

Regular Session, August 6, 2012, 9:30 a.m.
Catawba County Board of Commissioners

Appointments

Juvenile Crime Prevention Council	593	08/06/12
Nursing and Rest Home Advisory Board	593	08/06/12
Community Child Protection/Fatality Team	593	08/06/12

Awards

Debra Bechtel - NC County Attorney of the Year	592	08/06/12
Rodney Miller – Finance Officer of the Year	592	08/06/12

Information Technology

Video on County Services on Youtube	601	08/06/12
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Planning, Parks and Development

Carolina Thread Trail Grant – Bunker Hill Covered Bridge	593	08/06/12
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Public Comments for Items Not on the Agenda

Charles Connor	593	08/06/12
Keith Scronce	593	08/06/12

Resolutions

Carolina Thread Trail Grant	593	08/06/12
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Tax

Fiscal Report and Settlement of Taxes	597	08/06/12
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Utilities and Engineering

Partial Assignment of Utility Easement – Piedmont Natural Gas	595	08/06/12
Waiver of Permit Fee for 1012 Greater Hickory Classic	596	08/06/12

The Catawba County Board of Commissioners met in regular session on Monday, August 6, 2012 at 9:30 a.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse, 30 North College Avenue, Newton, North Carolina.

Present were Vice-Chair Lynn M. Lail and Commissioners Dan A. Hunsucker, Barbara G. Beatty and Randy Isenhower. Chair Katherine W. Barnes was absent.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Mary Furtado, County Attorney Debra Bechtel, Assistant County Attorney Jodi Stewart and County Clerk Barbara Morris. Assistant County Manager Dewey Harris was absent.

1. Vice-Chair Lynn M. Lail called the meeting to order 9:30 a.m.
2. Commissioner Randy Isenhower led the Pledge of Allegiance to the Flag.
3. Commissioner Barbara G. Beatty offered the invocation.
4. Commissioner Beatty made a motion to approve the minutes of the Board's Regular Meeting and Closed Session of July 9, 2012. The motion carried unanimously.
5. Recognition of Special Guests: Vice-Chair Lail welcomed everyone present. Vice-Chair Lail then recognized two members of the County staff, Debra Bechtel and Rodney Miller, and thanked them for their excellent work on behalf of the County.

County Attorney Debra Bechtel was recently named North Carolina County Attorney of the Year by the North Carolina County Attorney's Association. The honor is given annually for outstanding service to the Association and local governments across the state. "This award is a reflection of the great respect that Debra has earned from her peers for her expertise, hard work, and dedication as a county attorney," said Pitt County Attorney Janis Gallagher, President of the Association.

Finance Director Rodney Miller was named Finance Officer of the Year for 2012 by the North Carolina Government Finance Officers Association, which is affiliated with the University of North Carolina's School of Government. "This award traditionally and annually recognizes and honors the local government finance officer who has demonstrated state leadership in local government finance issues by serving as the organization's president," said Rebecca Troutman, Intergovernmental Relations Director for the North Carolina Association of County Commissioners, who presented Miller with the award.

6. Public Comments for Items Not on the Agenda: Vice-Chair Lail invited anyone with a comment for items not on the agenda to come forward. Two individuals did so:

Charles Connor of Catawba came forward and inquired if the Board had ever considered a tax abatement on commercial property that owners had been unable to lease for a long period of time. None of the commissioners recalled such an abatement in the past and Tax Administrator Mark Logan stated he did not know if the North Carolina General Statutes allowed such an abatement. Staff was directed to research the request and report back to the Board.

Keith Scronce of Scronce Used Auto Parts in Conover came forward to invite the Board members to visit his business on Recycling Road in Conover. Mr. Scronce plans to submit a rezoning request that would allow him to expand his business.

