

AGENDA

Catawba County Board of Commissioners Meeting
Monday, July 18, 2016, 7:00 p.m.
Robert E. Hibbitts 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 June 20, 2016.](#)
5. Recognition of Special Guests.
6. Public Comments.
7. Public Hearing:
 - a. [Rezoning Request – 4796 and 4816 River Bend Road – Owner Sherry Kenworthy, Applicant, Venture Properties VII, LLC. Presented by Senior Planner Chris Timberlake.](#)
 - b. [Rezoning Request – 6738 East NC 150 Highway – Owner James Davidson. Presented by Senior Planner Chris Timberlake.](#)
8. [Appointments.](#)
9. Consent Agenda:
 - a. [Budget Revision – Allocation of Funds Received from State Youth Council Grant.](#)
 - b. [Information Required on Maps and Instruments Affecting Real Property.](#)
 - c. [Revision 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232.](#)
10. Departmental Reports.
 - A. Social Services.
[Safety of Citizens and Staff at Catawba County Social Services – Proposed Deputy Sheriff Position. Presented by Social Services Director John Eller.](#)
 - B. Library.
 1. [Appropriation of Grant Funds in the Amount of \\$56,513 to the Catawba County Library from Three Separate Grants. Presented by Library Director Suzanne White.](#)
 2. [Resolution for Establishing an Endowment with the North Carolina Community Foundation. Presented by Library Director Suzanne White.](#)
11. Other Items of Business.
12. Attorneys' Report.
13. Manager's Report.
14. Adjournment.

PERSONS WITH DISABILITIES: Individuals needing assistance should contact the County Clerk at 828-465-8990 within a reasonable time prior to the meeting. Access to the 1924 Courthouse for individuals with disabilities is at the south side ("A" Street). The elevator is located at the north end of the building. Participation in public meetings is without regard to race, creed, religion, national origin, sex, age, color, or disability.

INFOTALK/INTERNET: The Catawba County Telephone Information System will allow you to use your touch tone telephone to obtain current information on Catawba County 24 hours a day. Information is updated on a regular basis. Dial 465-8468 and INFOTALK will direct your questions with easy to understand instructions. Reach Catawba County on the Internet at <http://www.catawbacountync.gov>.

CALENDAR: The August 2016 Board of Commissioners meetings will take place on Monday, August 1, 2016, at 9:30 a.m. in the 1924 Courthouse in Newton and on Monday, August 15, 2016 at 7:00 p.m. **in the 2nd Floor Meeting Room of the Government Center in Newton due to the Soldiers Reunion.**

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Planner

DATE: July 18, 2016

IN RE: Rezoning Request – 4796 and 4816 River Bend Road
Owner – Sherry Kenworthy, Applicant – Venture Properties VII, LLC

REQUEST

Consider an application to rezone two parcels (totaling 0.99 acres) from R-30 Residential to RC Rural Commercial district.

Purpose of Zoning District

The current R-30 Residential district, requires a minimum lot size of 30,000 square feet (3/4 acre), and is considered a medium density “general use” district. Predominate uses in this district include single-family homes and agriculture. The Rural Commercial district requires a minimum lot size of 20,000 square feet (1/2 acre) and provides small areas for offices, services, and retail uses designed in scale with surrounding residential uses.

REVIEW/BACKGROUND

Location/Zoning

The properties are located at 4796 and 4816 River Bend Road in the St. Stephens/Oxford Small Area Planning district, Clines Township, and further identified by Parcel Identification Numbers 3754-19-50-2943 and 3754-19-50-3942.

The property depicted as Parcel 1A, on the attached map, is zoned R-30 Residential and occupied by a single-family residence. The property depicted as Parcel 1B, on the attached map, is zoned R-30 Residential and is undeveloped. The surrounding parcels contain the zoning districts and uses described below.

- North – Parcel 3 is zoned HC Highway Commercial and is developed. Parcel 4 is zoned R-30 Residential and is undeveloped.
- South – Parcels 6 and 7 are zoned R-30 Residential. Both are developed with single-family homes.
- East – Parcel 5 is zoned R-30 Residential and is developed with a single-family home.
- West – Parcel 2 is zoned RC Rural Commercial. It was developed with a non-residential structure that has been removed. It is currently undeveloped.

Zoning History

None to report.

Land Use

The subject properties are within the WS-IV Protected Water Supply Watershed Area. If rezoned, the built upon area of the properties will be limited to a maximum of 36 percent. Also, the size of any building or buildings will be subject to floor area ratio (ratio of building to land space) allowances. Further development of the properties would be subject to the general development regulations within the Unified Development Ordinance.

Utilities

Public water exists along North NC Highway 16. Public sewer is not available. The property would be served by private septic.

Transportation

River Bend Road is designated as a local residential road in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. Traffic counts taken in 2013 east of the site measured 1,200 average trips per day. River Bend Road is designed to accommodate approximately 10,000 vehicles per day.

North NC 16 Highway is designated as a major thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. Traffic counts taken in 2013 north and south of the area measured 9,600 and 11,000 vehicles per day, respectively. North NC 16 Highway is designed to accommodate 12,000 – 15,000 vehicles per day. There are no recommended improvements for either roadway. The proposed amendment will not overburden the existing roads.

Land Use Plan

The St. Stephens/Oxford Small Area Plan, adopted April 21, 2003, serves as the current land use plan for this area. Map 6, titled "Future Land Use Recommendations," depicts the property as being in an area recommended for rural commercial development. The rezoning of the properties would be consistent with the plan.

Staff Recommendation

Staff recommends the two parcels (approx. 0.99 acres) owned by Sherry Kenworthy be rezoned from R-30 Residential to Rural Commercial (RC) district based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted St. Stephens/Oxford Small Area Plan recommendations.

Public Hearing Discussion

The Planning Board held a public hearing on June 27, 2016 to consider the request. Justin Church spoke on behalf of the applicant. No one from the public spoke in favor or in opposition to the request.

PLANNING BOARD RECOMMENDATION

The Planning Board voted 9-0 to recommend to the Catawba County Board of Commissioners the two parcels (approx. 0.99 acres) owned by Sherry Kenworthy be rezoned from R-30 Residential to Rural Commercial (RC) district based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted St. Stephens/Oxford Small Area Plan recommendations.

