if Council was prepared to move onto the issue of crime and public safety.

### **Crime/Public Safety**

Police Chief Barrow began this conversation by saying the Business Watch listed on KSO 2 is on-going with modifications. He has found setting meeting times for groups of business owners unsuccessful; however, emails and other forms of community watch to keep businesses up to speed with crime and ways to avoid crime have been successful. He also added he is chair of the DDC's safety committee.

Chief Barrow said the Faith Based Community Partnerships on the KSO has not been as successful as he would like. Council Member Elliott felt this could be partly because so many pastors live out of town. It was suggested the Mayor mention the need for churches to become active and involved in his quarterly newsletter.

In summary Council agreed to retitle this action plan to *Faith and Community Based Partnerships*.

Council Member Elliott felt Re-entry Transition and Substance Abuse were both issues of importance that should be discussed. She presented information regarding grants for programs such as the Felon to Work program that would cost the City nothing. She volunteered to work with staff in writing the grant(s) and asked for Council's support for the re-entry transition issue. It was the consensus of Council to move forward if no funds were necessary from the City.

Regarding the substance abuse issue, Ms. Elliott felt an advisory committee should be formed to brain storm ways to un-stigmatize the issue. Council Member Williams asked Ms. Elliott for data regarding the depth of this issue in Henderson.

There was a brief discussion about graffiti. Chief Barrow said he would prepare an amendment to the existing ordinance to include enforcement of anti-graffiti in the ETJ areas.

Ms. Elliott thanked Council for allowing her to express her passion and how she sees this as a Council matter.

Council Member Williams said there is a group within the city that is currently working with felons to help them learn farming and the Police Chief added there are several businesses within the city limits that currently hire ex-felons.

**KSO's** - The discussion then moved to each KSO. Some of the suggestions are below. A new format will be created to show all the goals/objectives and will be approved by Council.

KSO 1 – Implement Process Improvement was removed as it has been implemented and is on-going

KSO 2 – Faith Based Community Partnerships was re-worded to *Faith and Community Based Partnerships*

Re-entry Transition was added

Substance Abuse was added

KSO 3 Develop Comprehensive Land Use was removed as it has been implemented

KSO 4 - Redevelop Flint Hill was removed

KSO 5 – Replace 2” water lines was removed as it has been completed

Infrastructure Upgrades were added (i.e., roadway improvements)

KSO 6 - Career Development & Training Plan was removed as it has been implemented and is on-going

KSO 7 - No changes/additions were suggested

KSO 8 - Evaluation of Joint Programs was removed

## **OTHER**

At this time, Ms. Henley asked if there was anything else of concern that needed to be addressed.

Council Member Williams asked if there was a process for Ward meetings. Council Member Simmons suggested neighborhood watch meetings. City Clerk McCrackin said there is a Resolution for Ward meetings call Listening Post meetings which she will forward to Ms. Williams.

Police Chief Barrow said he will be implementing a program in the spring called Walk the Beat in downtown. This program allows citizens to walk with police officers, morning, noon and/or afternoon in a set downtown area and the purpose is to promote better relationships with the police.

Council Member Simmons expressed concern regarding salaries and the need to keep good workers by continuing to implement the pay plan. City Manager Frazier echoed this by stating the City currently has good staff and the need to properly compensate the City's workforce.

City Manager Frazier then asked if Council would like to tour the new Performing Arts Center immediately following this meeting. The remaining Council and several staff members took the tour, led by Mr. John Wester.

**RETREAT CRITIQUE AND WRAP UP:**

To conclude the meeting, Ms. Henley asked Council if there is better board unity and a clearer vision for the coming year(s). The overwhelming response was yes.

Ms. Henley asked if the objectives of the Retreat were met. The response was yes; the meeting went above/exceeded the objectives. It promoted pro-active actions.

No suggestions were made regarding locations and/or food.

With no further discussion, Ms. Henley thanked Council for allowing her to facilitate this Retreat and looks forward to working with Council in 2017, if appropriate.

**ADJOURNMENT:**

It was the consensus of Council to adjourn at 3:50 p.m.