7. Appointments:
Commissioner Randy Isenhower recommended the appointment of Captain Alton Price to an unexpired term to replace David Eckerd as the Sheriff's Designee on the Juvenile Crime Prevention Council. Captain Price's term will expire on June 30, 2013. Vice-Chair Lail recommended the appointment of Sarah McBrayer for a first term on the Nursing and Rest Home Advisory Board to fill a vacancy. Ms. McBrayer's term will expire August 5, 2013. Commissioner Beatty recommended the appointment of Dr. Dan Brigman to the Community Child Protection/Fatality Team by virtue of his position as Superintendent of Catawba County Schools. This appointment does not expire. These recommendations came in the form of a motion. The motion carried unanimously.

8. Departmental Report:
 - A. Parks, Planning and Development.
Assistant Planning Director Mary George presented a request for the Board to authorize a Carolina Thread Trail (CTT) grant application to acquire 12 acres of a 21-acre tract of land owned by the Bolick heirs, located west of the Bunker Hill Covered Bridge, and adopt a resolution officially acknowledging a commitment of \$10,000 in required County match support.

The Bunker Hill Covered Bridge is a valuable historical community asset. Designated as a National Civil Engineering Landmark in 2001, it is the only remaining wooden bridge of its kind. The bridge joins Cape Hatteras Lighthouse, the Blue Ridge Parkway, and Dorton Arena on this prestigious list, underscoring its statewide significance. The bridge site was named as one of the top 75 places to photograph by *Our State* magazine and is now prominently displayed on the North Carolina Department Of Transportation's 2011/12 state highway map. For several years, Catawba County has been working with the Catawba County Historical Association, Natural Heritage Trust Fund, the CTT organization, and State offices and agencies to protect and preserve the bridge structure as a critical piece of local history.

Poor access to the Bunker Hill Covered Bridge site has been an obstacle to promoting the site's historical significance and limits the ability to provide security for the bridge. Through improved access, travel and tourism to the bridge and the County as a whole will likely be enhanced. County Planning

staff, in partnership with the Historical Association, has explored various options and grant opportunities to achieve the goals of gaining access to, and enhancing security of, the bridge site. In December 2007, the Board adopted the Catawba County Parks Master Plan. Included in the Plan is a goal to acquire land to protect the bridge and eventually develop a County park at the site. With the countywide adoption of a Carolina Thread Trail Master Plan in December 2010, the County is now in a position to apply for funds to acquire land around the Bunker Hill Covered Bridge as part of the Lyle Creek CTT designated greenway and a trailhead access site.

The adopted CTT Plan establishes trail priorities, including a 2.6-mile segment from Claremont's City Hall to the Bunker Hill Covered Bridge. Planning staff has been working with Claremont to apply for a CTT grant to construct a portion of the trail segment connecting Claremont's City Park to the I-40 rest area. If funded through the proposed grant application, the City's segment would connect with the segment running from the I-40 rest area south to the Bridge. With the CTT trail connecting the I-40 Rest Area to the Bridge site, 350,000 travelers passing through the rest area annually will have an opportunity to walk down the trail to visit the Bridge, and access to the Bridge for local citizens would be increased.

With State and Federal grant sources being severely cut back, the CTT grant provides one of the very few definitive grant opportunities to acquire land around the Bridge site. County staff is prepared to submit a CTT grant application, which is due by August 10. The CTT Board will review the August applications and make grant awards in mid-September.

The County's CTT grant application will request \$66,175 to acquire 12 acres of a 21-acre tract located west of Lyle Creek. This tract is a portion of 250 acres owned by the Bolick heirs. The Bolick heirs have signed a letter of intent to sell the 21 acres, and staff is working with them to execute a purchase option. The 21-acre landlocked parcel, which lies on the west side of Lyle Creek, is key to the project since it is adjacent to the Bridge site itself and is CTT grant eligible. An appraisal of the 21 acres, conducted in October 2011, placed a market value of \$106,000 on the property, and closing costs (attorney and recording fees) are estimated at up to \$15,000. The CTT organization will not fund the acquisition of the entire 21 acres due to its overriding goal of gaining greenway miles; therefore, their interest is only to help fund the land necessary for trails and support facilities such as trail head parking. The request of \$66,175 from CTT would fund the acquisition of approximately 12 acres of land and a portion of the closing costs. This would include approximately 9 acres in floodplain along Lyle Creek to be used for the trail and 3 acres for parking and connecting access trails.

