

## AGENDA

Catawba County Board of Commissioners Meeting  
Monday, October 20, 2014, 7:00 p.m.  
Robert E. Hibbits Meeting Room, 1924 Courthouse  
30 North College Avenue, Newton, NC

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Invocation.
4. [Approval of the minutes from the Board's Regular Meeting of October 6, 2014.](#)
5. Recognition of Special Guests.
6. Public Comment for Items Not on the Agenda.
7. Presentations:  
[North Carolina National Emergency Number Association \(NENA\) Communications Team of the Year Award. Presented by NC NENA President Jonathan Bledsoe to Telecommunicator Shift Supervisor Tammy Saunders and Radio Communicators Greg Holland, Matthew Sparks and Cynthia Hodge.](#)
8. Public Hearing:
  - a. [Rezoning Request from Catawba Management LLC to Rezone Four Parcels Totaling 17.31 Acres from R-30 Residential to General Industrial \(GI\) District. Presented by Planner Chris Timberlake.](#)
  - b. [Proposed Amendment to the Catawba County Official Zoning Overlay Map to Remove the Maiden and Allen Creek WS-II Critical and Balance Area Watersheds. Presented by Planner Chris Timberlake.](#)
9. [Appointments.](#)
10. Consent Agenda:
  1. [Sole Source Exemption – Purchase of Access Control System for Justice Center/Public Safety Expansion.](#)
  2. [Closing Agreement for the Burke-Catawba Regional Jail Facility.](#)
11. Departmental Report:  
Tax:  
[Adoption of the Proposed Schedule of Values, Standards and Rules, including the Present-Use Value Manual for Agricultural, Horticultural and Forestland for the Catawba County 2015 Revaluation.](#)
12. Other Items of Business.  
[Board of Commissioners Goals Attainment Report for FY2013-14.](#)
13. Attorneys' Report.
14. Manager's Report.

North Carolina N.E.N.A (National Emergency Number Association)

**Communications Team of the Year Award:**

This award is presented to a group of two (2) or more communications officers for their exemplary handling of a specific 911 emergency or other situation that involves the coordination of multiple public safety responses and other emergency resources.

Presented by Jonathan Bledsoe, NC N.E.N.A. President

Presented to: Tammy Saunders, Greg Holland, Matthew Sparks, and Cynthia Hodge



**PREVIEW OF COUNTY COMMISSION AGENDA  
MONDAY, OCTOBER 20, 2014, 7 P.M.  
ROBERT E. HIBBITTS MEETING ROOM  
1924 COURTHOUSE, NEWTON, N.C.**



The Catawba County Board of Commissioners will hold public hearings on 1) a request to rezone four parcels totaling approximately 17.31 acres, located at 3023, 3054, 3056 and 3073 Botanical Drive in the St. Stephens/Oxford Small Area Planning District, from R-30 Residential to GI General Industrial District; and 2) on a request to amend the County Zoning Overlay Map to declassify the Maiden Creek and Allen Creek WS-II Watersheds, in response to the North Carolina Environmental Management Commission's action to declassify those watershed areas, when the Board meets at 7 p.m. on Monday, October 20, 2014, at the 1924 Courthouse at 30 North College Avenue in Newton.

The Board will also consider adopting the proposed 2015 Schedule of Values, a set of standards and rules created following the study of the County's current real estate market which, after final approval by the Board, will be used as an appraisal manual to set property values, effective on January 1, 2015.

The Board will consider entering into an agreement with Burke County regarding the closing of the Burke-Catawba Regional Jail Facility that would set forth provisions for the termination of the Operating Agreement for the jail. The Board will consider using the sole source exemption, allowed under State law when a needed item is available from only one source, for the purchase of an access control system for the Justice Center/Public Safety expansion. The Board will also issue a report on the attainment of its goals for Fiscal Year 2013/2014, which ended on June 30, 2014. And the Board will observe as a team of county telecommunicators is presented with the North Carolina National Emergency Number Association's Communications Team of the Year Award.

### **PRESENTATIONS**

Mr. Jonathan Bledsoe, President of the North Carolina National Emergency Number Association (NENA) will present the Association's Communications Team of the Year Award to Telecommunicator Shift Supervisor Tammy Saunders and Radio Communicators Greg Holland, Matthew Sparks and Cynthia Hodge. The Team is being honored for their work on the morning of August 14, 2013, when a woman called the Catawba County Communications Center and the telecommunicators heard mostly shouting and the woman screaming. She was kidnapped from her home and driven to Gaston County, where she escaped from her kidnapper but was then struck and killed by vehicles on Highway 321. Team members worked diligently to locate her and obtained the suspect's phone number and tried calling him. They were able to convince him to return to Catawba County, where he surrendered without incident.

### **PUBLIC HEARINGS**

**A.** The Board will hold a public hearing to receive citizens' comments, and consider an application from Catawba Management LLC to rezone four parcels totaling 17.31 acres from R-30 Residential to General Industrial (GI) district. The properties are located along Botanical Drive in the St. Stephens/Oxford Small Area Planning District.

The R-30 Residential District is a medium-density district allowing one home per 30,000 square feet (approximately 3/4 acre) and generally used for single family housing and agricultural production. The General Industrial (GI) district provides for intensive manufacturing, processing, and assembly uses. The subject parcels are zoned R-30 Residential, with a residence located on one parcel and older accessory structures located on another two. Parcels to the north are zoned R-30 Residential and contain single-family homes, an accessory structure, and some are undeveloped. Parcels to the south are zoned GI General Industrial and undeveloped, with some zoned R-30 Residential with single-family homes. One parcel to the east is zoned R-30 Residential and is undeveloped and two parcels are in Claremont's zoning jurisdiction and zoned for residential use. One parcel to the west is within Claremont's zoning jurisdiction and zoned for residential use and there is another parcel zoned R-30 Residential that contains a single-family home. The four subject parcels are within the WS-IV Watershed Protected Area established to offer protection of surface water from pollutants. The WS-IV Watershed Protected Area allows 36% built upon area if a curb and gutter system is not constructed. A small portion of one of the parcels is located within the floodplain. Each of the parcels is located within the Doublewide Manufactured Home-Overlay district, which allows for manufactured housing.

A public sewer line exists near Mull Creek to the east of one parcel. A sewer pump station is located on one parcel. Public water exists along North Oxford Street, which is designated a minor thoroughfare in the 2035 Greater Hickory Urban Area Transportation Plan. It extends from US Highway 70 in Claremont to Rock Barn Road. No road

improvements are recommended for the road north of I-40. Traffic counts taken in 2011 on North Oxford Street just south of Keller Street measured 4,400. Based on design and construction, the road should handle at least 8,000 cars per day without any loss to traffic service. Development of the property should not overburden the existing roadway. Botanical Drive is a local residential gravel road. If the rezoning is approved, Botanical Drive could not be used to access non-residential development.

The St. Stephens/Oxford Small Area Plan serves as the current land use plan for this area. Map 6, titled "Future Land Use Recommendations," does not depict the properties being located in an area for future industrial use. However, the properties are directly adjacent and in close proximity to property recently zoned for General Industrial use as well as property zoned M-1 (industrial, manufacturing, and warehousing district) in Claremont's planning and zoning jurisdiction.

Staff recommends the four parcels totaling 17.31 acres be rezoned from R-30 Residential to GI General Industrial based on the request being in harmony with the existing adjacent industrial land use and the property being in close proximity to Interstate 40, a major transportation facility.

The Planning Board held a public hearing on August 25, 2014, to consider the request. Mr. Dan Barnes was available to speak on behalf of the applicant. There were no questions from the Planning Board, which voted 9-0 to submit a favorable recommendation to the Board of Commissioners, to rezone the four parcels totaling 17.31 acres from R-30 Residential to General Industrial (GI), based on the reasons stated above.

**B.** The Board will hold a public hearing to receive citizen comments and consider amending the Catawba County Official Zoning Overlay Map to remove the Maiden and Allen Creek WS-II Critical and Balance Area Watersheds. County watershed regulations, which aid in protecting surface water from pollutants, became effective on January 1, 1994, in response to State regulations. A watershed is a topographic area that collects precipitation and distributes it to a location such as a lake, pond, river or water collection point such as Maiden's former Water Treatment Facility, which was in service until 2003-2004 when the City of Hickory began serving Maiden with public water.

A portion of Maiden's water supply originated from Maiden Creek and Allen Creek watersheds prior to Hickory providing public water to Maiden. In January and February 2013, the State's Environmental Management Commission and Rules Review Commission, respectively, approved the declassification of both the WS-II Critical Watershed and WS-II Balance Watershed. The State's declassification was effective on March 1, 2013. The State's decision did not modify the County's Zoning Overlay Map. Because of the State's decision, staff is requesting the County's Official Zoning Overlay Map be amended to remove the WS-II Critical and WS-II Balance Watershed.

The WS-II Critical Area Watershed and WS-II Balance Area Watershed require minimum lot sizes for residential development and allow a maximum built-upon area for non-residential development. There are 77 parcels in the WS-II Critical Area Watershed and 1,478 parcels in the WS-II Balance Area Watershed. All of the properties in the WS-II Critical Area are zoned R-40 Residential. The vast majority of parcels (1,465) within the WS-II Balance Area are zoned R-40 Residential (with a minimum lot size of 40,000 square feet, approximately 1 acre). There are seven non-residential properties in the WS-II Balance Area limited to 12%-70% built-upon area.

Removing the WS-II Critical Watershed and WS-II Balance Watershed will offer opportunity for additional built-upon area (flexibility) on non-residential properties and allow smaller lot sizes (1 acre instead of 2 acres where the WS-II Critical Watershed exists) based on the residential zoning district. Staff recommends amendment of the Catawba County Official Zoning Overlay Map to remove the Maiden and Allen Creek WS-II Critical and Balance Watersheds consistent with the State's decision in 2013, declassifying both watersheds.