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Eddie Ellington  
Mayor

***ATTEST:***

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Esther J. McCrackin  
City Clerk

## **STRATEGIC RETREAT – KSO**

### **HUMAN RESOURCES**

#### **KSO 6: DEVELOP AND MAINTAIN A QUALIFIED MUNICIPAL WORKFORCE**

The Human Resources Department along with the Leadership Team completed all of the established Action Plans for KSO 6 which included to Perform a Pay Classification Study, Update the Personnel Policy/Procedures Manual, institute a Career Development & Training Plan and provide Sensitivity and Diversity Training.

In 2014, the MAPP Group completed a comprehensive pay/class study for the City of Henderson; it was a five year phase-in plan. Phase I was funded and implemented FY2014. The Council also approved the funding for the implementation of Phase II of the pay study which was effective October 8, 2015. FY 2015 the Human Resources department and the Leadership Team successfully managed the implementation of Phase II. The cost to the City was approximately \$195,000.

#### **Action Plan 6-2b: Update Personnel Policy and Procedures Manual**

Completed, reviewed and published on-line to be available to all employees with computer access. Each department has a hard copy which is available to all employees.

#### **Action Plan 6-3 Career Development & Training Plan**

Career development/training plan developed for the following departments

Fire Dept	Regional Water (Operators)
Police Dept	Water Reclamation (Operators & Mechanics)

#### **Action Plan 6-4 Sensitivity and Diversity Training**

Diversity and Inclusion Instruction was presented by Nellie Riley of the Office of State Personnel – training held on-site. Day and half training/interaction.

#### **Additional Achievements**

- Sponsored a successful Health and Wellness Program
- Improved employee morale –
  - Public recognition of retiring employees
  - Holiday luncheon
  - Service Award Banquet
- WIA – Workforce Initiative – federally funded program which is administered by VGCC to serve disadvantaged youths between the ages of 16-21. The HR

## **Page 2 Human Resources**

- Department sponsored 2 (two) youth for the City of Henderson. Director serves on the WIA Board.
- Processed in 30 (thirty) **new** employees in FY2015. There were 29 (twenty-nine) full-time employees which separated from the City.
- Leadership Changes and Impact
  - \*City Manager (interim for half of the year)
  - \*Fire Chief retired
  - \*Finance Director resigned
  - \*Newly hire Recreation Director
- **Compliance**
  - \*ACA (Affordable Care Act) requires virtually all individuals to have health insurance provide "minimum essential coverage" or pay a penalty. The employer mandate requires larger employers (over 50 FTE) provide "minimum essential coverage" or pay a penalty. To comply, employers must report to the IRS the health coverage status of "all" employees. The first federal reporting is due this year 2016.
  - \*FLSA (Fair Labor Standard Act). Compliance preparation for major federal regulation changes. Exempt vs Non-exempt status with minimum salary requirement of \$50,400.

### **Goals for FY17**

Performance Management Training in FY17.  
Successful Compliance with FLSA  
Successful compliance of Affordable Care Act reporting  
Expansion of development opportunities for Staff  
Implementation of Phase III of the Pay Class Study

**GENERAL PROCEDURES FOR THE REPAIR, CLOSING, OR  
DEMOLITION OF HAZARDOUS AND UNINHABITABLE DWELLINGS  
AND ABANDONED STRUCTURES**

Section 160A-441 of the North Carolina General Statutes (NCGS) (Statute) address both dwellings unfit for human habitation and abandoned structures which meet certain criteria. As permitted by this statute, Henderson already has enacted ordinances providing for the repair, closing or demolition such structures. These ordinances are provided in Chapter 21 and 21A of the City Code.

Under the Statute, unfitness may be based on dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering the structures unsafe or unsanitary, or dangerous to or detrimental to the health, safety, moral, and general welfare of city residents.

Abandoned structures under the Statute, likewise, are subject to action if they create health or safety hazards as the result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a treat to children or frequent use by vagrants as living quarters in the absence sanitary facilities.

Be they dwellings unfit for human habitation or abandoned structures, the processes to be used to address remediation are the same.

**Average time to complete process is six to nine months.**

**Investigation Phase**

Structures are identified by code compliance inspectors, as well city officials such as law enforcement officers, fire fighters, social workers, and the general public. City staff will:

- Identify and list violations for structure.
- Document and determine if structure meets requirements of ordinance.

Search property for ownership and property interests is accomplished by an independent attorney.

*(Two weeks)*

Revised Jan. 2016

### **City Attorney Review**

The City Attorney reviews adequacy of title work and proposed procedures to ensure compliance with NCGS and Constitutional due process requirements.