RZ-05-2016-23850

RZ-2016-03

Catawba County Rezoning/Ordinance Text Amendment Application

Applicant VENTURE Properties VII, LLC Phone # 336-667-8000
Applicant's Fax 336-667-8001 Applicant's Email savanna@ypdevelopment.com
Applicant's Mailing Address PO Box 843 City, State, Zip Wilkesboro NC 28697
Property Owner Sherry Kenworthy Phone #
Property Owner's Mailing Address 5290 36th St Drive NE City, State, Zip Hickory NC 28601
Parcel 911 Address 4796 River Bend Road 28610 PIN # 37541950243
Subdivision Name and Lot # Country Side Estates 3/A
Current Zoning District R-30 Proposed Zoning District RC

Type of Rezoning Application:

General Rezoning

- The general information listed below shall be submitted with the rezoning application.
Planned Development Rezoning
Special District Rezoning
Conditional District Rezoning
Manufactured Home Park Rezoning
Ordinance Text Amendment

General Information to be attached:

- If a portion of an existing parcel is requested to be rezoned, a survey of the portion of the parcel(s) covered by the proposed amendment at a scale no smaller than 1 inch equals 200 feet, on a 18 x 24 inch map and one 8 x 11 inch map (30 copies).
Submittal of 30 copies of each map including digital copies in .pdf or .jpg format.
If applicable, a legal description of such land
If applicable, a detailed statement of any alleged error in the Unified Development Ordinance which would be corrected by the proposed amendment, and a detailed explanation of the manner the proposed amendment will correct the alleged error.
A detailed statement of all other circumstances, factors, and reasons, which applicant offers in support of the proposed zoning map or text amendment.
Filing Fee: Per Catawba County Fee Schedule

Applicant's Signature Savanna R. Fied Date 5-12-16
Property Owner's Signature Sherry H. Kenworthy Date 5-12-16





June 14, 2016

Catawba County
Planning and Parks Department
Attn: Chris Timberlake
100 A SW Blvd.
Newton, NC 28658

RE: Rezoning Request for Parcel Ids 375419502943 and 375419503942

Mr. Timberlake,

Venture Properties VII, LLC is requesting a zoning change from R-30 to RC for two lots located off River Bend Road in the Oxford Park community. The lots are identified by parcel IDs 375419502943 and 375419503942. These two lots are adjacent to a third lot with parcel ID 375419501904 which is currently zoned RC. Rezoning of the subject parcels will create a contiguous RC zoned lot at the intersection of River Bend Road and NC Hwy 16 N. Such a lot will be consistent with existing RC zoned properties to the west directly across NC Hwy 16 N and HC zoned property to the north directly across River Bend Road. Reclassification to RC rather than nearby HC is being requested to maintain continuity with the adjacent parcel and provide a superior transition to the adjacent residential properties. Preliminary discussions with regulatory agencies having jurisdiction over development of the property have not identified any public safety or environmental concerns.

Staff from Venture Properties VII, LLC and their consultants will be present at all board meetings and public hearings to address any concerns.

Thank you.

Justin Church, PE





Planning and Parks Department
PO Box 389
100 A Southwest Boulevard
Newton, NC 28658
828-465-8380
Fax: 828-465-8484
www.catawbacountync.gov/

July 7, 2016

Dear Property Owner(s):

Our office is processing a request by Venture Properties VII, LLC to rezone 1 acre (*red outlined area, labeled 1A and 1B on attached map*), from R-30 (Residential) to Rural Commercial (RC). Parcels 1A and 1B are located at 4796 and 4816 River Bend Road in the St. Stephens/Oxford Small Area Planning District, Clines Township, and further identified by Parcel Identification Numbers 3754-19-50-2943 and 3754-19-50-3942.

The Catawba County Board of Commissioners will hold a public hearing on **Monday, July 18, 2016** beginning at 7:00 p.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse located at 30 North College Avenue, Newton, North Carolina for final action.

The purpose of this meeting is to allow the public an opportunity to comment on the request.

If you are unable to attend this meeting you may submit your comments in writing to:

Catawba County
Planning and Parks Dept.
PO Box 389
Newton, NC 28658

If you have any questions regarding this matter, feel free to call me at 828-465-8382.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chris Timberlake". The signature is fluid and cursive.

Chris Timberlake, AICP
Senior Planner

encl.



Applicant

Venture Properties VII, LLC

Request

Rezone Two Parcels (0.99 acre total) from R-30 Residential to Rural Commercial (RC) District

Location

4796 and 4816 River Bend Road

Date

July 18, 2016

REZONING REQUEST MAP

Applicant: Venture Properties
 Owner: Sherry Kenworthy
 PIN - 3754-19-50-2943 & 3754-19-50-3942
 R-30 to RC Rural Commercial

-  Water Lines
-  Subject Parcels

 Structures

County Zoning

-  HC
-  R-20
-  R-30
-  RC

Subject Parcels fall within the following Overlay:
 WP-O

1 Through 7 - See Adjacent Property Owner List



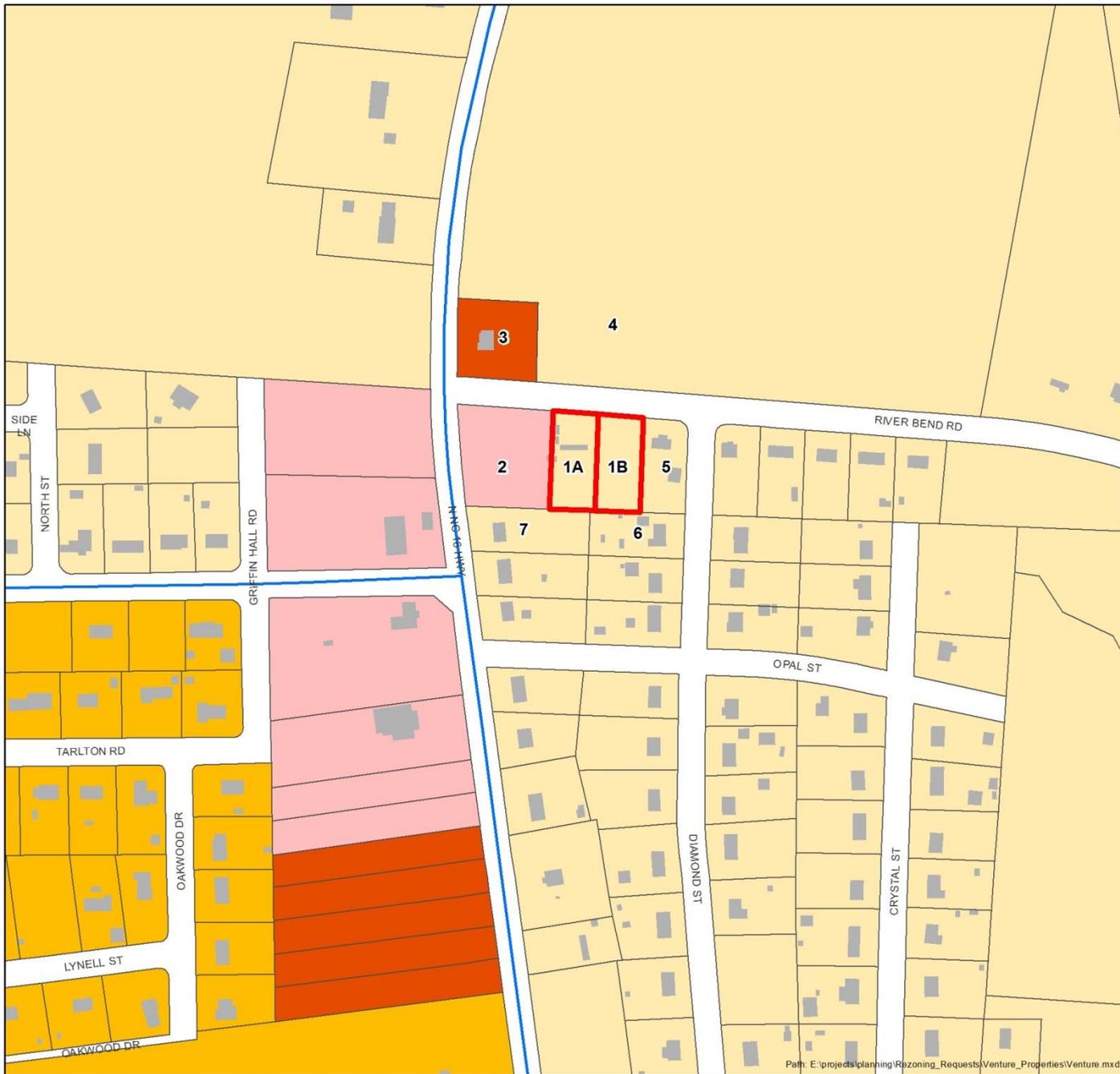
1 inch = 300 feet

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.