The Planning Board held a public hearing on September 29, 2014, to consider the request. There were a few general questions from the public including (1) If approved, will there be a change to the map? (the Maiden and Allen Creek Watershed would no longer appear on the map); (2) What was the required lot size? (if approved, the minimum lot size would depend on the zoning district but, in most cases, would be 40,000 square feet or approximately one acre. Smaller lots are non-conforming/grandfathered); and (3) Could the current watershed boundaries be clarified? (the boundaries were identified for the public.)

The Planning Board voted 8-0 to submit a favorable recommendation to the Board of Commissioners to amend the

Catawba County Official Zoning Overlay Map to remove the Maiden and Allen Creek WS-II Critical and Balance Watersheds consistent with the State's decision in 2013, declassifying both watersheds.

### **CONSENT AGENDA**

**A.** The Board will consider authorizing the sole source exemption for the purchase of an access control system for the Justice Center/Public Safety expansion project. The system will be an expansion of an existing Sonitrol Security Services, Inc. badge system for a cost of \$73,131. This expense is in the Justice Center/Public Safety project budget.

The County has been using Sonitrol Security Services access control system for the Justice Center, Government Center, Social Services, Animal Services and Public Health buildings for several years. The access control system operates with employee ID badges to allow access into buildings and authorized areas within a building. Card access will be required in multiple areas throughout the new expansion.

North Carolina General Statute 143-129 allows an exemption from bidding for purchase contracts when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration. This exemption requires governing body approval and a record must be maintained of purchases made under this exemption. The Board's Finance and Personnel Subcommittee recommends the authorization of this sole source exemption.

**B.** The Board will consider entering into an agreement with Burke County regarding the closing of the Burke-Catawba Regional Jail Facility, which sets forth the provisions for the termination of the jail Operating Agreement. Burke and Catawba Counties entered into an agreement entitled "Burke-Catawba Regional Jail Agency Operating Agreement" on March 19, 1996 (effective July 1, 1995), for the purpose of operating a Regional Jail Facility and to provide for its finance and operation. The counties have operated and financed the facility since that date. The debt to fund construction of the facility has been paid in full. Each county anticipates building new confinement facilities in their counties by the end of the decade and both want to make provisions for the termination of the Operating Agreement and the closing of the Regional Jail Facility. Highlights of the agreement include: 1) Burke anticipates its new facility will be complete in approximately four years, at which time Burke will move all of its inmates out of the old facility; 2) Burke will make 88 beds available to Catawba at the new facility until Catawba County completes its jail addition. The bed rental rate will be based on the then-prevailing rate for jail beds; 3) After Burke completes its new facility, either county has the option of maintaining inmates at the old facility provided one year's notice is given, although no inmates shall remain at the old facility after December 31, 2022; and 4) Once the facility is closed, Burke will purchase Catawba's interest at a depreciated amount pursuant to the Operating Agreement. The Board's Policy and Public Works Subcommittee recommends the Board enter into this closing agreement with Burke County.

### **DEPARTMENTAL REPORT** **TAX**

The Board will consider formally adopting the proposed Schedule of Values, Standards, and Rules, including the Present-Use Value Manual for Agricultural, Horticultural and Forestland, for Catawba County's 2015 Revaluation as prescribed by North Carolina General Statute 105-317. Pursuant to a resolution adopted by the Board on October 3, 2011, Catawba County's next countywide revaluation will become effective on January 1, 2015. Catawba County has approximately 87,000 separate parcels of land which are required by State law to be appraised at 100% of market value as of the effective revaluation date. To that end, Catawba County staff has worked for many months analyzing data derived from real estate sales, building cost data, and income and expense statements from income producing properties in the County. This has culminated in the formulation of a proposed Schedule of Values, Standards, and Rules to be utilized to generate market value appraisals for all real property in Catawba County.

The Schedule of Values is a set of standards and rules that are used as an appraisal manual by the County appraisal staff to assure properties are valued in an accurate and consistent manner. The schedule contains information on methods used to determine land and building values based on criteria such as: location, age, type of construction, zoning, income potential, cost, etc.

Also included in the proposed Schedule of Values is a special schedule for appraising eligible agricultural, horticultural, and forest land at its "present use" value. This schedule is a statewide schedule formulated by the North Carolina Department of Revenue. Properties whose owners qualify for "present use" assessment will receive two values: a market value mandated by law and a "present use" value.

Adoption of the proposed Schedule of Values is an important step in the revaluation process. After the adoption, property owners will have 30 days to challenge the Schedule of Values by appeal to the North Carolina State Property Tax Commission. Once the Board acts to adopt the schedule, a series of four newspaper notices must be published stating that the Schedule of Values has been adopted and that property owners have 30 days from the date of the first publication to challenge the Schedule of Values by appeal to the North Carolina State Property Tax Commission on grounds that the Schedule of Values does not adhere to the appropriate statutory valuation standard (that it will produce values that are too high, too low, or inconsistent). The North Carolina State Property Tax Commission has the power to order the Board of Commissioners to revise the Schedule of Values if they do not adhere to the statutory valuation standard. The North Carolina State Property Tax Commission's decision may be appealed to the North Carolina Court of Appeals. Assuming an October 20, 2014, adoption, property owners will have until Wednesday, November 19, 2014, to challenge the Schedule of Values.

### **OTHER ITEMS OF BUSINESS**

Chair Barnes is expected to report on the Board's attainment of its Fiscal Year 2013/14 Goals.

The Board's first goal read, "Prepare a Fiscal Year 2013/14 budget which provides needed County services within available revenues, including no property tax increase, ensuring that the County addresses its short term needs while planning for long term growth, and maintaining the Board of Commissioners' policy of two months of operating expenses." The Board's FY 2013/14 budget kept the property tax rate stable at 53 cents per \$100 of property valuation (eighth lowest among North Carolina's urban counties and 28<sup>th</sup> lowest among all 100 counties), the seventh consecutive year without a property tax increase.

The Board's second goal read "In partnership with the private sector, support a coordinated effort to create jobs and property tax base by investing in infrastructure, the development of the County's quality of place, and educational opportunities." In FY 2013/14, the County extended the Old Shelby Road water line, improving quality of life by bringing water to 131 people in 63 households. The Board adopted a resolution in support of the completion of the Highway 16 widening project and maintaining project funding. The Board defined solar farms, setting specific standards that protect the community's aesthetics while preserving property owners' rights to use their property as they deem fit. And the Board partnered with the City of Claremont and EDC Committee of 100 in the development of a shell manufacturing building.

The Board also entered into an Economic Development Agreement with HSM Solutions and the State for expansion of several HSM facilities in the County, creating 162 new jobs and a target investment of \$3.3 million in the facilities and equipment. The Board entered into an Economic Development Agreement with GKN Driveline and OHM Holdings for expansion of existing industry, creating 278 new jobs and ensuring that GKN Driveline remains in the county, with guarantees of \$130 million in investment construction and personal property. And the Board continued support of the Chamber's Edison Project recognizing creativity and entrepreneurial spirit. In the County FY 2014/15 budget, adopted in June 2014, the Board allocated funds for Innovate Catawba, supporting the initiative to keep young people in Catawba County and ensuring the community has jobs for them.

Under this goal, the Board also approved a LEED certified design for a new Sherrills Ford-Terrell Library, which opened on September 29, 2014; awarded a bid for the Justice Center/Public Safety Expansion Project, which will provide much needed space for court services, 911 Communications and an Emergency Operations Center; and finalized construction of a new County Animal Shelter, which opened on June 26, 2014.

The Board's third goal read, "Review recommendations of the Food and Farm Sustainability Committee and work to implement strategies consistent with the County's area of responsibilities." Strategies and actions that are on schedule include the Public Health's Farmers Market, which continued for a second year with a goal, in partnership with the Women, Infants, and Children (WIC) Program, to improve individual and community health by increasing access to fresh fruits and vegetables. Steps toward this goal also include the successful Eat, Drink & Be Local Event with farm tours, gardening and cooking classes, a local foods feast, local beer and wine tasting and local restaurants featuring local foods. And, in March 2014, the Board adopted an ordinance to ensure the County's definition of a bona fide farm was consistent with North Carolina General Statutes, with local farmers in support of this amendment.

**CONTACT: DAVE HARDIN, PUBLIC INFORMATION OFFICER 465-8464**

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Planner

DATE: October 20, 2014

IN RE: Rezoning Request

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### REQUEST

Consider an application from Catawba Management LLC to rezone four parcels totaling 17.31 acres from R-30 Residential to General Industrial (GI) district.

#### Purpose

The R-30 Residential District is a medium-density district allowing one home per 30,000 square feet (approximately 3/4 acre). General uses of the R-30 Residential district include single family housing and agricultural production. The General Industrial (GI) district provides for intensive manufacturing, processing, and assembly uses.

#### Land Use and Zoning

Parcels 1A, 1B, 1C, and 1D (see attached maps) are within the WS-IV Watershed Protected Area established to offer protection of surface water from pollutants. The WS-IV Watershed Protected Area allows 36% built upon area if a curb and gutter system is not constructed. A small portion of parcel 1C is located within the floodplain. Each of the parcels is located within the Doublewide Manufactured Home-Overlay district which allows for manufactured housing.

### REVIEW/BACKGROUND

#### Location

The properties are located along Botanical Drive in the St. Stephens/Oxford Small Area Planning District, Clines Township, and further identified by Parcel Identification Numbers 3762-05-17-1665, 3762-05-07-6825, 3762-05-07-8825, and 3762-05-07-0685.

#### Current Use

Parcels 1A, 1B, 1C, and 1D (subject parcels), on the attached maps, are zoned R-30 Residential. There is a residence located on parcel 1C and older accessory structures located on 1A and 1D.

