

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: May 4, 2009

SUBJECT: 4-H Program Use of Parking Lot during Apple Festival

ATTACHMENTS: Yes

SUMMARY OF REQUEST:

Cooperative Extension has requested that their 4-H Program be permitted to use the Curb Market parking lot, which the County currently has leased, during the Apple Festival. The 4-H Program wishes to use this lot to charge for parking as a fundraiser for their program. The group has used the parking lot in this capacity in years past, but staff felt it prudent to bring to the Board of Commissioners given the recent execution of a contract with the Curb Market.

BOARD ACTION REQUESTED:

Staff recommends that the 4-H Program be permitted to use the Curb Market parking lot for their requested purpose during the Apple Festival for the hours designated in the County's lease agreement with the Market.

Suggested Motion:

I move that the Board of Commissioners approve allowing the 4-H Program to use the Curb Market parking lot in accordance with the County's lease agreement.

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TO: Selena Coffey
Assistant County Manager



FROM: Renay Knapp
Interim County Extension Director

DATE: April 2, 2009

RE: Use of Curb Market Parking Lot

The Henderson County 4-H would like to use the entire Curb Market Parking lot during the Apple Festival as a fund raiser. In the past they have had 4-H Advisory Committee, club leaders and club members to man the lot and to collect the money. They charge \$5 per car to park there.

Their schedule is as follows:

Friday, September 4	8 a.m. – 8 p.m.
Saturday, September 5	2 a.m. – 5 p.m.
Sunday, September 6	8 a.m. – 8 p.m.
Monday, September 7	8 a.m. – 2 p.m.

On behalf of the Henderson County 4-H program, I appreciate your consideration of this proposal.

Selena Coffey

From: Russ Burrell
Sent: Monday, April 13, 2009 2:14 PM
To: Selena Coffey
Subject: RE: Curb Market Parking

The lease contains the following:

3. Lessee, its elected or appointed officials, agents and employees, and persons who are parking while on business with the Lessee (including but not limited to attending or scheduling meetings or appointments with or of the Lessee, its boards, committees, elected or appointed officials or employees, and attending exhibitions of the Lessee or its tenants, such meetings, appointments and exhibitions collectively referred to here in as "Events"), and others with the Lessee's express permission, shall be entitled to use the parking area during times when the Lessor is not operating "The Curb Market", but in any event the following times: all day on Sundays, Mondays, Wednesdays, and Fridays of each week; and, such times after the close of The Curb Market (but in any event after 4:00 p.m.) on Tuesdays, Thursdays and Saturdays of each week.

Under the lease (signed 2 February 2009), we control its operation all day on Sundays, Mondays, Wednesdays and Fridays, plus after the Curb Market closes on Tuesdays, Thursdays and Saturdays. However,

10. During special events involving festivals in downtown Hendersonville, the Lessee may, at its sole option, allow public or charitable groups to use the leased premises to rent out to the public for parking. Notwithstanding, however, no such public parking, or any other use by the Lessee or at its discretion, shall be allowed during the periods in which the Lessor is operating The Curb Market.

So the Board of Commissioners (or you, if they allow) can permit 4-H to operate the parking on Friday, Sunday and Monday, and after the Curb Market closes on Saturday. Usually that's by 2:00 p.m. (I think Ms. Knapp meant 2:00 p.m. in her memo, not 2:00 a.m.; I don't think they'll have that much business parking people at 3 in the morning), but they need to get approval from the Lessor/Curb Market as to the Saturday starting time.

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Charles Russell Burrell



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From: Selena Coffey
Sent: Monday, April 13, 2009 2:03 PM

4/23/2009