FOCUS AREA



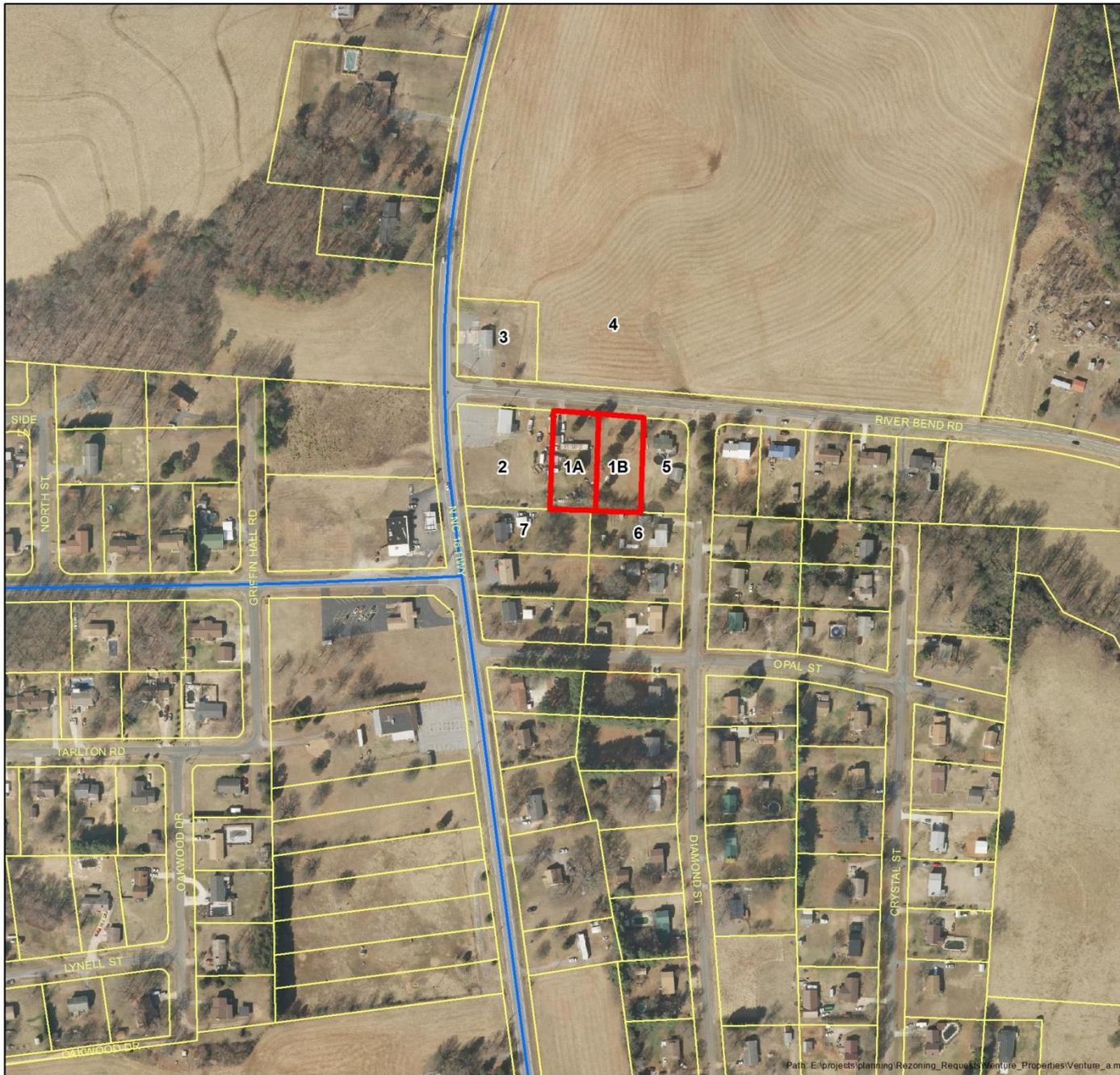
CATAWBA COUNTY, NC



REZONING REQUEST MAP

Applicant: Venture Properties
Owner: Sherry Kenworthy
PIN - 3754-19-50-2943 & 3754-19-50-3942
R-30 to RC Rural Commercial

-  Water Lines
-  Subject Parcels
-  Structures



Subject Parcels fall within the following Overlay:
WP-O

1 Through 7 - See Adjacent Property Owner List



1 inch = 300 feet

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FOCUS AREA



CATAWBA COUNTY, NC

REZONING REQUEST MAP

Applicant: Venture Properties
Owner: Sherry Kenworthy
PIN - 3754-19-50-2943 & 3754-19-50-3942
R-30 to RC Rural Commercial