The remaining funds to acquire the balance of the 21 acres from the Bolick heirs (approximately 9 acres) could come from the North Carolina Natural Heritage Trust Fund. Discussions have been held with staff from the North Carolina Division of Cultural Resources, who are supportive of applying for \$45,000 in supplemental funding through the NC Natural Heritage Trust Fund to complete the necessary land acquisition. This grant application would require an updated appraisal of the 9 acre portion of the site.

As part of the CTT grant application before the Board, the County must commit local match support. Staff recommended \$10,000 to help pay for closing costs, which is approximately 10% of the transaction costs. These funds are available in the County's Park Trust Fund, and this use would meet the purpose for which the Trust Fund was established. CTT does not require a specific percentage for match funding but encourages a nominal amount to supplement the grant. The CTT organization also requires that a resolution be adopted by the Board committing to the match funds if the grant is awarded. Both Commissioners Isenhower and Beatty commended this effort to preserve this County landmark. Commissioner Beatty made a motion to approve the grant application, adopt the necessary resolution and authorize the County Manager to sign the grant application. The motion carried unanimously. The following resolution applies:

RESOLUTION #2012-_____

**RESOLUTION OF SUPPORT FOR THE CAROLINA THREAD TRAIL GRANT APPLICATION
TO ACQUIRE LAND AROUND BUNKER HILL COVERED BRIDGE
AND PROVIDE MATCH SUPPORT FOR THE GRANT**

WHEREAS, the Catawba County Board of Commissioners adopted a Parks Master Plan in December 2007 which includes goals to develop a County Park at Bunker Hill Covered Bridge and the construction of a greenway network along Lyle Creek; and

WHEREAS, the Board of Commissioners also adopted the Carolina Thread Trail Master (CTT) Plan for Catawba County Communities in December 2010; and

WHEREAS; the CTT Plan outlines a system of trails that will connect our communities, people and special regional points of interest for years to come; and

WHEREAS, the historical Bunker Hill Covered Bridge was noted as one of the top destinations in the County to be connected by the CTT; and

WHEREAS, the proposed Lyle Creek greenway trail identified in the CTT Plan will connect the municipalities of Hickory, Conover, Claremont and Catawba to the Bunker Hill Covered Bridge site; and

WHEREAS, the County desires to develop a portion of the greenway segment along Lyle Creek adjoining the Bridge and provide for trailhead parking; and

WHEREAS, land is available for purchase to construct the trail and amenities; and

WHEREAS, private funding is available to communities from the Carolina Thread Trail for acquisition of land to construct regional trails, and this private funding will leverage public funding from federal, state and various sources.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners authorizes staff to apply for a CTT implementation grant to acquire 21-acres of land west of the Bunker Hill Covered Bridge; and

FURTHERMORE BE IT RESOLVED that the Board of Commissioners commits \$10,000 in local match funding support for the CTT grant application, subject to grant award.

Adopted this _____ day of _____, 2012

B. Utilities and Engineering.

1. Utilities and Engineering Director Barry Edwards presented a request for Board approval of the execution of an access agreement allowing Piedmont Natural Gas the use of a Catawba County utility easement for the installation of a gas utility line. In September 2009, Catawba County purchased a utility easement from von Drehle Maiden, LLC as part of the Blackburn-Plateau Water Line, which is now complete and in operation. In March 2012, Piedmont Natural Gas approached the County about utilizing this same easement for the installation of a natural gas utility line. In consultation with the County Attorney, it was determined that the easement was written such that the County may assign use of the easement for installation of other types of utility lines. The easement is forty feet wide and Piedmont Natural Gas only has need for a ten foot wide section running the length of the easement. This does not interfere with the water line already in place nor does it overburden the easement. County staff consulted with the City of Hickory to ensure that Piedmont's design and construction does not interfere with operations and maintenance of the water line. Commissioner Hunsucker made a motion to execute this access agreement. The motion carried unanimously. The following agreement applies:

