

## **REQUEST FOR BOARD ACTION**

### **HENDERSON COUNTY BOARD OF COMMISSIONERS**

**MEETING DATE:** October 3, 2016

**SUBJECT:** Henderson County Historic Resource Landmark Ordinance-  
Interlocal Agreement with the Town of Fletcher

**PRESENTER:** Autumn Radcliff, Senior Planner

**ATTACHMENTS:**

- 1.) Letter from Town of Fletcher
- 2.) Resolution of Adoption of Ordinance by the Town of Fletcher
- 3.) Interlocal Agreement

#### **SUMMARY OF REQUEST:**

On April 15, 2015, the Board of Commissioners adopted the Historic Resources Landmark Ordinance and associated design guidelines. As presented and discussed during this meeting, the Historic Resource Commission's (HRC) next phase would be to reach out to municipalities within the County without an existing Historic Preservation ordinance to determine interest for adopting the County's Ordinance within their jurisdiction. Staff has been working with the HRC's appointed Town Representatives since the adoption of the ordinance. As a result, the Town of Fletcher at its meeting on September 12, 2016 voted to adopt the County Historic Resources Landmark Ordinance by resolution. An interlocal agreement between the County and the Town of Fletcher is required for the Historic Resource Commission and staff to enforce the ordinance within the jurisdiction of the Town of Fletcher. The ordinance will be implemented and administered by the County through the HRC. The Landmark Ordinance is voluntary and no fees or costs for service are necessary at this time. Staff does not anticipate more than one to two applications per year.

#### **BOARD ACTION REQUESTED:**

The Board is requested to approve the Interlocal Agreement as presented for the Historic Resource Landmark Ordinance.

#### **SUGGESTED MOTION:**

*I move that the Board approve the attached Interlocal Agreement between Henderson County and the Town of Fletcher for the Historic Resource Landmark Ordinance.*

# TOWN OF FLETCHER

WILLIAM B. MOORE  
MAYOR

EDDIE HENDERSON  
MAYOR PRO-TEM



COUNCIL MEMBERS:  
SHEILA FRANKLIN  
HUGH CLARK  
BOB DAVY

TOWN MANAGER:  
MARK E. BIBERDORF

September 12, 2016

Henderson County Governing Body  
Attn: Terry Wilson Clerk to the Board  
1 Historic Courthouse Square Suite 1  
Hendersonville, NC 28792

Dear Terry,

Please see enclosed original documents that the Fletcher Town Council unanimously approved concerning the Town of Fletcher participating in the Historic Resources Ordinance with the county.

Enclosed you will find 2 original(s) of the Interlocal Agreement and an original of the Resolution on the Landmark Ordinance Enforcement. Once it has been approved by the Board of Commissioners and signed by the chair please return an Interlocal Agreement to me and the other of course is for your records.

Please let me know if you have any questions.

Sincerely

Christine Thompson, CMC, NCCMC  
Town Clerk  
Town of Fletcher  
300 Old Cane Creek Road  
Fletcher, NC 28732

**R-16-02**  
**RESOLUTION**  
**TOWN OF FLETCHER**  
**HISTORIC LANDMARK ORDINANCE ENFORCEMENT**

**WHEREAS** the Town of Fletcher seeks to cooperate with other governing bodies to safeguard the heritage of the County by preserving landmarks therein that embody important elements of its culture, history, architectural history, or prehistory;

**WHEREAS** Henderson County passed the Preservation of Historic Resources Ordinance, hereinafter "the Ordinance" and this Ordinance recognizes historic properties in the County;

**WHEREAS** municipalities may adopt this Ordinance and related design standards to protect historic properties within their boundaries; and

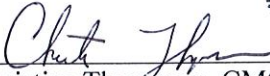
**WHEREAS** Henderson County is desirous of encouraging the protection of historic properties and the creation of a list of all historic properties within Henderson County.

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Fletcher as follows:


1. The Town of Fletcher through resolution of its governing body, adopts the Ordinance and related design standards.
2. Henderson County, through its Historic Resources Committee Staff Liaison, will provide the Town of Fletcher services under the Ordinance. These services include review of applications, communications with property owners, municipality, and tax department, and present applications to the Historic Resources Commission. The Staff Liaison will also prepare materials for the Zoning Board of Adjustment and the Board of Commissioners who approve all applications.
3. The Town of Fletcher will permit Henderson County to enforce the Ordinance within municipal boundaries.
4. The Town of Fletcher will provide assistance to the County's Staff Liaison when possible or necessary.
5. This resolution will be effective upon the date of adoption. The Town of Fletcher adopts any future amendments or changes to the Ordinance. To revoke the Ordinance, the Municipality must adopt a revocation resolution and notify Henderson County.

Adopted this the 12<sup>th</sup> day of September 2016

ATTEST:

  
Christine Thompson, CMC, NC  
Town Clerk



  
Mayor William "Bill" Moore



STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

INTERLOCAL AGREEMENT

THIS AGREEMENT, made this the 12 day of August, 2016 by and between Henderson County, hereinafter "the County", a body politic and corporate by the State of North Carolina, and the Town of Fletcher, hereinafter "Town", a duly incorporated municipal corporation and body politic.

WITNESSETH:

WHEREAS the County and Town have adopted the County's Preservation of Historic Resources Ordinance, hereinafter "Ordinance" and the related design standards;

WHEREAS County staff, tax department, boards and Board of Commissioners are responsible for the approval of historic properties and enforcement of the Ordinance; and

WHEREAS County and Town are desirous of collaborating on the implementation of this Ordinance in the incorporated and unincorporated areas;

NOW, THEREFORE THIS AGREEMENT, that for and in consideration of the mutual promises and other good and valuable consideration as provided for herein below, the parties mutually agree as follows:

- 1) Town agrees to adopt the Ordinance, its design standards and all future amendments or changes to this Ordinance.
- 2) Henderson County will provide the following services:
  - a. Review applications
  - b. Work with applicants
  - c. Prepare materials for Historic Resource Committee, Zoning Board of Commissioners
  - d. Notify tax department when properties are designated
  - e. Enforce Ordinance on participants
- 3) Town permits Henderson County to enforce the Ordinance on participants within municipal boundaries.
- 4) Henderson County will keep any and all fees collected related to this Ordinance.
- 5) Town and County will work together to promote historic sites, give technical assistance to protect historic properties and provide information regarding historic properties, upkeep, and designation.
- 6) This Agreement may be revoked by either party in writing with 30-days' notice.

In witness hereof, all parties have caused this Amendment to the Interlocal Agreement to be duly approved, spread upon the minutes of each, and to be executed in duplicate, each to have the force and effect of an original.

FOR THE TOWN OF FLETCHER

BY: Bill Moore  
Mayor William "Bill" Moore

ATTEST:

Chuth F. Hume  
Town Clerk



HENDERSON COUNTY

BY: \_\_\_\_\_