-  Contour Lines
-  Subject Parcels
-  Streams
-  Parcels
-  Structures

Subject Parcels fall within the following Overlay:
WP-O

1 Through 7 - See Adjacent Property Owner List



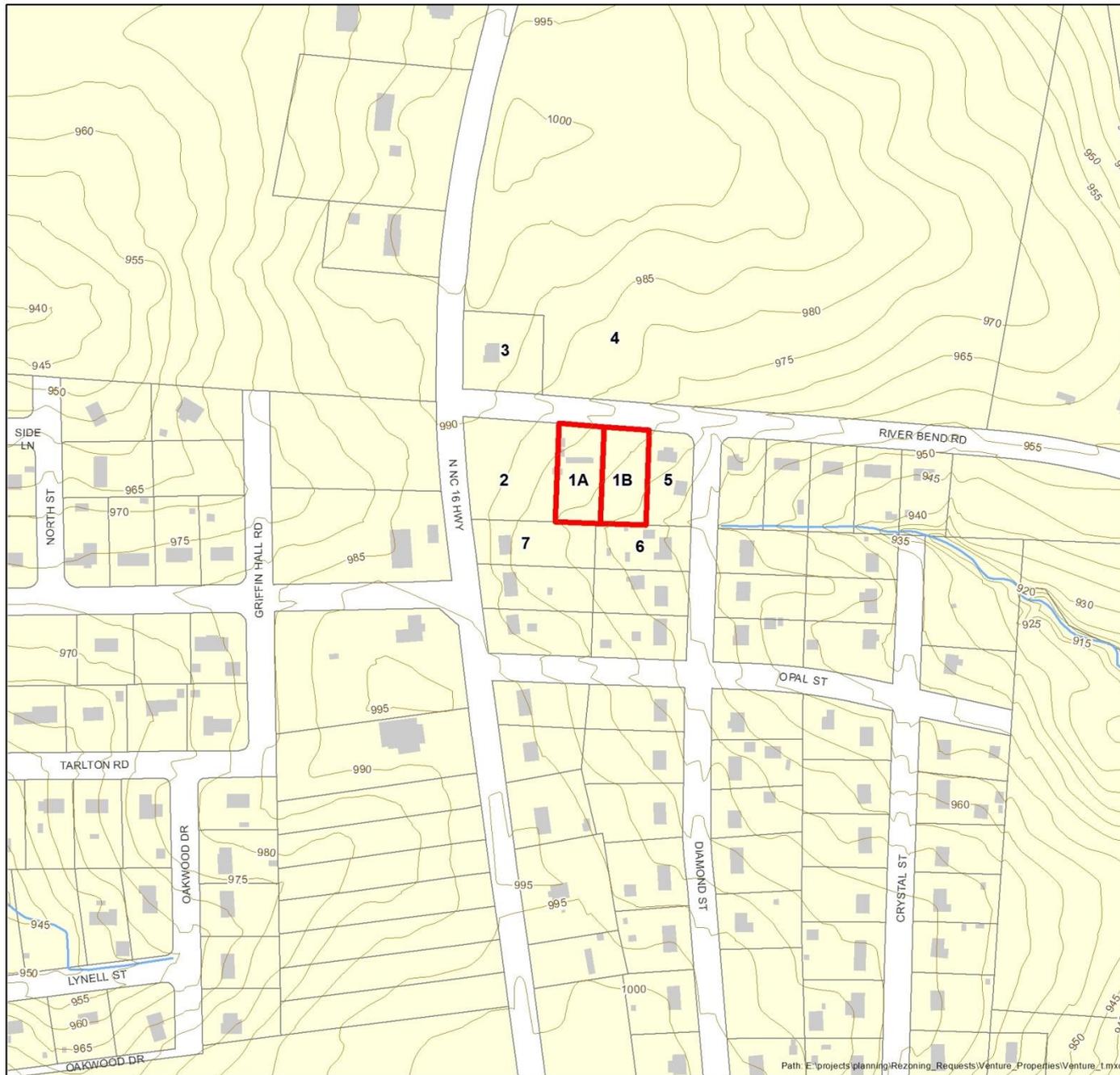
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FOCUS AREA



CATAWBA COUNTY, NC

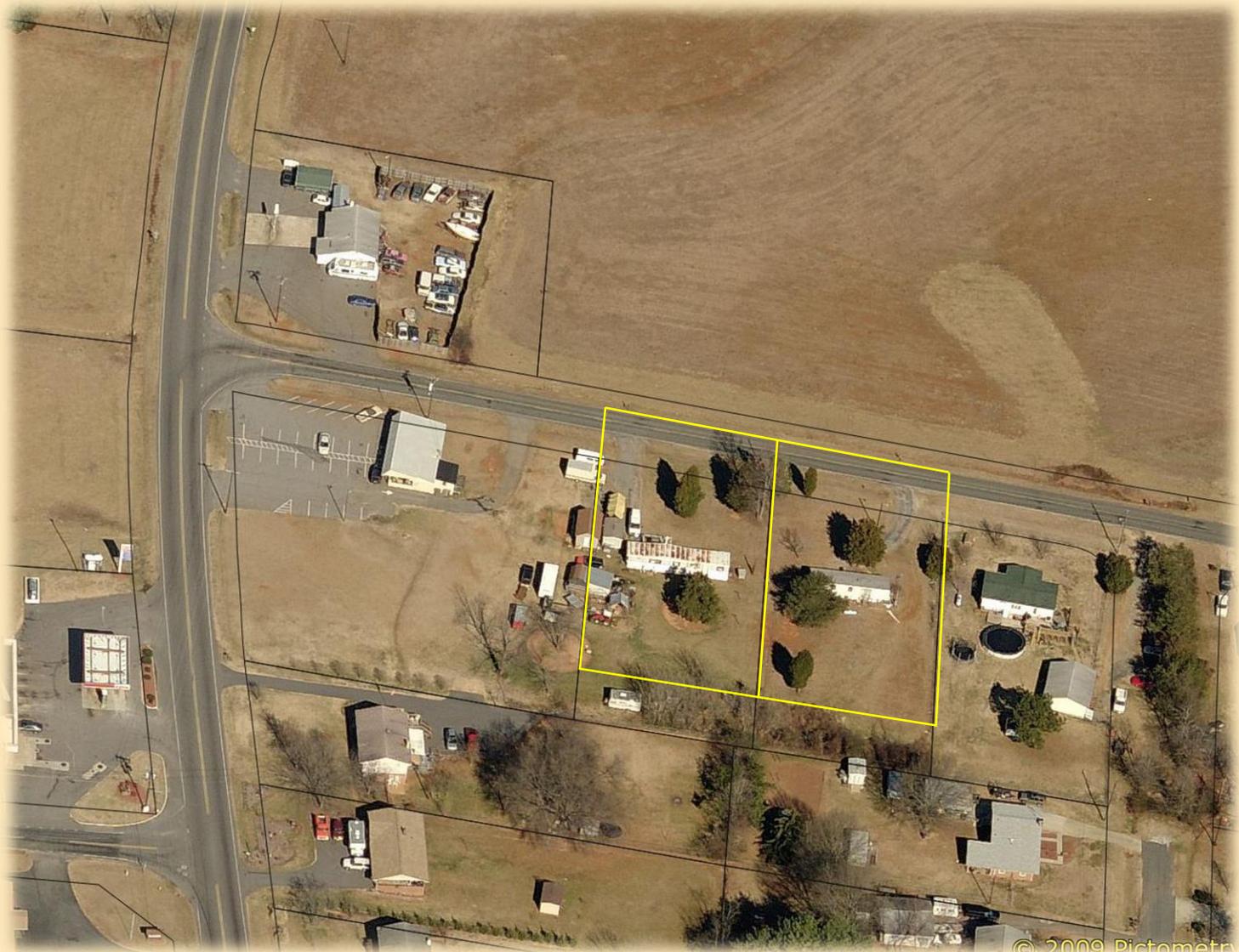


Subject Properties

North

West

East



South

Adjacent Properties



East



South



South



West

Adjacent Properties



Purpose - Review

- The R-30 Residential district, requires a minimum lot size of 30,000 square feet (3/4 acre), and is considered a medium density “general use” district. Predominate uses in this district include single-family homes and agriculture.
- The Rural Commercial district requires a minimum lot size of ½ acre and provides small areas for offices, services, and retail uses designed in scale with surrounding residential uses.

Utilities

- Public water exists along NC 16 Highway.
- Public sewer is not available. The properties would be served by private septic.

Transportation

- River Bend Road is designated as a local residential road in the 2035 Greater Hickory Urban Area Long Range Transportation Plan.
- Traffic counts taken in 2013, east of the site, measured 1,200 average trips per day.
- This section of River Bend Road is designed to accommodate approximately 10,000 vehicles per day.
- There are no recommended transportation improvements within the plan.
- The proposed development of property will not overburden the existing roadway.

Transportation

- North NC 16 Highway is designated as a major thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan.
- Traffic counts taken in 2013, north and south of the site, measured 9,600 and 11,000 average trips per day.
- This section of NC 16 Highway is designed to accommodate 12,000 – 15,000 vehicles per day.
- There are no recommended transportation improvements within the plan.
- The proposed development of property will not overburden the existing roadway.

Land Use Plan

- Property is within the St. Stephens/Oxford Small Area Plan adopted April 21, 2003.
- Map 6, titled “Future Land Use Recommendation,” depicts the property as being in an area recommended for rural commercial development.
- The request is consistent with the land use recommendations of the adopted plan.