- *North* – Parcels 2, 3, and 17, on the attached maps, are zoned R-30 Residential and contain single-family homes. Parcels 4, and 18 are zoned R-30 Residential and appear to be undeveloped. Parcel 5 is zoned R-30 Residential and appears to contain an accessory structure (barn).

- *South* – Parcels 9 and 10 are zoned GI General Industrial and are undeveloped properties. Parcels 11, 12, 13, and 14, are zoned R-30 Residential and each are developed with single-family homes.
- *East* – Parcel 6 is zoned R-30 Residential and is undeveloped. Parcel 7 and 8 are in Claremont’s zoning jurisdiction and are zoned for residential use.
- *West* – Parcel 15, on the attached maps, is within Claremont’s zoning jurisdiction and zoned for residential use. It appears to contain an accessory structure. Parcel 16 is zoned R-30 Residential and contains a single-family home.

### Zoning History

November 18, 2013 – Parcels 9 and 10 were rezoned from R-30 Residential to GI General Industrial.

### Utilities

A public sewer line exists near Mull Creek to the east of parcel 1C. A sewer pump station is located on parcel 9. Public water exists along North Oxford Street.

### Transportation

North Oxford Street is designated as a minor thoroughfare in the 2035 Greater Hickory Urban Area Transportation Plan. It extends from US 70 in Claremont to Rock Barn Road. No road improvements are recommended for the road north of I-40.

Traffic counts taken in 2011 on North Oxford Street just south of Keller Street measured 4,400. Based on design and construction, the road should handle at least 8,000 cars per day without any loss to traffic service. Development of the property should not overburden the existing roadway. Botanical Drive is a local residential gravel road. If the rezoning is approved, Botanical Drive could not be used to access nonresidential development.

### Land Use Plan

The St. Stephens/Oxford Small Area Plan, adopted on April 21, 2003, serves as the current land use plan for this area. Map 6, titled “Future Land Use Recommendations,” does not depict the properties being located in an area for future industrial use. The properties are however directly adjacent and in close proximity to property recently zoned for General Industrial use as well as property zoned M-1 (industrial, manufacturing, and warehousing district) within Claremont’s planning and zoning jurisdiction.

Staff Recommendation

Staff recommends the four parcels totaling 17.31 acres be rezoned from R-30 Residential to GI General Industrial based upon:

- 1) The request being in harmony with the existing adjacent industrial land use; and
- 2) The property being in close proximity to Interstate-40 (freeway), a major transportation facility.

Public Hearing Discussion

The Planning Board held a public hearing on August 25, 2014 to consider the request. Dan Barnes was available to speak on behalf of the applicant. There were no questions from the Planning Board.

**PLANNING BOARD RECOMMENDATION**

The Planning Board voted 9 – 0 to submit a favorable recommendation to the Catawba County Board of Commissioners, to rezone the four parcels totaling 17.31 acres from R-30 Residential to General Industrial (GI), based upon:

- 1) The request being in harmony with the existing adjacent industrial land use; and
- 2) The property being in close proximity to Interstate-40 (freeway), a major transportation facility.

# REZONING REQUEST MAP

Applicant: Catawba Management LLC  
PIN - 376205171665, 376205076825  
376205078825, 376205070685

R-30 - Residential to  
GI - General Industrial

 Subject Parcels

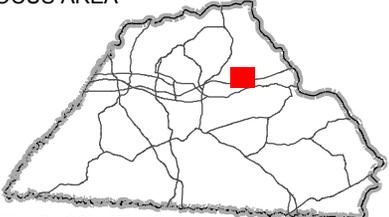
1 Through 18 - See Adjacent Property Owner List



1 inch = 400 feet

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### FOCUS AREA



# REZONING REQUEST MAP

Applicant: Catawba Management LLC  
 PIN - 376205171665, 376205076825  
 376205078825, 376205070685

R-30 - Residential to  
 GI - General Industrial

-  Water Lines
-  Sewer Lines
-  Subject Parcels
-  Structures
-  Parcels

### County Zoning

-  GI
-  R-20
-  R-30

### Claremont Zoning

-  B-3
-  M-1
-  R-1
-  R-2

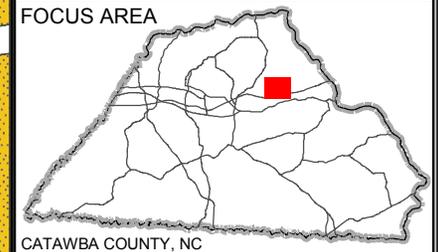
1 Through 18 - See Adjacent Property Owner List



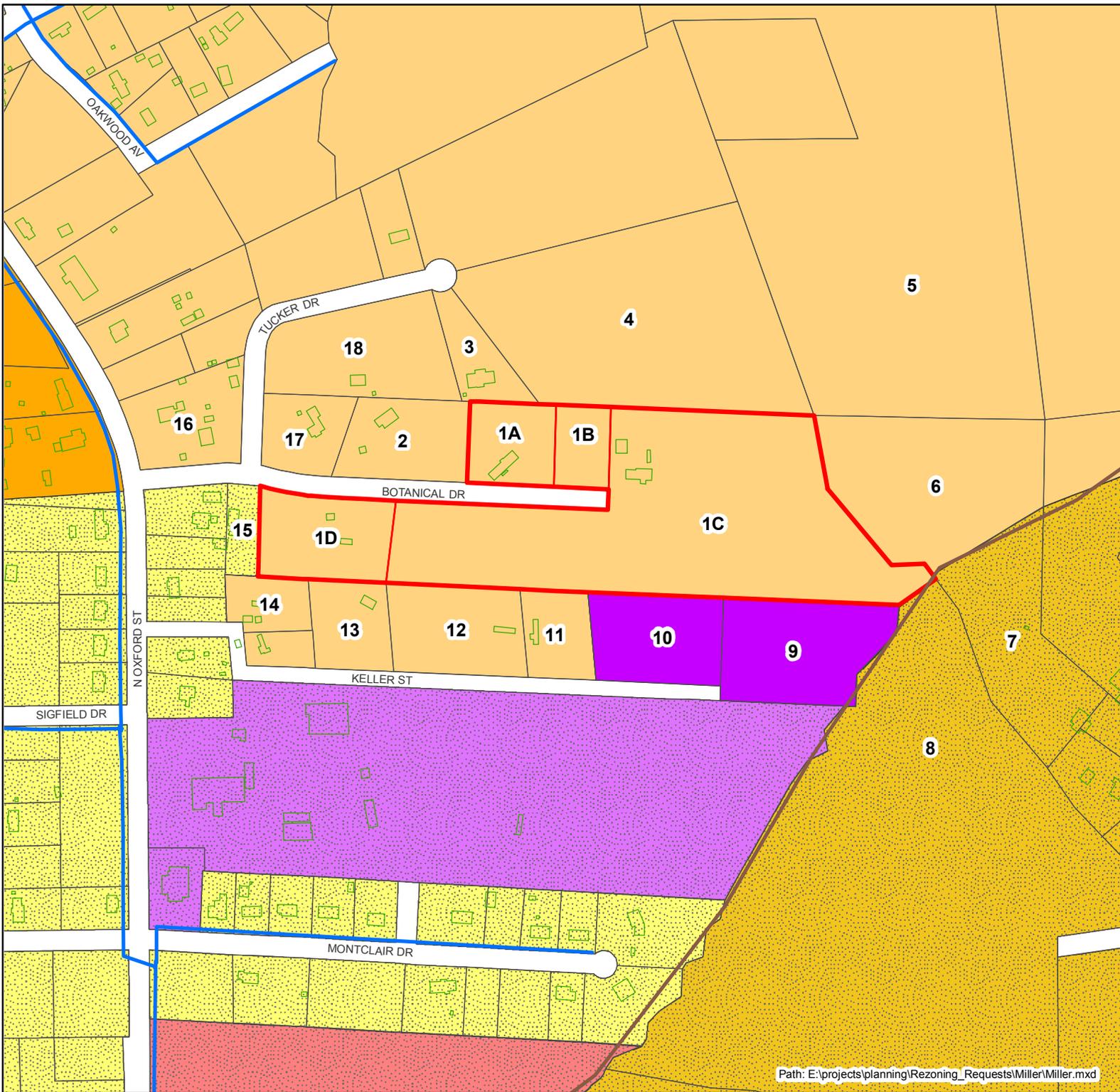
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### FOCUS AREA



CATAWBA COUNTY, NC



# REZONING REQUEST MAP

Applicant: Catawba Management LLC  
 PIN - 376205171665, 376205076825  
 376205078825, 376205070685

R-30 - Residential to  
 GI - General Industrial

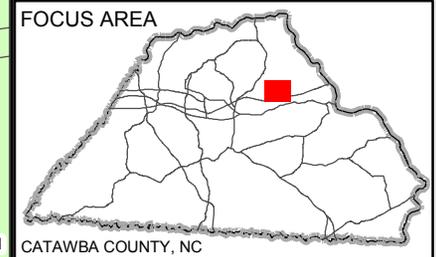
-  Water Lines
-  Sewer Lines
-  Subject Parcels
-  Structures
-  Parcels
-  Doublewide Manufactured Home - Overlay
-  Floodplain Management - Overlay
-  Watershed Protection-IV - Overlay