NORTH CAROLINA
COUNTY OF CATAWBA

**PARTIAL ASSIGNMENT OF
UTILITY EASEMENT**

REVENUE STAMPS:

Prepared by and return to: Jodi Stewart, Attorney, Catawba County, Post Office Box 389, Newton, NC 28658

THIS PARTIAL ASSIGNMENT OF UTILITY EASEMENT, entered into this the ____ day of _____, 2012, by and between CATAWBA COUNTY, a political subdivision of the State of North Carolina, having a mailing address of Post Office Box 389, Newton, North Carolina 28658, (hereinafter "Assignor") and PIEDMONT NATURAL GAS, having a mailing address of Post Office Box 33068, Charlotte, North Carolina 28233 (hereinafter "Assignee").

WITNESSETH:

THAT WHEREAS, said Assignor possesses a certain utility easement located on a tract of land in Jacobs Fork Township, Catawba County, State of North Carolina, the same being the easement conveyed to Assignor from von Drehle Maiden, LLC, pursuant to a Utility Easement recorded in Deed Book 2994 at Page 136 in the Office of the Register of Deeds of Catawba County, State of North Carolina; and

WHEREAS, Assignee desires to install, construct, and maintain utility lines in the vicinity of the Assignor's utility easement; and

WHEREAS, Assignor has agreed to assign a portion of the above referenced utility easement to Assignee for the purpose of installing and maintaining natural gas lines.

NOW THEREFORE, Assignor, for themselves, their heirs, successors, executors and assigns, for and in consideration of the sum of TEN DOLLARS AND ZERO CENTS(\$10.00), agreed to be paid by Assignee, does hereby assign, transfer, set over, convey and deliver unto Assignee, its successors and assigns, a portion of a perpetual right and easement to install, construct and maintain utility lines, upon the land in which that certain easement of the Assignor is situated in Jacobs Fork Township, Catawba County, North Carolina, and more particularly described as follows, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference. Said easement being a 10-foot wide permanent utility easement, containing a total of 16,720 square feet (.384 acres), and being specifically delineated on the attached survey entitled "Proposed Permanent Gas Line Easement for: Piedmont Natural Gas Company", prepared for Catawba County by McGill Associates dated July 11, 2012, consisting of three (3) sheets, which are incorporated herein by reference.

This Deed of Easement is subject to the following provision:

Nothing herein contained shall be construed to affect in any way the rights of way, easements, or other property rights of Catawba County in the above described property. Assignor and Assignee shall have the right, now or at any time in the future, of ingress and egress to construct utility lines, to inspect said lines, to perform maintenance and repairs, and to make alterations and additions to said lines.

TO HAVE AND TO HOLD said perpetual easement for utility line purposes unto Assignees, for itself, its heirs, successors, executors and assigns.

IN WITNESS WHEREOF, Assignor has hereunto set his hands and affixed their seal the day and year first above written.

2. Utilities and Engineering Director Barry Edwards presented a request for the Board to waive the permit fees applicable, under the Catawba County Fee Schedule, Building Permit Fees section, for the 2012 Greater Hickory Classic at Rock Barn. The County received a request from Mr. Peter Fisch, Tournament Manager of the Greater Hickory Classic at Rock Barn, to waive the permit fees for the 2012 tournament. The event is scheduled to be held at the Rock Barn Golf and Spa in Conover, October 8-14, 2012. The building permit fees have been waived for the previous Greater Hickory Classic events, now

in its 10th year. The waived permit fees are applicable only to the section of the Catawba County Fee Schedule associated with the building permit fees. In order to protect the safety, health, and welfare of the citizens and visitors to Catawba County for this event, the approval will not negate permit issuance or inspections. The waived permit fees are estimated to be valued at less than \$4,000. It has been estimated that last year's event impacted the local economy in excess of \$15 million. The event attracts more than 65,000 spectators, volunteers and vendors, and airs over 15 hours of live and replay coverage on the Golf Channel. Commissioner Hunsucker made a motion to waive these permit fees. The motion carried unanimously.