Future Land Use Recommendations

Map 6.
St. Stephens/Oxford SAP
Future Land Use
Recommendations

-  SAP Boundary
-  County Boundary
-  Municipal Boundary
-  Parcels
-  O-I
-  Rural Commercial
-  Neighborhood Commercial
-  Community Center
-  Commercial Corridor
-  Mixed Use Corridor
-  Neighborhood Commercial O-I
-  Mixed Use Village
-  Industrial
-  Water Lines
-  Sewer Lines
-  Schools
-  Hydrology



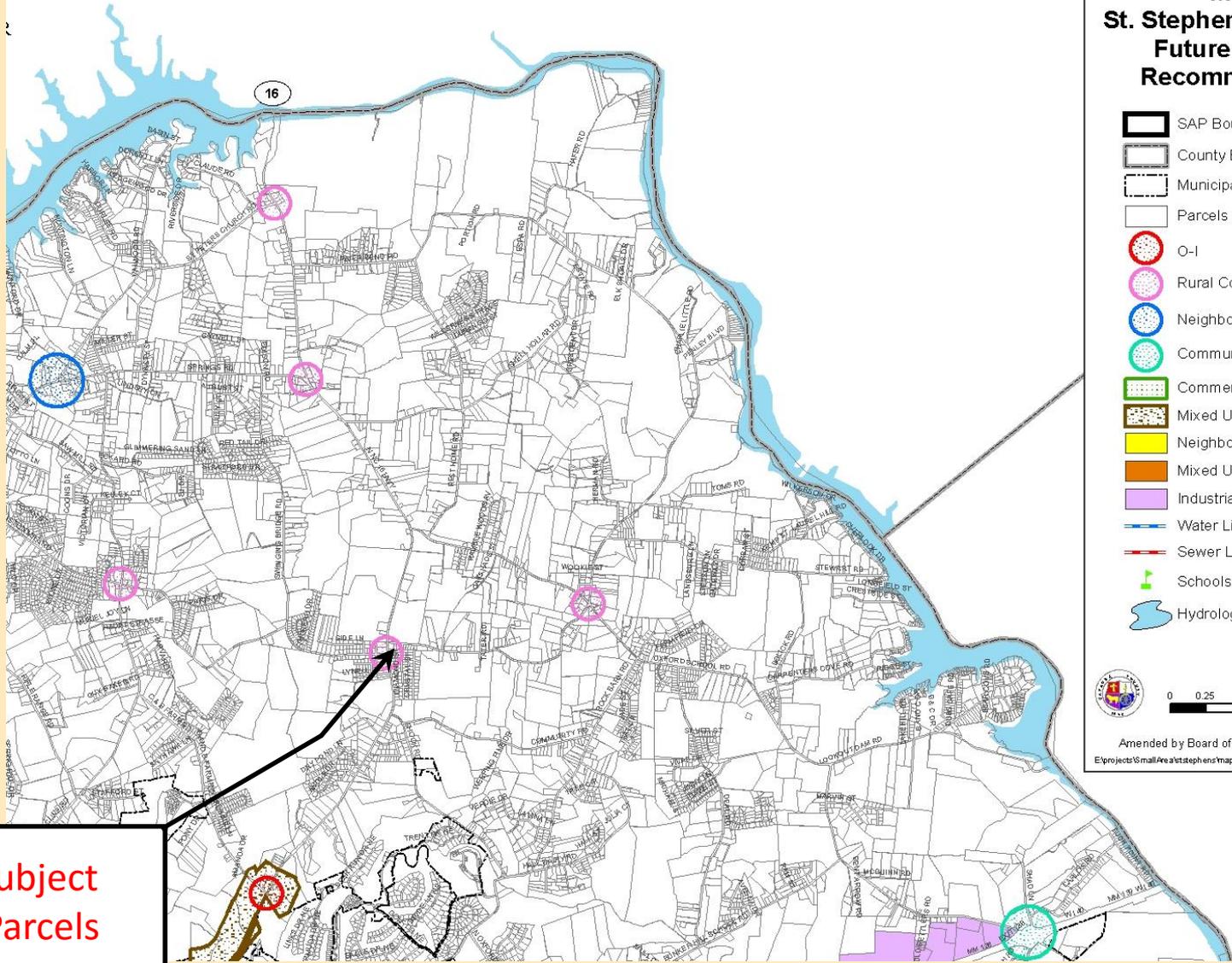
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Amended by Board of Commissioners on 11/21/05.
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IREDELL

**Subject
Parcels**



Public Hearing Discussion

- The Planning Board held a public hearing on June 27, 2016 to consider the request.
- Justin Church was available on behalf of the applicant.
- No citizens spoke in favor or in opposition to the request.

Planning Board Recommendation

The Planning Board voted 9-0 to recommend to the Catawba County Board of Commissioners the two parcels (approx. 0.99 acres) owned by Sherry Kenworthy be rezoned from R-30 Residential to Rural Commercial (RC) district based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted St. Stephens/Oxford Small Area Plan recommendations.



Planning and Parks Department
PO Box 389
100 A Southwest Boulevard
Newton, NC 28658
828-465-8380
Fax: 828-465-8484
www.catawbacountync.gov/

ZONING MAP AMENDMENT CONSISTENCY STATEMENT

On July 18, 2016 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to PINs 3754-19-50-2943 and 3754-19-50-3942 (Case #RZ2016-03). The owner is Sherry Kenworthy and applicant is Venture Properties VII, LLC.

Upon considering the matter, the Catawba County Board of Commissioners finds the request to be consistent with Map 6 titled "Future Land Use Recommendations" of the St. Stephens/Oxford Small Area Plan. The Board of Commissioners therefore finds the request reasonable for rezoning based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted St. Stephens/Oxford Small Area Plan recommendations.

This decision was affirmed by a vote of ____ - ____ of the Catawba County Board of Commissioners.

Presiding Officer

Date



Ordinance No. 2016-_____

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 Rural Commercial (RC) district (RZ2016-03).

Two parcels totaling approximately .99 acres located 4796 and 4816 River Bend Road in the St. Stephens/Oxford Small Area Planning District, Clines Township, and further identified by Parcel Identification Numbers 3754-19-50-2943 and 3754-19-50-3942.

PLAN CONSISTENCY STATEMENT:

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners finds the request to be consistent with Map 6 titled "Future Land Use Recommendations" of the St. Stephens/Oxford Small Area Plan. The board therefore finds the request reasonable for rezoning based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted St. Stephens/Oxford Small Area Plan.

This, the 18th day of July 2016.

C. Randall Isenhower, Chair

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Planner

DATE: July 18, 2016

IN RE: Rezoning Request – 6738 East NC 150 Highway, Owner – James Davidson

REQUEST

Consider an application to amend an approved conceptual site plan for the Lake Norman RV Resort to build an RV storage building, additional parking area, and stormwater management structure for high-density development (over 24% built upon area). The RV resort consists of 6.73 acres and is zoned Planned Development (PD) district.

Purpose of Zoning District

The Planned Development (PD) district is established to encourage the master planning of larger scale, multiple and/or mixed use developments. Generally, applicants proposing a planned development have more flexibility and creativity in design than is possible under conventional regulations.