1 Through 18 - See Adjacent Property Owner List

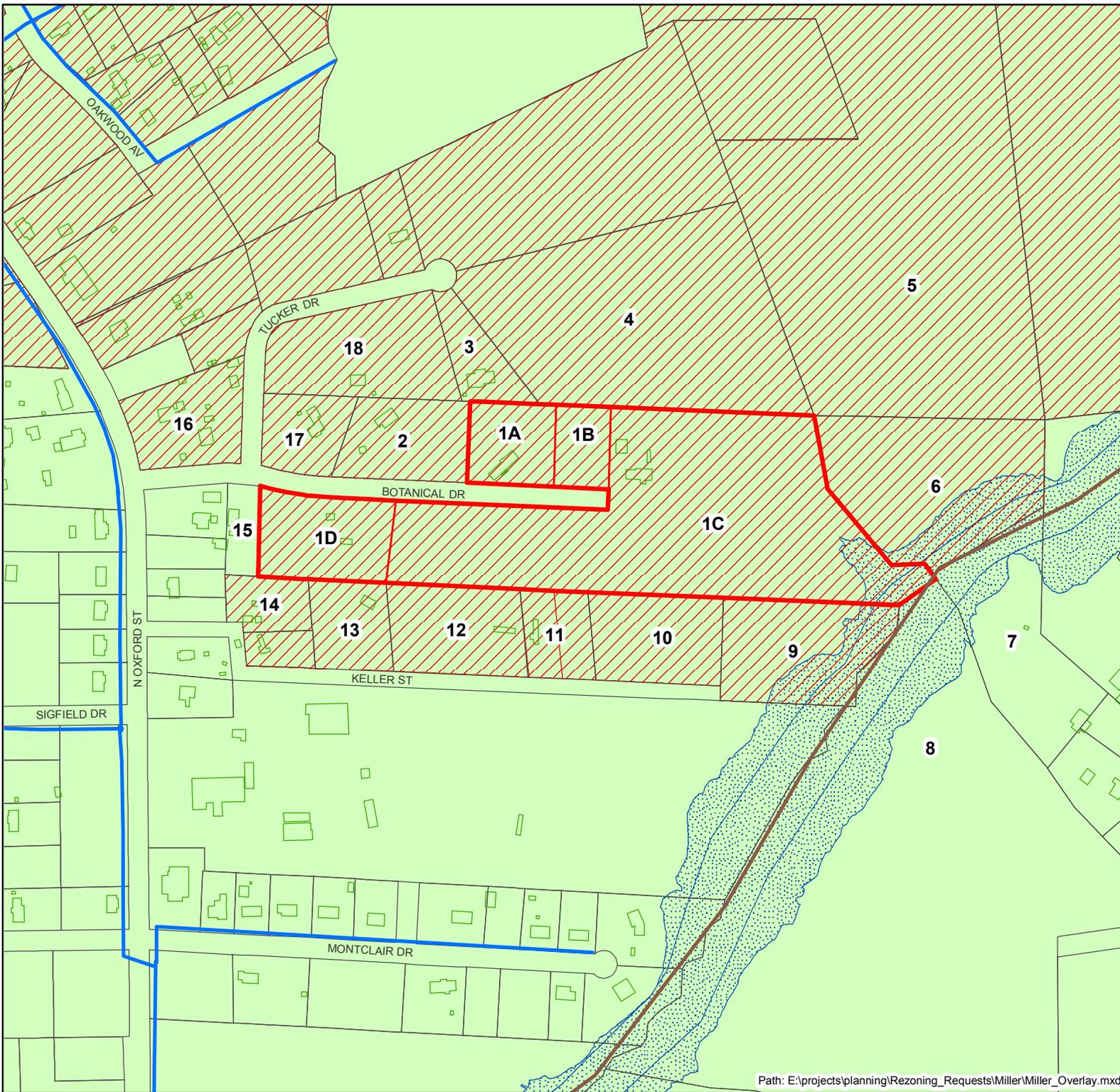


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CATAWBA COUNTY, NC



# Subject and Adjacent Properties – North/East

## Botanical Drive



# Subject and Adjacent Properties – South/West Botanical Drive



# Subject and Adjacent Properties

## Botanical Drive



**ADJACENT PROPERTY OWNERS**

| <u>#</u> | <u>PIN</u>   | <u>ACRES</u> | <u>OWNER</u>                | <u>OWNER2</u>         | <u>ADDRESS</u>             | <u>CITY</u> | <u>STATE</u> | <u>ZIP</u> | <u>BLDG #</u> | <u>STREET NAME</u> |
|----------|--------------|--------------|-----------------------------|-----------------------|----------------------------|-------------|--------------|------------|---------------|--------------------|
| 1A       | 376205076825 | 1.4          | ROBERT K MILLER             | MILLER LISA C         | PO BOX 236                 | CLAREMONT   | NC           | 28610-0236 | 3054          | BOTANICAL DR       |
| 1B       | 376205078825 | 0.9          | ROBERT K MILLER             | MILLER LISA C         | PO BOX 236                 | CLAREMONT   | NC           | 28610-0236 | 3056          | BOTANICAL DR       |
| 1C       | 376205171665 | 12.8         | ROBERT KENDALL MILLER       |                       | PO BOX 236                 | CLAREMONT   | NC           | 28610-0236 | 3073          | BOTANICAL DR       |
| 1D       | 376205070685 | 2.2          | ROBERT KENDALL MILLER       | MILLER LISA CAROL     | PO BOX 236                 | CLAREMONT   | NC           | 28610-0236 | 3023          | BOTANICAL DR       |
| 2        | 376205073847 | 2.0          | BILLY W ARROWOOD            | ARROWOOD JANET E      | PO BOX 418                 | CLAREMONT   | NC           | 28610-0418 | 3016          | BOTANICAL DR       |
| 3        | 376205084194 | 1.1          | CHARLES ALLEN TUCKER        | TUCKER WANDA L        | PO BOX 668                 | CLAREMONT   | NC           | 28610-0668 | 3077          | TUCKER DR          |
| 4        | 376205180243 | 10.3         | CHARLES ALLEN TUCKER        | TUCKER WANDA L        | PO BOX 668                 | CLAREMONT   | NC           | 28610-0668 |               |                    |
| 5        | 376205196273 | 52.7         | CARL HENRY SIGMON           |                       | 3515 COBBS RD              | CLAREMONT   | NC           | 28610-9789 | 3534          | N OXFORD ST        |
| 6        | 376205179705 | 5.4          | JEFFREY LYNN SIGMON         |                       | 3333 JESSIE HILL DR        | CLAREMONT   | NC           | 28610-9765 |               |                    |
| 7        | 376209271215 | 3.9          | TED EUGENE SIGMON           | SIGMON JANICE J SIGMO | 3426 BUNKER HILL SCHOOL RD | CLAREMONT   | NC           | 28610-9669 |               | WCXN RADIO RD      |
| 8        | 376209169541 | 32.5         | CLAREMONT LAND HOLDINGS INC |                       | PO BOX 339                 | CLAREMONT   | NC           | 28610-0339 |               | WCXN RADIO RD      |
| 9        | 376209174235 | 3.2          | CATAWBA MANAGEMENT LLC      |                       | P O BOX 339                | CLAREMONT   | NC           | 28610-0339 |               | KELLER ST          |
| 10       | 376209079268 | 2.3          | CATAWBA MANAGEMENT LLC      |                       | P O BOX 339                | CLAREMONT   | NC           | 28610-0339 |               | KELLER ST          |
| 11       | 376209076299 | 1.2          | DAVID RAY JOHNSON           | JOHNSON DEBRA S       | 3062 KELLER STREET         | CLAREMONT   | NC           | 28610-8650 | 3062          | KELLER ST          |
| 12       | 376209074380 | 2.4          | JAMES RUSSELL KELLER        |                       | 2351 27TH STREET PL NE     | HICKORY     | NC           | 28601-7519 | 3040          | KELLER ST          |
| 13       | 376209071342 | 1.4          | JEANETTE SYKES              |                       | 3006 KELLER ST             | CLAREMONT   | NC           | 28610-8650 | 3006          | KELLER ST          |
| 14       | 375212979308 | 0.9          | STEPHEN MARSHALL KELLER     | KELLER KATHY L        | 3410 N OXFORD ST           | CLAREMONT   | NC           | 28610-9687 | 2980          | KELLER ST          |
| 15       | 375208978518 | 0.6          | CLARENCE EUGENE TUCKER      | TUCKER NANCY HUDSON   | 210 FOREST DR NE           | VALDESE     | NC           | 28690-9703 |               | BOTANICAL DR       |
| 16       | 375208976973 | 2.0          | MARK DAVID CARPENTER        | CARPENTER ALISA H     | 3488 N OXFORD ST           | CLAREMONT   | NC           | 28610-9687 | 3488          | N OXFORD ST        |
| 17       | 376205070829 | 1.3          | CHARPIA VANG                | VUE MOR               | 1315 9TH AVE NW            | CONOVER     | NC           | 28613-2308 | 2988          | BOTANICAL DR       |
| 18       | 376205082104 | 3.3          | SHIRLEY CARPENTER FISHER    |                       | 3497 N OXFORD ST           | CLAREMONT   | NC           | 28610-9687 |               |                    |



Planning and Parks Department  
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Newton, NC 28658  
828-465-8380  
Fax: 828-465-8484  
[www.catawbacountync.gov/](http://www.catawbacountync.gov/)

## ZONING MAP AMENDMENT CONSISTENCY STATEMENT

On October 20, 2014 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to PINs 3762-05-17-1665, 3762-05-07-6825, 3762-05-07-8825, and 3762-05-07-0685 (Case #RZ2014-03). The applicant is Catawba Management LLC. The property owners are Robert and Lisa Miller.

Upon considering the matter, the Catawba County Board of Commissioners finds the request to be inconsistent with Map 6 titled "Future Land Use Recommendations" of the Catawba Small Area Plan. However, the request is consistent with the guiding principal within the plan of: "Targeting industrial growth within the study area to specific, appropriate sites. The Board of Commissioners therefore finds the request reasonable for rezoning based upon:

- 1) The request being in harmony with the existing adjacent industrial land use; and
- 2) The property being in close proximity to Interstate-40 (freeway), a major transportation facility.

The Catawba County Board of Commissioners therefore approves the zoning map amendment. This approval was affirmed by a vote of \_\_\_\_ - \_\_\_\_ of the Catawba County Board of Commissioners.