C. Tax.

Tax Collector Ona Scruggs, In accordance with North Carolina General Statutes, requested the Board approve the Fiscal Report and Settlement of taxes for the fiscal year beginning July 1, 2011 and ending June 30, 2012. The report is expected to reflect that \$78,096,922 (96.98%) in real estate and personal property tax has been collected as of June 30, 2012, with \$2,428,183 outstanding in real estate and personal property tax. Commissioner Hunsucker made a motion to approve the report. The following report applies:

FISCAL YEAR JULY 1, 2011 TO JUNE 30, 2012

CATAWBA COUNTY 2011 TAX YEAR

REAL ESTATE / PERSONAL PROPERTY TAXES – COUNTY AND FIRE DISTRICTS

ADJUSTED LEVY as of 6/30/2012	-----	\$80,525,105
BALANCE OF A/R as of 6/30/2012	-----	\$ 2,428,183
COLLECTIONS as of 6/30/2012	-----	\$78,096,922
PERCENTAGE COLLECTED AS OF 6/30/2012	-----	96.98%

I, Ona Scruggs, do hereby affirm that this is a true and accurate report concerning the tax levy of Catawba County, North Carolina, for Fiscal Year 2011/2012, 2011 tax year.

This is the _____ day of _____ 20_____

Ona Scruggs
Tax Collector, Catawba County

NORTH CAROLINA, CATAWBA COUNTY

I, _____, Notary Public, do hereby certify that Ona Scruggs personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____, _____

Notary Public:

COLLECTIONS FROM OTHER SOURCES

Real and Personal Property Taxes

Collected 2011--- County and Fire Districts	\$78,096,940.87
Interest-----2011 and Prior Years	\$ 387,493.09
Prior Years 1999-2010---Principal- County & Fire	\$ 1,643,351.78

Vehicle Tax

Collected 2011--- County & Fire Districts	\$5,284,002.10
Prior Years 1999-2010--- Principal – County & Fire	\$ 788,093.29
Interest on Vehicle Tax --- 2010 and Prior Years	\$ 103,531.43

Prepaid tax Distribution on 2011 County Tax	\$ 226,512.61
NSF Check Charges	\$ 3,047.20
Garnishment & attachment fees	\$ 14,564.49
Privilege Licenses	\$ 37,257.55
Gross Receipts Tax--- (Tax on Rental Vehicles)	\$ 67,383.62
Gross Receipts Tax--- (Tax on Heavy Equipment)	\$ 5,871.33
Fees for Deed and Map Copies	\$ 7,225.71
Foreclosure & Legal Fees	\$ 9,078.27

*Municipal Collection Charges:

Cities @ \$3.64 /bill and \$3.17 bill Out of County	\$150,245.52
Cities Fees of 1 1/2% on Auto Tax Collected	\$ 37,971.36

*MUNICIPAL COLLECTION CHARGES

Brookford	315	Bills	x	\$3.64	=	\$ 1,146.60
Catawba	610	Bills	x	\$3.64	=	\$ 2,220.40
Claremont	1,118	Bills	x	\$3.64	=	\$ 4,069.52
Conover	5,181	Bills	x	\$3.64	=	\$18,858.84
Hickory	21,565	Bills	x	\$3.64	=	\$78,496.60
		** (Burke County)		Bills		
	105	x		\$3.17	=	\$ 332.85
						\$78,829.45
Long View	2,578	Bills	x	\$3.64	=	\$ 9,383.92
		** (Burke County)		Bills		
		443	x	\$3.17	=	\$ 1,404.31
						\$10,788.23
Maiden	2,273	Bills	x	\$3.64	=	\$ 8,273.72
Newton	7,159	Bills	x	\$3.64	=	\$26,058.76
TOTALS	41,347	Bills				\$150,245.52

- * \$3.17 represents the cost of collection for each bill.
- *\$0.47 represents the cost of IT data processing for each bill.
- **No data process was done by Catawba County's ITC for these Burke County Bills

