

CITY COUNCIL:
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Mayor
LYNDESE SIMPSON
Mayor Pro Tem
DR. JENNIFER HENSLEY
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OFFICERS:
JOHN F. CONNET
City Manager
ANGELA S. BEEKER
City Attorney
JILL MURRAY
City Clerk

April 1, 2024

Senator Tim Moffitt
N.C. General Assembly
16 Jones Street, Rm 2111
Raleigh, NC 27601

Dear Senator Moffitt:

Based on a recent Henderson County Board of Commissioners meeting, Hendersonville City Council feels that it is beneficial to provide our State Legislators additional context and background. The City of Hendersonville has acted in good faith and tried to negotiate with Henderson County over the past twelve months to resolve the long-standing dispute over governance of the utility system and growth of the City of Hendersonville. In addition, the City has strived to cooperate with Henderson County over the last twenty-four years, as illustrated in the list below.

- Executed the 2000 Contract of Purchase and Interlocal Cooperation and Settlement Agreement
- Re-established the Water and Sewer Advisory Committee comprised of representatives across the utility service area (Henderson County, Mills River, Flat Rock, Fletcher, Laurel Park etc.)
- Partnership with Henderson County, UNC Pardee, Wingate University and Blue Ridge Community College to construct the Health Sciences Center
- Partnership with Henderson County and Housing Assistance Corporation to construct Apple Ridge Affordable Housing Development
- Partnership with Housing Assistance Corporation to construct Oklawaha Affordable Housing Development
- Partnership with Housing Assistance Corporation to construct infill affordable housing units
- Inside water rates for all Henderson County Public Schools
- Agreed to equalize inside/outside City water rates over a ten-year period (currently in 5th year)
- Compensating rural fire departments for annexed properties. Lump sum payment for 5 years of lost tax revenue.
- Adopted formal resolution ensuring that no water and sewer lines serving new development are extended without approval of respective governing boards.
- Partnered with economic development agencies to extend public utilities to new industry:
 - School House Road, Mills River – AgHC
 - Ladson Road, Mills River – AgHC
 - Demmel / Elkamet – HCPED
 - Garrison Industrial Park – HCPED
- Offer to purchase distressed Etowah Sewer Company. Henderson County objected and City of Hendersonville withdrew the offer to purchase.
- Assumed responsibility of Laurel Park Water System in April 2021 and have since made significant investments in the system. Customers in Laurel Park immediately noticed a reduction in water rates and an improved level of service.
- Obtained grants with help of Henderson County staff and installed public water lines to homes in the Academy Road area of Henderson County. Private wells were contaminated with pesticides.

- Assisted with the relocation of public sewer line under Hendersonville High School
- Partnered with Henderson County to extend sewer to Atkinson Elementary School
- Worked with Henderson County to extend Jackson Park Interceptor Sewer eliminating a large pump station from the park.
- Completed the following water pressure and fire flow improvement projects:
 - Etowah Water Improvement Project
 - Northside Water Improvement Project (Fletcher)
 - Hebron Pressure Zone Project (Laurel Park)
- Water System Hydraulic Model development assists rural fire departments with improving ISO ratings.
- Assistance of the provision of sewer to the Halfway Tree Mobile Home Park (Flat Rock) to resolve a public health/failing septic issue.
- Replacement of Clear Creek Sewer Interceptor, which was installed to accommodate anticipated future growth in the Edneyville Community.
- 2023 Joint Water and Sewer Commission Proposal
 - Proposed an Urban Growth Boundary / Annexation Agreement
 - Eliminate ETJ
 - Limited annexation to new developments
 - Established a joint Water and Sewer Commission
 - Established a joint planning area around the City of Hendersonville
 - Include a land use map that limited high density development to the west side of I-26
- Offered to assist with sewer provision in the Edneyville Community

The City Council will continue to attempt to resolve this dispute at the local level with a balanced approach of protecting the interests of utility customers, Hendersonville residents and businesses while attempting to address the concerns of the Henderson County Board of Commissioners. We thank you for your consideration in this matter and request a formal meeting to discuss it further.

Sincerely,

Barbara Volk, Mayor

Lyndsey Simpson, Mayor Pro Tem

Jennifer Hensley, Council Member

Jeff Miller, Council Member

Debbie Roundtree, Council Member