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Date



**AMENDMENT TO THE CATAWBA COUNTY ZONING MAP**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS**, that the Catawba County Official Zoning Atlas is hereby amended by rezoning the following described properties from R-30 Residential to General Industrial (GI) district.

Four parcels totaling approximately 17.3 acres located on Botanical Drive in the St. Stephens/Oxford Small Area Planning District, Clines Township, and further identified by Parcel Identification Numbers 3762-05-17-1665, 3762-05-07-6825, 3762-05-07-8825 and 3762-05-07-0685.

**PLAN CONSISTENCY STATEMENT:**

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners finds the request to be inconsistent with Map 6 titled "Future Land Use Recommendations" of the Catawba Small Area Plan. However, the request is consistent with the guiding principal within the plan of: "Targeting industrial growth within the study area to specific, appropriate sites. The Board of Commissioners therefore finds the request reasonable for rezoning based upon:

- 1) The request being in harmony with the existing adjacent industrial land use; and
- 2) The property being in close proximity to Interstate-40 (freeway), a major transportation facility.

This, the 20th day of October 2014.

\_\_\_\_\_  
Katherine W. Barnes, Chair

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Planner

DATE: October 20, 2014

IN RE: WS-II Critical and Balance Watershed Area – Zoning Overlay Map Amendment

---

### REQUEST

A public hearing to consider amending the Catawba County Official Zoning Overlay Map to remove the Maiden and Allen Creek WS-II Critical and Balance Area Watersheds.

### REVIEW/BACKGROUND

The County watershed regulations, which aid in protecting surface water from pollutants, became effective on January 1, 1994 in response to State regulations. A watershed is a topographic area that collects precipitation and distributes it to a location such as a lake, pond, river, or water collection point (i.e. Maiden's former Water Treatment Facility). Maiden's Water Treatment Facility was in service until 2003-2004, when the City of Hickory began serving Maiden with public water.

A portion of Maiden's water supply originated from Maiden Creek and Allen Creek watersheds (see attached map) prior to Hickory providing public water to Maiden. In January 2013 and February 2013, the State's Environmental Management Commission and Rules Review Commission respectively, approved the declassification of both the WS-II Critical Watershed and WS-II Balance Watershed. The State's declassification was effective March 1, 2013. The State's decision did not modify the County's Zoning Overlay Map. Because of the State's decision, our department is requesting the County's Official Zoning Overlay Map be amended to remove the WS-II Critical and WS-II Balance Watershed.

The WS-II Critical Area Watershed and WS-II Balance Area Watershed require minimum lot sizes for residential development and allows a maximum built-upon area for non-residential development. (See attached regulations.)

There are 77 parcels in the WS-II Critical Area Watershed and 1,478 parcels in the WS-II Balance Area Watershed. All of the properties in the WS-II Critical Area are zoned R-40 Residential. The vast majority of parcels (1,465) within the WS-II Balance Area are zoned R-40 Residential (minimum lot size of 40,000 square feet, approximately 1 acre). There are 7 non-residential properties in the WS-II Balance Area limited to 12% – 70% built-upon area.

Removing the WS-II Critical Watershed and WS-II Balance Watershed will offer opportunity for additional built-upon area (flexibility) on non-residential properties and allow smaller lot sizes

(1 acre instead of 2 acres where the WS-II Critical Watershed exists) based on the residential zoning district.

Staff Recommendation

Staff recommends amendment of the Catawba County Official Zoning Overlay Map to remove the Maiden and Allen Creek WS-II Critical and Balance Watersheds consistent with the State's decision in 2013, declassifying both watersheds.

Public Hearing Discussion

The Planning Board held a public hearing on September 29, 2014 to consider the request. There were a few general questions from the public including:

- If approved, will there be a change to the map? (The Maiden and Allen Creek Watershed would no longer appear on the map.)
- What was the required lot size? (If approved, the minimum lot size would depend on the zoning district but, in most cases would be 40,000 square feet or approximately one acre. Smaller lots are non-conforming/grandfathered.)
- Could the current watershed boundaries be clarified? (The boundaries were identified for the public.)

**PLANNING BOARD RECOMMENDATION**

The Planning Board voted 8 – 0, to submit a favorable recommendation to the Catawba County Board of Commissioners to amend the Catawba County Official Zoning Overlay Map to remove the Maiden and Allen Creek WS-II Critical and Balance Watersheds consistent with the State's decision in 2013, declassifying both watersheds.

## **WS-II Watershed Regulations** (excerpt from Unified Development Ordinance)

### **Sec. 44-434.04. WS-II watershed area--water quality critical area (WS-II-WQCA).**

In order to maintain a low intensity land use development pattern, single-family residential uses are allowed on a lot with a minimum area of 80,000 square feet. All other residential and nonresidential development are allowed at a maximum 6% built-upon area. Stormwater runoff from the development shall be transported by vegetated conveyances to the maximum extent practicable. New residuals application sites and landfills are specifically prohibited.

(a) *Density and built-upon limits.*

- (1) For single-family residential development, the minimum lot area shall not be less than 80,000 square feet, except when approved as a cluster subdivision according to Sec. 44-544.
- (2) All other residential and nonresidential development cannot exceed 6% built-upon area on a project-by-project basis. For the purpose of calculating the built-upon area, total project area includes acreage in the tract on which the project is to be developed.

(b) *Uses allowed.* The following uses are permitted:

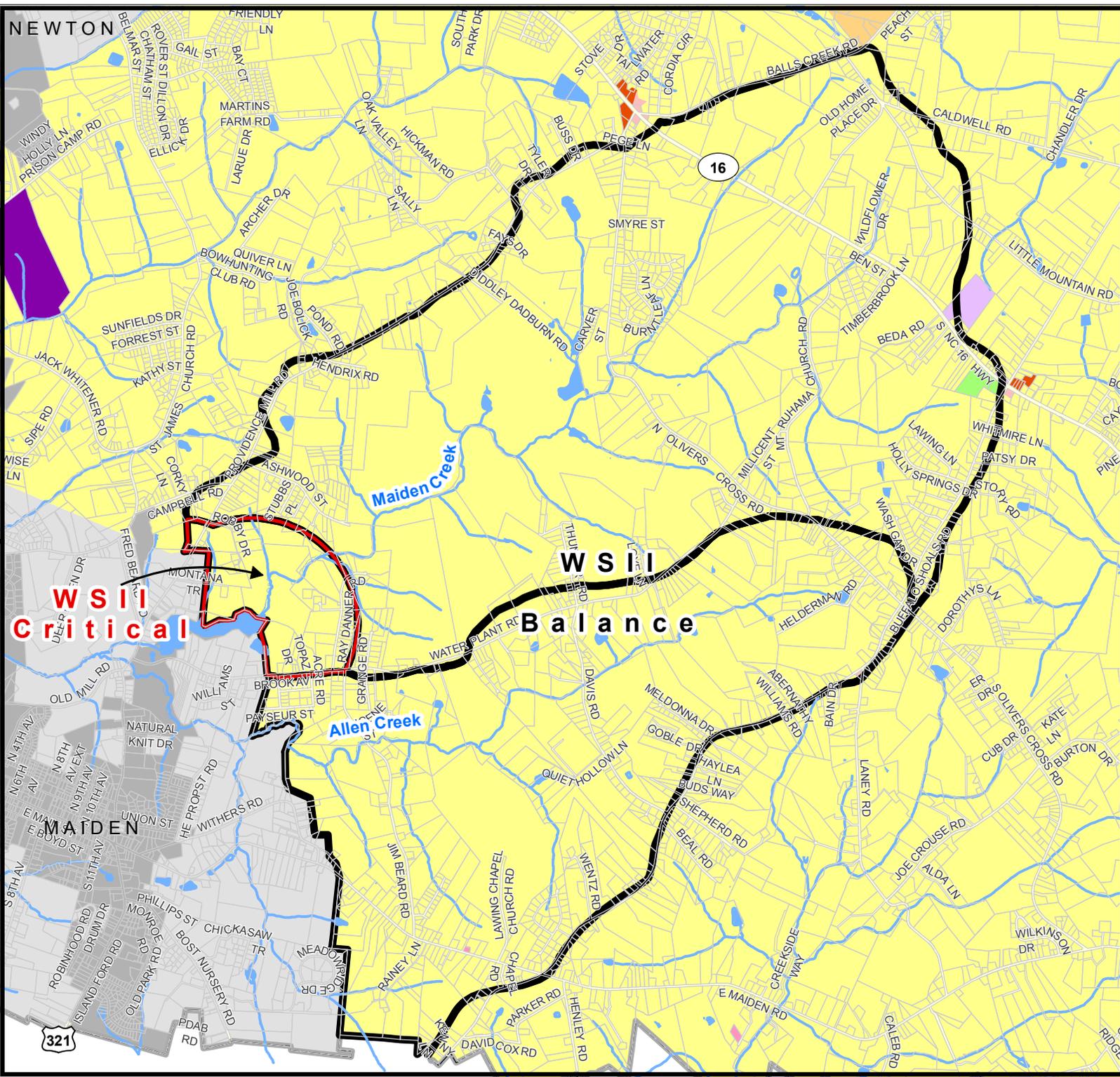
- (1) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and all rules and regulations of the Soil & Water Conservation Commission.
- (2) Forestry, subject to the provisions of the Forest Practices Guideline Related to Water Quality (15A NCAC 11.0101-.0209). The division of forest resources is the designated management agency responsible for implementing this Subsection.
- (3) Residential development.
- (4) Nonresidential development, excluding landfills and sites for land application of residuals or petroleum-contaminated soils.

### **Sec. 44-434.05. WS-II watershed area--balance of watershed (WS-II-BW).**

In order to maintain a low intensity land use development pattern, single-family residential uses are allowed on a lot with a minimum area of 40,000 square feet. All other residential and nonresidential development are allowed at a maximum of 12% built-upon area; in addition, nonresidential uses may occupy 10% of the balance of watershed area outside the water quality critical area, with a 70% built-upon area when approved as a 10/70 bonus permit according to Sec. 44-434.10. Stormwater runoff from the development shall be transported by vegetated conveyances to the maximum extent practicable.

