

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: February 20, 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

SUMMARY OF REQUEST:

At the February 4, 2013 meeting, the Board adopted a Resolution requesting financial assistance from the State of North Carolina Division of Water Resources (DWR). DWR has reviewed that Resolution, and had requested the County make one revision.

The second point under the “Now, therefore be it resolved” section originally read “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.” DWR has requested that be changed to “The Board assumes full obligation for payment of the balance of project costs”, as reflected in the revised attached Resolution.

Staff recommends approval of this revised Resolution, since the project in question is entirely within the scope of the County owned Westfeldt Park.

BOARD ACTION REQUESTED:

The Board is requested to adopt the attached Resolution, requesting financial assistance from the State of North Carolina Division of Water Resources.

Suggested Motion(s):

I move the Board adopt the Resolution requesting financial assistance from the State of North Carolina Division of Water Resources.

HENDERSON COUNTY BOARD OF COMMISSIONERS

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CHARLIE MESSER
Chairman
THOMAS THOMPSON
Vice-Chairman

LARRY YOUNG
J. MICHAEL EDNEY
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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) The Board assumes full obligation for payment of the balance of 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 20th day of February, 2013.

CHARLIE MESSER, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

TERESA L. WILSON, CLERK TO THE BOARD