

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: February 4, 2013

SUBJECT: Westfeldt Park Greenway

PRESENTER: David Whitson, Assistant County Manager

ATTACHMENTS: Yes

1. Resolution requesting financial assistance from the State of North Carolina Division of Water Resources
2. Resolution for Designation of Applicant's Agent for the Recreational Trails Program

SUMMARY OF REQUEST:

Henderson County has expressed an interest in implementing a greenway and trail development project along the French Broad River at Westfeldt Park to provide recreation opportunities in that area. Two funding sources are currently available for such a project: from the North Carolina Division of Water Resources, and the N.C. Recreational Trails Program.

BOARD ACTION REQUESTED:

The Board is requested to adopt the attached Resolutions, requesting financial assistance from the State of North Carolina Division of Water Resources, as well as the Resolution for Designation of Applicant's Agent for the Recreational Trails Program .

Suggested Motion(s):

I move the Board adopt the Resolution requesting financial assistance from the State of North Carolina Division of Water Resources, as well as the Resolution for Designation of Applicant's Agent for the Recreational Trails Program .

HENDERSON COUNTY BOARD OF COMMISSIONERS

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CHARLIE MESSER
Chairman
THOMAS THOMPSON
Vice-Chairman

LARRY YOUNG
J. MICHAEL EDNEY
GRADY HAWKINS

RESOLUTION

WHEREAS, the Henderson County Board of Commissioners desires to implement a greenway and trail development project along the French Broad River at Westfeldt Park to provide recreation opportunities for hiking, fishing, birding and cycling;

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Board requests the State of North Carolina Division of Water Resources to provide financial assistance to Henderson County for the Westfeldt Park greenway and trail project in the amount of \$50,000 or 20% percent of project cost, whichever is the lesser amount;
- 2) Henderson County is simultaneously seeking remainder of project funds from the N.C. Recreational Trails Program and plans to use the combined grants to cover all project costs.
- 3) The Board will obtain all necessary State and Federal permits;
- 4) The Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.
- 5) The Board will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications;
- 6) The Board will obtain suitable spoil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State;
- 7) The Board will assure that the project is open for use by the public on an equal basis with no restrictions;
- 8) The Board will hold the State harmless from any damages that may result from the construction, operation and maintenance of the project;
- 9) The Board accepts responsibility for the operation and maintenance of the completed project.

Adopted this the 4th day of February, 2013.

CHARLIE MESSER, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

TERESA L. WILSON, CLERK TO THE BOARD

RESOLUTION OF GOVERNING BODY OR COMMITMENT LETTER**DESIGNATION OF APPLICANT'S AGENT**

Recreational Trails Program and Adopt-A-Trail-Program

Organization Name (hereafter named Organization)

Henderson County

Grant Number:

Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):

Department of Environmental and Natural Resources Division of Parks and Recreation

Applicant's Fiscal Year (FY) Start

Month: July

Day: 1st

Applicant's Federal Employer's Identification Number

56-6000-307

PRIMARY AGENT**SECONDARY AGENT**

Agent's Name: Timothy Hopkin

Agent's Name: David Whitson

Organization: Henderson County Parks and Recreation

Organization: Henderson County

Official Position: Director

Official Position: Assistant County Manager

Mailing Address: 801 4th Ave East

Mailing Address: 1 Historic Courthouse Square, Suite #2

City, State, Zip: Flat Rock, NC 28792

City, State, Zip: Hendersonville, NC 28792

Daytime Telephone: 828 697-4884

Daytime Telephone: 828 697-4809

Facsimile Number: 828 697-4886

Facsimile Number: 828 698-6014

Cell Number: 828 674-9782

Cell Number: 828 674-6916

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Federal Highway Administration Office of Planning and Environmental; Office of Human Environment of the North Carolina General Statutes, or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Department of Environmental and Natural Resources for all matters pertaining to such grant assistance required by the grant agreements. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 4th day of February, 2013.

GOVERNING BODY**CERTIFYING OFFICIAL**

Name and Title: Charles Messer, Chairman of the BOC

Name: Terry Wilson

Name and Title

Official Position: Clerk to the Board

Name and Title

Daytime Telephone: 828 697-4809

CERTIFICATION

I, Charlie Messer, duly appointed as Chairman of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of Henderson County on the 4th day of February, 2013.

Date: _____

Signature: _____