(a) *Density and built-upon limits.* Density and built-upon limits are as follows:

- (1) For single-family residential development, the minimum lot area is at least 40,000 square feet, except when approved as a cluster subdivision according to Sec. 44-544.
  - (2) All other residential and nonresidential development cannot exceed 12% built-upon area on a project-by-project basis, except that up to 10% of the balance of watershed may be developed for nonresidential uses to 70% built-upon area on a project-by-project basis subject to approval of a 10/70 bonus permit according to Sec. 44-434.10. For the purposes of calculating the built-upon area, total project area includes acreage in the tract on which the project is to be developed.
- (b) *Uses allowed.* The following uses are permitted:
- (1) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990;
  - (2) Forestry, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15A NCAC 11.0101-.0209). The division of forest resources is the designated management agency responsible for implementing this subsection;
  - (3) Residential development; and
  - (4) Nonresidential development excluding discharging landfills.



# CATAWBA COUNTY

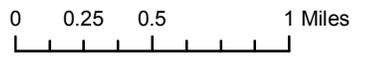
## Proposed Watershed Amendment Maiden and Allen Creek Watersheds



-  WS-II Balance
-  WS-II Critical
-  City Limits
-  ETJ

### County Zoning

-  GI
-  HC
-  LI
-  O-I
-  PD
-  PD-CD
-  R-20
-  R-30
-  R-40
-  RC
-  RC-CD



This map product was prepared from the Catawba County, NC, Geographic Information System. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map. Catawba County promotes and recommends the independent verification of any data contained on this map product by the user. The County of Catawba, its employees and agents disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map product or the use thereof by any person or entity.

Path: E:\projects\planning\Maiden&AllenCreek\_WS.mxd  
Date Saved: 10/1/2014



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## ZONING MAP AMENDMENT CONSISTENCY STATEMENT

On October 20, 2014 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering an Official Zoning Overlay Map amendment by removing the Maiden and Allen Creek WS-II Critical Area and WS-II Balance Area Watersheds.

Upon considering the matter, the Catawba County Board of Commissioners finds the request to be consistent with the guiding principal of the Balls Creek Small Area Plan; "The quality of water is a vital concern for the public and should be protected" based upon:

- 1) The overall density pattern is not changing because it is also limited according to the existing zoning districts.
- 2) Stormwater regulations, enforced by the North Carolina Department of Environment and Natural Resources, remain in effect.

The Catawba County Board of Commissioners therefore approves the zoning map amendment. This approval was affirmed by a vote of \_\_\_\_ - \_\_\_\_ of the Catawba County Board of Commissioners.

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Date



Ordinance No. 2014-\_\_\_\_\_

**AMENDMENT TO THE CATAWBA COUNTY ZONING MAP**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS**, that the Catawba County Official Zoning Overlay Atlas is hereby amended by removing the Maiden and Allen Creek WS-II Critical Area and WS-II Balance Area Watersheds.

**PLAN CONSISTENCY STATEMENT:**

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners finds the request to be consistent with the guiding principal of the Balls Creek Small Area Plan; “The quality of water is a vital concern for the public and should be protected” based upon:

- 1) The overall density pattern is not changing because it is also limited according to the existing zoning districts.
- 2) Stormwater regulations, enforced by the North Carolina Department of Environment and Natural Resources, remain in effect.

This, the 20th day of October 2014.

\_\_\_\_\_  
Katherine W. Barnes, Chair

# Appointments

No recommendations for Appointments

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: October 20, 2014

RE: Sole Source Exemption – Purchase of Access Control System for Justice Center/Public Safety Expansion

### Requested

The Finance and Personnel Subcommittee to recommends the Board of Commissioners authorize the sole source exemption for the purchase of an access control system for the Justice Center/Public Safety project. The system will be an expansion of the existing Sonitrol Security Services, Inc. badge system for a cost of \$73,131. This expenditure is planned in the Justice Center/Public Safety project budget.

### Background

The County has been using Sonitrol Security Services access control system for the Justice Center, Government Center, Social Services, Animal Services and Public Health for several years. The access control system operates with the employee ID badge to allow access into buildings and authorized areas within a building. Card access will be required in multiple areas through the new expansion.

General Statute 143-129 allows an exemption from bidding for purchase contracts when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration. This exemption requires governing body approval and a record must be maintained of purchases made under this exemption.

### Recommendation

The Finance and Personnel Subcommittee recommends the Board of Commissioners authorize the sole source exemption for the purchase of an access control system from Sonitrol Security Services, Inc. in the amount of \$73,131.

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Policy and Public Works Subcommittee

DATE: October 20, 2014

IN RE: Closing Agreement for the Burke-Catawba Regional Jail Facility

### REQUEST

The Policy and Public Works Subcommittee recommends the Board of Commissioners enter into an agreement with Burke County which sets forth the provisions for the termination of the Operating Agreement and the closing of the Regional Jail Facility.

### BACKGROUND

Burke County and Catawba County entered into an agreement entitled "Burke-Catawba Regional Jail Agency Operating Agreement" on March 19, 1996 (effective July 1, 1995), for the purpose of operating a Regional Jail Facility and to provide for its finance and operation. The counties have operated and financed the facility since that date. The debt to fund the building of the facility has been paid in full. Each county anticipates building new confinement facilities in their counties by the end of the decade and want to make provisions for the termination of the Operating Agreement and the closing of the Regional Jail Facility. The attached agreement will accomplish that. Highlights include:

- Burke anticipates its new facility will be complete in approximately 4 years, at which time Burke will move all of its inmates out of the old facility.
- Burke will make 88 beds available to Catawba at the new facility until Catawba County completes its jail addition. The bed rental rate will be based on the then-prevailing rate for jail beds.
- After Burke completes its new facility, either county has the option of maintaining inmates at the old facility provided one year's notice is given, although no inmates shall remain at the old facility after December 31, 2022.
- Once the facility is closed, Burke will purchase Catawba's interest at a depreciated amount pursuant to the Operating Agreement.

### RECOMMENDATION

The Policy and Public Works Subcommittee recommends the Board of Commissioners enter into an agreement with Burke County which sets forth the provisions for the termination of the Operating Agreement and the closing of the Regional Jail Facility.

NORTH CAROLINA

FACILITY CLOSING AGREEMENT

BURKE COUNTY

THIS AGREEMENT, made and entered into this the 16<sup>th</sup> day of September, 2014, by and between BURKE COUNTY (Burke) and CATAWBA COUNTY (Catawba), which are both bodies politic and corporate of the State of North Carolina;

WITNESSETH:

WHEREAS, the parties did, on March 19, 1996 (effective July 1, 1995) enter into an agreement entitled "Burke-Catawba Regional Jail Agency Operating Agreement (the "Operating Agreement") by which the parties agreed to form a Regional Jail Facility for the use of the two parties pursuant to N.C.G.S. §153A-219 (the "Regional Jail Facility"), and to provide for its finance and operation; and

WHEREAS, the parties have operated and financed the Regional Jail Facility since that date, and are currently operating the Regional Jail Facility; and

WHEREAS, the debt issued to fund the building of the Regional Jail Facility has been now completely paid and satisfied; and

WHEREAS, the parties both anticipate building new confinement facilities in their counties by the end of the decade, and wish to make provision for the termination of the Operating Agreement and the closing of the Regional Jail Facility on a timely basis;

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. Burke will begin construction on its new confinement facility (the "Burke Facility"), with construction to begin as soon as reasonably possible, and to be diligently prosecuted until completed.

2. The process of designing and building the Burke Facility is anticipated to take between 36 and 40 months and will create a facility with an estimated 250 beds for inmates; during this time the Regional Jail Facility will continue to operate as it is at present under the Operating Agreement.
3. Upon the completion of the Burke Facility and its certification for opening, all inmates then being held at the Regional Jail Facility will be moved into the Burke Facility. A total of 88 beds will be made available to Catawba for rental at the Burke Facility.
4. Upon the transfer of inmates, the Regional Jail Agency provided for in the Operating Agreement shall then be dissolved. The Regional Jail Facility will then be closed, unless either Burke or Catawba desires to maintain inmates (in excess of the number provided in the Burke Facility) at the Regional Jail Facility. If a County should elect to maintain inmates at the Regional Jail Facility after the expected transfer date, it will notify the other County no later than one (1) year before the expected transfer date, and will be responsible for all costs and liabilities of operation, and all maintenance and repair, thereafter. Should Catawba give notice of such intent to maintain inmates in the Regional Jail Facility for the purpose of maintaining State of North Carolina confinement facility certification, then any number of Catawba inmates (above the 88 being held in the Burke facility) may be kept by Catawba at the Regional Confinement Facility to insure that State certification shall not lapse. In any event, no inmates shall remain in the Regional Confinement Facility after December 31, 2022.
5. Upon such closure, Burke will purchase the interest of Catawba in the Regional Jail Facility at the depreciated amount as computed in Section VIII of the Operating Agreement as of the time the purchase is made.