*(One Week)*

### **Notice of Complaint and Hearing Phase**

- Notice of Complaint and Hearing: The purpose of the notice of complaint and hearing is to notify property owner(s) and parties of interest that a hearing is scheduled for the purpose to answer complaint.
- Affidavit of Publication for Notice of Complaint and Hearing: A legal ad is published in Daily Dispatch newspaper.
- A copy of Notice of Complaint and Hearing posted to the property / structure.
- Hearing: the purpose of hearing allows owners and or parties of interest to answer complaint, submit testimony and additional evidence. The information will be used to issue and determine Findings of Fact and Order.

*(Hearing is to be held within 10 to 30 days of notice.)*

### **Findings of Fact of Order**

- Following hearing and issuance of written findings by the Inspector, the owner is given notice of decision. If the structure is found not to meet city ordinance requirements, the owner is given notice of the decision and is allowed up to 90 days to comply with by repair, alter, improve, close, or demolition of structure.
- Affidavit of Publication for Findings of Fact and Order is a legal ad published in Daily Dispatch newspaper.
- A copy of Findings of Fact and Order posted to property / structure.
- Lis Pendens: Will allow enforcement procedures to continue even if the owners or parties of interest sell the property or transfer to another party. Lis Pendens must be filed with Vance County Clerk of Courts Office. A Lis Pendens can be filed at any time within the enforcement procedure

*(Ninety days is given to owner to effect compliance.)*

Revised Jan. 2016

### **Appeals**

- An Owner may appeal after the initial order of the Inspector. Appeals are heard by Zoning Board of Adjustment.

*(Appeals must be made within ten days of decision. Reasonable time given for hearing of appeals and decisions on them. Injunctions to stop enforcement must be filed with Superior Court within thirty days of an Inspector or Board decision).*

### **Failure to Correct**

- If issues are not corrected, two avenues are available to effect compliance:
  - Inspector submits ordinance to City Council which orders the Inspector to repair or demolish structure, as recommended by the Inspector in his findings.  
Inspector submits to City Council a resolution which directs the City Attorney to petition Superior Court for an order requiring compliance.  
First option has been used most frequently.

*(Thirty days)*

### **Final Phase**

- The Code Compliance Director shall seek the most responsible and competent contractor or contractors to repair or remove structure.
- After work is completed, a bill with all charges, fines, and administration fees shall be mailed to owner and parties of interest.
- If not paid in 30 days, a lien shall be placed on the property.

*(Sixty days or until City budget is sufficient to pay for repair or removal demolition)*

Revised Jan. 2016

## **OPENING A NEW BUSINESS OR RELOCATING A BUSINESS**

1. What Type business are you going to open?  
Commercial \_\_\_\_\_  
Industrial \_\_\_\_\_  
What is the nature of your business? Example retail, restaurant, office etc. \_\_\_\_\_

2. Are you locating in an existing building or new construction.  
Existing: \_\_\_\_\_ What is the address? \_\_\_\_\_  
New Construction: \_\_\_\_\_ What is the address? \_\_\_\_\_  
If you need to establish a new address, the City will assist you in this with E-911.

3. Check for Zoning Compliance with the Planning and Zoning Department.  
The City staff will determine if you need a Special Use Permit for your business.  
Zoning Permits applications are available at the planning and zoning Department at the City Of Henderson building on Rose Ave. Telephone number \_\_\_\_\_.  
Zoning permit application cost is \$ \_\_\_\_\_  
Special Use Permits cost is \$ \_\_\_\_\_

NOTE: If the business that you are going to open is a Change in Occupancy Classification for an existing building you may be required to upgrade certain elements of the building to comply to local, State and Federal codes such as handicap accessibility etc.

If you area a restaurant or business that has a commercial kitchen facility you will be required to have a grease trap. The cost of this permit is \$ \_\_\_\_\_. Your business will be subject to annual inspection for compliance.