REVIEW/BACKGROUND

Location/Zoning

The property is located at 6738 East NC 150 Highway in the Highway 150 Corridor Planning Area, Mountain Creek Township, and further identified by Parcel Identification Number 3696-08-79-8176.

The property depicted as Parcel 1, on the attached map, is zoned Planned Development (PD) and is the location of Lake Norman RV Resort. The surrounding parcels contain the zoning districts and uses described below.

- *South* – Parcel 3 is split-zoned Highway Commercial and R-30 Residential and is undeveloped. Parcel 4 is zoned Highway Commercial and is occupied by a restaurant. Parcel 5 is zoned Highway Commercial and is undeveloped. Parcel 6 is zoned R-30 Residential and is undeveloped.
- *East* – Parcel 2 is zoned Highway Commercial and is undeveloped.
- *West* – Parcels 7, 8, 9, 10, 11, and 12 are all zoned R-30 Residential. Parcel 7, 9, 11, and 12 contain single-family homes. Parcel 8 is undeveloped. Parcel 10 has a remaining accessory structure.

Zoning History

March 19, 2007 – A 0.84 acre parcel (now part of Parcel 1) was rezoned from R-30 Residential to O-I Office-Institutional.

December 17, 2007 – Three parcels totaling 6.67 acres (now Lake Norman RV Resort) were rezoned from R-30 Residential and Office-Institutional to Planned Development.

Land Use

The existing RV resort was approved in 2007 to include up to 87 RV sites (upon sewer availability), a caretaker's cottage, bath house, playground and pet park, swimming pool, administrative office/gatehouse, and gazebo. The subject property is within the WS-IV Critical Water Supply Watershed Area overlay district which regulates the amount of imperviousness allowed for the property. The applicant is proposing to build an approximately 5,200 square foot RV storage building, additional parking area, and stormwater management structure (Best Management Practice or BMP) such as a retention pond.

Utilities

The existing development is served by public water and sewer.

Transportation

East NC Highway 150 is designated as a major thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. Traffic counts taken in 2013 east and west of the site measured 9,400 and 12,000 average trips per day, respectively. NC Highway 150 is designed to accommodate approximately 14,200 vehicles per day. The transportation plan recommends widening Highway 150 to a 4-lane median divided facility. Right-of-way acquisition for the NC 150 widening project is expected to commence in 2022. The proposed amendment will not overburden the existing roadway.

Land Use Plan

The Highway 150 Corridor Plan, adopted September 8, 2014, serves as the current land use plan for this area. Map 6, titled "Future Land Use & Economic Opportunity," recommends mixed use, commercial, and/or multi-family use for the property. The Planned Development district is consistent with the adopted land use plan.

Staff Recommendation

Staff recommends the amendment to the approved Planned Development for Lake Norman RV Resort including the RV storage building, additional parking, and stormwater management structure based upon:

- 1) The property's proximity to other commercial properties; and

- 2) The request being consistent with the accepted Highway 150 Corridor Plan future land use recommendations.

Planning Board Public Hearing Discussion

The Planning Board held a public hearing on June 27, 2016 to consider the request. Three adjacent property owners having property on Emerald Isle Drive spoke concerning water run-off issues. They have concerns about additional development because their properties are lower in elevation than the RV resort and the natural drainage pattern of the area is in their general direction. One of the property owners is concerned that there is not a standard cul-de-sac at the end of Emerald Isle Drive.

The applicant, Jim Davidson, spoke in favor of the request. He indicated that he plans to install an engineered stormwater management structure as necessary. A business associate of Mr. Davidson spoke in favor of the amendment. The Planning Board noted, it appears that stormwater affecting some of the adjacent lots originates from Highway 150 and follows a drainage area along the west side of the RV resort property and is part of the natural drainage pattern for the area. One board member asked if a recommendation could be included in the motion to require Mr. Davidson to install temporary sedimentation and erosion control measures during construction. Staff Attorney, Jodi Stewart, stated the board could not impose conditions beyond what is required by state legislation.

PLANNING BOARD RECOMMENDATION

The Planning Board voted 9-0 to recommend to the Catawba County Board of Commissioners, approval of the amendment to the Planned Development for Lake Norman RV Resort including the RV storage building, additional parking, stormwater management structure (high-density development), and sedimentation and erosion control measures based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted Highway 150 Corridor Plan future land use recommendations.

Post Planning Board Discussion

Staff has confirmed that erosion and sedimentation control measures are required by the state due to the fact that the overall project exceeds one acre of disturbed area. Also, additional built upon area such as an impervious parking area or the RV storage building will necessitate the construction of an engineered stormwater Best Management Practice (BMP) (i.e. retention pond). The BMP will capture stormwater from the developed area and release it at reduced volumes and velocities approved by the state.

Attached to the packet are emails from Mr. John Chang (adjacent property) concerning the undersized cul-de-sac (private property owner concern with NCDOT) and stormwater issues. Also included are email responses from Mr. Davidson (applicant) and Toni Norton, Engineer,

with Catawba County Utilities and Engineering Department, responsible for reviewing and inspection erosion and sedimentation plans/structures.

RZ-04-2016-23758
RZ 2016-02

Catawba County Rezoning/Ordinance Text Amendment Application

Applicant James R Davidson Phone # 704-363-3107
Applicant's Fax 704-483-8288 Applicant's Email jrtdtct@yahoo.com
Applicant's Mailing Address: 11908 Cupworth Ct. City, State, Zip Huntersville, NC 28078
Property Owner: Lake Norman RV Resort, LLC Phone # 704-363-3107
Property Owner's Mailing Address: 6738 E. NC 150 Hwy City, State, Zip Sherrills Ford, NC 28673
Parcel 911 Address: 6738 E. NC 150 Hwy, Sherrills Ford, NC PIN# 369608798176
Subdivision Name and Lot # Lake Norman Motor Coach Resort
Current Zoning District County - PD Proposed Zoning District County - PD Amendment

Type of Rezoning Application:

D General Rezoning

- The general information listed below shall be submitted with the rezoning application.

X Planned Development Rezoning

- All information contained in the Planned Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.

D Special District Rezoning

- All information contained in the Special District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.

D Conditional District Rezoning

- All information contained in the Conditional District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application. The complete application includes the general information below and specific development conditions substantially agreed to by the staff and applicant as well as a development agreement if applicable.

D Manufactured Home Park Rezoning

- All information contained in the Manufactured Home Park Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Proposed Park Name _____

D Ordinance Text Amendment

- Submit general information listed below.

General Information to be attached:

- If a portion of an existing parcel is requested to be rezoned, a survey of the portion of the parcel(s) covered by the proposed amendment at a scale no smaller than 1 inch equals 200 feet, on a 18x 24 inch map and one 8x 11 inch map (30 copies).
- Submittal of 30 copies of each map including digital copies in .pdf or .jpg format.
- If applicable, a legal description of such land
- If applicable, a detailed statement of any alleged error in the Unified Development Ordinance which would be corrected by the proposed amendment, and a detailed explanation of the manner the proposed amendment will correct the alleged error.
- A detailed statement of all other circumstances, factors, and reasons, which applicant offers in support of the proposed zoning map or text amendment.
- Filing Fee: Per Catawba County Fee Schedule

Applicant's Signature [Signature] Date 4/28/16
~~2/21/16~~

Property Owner's Signature [Signature] Date 4/28/16
~~2/21/16~~



Lake Norman RV Resort

6738 E. NC 150 Hwy ~ Sherrills Ford, NC 28673

April 28, 2016

Mr. Chris Timberlake
Catawba County Planning
Newton, NC

Subject: Zoning Amendment

Mr. Timberlake,

I've attached a revised site plan showing improvements I'd like to implement over next ten years at Lake Norman RV Resort. These improvements include addition of RV Park Models, Swimming pool, RV Storage Facility, Concession Stand and additional Parking Lot.