6. For the rental of the 88 beds in the Burke Facility, Catawba will pay to Burke an amount equal to what Catawba is then currently paying for the operation of the Regional Jail Facility under the Operating Agreement. In determining this amount, the parties will exclude those amounts that each County is independently responsible for, such as medical care for, and transportation of, inmates; and will exclude capital items; and will include all expenses for which payment is made directly to the Regional Jail Agency under its annual budget. Such payment shall be made in monthly installments, until such rental terminates as provided in Section 8 hereof.
7. Should Catawba desire any additional beds, Burke shall rent such beds as may be available to Catawba at the then-prevailing rate for additional beds. The “then-prevailing rate” is defined as the rate paid by the State of North Carolina when holding inmates in county facilities.
8. This rental arrangement shall continue until Catawba completes its new confinement facility (the “Catawba Facility”), or until December 31, 2018, whichever may first occur.
9. If Burke should fail to build or complete the Burke Facility on a timely basis (on or before August 31, 2018), or should Burke determine not to build the Burke Facility, then this Agreement shall terminate and be null and void. Should the Burke Facility be under construction but not completed before August 31, 2018 because of circumstances beyond Burke’s control (weather, Acts of God, unavailability of materials), then Burke may, upon sixty (60) days’ written notice, extend this date up to an additional six (6) months.
10. Should Catawba complete its Catawba Facility before Burke shall complete its Burke Facility, then Catawba may move out its inmates and transfer them to the Catawba

Facility, sell its interest in the Regional Jail Facility to Burke as provided in Item 5, above, and be free of any further obligations under the Operating Agreement.

11. Should any provision of this Agreement conflict with a provision of the Operating Agreement, then the provisions of this Agreement shall control.
  
12. Whatever notice shall or may be given to either of the parties by the other, each such notice shall be made by registered or certified mail with return receipt requested, at the respective addresses of the parties as contained herein or to such other address as either party may from time to time designate in writing to the other. Any notice shall be deemed received upon evidence of receipt by certified mail return receipt requested. Notice may also be given via facsimile and may be proved by the sending parties' fax report generated by the sending parties' fax machine showing the time and telephone number to which the designated fax was sent and indicating that the transmission was received by the receiving parties' fax machine without an error message being generated by the sender's fax machine. Notices shall be given to the following:

Burke County:  
Burke County Manager  
P. O. Drawer 219  
Morganton, NC 28680  
828-764-9353  
828-764-9352 (fax)

Catawba County:  
Catawba County Manager  
P. O. Box 389  
Newton, NC 28658  
828-465-8201  
828-465-8392 (fax)

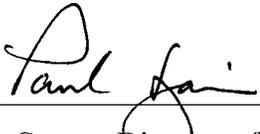
13. If any term or provision of this document/agreement shall be invalid or unenforceable, the remainder of this agreement shall not be affected thereby.
  
14. Whenever used herein, the singular shall also apply to the plural and vice versa, and words of any gender shall also apply to the other gender, as the context may reasonably

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act as amended.

Date: \_\_\_\_\_

\_\_\_\_\_  
Catawba County Director of Finance

Date: SEPT. 17<sup>th</sup>, 2014

  
\_\_\_\_\_  
Burke County Director of Finance

require. This Agreement shall be governed by the Laws of the State of North Carolina.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, in duplicate, the day and year first above written.



BURKE COUNTY

By: Johnnie W. Carswell (SEAL)  
Johnnie W. Carswell, Chairman

ATTEST:

Kay Honeycutt Draughn (SEAL)  
Kay Honeycutt Draughn, Clerk to Board

CATAWBA COUNTY

By: \_\_\_\_\_ (SEAL)  
Chairman

ATTEST:

\_\_\_\_\_  
(SEAL)  
Clerk

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Mark A. Logan, Tax Administrator

DATE: October 20, 2014

SUBJECT: ADOPTION OF THE PROPOSED SCHEDULE OF VALUES, STANDARDS AND RULES, INCLUDING THE PRESENT-USE VALUE MANUAL FOR AGRICULTURAL, HORTICULTURAL AND FORESTLAND FOR THE CATAWBA COUNTY 2015 REVALUATION

### REQUEST:

The Catawba County Assessor requests the Catawba County Board of Commissioners formally adopt the proposed Schedule of Values, Standards, and Rules, including the Present-Use Value Manual for Agricultural, Horticultural and Forestland for Catawba County's 2015 Revaluation as prescribed by North Carolina General Statute 105-317.

### BACKGROUND:

Pursuant to a resolution adopted by the Catawba County Board of Commissioners on October 3, 2011, Catawba County's next countywide revaluation will become effective January 1, 2015. Catawba County has approximately 87,000 separate parcels of land which are required by state law to be appraised at 100% of market value as of the effective revaluation date. To that end, Catawba County staff has worked for many months analyzing data derived from real estate sales, building cost data, and income and expense statements from income producing properties in the County. This has culminated in the formulation of a proposed Schedule of Values, Standards, and Rules to be utilized to generate market value appraisals for all real property in Catawba County.

The Schedule of Values is a set of standards and rules that are used as an appraisal manual by the County appraisal staff to assure properties are valued in an accurate and consistent manner. The schedule contains information on methods used to determine land and building values based upon criteria such as: location, age, type of construction, zoning, income potential, cost, etc.

Also included in the proposed Schedule of Values is a special schedule for appraising eligible agricultural, horticultural, and forest land at its "present use" value. This schedule is a statewide schedule formulated by the North Carolina Department of Revenue. Properties whose owners qualify for "present use" assessment will receive two values: a market value mandated by law and a "present use" value.

Adoption of the proposed Schedule of Values is an important step in the revaluation process. After the adoption, property owners will have 30 days to challenge the Schedule of Values by appeal to the North Carolina State Property Tax Commission.

Once the Board acts to adopt the schedule, a series of four newspaper notices must be published stating that the Schedule of Values has been adopted and that property owners have 30 days from the date of the first publication to challenge the Schedule of Values by appeal to the North Carolina State Property Tax Commission on grounds that the Schedule of Values does not adhere to the appropriate statutory valuation standard (that it will produce values that are too high, too low, or inconsistent). The North Carolina State Property Tax Commission has the power to order the Board of Commissioners to revise the Schedule of Values if they do not adhere to the statutory valuation standard. The North Carolina State Property Tax Commission's decision may be appealed to the North Carolina Court of Appeals. Assuming an October 20, 2014 adoption, property owners will have until Wednesday, November 19, 2014 to challenge the Schedule of Values.

An upcoming timeline follows:

**Tuesday, October 21, 2014**

Board of Commissioners publishes 1<sup>st</sup> notice of adoption in newspaper. (Taxpayer must appeal adoption within 30 days of this date to the North Carolina Property Tax Commission).

**Sunday, October 26, 2014**

Publish 2<sup>nd</sup> notice of adoption.

**Thursday, November 6, 2014**

Publish 3<sup>rd</sup> notice of adoption.

**Wednesday, November 12, 2014**

Publish 4<sup>th</sup> notice of adoption. (Four notices are required by Statute).

**Wednesday, November 19, 2014**

Last day for taxpayer to appeal adoption of the Schedule of Values.

RECOMMENDATION:

Staff recommends the Catawba County Board of Commissioners formally adopts the proposed Schedule of Values, Standards and Rules, including the Present-Use Value Manual for Agricultural, Horticultural and Forestland. Two documents are attached for signature in recognition of formal adoption of both schedules.

/amp

**2015**  
**SCHEDULE OF VALUES,**  
**STANDARDS AND RULES**

Schedule of values, standards, and rules to be used in appraising property in Catawba County for the reappraisal effective January 1, 2015.

**CATAWBA COUNTY**  
**BOARD OF COMMISSIONERS**

Kitty W. Barnes, Chair  
C. Randall Isenhower, Vice-Chair  
Barbara G. Beatty  
Dan A. Hunsucker  
Lynn Mull Lail

**ADOPTED**

---

Date

**CATAWBA COUNTY BOARD OF COMMISSIONERS**

Signed \_\_\_\_\_  
Chairman, Board of Commissioners

**2015**  
**PRESENT-USE VALUE MANUAL**  
**FOR AGRICULTURAL, HORTICULTURAL**  
**AND FOREST LAND**

Schedule of values, standards, and rules to be used in appraising property in Catawba County at present-use value for the reappraisal effective January 1, 2015.

**CATAWBA COUNTY**  
**BOARD OF COMMISSIONERS**

Kitty W. Barnes, Chair  
C. Randall Isenhour, Vice-Chair  
Barbara G. Beatty  
Dan A. Hunsucker  
Lynn Mull Lail

**ADOPTED**

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Date

**CATAWBA COUNTY BOARD OF COMMISSIONERS**

Signed \_\_\_\_\_  
Chairman, Board of Commissioners

## BOARD OF COMMISSIONERS GOALS ATTAINMENT FOR FY 2013-14

The Board's goals for FY 2013-14 were:

1. Prepare a Fiscal Year 2013-14 budget which provides needed County services within available revenues, including no property tax increase, ensuring that the County addresses its short term needs while planning for long term growth, and maintaining the Board of Commissioners' policy of two months of operating expenses.
2. In partnership with the private sector, support a coordinated effort to create jobs and property tax base by investing in infrastructure, the development of the County's quality of place and educational opportunities.

Strategies include:

- a. Develop and market the multi-jurisdictional park and other future development opportunities.
  - b. Advocate for the widening and completion of Highway 16;
  - c. Continuously monitor County regulations to ensure they support orderly growth and business development;
  - d. Continue support of public education, the Economic Development Corporation, the Catawba Valley Community College, Convention and Visitors Bureau and the Chamber of Commerce.
  - e. Partner with the private sector and municipalities to focus on a framework to increase small and/or entrepreneurial businesses.
  - f. Partner with the private and public sectors to implement recommendations from the Southern Growth Policy Board study.
3. Review recommendations of the Food and Farm Sustainability Committee and work to implement strategies consistent with the County's area of responsibilities.

### **GOAL OUTCOMES:**

**Prepare a Fiscal Year 2013-14 budget which provides needed County services within available revenues, including no property tax increase, ensuring that the County addresses its short term needs while planning for long term growth, and maintaining the Board of Commissioners' policy of two months of operating expenses.**

The Fiscal Year 2013/14 budget was adopted with no countywide property tax increase and maintains the tax rate at \$0.53 per \$100 of valuation. The tax rate is the 8<sup>th</sup> lowest of the 27 urban counties (populations of 100,000 or more) and the 28<sup>th</sup> lowest of the 100 counties in North Carolina. The budget reflected a 1.3 percent increase in County operations, maintained two months of operating expenses and focused on providing citizens with high quality service, while making strategic investments in the high priority areas of education, public safety, economic development and quality of life.