2011 COLLECTIONS INFORMATION BY CITY AND TOWN

Real Estate and Personal Property

	LEVY	COLLECTED	OUTSTANDING BALANCE	PERCENT
Brookford	\$ 94,507	\$ 87,951	\$ 6,556	93.06%
Catawba	296,584	273,905	22,679	92.35%
Claremont	1,567,180	1,549,780	17,400	98.89%
Conover	3,872,129	3,773,807	98,322	97.46%
Hickory	21,193,921	20,525,035	668,886	96.84%
Hickory/ Burke County	213,721	200,322	13,399	93.73%
Long View	915,770	870,199	45,571	95.02%
Long View/ Burke County	130,971	124,982	5,989	95.43%
Maiden	2,887,752	2,849,629	38,113	98.68%
Newton	4,779,052	4,612,896	166,156	96.52%

Vehicle Collections

	PRINCIPAL	INTEREST	TOTAL
Brookford	\$ 53,674	\$ 405	\$ 54,079
Catawba	16,720	220	16,940
Claremont	44,676	274	44,950
Conover	220,214	1,498	221,712
Hickory	1,230,228	8,662	1,238,890
City tag fees	124,293		124,293
Long View	46,739	377	47,116
Maiden	59,081	608	59,689
Newton	232,406	2,301	234,707

STATUS OF COLLECTION PERCENTAGE AS OF JUNE 30, 2012

Fiscal year 07/01/10 thru 06/30/11
Tax Year 2010

Adjusted Levy	\$79,381,505
Collections	78,187,151
Outstanding Balance (Real Estate & Personal Property)	1,194,354
Percentage Collected	98.50%

Fiscal Year 07/01/09 thru 06/30/10
Tax Year 2009

Adjusted Levy	\$78,879,800
Collections	78,135,614
Outstanding Balance (Real Estate & Personal Property)	744,186
Percentage Collected	99.06%

As of 06/30/12 99.45% of the 2008 levy was collected
As of 06/30/12 99.70% of the 2007 levy was collected
As of 06/30/12 99.79% of the 2006 levy was collected

PRIOR YEARS COLLECTION RESULTS

FISCAL YEAR	TAX YEAR	LEVY	PERCENTAGE COLLECTED
1979/80	1979	11,062,367	91.92
1980/81	1980	11,723,000	97.01
1981/82	1981	12,341,738	97.98
1982/83	1982	12,769,270	98.85
1983/84	1983	14,364,144	99.43
1984/85	1984	15,016,524	99.46
1985/86	1985	15,023,711	99.30
1986/87	1986	17,970,927	99.12
1987/88	1987	17,385,223	99.31
1988/89	1988	17,812,972	99.35
1989/90	1989	21,676,434	99.34
1990/91	1990	22,611,620	99.19
1991/92	1991	27,682,982	99.30
1992/93	1992	28,240,644	99.20
1993/94	1993	28,280,279	99.64
1994/95	1994	29,570,920	99.61
1995/96	1995	33,664,697	99.61
1996/97	1996	34,868,643	99.57
1997/98	1997	37,850,343	99.50
1998/99	1998	39,189,655	98.98
1999/2000	1999	47,323,073	98.76
2000/01	2000	49,092,961	98.53
2001/02	2001	51,214,653	98.52
2002/03	2002	53,182,726	98.47

2003/04	2003	57,179,727	98.30
2004/05	2004	57,597,987	98.24
2005/06	2005	59,926,161	98.14
2006/07	2006	61,893,002	98.04
2007/08	2007	74,971,643	97.92
2008/09	2008	77,832,429	97.34
2009/10	2009	78,921,143	97.30
2010/2011	2010	79,384,478	97.27
2011/2012	2011	80,525,105	96.98

9. Other Items of Business: None.
10. Attorney's Report: None.
11. Manager's Report:
County Manager Tom Lundy requested that Chief Information Officer Terry Bledsoe present a video that has been compiled by his staff to the Board of Commissioners. The video, entitled "Did You Know?" is posted on You Tube at <http://www.youtube.com/catawbacountync>, and provides a five minute summary of the vast services the County provides to its citizens.
12. Adjournment. Commissioner Beatty made a motion to adjourn at 10:15 a.m. The motion carried unanimously..

Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Barbara E. Morris
County Clerk