The RV Park opened in June 2008. The Resort has been consistently rated in top 2.5% of all RV Parks in the US. Modern, clean, secure facilities, desirable location and excellent service are key contributors to this recognition/rating.

Result has been growing demand for added facilities and amenities. Resort routinely has waiting lists during summer months, and always on holidays.

These requested improvements will allow the Resort to respond to demands of market and remain a top resort in US.

Customers from Ireland, Canada, out of state, as well as locals are seeking storage facilities for their motorhomes. RV Park Models are being added due to demand of people wanting to vacation at a facility on the lake without having to own an RV. These additions will require additional parking. Concession stand is being added to complement the RV Bar and offer resort guests fresh cooked food. Swimming pool has been consistent request of guests since resort opened in 2008.

Again, I've attached a colored site plan drawing showing the planned improvements. My understanding David DeCaron, Piedmont Engineering, has e-mailed a digital copy to your attention. If not, kindly let me know. I've also attached a drawing of the RV Storage facility, front and side elevations.

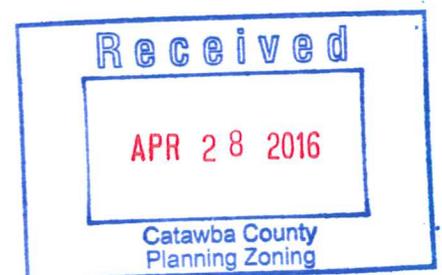
I appreciate your advice and continued support of Lake Norman RV Resort.

Any questions or need any other information, documents kindly let me know.

Sincerely



James R Davidson
Owner, LNRVR
jrdtctc@yahoo.com
704-636-3107 cell





Planning and Parks Department
PO Box 389
100 A Southwest Boulevard
Newton, NC 28658
828-465-8380
Fax: 828-465-8484
www.catawbacountync.gov/

July 7, 2016

Dear Property Owner(s):

Our office is processing a request by James Davidson to amend an approved site plan (*red outlined area, labeled 1 on attached map*), for the Planned Development (PD) (Lake Norman RV Resort, LLC) located at 6738 E NC Hwy 150 in the Sherrills Ford Small Area Planning District, Mountain Creek Township, and further identified by Parcel Identification Number 3696-08-79-8176.

The Catawba County Board of Commissioners will hold a public hearing on **Monday, July 18, 2016** beginning at 7:00 p.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse located at 30 North College Avenue, Newton, North Carolina for final action.

The purpose of this meeting is to allow the public an opportunity to comment on the request.

If you are unable to attend the meeting you may submit your comments in writing to:

Catawba County
Planning and Parks Dept.
PO Box 389
Newton, NC 28658

If you have any questions regarding this matter, feel free to call me at 828-465-8382.

Sincerely,

A handwritten signature in blue ink that reads "Chris Timberlake".

Chris Timberlake, AICP
Senior Planner

encl.



Applicant

James Davidson

Request

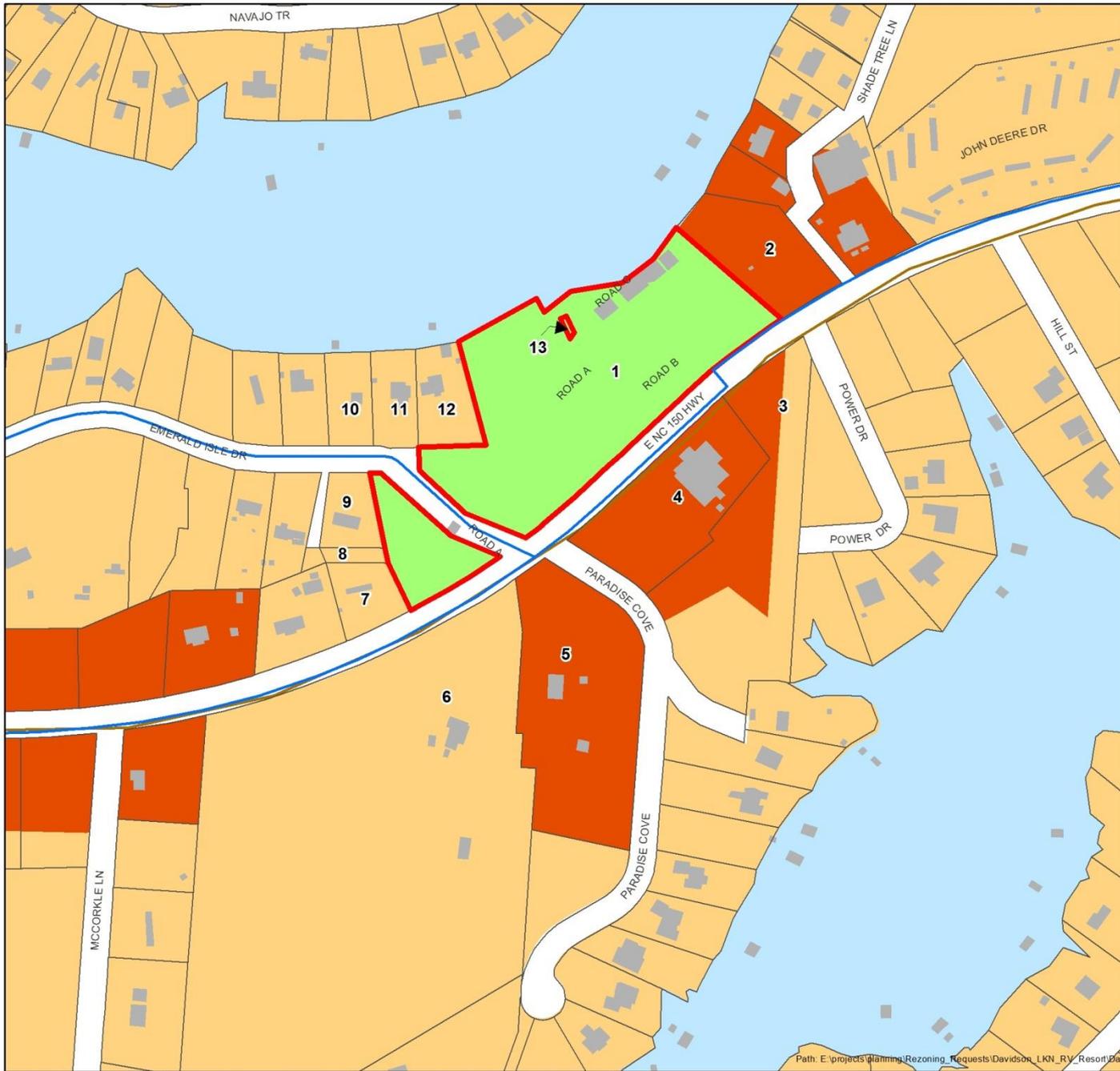
Amend an Approved Conceptual Site Plan for the Lake Norman RV Resort

Location

6738 East NC 150 Highway

Date

July 18, 2016



REZONING REQUEST MAP

Applicant: James Davidson
 PIN - 3696-08-79-8176
 PD - Amendment to Planned Development
 District Site Plan for
 Lake Norman RV Resort, LLC

- Water Lines
- Subject Parcel
- Sewer Lines
- Lakes
- Structures
- County Zoning**
- HC
- PD
- R-30

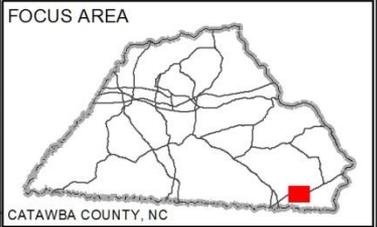
Subject Parcels fall within the following Overlays:
 WP-O, MUC-O, FPM-O, CRC-O

1 Through 13 - See Adjacent Property Owner List



1 inch = 300 feet

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.