In June 2014, the Board adopted a new Debt Management Policy to be incorporated into the annual budget document. It is believed that this policy, along with the County's improved unemployment rate, will afford the County a great opportunity to receive a bond rating upgrade if the County returns to the bond market later this year with the planned Vocational Building/High School at CVCC.

**In partnership with the private sector, support a coordinated effort to create jobs and property tax base by investing in infrastructure, the development of the County's quality of place and educational opportunities.**

The County's quality of place was enhanced with the Board's action to award the bid for construction on the much desired Sherrills Ford Library. This visually warm and inviting building is planned to be a Silver Certified Leadership in Energy and Environmental Design (LEED) with a flow and design that meets the needs of the community.

Further enhancement of the County's quality of place was accomplished by Board action to award a bid for the construction of the Justice Center/Public Safety Expansion Project. This expansion will provide much needed space for the County's 911 Communications Center and Emergency Operations Center as well as additional courtrooms, Clerk of Court space and offices for Emergency Services, the District Attorney and Community Corrections. Additionally, the County opened its new Animal Shelter in June 2014, with increased capacity and sanitary upgrades.

To further the Board's focus on partnerships with municipalities and the private sector, the County entered into an agreement with the Humane Society to operate the shelter, with the Humane Society responsible for marketing, adoption and rescue of animals, as well as providing medical care, feeding, and watering, and the County continuing its responsibility for animal control, intake and quarantine areas.

With 92% of the 63 households along Old Shelby Road between JV Parker Road and Buff & Allen Road having moderate and severe water needs, the Board acted to improve their quality of place by approving and providing the 8.5% match for a Community Development Block Grant which will provide municipal water to these low to moderate income homes.

Board action to appropriate \$62,500 in existing fund balance of the Catawba Volunteer Fire Department enabled the Fire Department to acquire two parcels of property to be used as a future fire department substation. The addition of the proposed substation will result in 118 parcels in the Fire Protection Service District becoming rated, saving homeowners on their annual fire insurance premiums. Further action by the Board changed boundary lines for several Fire Protection Districts which resulted in improved fire insurance ratings, again reducing fire insurance premiums for homeowners. Additionally, to assist several rescue squads, the Board declared unused, older County vehicles, as well as an ambulance and stretcher, as surplus and donated them to these squads for training and transportation needs.

In an effort to preserve one of the County's greatest historical community assets, the Bunker Hill Covered Bridge, the Board entered into an inter-local agreement with the City of Claremont for a water line extension which will bring water to the historic site for purposes of fire suppression.

In support of educational opportunities, the Board waived permit fees for the 2013 Hickory and Catawba Valley Home Builders Association's Playhouse Showcase where participating high schools students gain valuable experience in building these small scale homes which will assist them in securing jobs in the construction industry.

Catawba County Public Health was recognized by the Board for its achievement in receiving re-accreditation from the North Carolina Local Health Department Accreditation Board. Public Health completed a rigorous accreditation process which evidenced that Catawba County citizens are recipients of the highest standards of public health services.

To ensure that Catawba Valley Medical Center (CVMC) continues to provide Catawba County citizens with quality medical care, the Board adopted the necessary resolution for CVMC to execute an installment purchase agreement to finance \$5 million of up-to-date medical equipment.

**Strategies include:**

**a. Develop and market the multi-jurisdictional park and other future development opportunities.**

At the Board's retreat in November, the need for shell buildings to attract business was discussed. At the Board's December 2, 2013 meeting, the Board entered into a partnership with the City of Claremont and the EDC Committee of 100 for the development of a shell manufacturing building to facilitate the creation

of new jobs and future tax base – this was a priority of the Innovate Catawba Program. Board members attended the groundbreaking ceremony for this shell building on March 17, 2014.

**b. Advocate for the widening and completion of Highway 16;**

When the North Carolina Department of Transportation's new Strategic Transportation Investment (STI) legislation and the new Strategic Mobility Formula resulted in the Highway 16 widening project being subject to a new prioritization tool, the Board adopted a resolution in support of the completion of the project and maintaining the funding for timely completion. Additionally, the Board requested that the NCDOT provide the Board with an overview of how the Formula will address how traditional Equity-eligible funds, Urban Loop funds, Mobility Funds, Powell Bill and Secondary Roads paving funds will be allocated, based on a prioritization criteria using a 0-100 point scale.

**c. Continuously monitor County regulations to ensure they support orderly growth and business development;**

With a growing interest in sustainable energy in the form of solar farms throughout the State, the Catawba County Board of Adjustment had approved six special use permits for these farms in a year period. In its continuing effort to ensure orderly growth in the County, the Board acted to amend the Unified Development Ordinance to define solar farms, provide specific standards for their development, mitigate their impact to surrounding properties and viewsheds, and protect the community's aesthetics while appropriately preserving individual property owners' right to use their properties in a manner they deemed fit. To further Board member's knowledge of this new form of sustainable energy, the Board of Commissioners and the Catawba County Planning Board met with representatives of Duke Energy for an informational session in February 2014 to further understand Duke Energy's direction and intentions regarding solar farms.

At its retreat in November, the Board reviewed the method by which building permit fees are calculated in the County to ensure the methodology supported growth and business development.

In April, the Board amended the Catawba County Official Zoning Overlay Map to remove the watershed designation from four parcels along West NC Hwy 10 which will improve the ability to market the property for future development.

**d. Continue support of public education, the Economic Development Corporation, the Catawba Valley Community College, Convention and Visitors Bureau and the Chamber of Commerce.**

In support of economic development, the Board shifted forward by one year a three year investment period in an incentive agreement to recognize Turbotec's efforts to meet the contractual requirements of the incentive agreement. After facing issues out of its control, Turbotec had missed the incremental time requirements for job creation by two months and less than a year for investment. By shifting the three year investment period forward by one year, the County did not exceed the yearly or total amount of the original incentive contract but positively supported a company which had invested over \$5 million and created 74 new jobs paying above the county average wage (exceeding their commitment by over \$1 million and 1 job).

To enhance the successful Economic Development Demolition Fee Waiver Program, the Board acted to give the Catawba County Economic Development Board additional flexibility when considering applications for the waiver program so that opportunities for redevelopment and re-investment are not lost when extenuating or unusual circumstances occur.

In January 2014, the Board approved an economic development agreement between the County, the State and HSM (formerly Hickory Springs Manufacturing) for an expansion of several of HSM's Catawba

County facilities, creating 162 new jobs and a target investment of \$3.3 million in new facilities and equipment.

In April 2014, the Board approved economic development incentives for both GKN Driveline and OHM Holdings (Transportation Insight). The incentives will support the expansion of these existing industries which will result in 278 new jobs as well as ensuring their continued domicile in Catawba County. Additionally, these two agreements include guarantees of approximately \$130 million of investment in construction, upfit and personal property.

**e. Partner with the private sector and municipalities to focus on a framework to increase small and/or entrepreneurial businesses.**

Catawba County continues to support the Catawba County Chamber of Commerce's Edison Project which recognizes the creativity and entrepreneurial spirit of our area. The Project encourages innovative viable business ideas in the Hickory Metro area and provides mentors and coaches for these potential start-up companies and current businesses with revenues of less than \$350,000.

In an effort to improve the economic benefit (including increased fuel production) of the Biodiesel Research, Development and Production Facility, and in keeping with the fundamental tenets of the EcoComplex to facilitate the incubation of a new industry in Catawba County, staff developed a Request for Qualifications/Request for Proposals (RFQ/RFP) in conjunction with staff from Appalachian State University for the privatization of the Facility. The County entered into a lease with Blue Ridge Biofuels of Asheville, North Carolina to privatize the operations of the Facility while maintaining an enhanced university presence.

**f. Partner with the private and public sectors to implement recommendations from the Southern Growth Policy Board study.**

As stated in section (a) above, the partnership with the City of Claremont and the EDC Committee of 100 for the development of a shell manufacturing building addressed the Southern Growth Policy Board study which highlighted the lack of modern, high-ceiling manufacturing buildings in the County. Board members attended the groundbreaking ceremony for this shell building on March 17, 2014.

At the Board's February 17, 2014 meeting, it adopted a resolution of support for Western Piedmont Council of Governments' Investing in Manufacturing Communities Program Application. This program is an initiative of various federal agencies designed to accelerate the resurgence of manufacturing in the United States and present opportunities for the region to sustain and grow manufacturing employment.

In June 2014, the Board adopted the FY2014/15 budget with a specific allocation of \$10,000 for Innovate Catawba, supporting this initiative to keep young people in town and ensure the community has jobs for them.

**Review recommendations of the Food and Farm Sustainability Committee and work to implement strategies consistent with the County's area of responsibilities.**

In November, the Board received an update on the Farm & Food Sustainability Plan. Fifteen strategies and 66 supporting action items are included in the Farm & Food Sustainability Plan and at the time of this report, many strategies were complete or substantially complete, and others had upcoming events or actions that would complete them. None were behind schedule. Staff developed a plan for the remainder of Fiscal Year 2013/14 that identifies other action to further support the development of a thriving local food economy in the County. At the Board's March meeting, amendments to the County Code of Ordinances were approved to ensure the County's definition of bona fide farm was consistent with North Carolina General Statutes. Local farmers were in favor of this amendment.

In June 2014, the Board received an update on the Eat, Drink and Be Local event which took place May 18-24, 2014, and included a farm tour, gardening and cooking classes, a local beer and wine tasting and a local foods feast as well as area restaurants featuring local foods. Successes, lessons learned and strategies for moving forward were identified and planning for more such events is ongoing.