4. You will be required to submit a zoning application with a too scale site plan for zoning approval That shows the building location as to set backs, drive way entrances and exits, etc.
5. SIGN APPROVAL: You may apply for a new sign permit when you apply for a zoning permit. The city staff will help you determine the permitted location and size permitted for your business. THE COST OF THE SIGN PERMIT IS \$ \_\_\_\_\_. You may be required to provide elevation drawing of the structure that shows location and size of signage. If you have a pedestal sign you will need to show the size and location of the sign on the site plan.
6. If your business in located in the City of Henderson you will be required to have the building Inspected by the City Of Henderson Fire Marshall for fire code compliance. The Fire Marshall will be checking fire extinguishers, emergency lighting, exit signs, sprinkler systems alarm systems etc. The cost for this inspection is \$ \_\_\_\_\_. You can contact the Fire Marshall at 252 \_\_\_\_\_. You will also be asked for emergency contact names and telephone numbers. If your building is located outside the city limits you will need to contact the County of Vance Fire Marshall at 252-\_\_\_\_\_, for fire safety compliance.

7. If your business is located outside the City Limits , the County of Vance, Fire Marshall will inspect you facility. You will need to provide the County with a copy of your approved zoning permit to schedule this inspection.
8. If you are installing a new sign for your building you will also need to obtain a permit to erect the sign from the County of Vance Inspection Department. They can be reached at 252\_\_\_\_\_ Drawing may be required by a Licensed Professional Engineer for sign erection.
9. Establish water, sewer and waste disposal service at the City of Henderson Finance department You will be required to supply a copy of your lease if you do not own the facility and a deposit will be required at the time you apply for service. You will need to apply in person to establish these services.
10. Be sure to list your property each year with the Vance County Tax Office. 252\_\_\_\_\_.
11. Obtain sales tax, employer tax and income information from the North Carolina Department of Revenue. 919-733-3661.

**NOTE: THE RELOCATION OF AN EXISTING BUSINESS IS REQUIRED TO FOLLOW THE SAME GUIDE LINES AS A NEW BUSINESS.**

**IT IS RECOMMENDED THAT IF YOU PLAN TO LEASE AN EXISTING BUILDING, DO NOT SIGN A LEASE UNTIL YOU HAVE MADE CONTACT WITH ALL OF THE APPROPRIATE DEPARTMENTS. IN DOING SO YOU WILL KNOW UP FRONT WHAT THE PROJECTED COST ARE AND WHAT IS NECESSARY IN ORDER TO OPERATE YOUR BUSINESS IN THE CITY OF HENDERSON.**

**If your business is located outside the City of Henderson but in the ETJ district, you are still required to obtain a zoning permit and a sign permit from the city to present to the county inspection department for approvals required by the county enforcement department.**

**The county will require you to fill out an application for your relocated business or for new construction of a new facility or renovation of an existing structure. You will be required to provide detailed plans and specifications for all commercial and industrial projects. The county has a code review process to make sure all elements of the new construction or remodeling complies to all building and safety codes.**

**COST :**

City of Henderson Redevelopment Discussion 28 Jan 2016

<u>Short Range Objectives</u>	<u>projected by "date"</u>	<u>Longer Range Objectives</u>	<u>projected by "date"</u>
County/City cooperation talks	ongoing	Identify bridge loan sources	2017, 1 <sup>st</sup> Q
Roundtable discussions begin	February	Project engineering	2017, 1 <sup>st</sup> Q
(Kerr-Tar Regional Council; UNC School of Government; HV Downtown Dev. Comm.; Elected officials; Public stakeholders; Private developers)			
Identify and prioritize blighted areas	April	Identify code and overlay district changes	2017, 1 <sup>st</sup> Q
Identify redevelopment funding sources	May	Receive grants and issue debt as needed	2017, 2 <sup>nd</sup> Q
Designate redevelopment areas	June	Phased acquisition of redevelopment property	2017, 3 <sup>rd</sup> Q
Proposed land use changes	June	Phased construction public infrastructure	2018, 1 <sup>st</sup> Q
Statement of estimated cost	August	Transfer of land to private developers	2018, 1 <sup>st</sup> Q
Proposed methods of financing	September	<u>Ancillary Objectives</u>	
Public hearing	October	bicycle, electric cart paths to the central business district (CBD)	
Redevelopment plan revisions	October	regional storm water BMP systems	
Identify redevelopment partners	November	City entryway and corridor landscaping	
City master redevelopment plan adoption	December	Southeast High Speed Rail train station	
		urban homesteading, residential incentives for the CBD	
		City, County alignment of permits- one stop process	
		rollerblade & skateboard park	