REZONING REQUEST MAP

Applicant: James Davidson
 PIN - 3696-08-79-8176
 PD - Amendment to Planned Development
 District Site Plan for
 Lake Norman RV Resort, LLC

-  Water Lines
-  Subject Parcel
-  Sewer Lines
-  Lakes
-  Structures

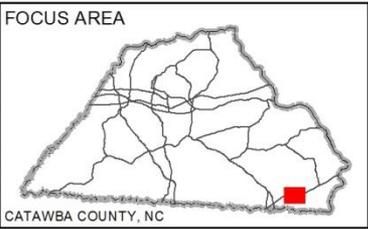
Subject Parcels fall within the following Overlays:
 WP-O, MUC-O, FPM-O, CRC-O

1 Through 13 - See Adjacent Property Owner List



1 inch = 300 feet

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REZONING REQUEST MAP

Applicant: James Davidson
PIN - 3696-08-79-8176
PD - Amendment to Planned Development
District Site Plan for
Lake Norman RV Resort, LLC

-  Contour Lines
-  Subject Parcel
-  Streams
-  Parcels
-  Structures

Subject Parcels fall within the following Overlays:
WP-O, MUC-O, FPM-O, CRC-O

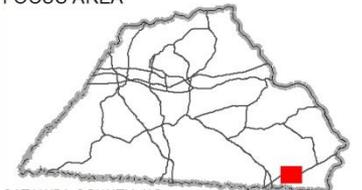
1 Through 13 - See Adjacent Property Owner List



1 inch = 200 feet

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FOCUS AREA



CATAWBA COUNTY, NC



REZONING REQUEST MAP

Applicant: James Davidson
 PIN - 3696-08-79-8176
 PD - Amendment to Planned Development
 District Site Plan for
 Lake Norman RV Resort, LLC

-  Subject Parcel
-  Structures
-  Lakes
-  CRC-O
-  FPM-O
-  MUC-O
-  WP-O

Subject Parcels fall within the following Overlays:
 WP-O, MUC-O, FPM-O, CRC-O

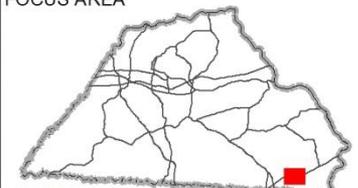
1 Through 13 - See Adjacent Property Owner List



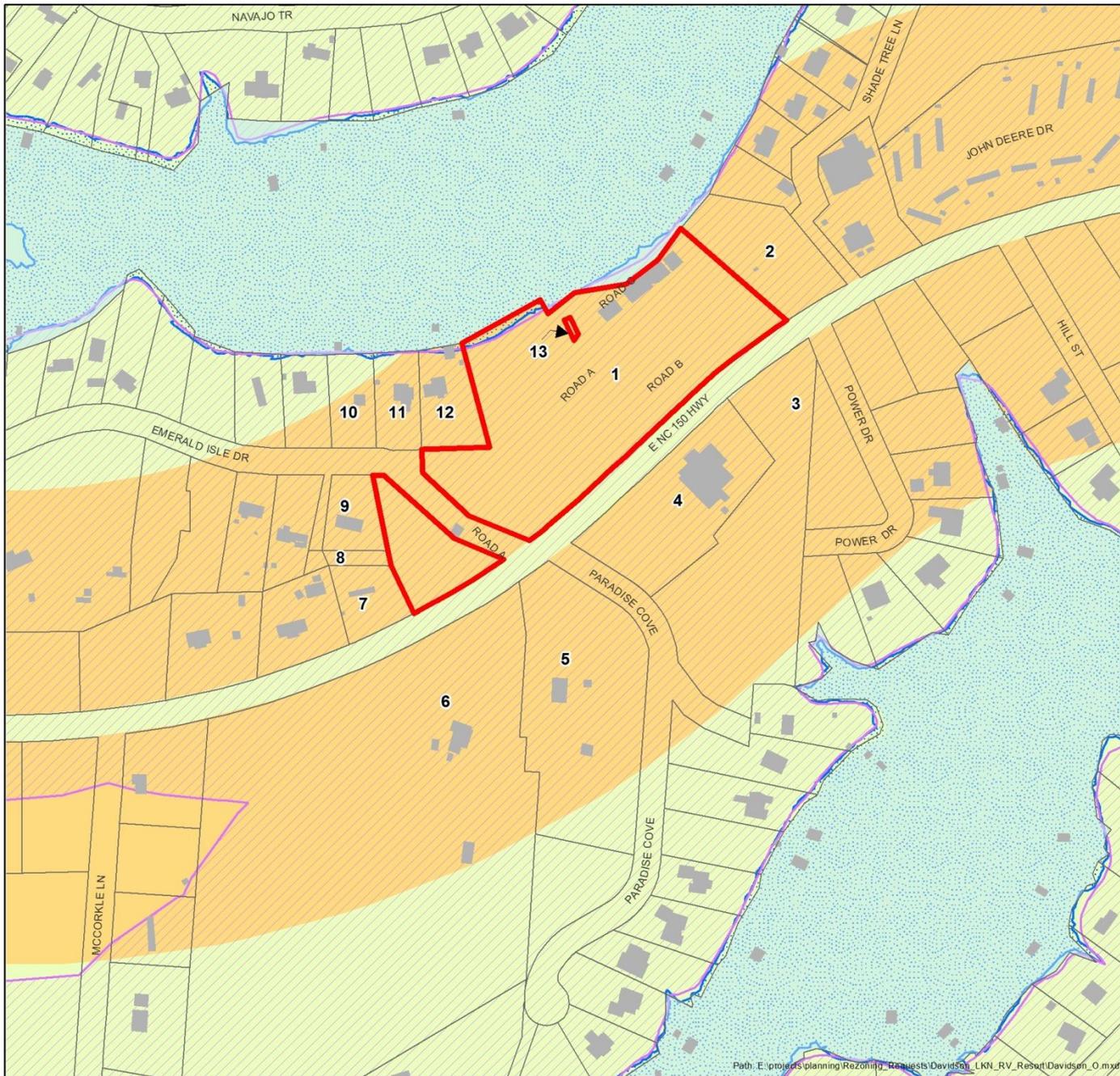
1 inch = 300 feet

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FOCUS AREA



CATAWBA COUNTY, NC



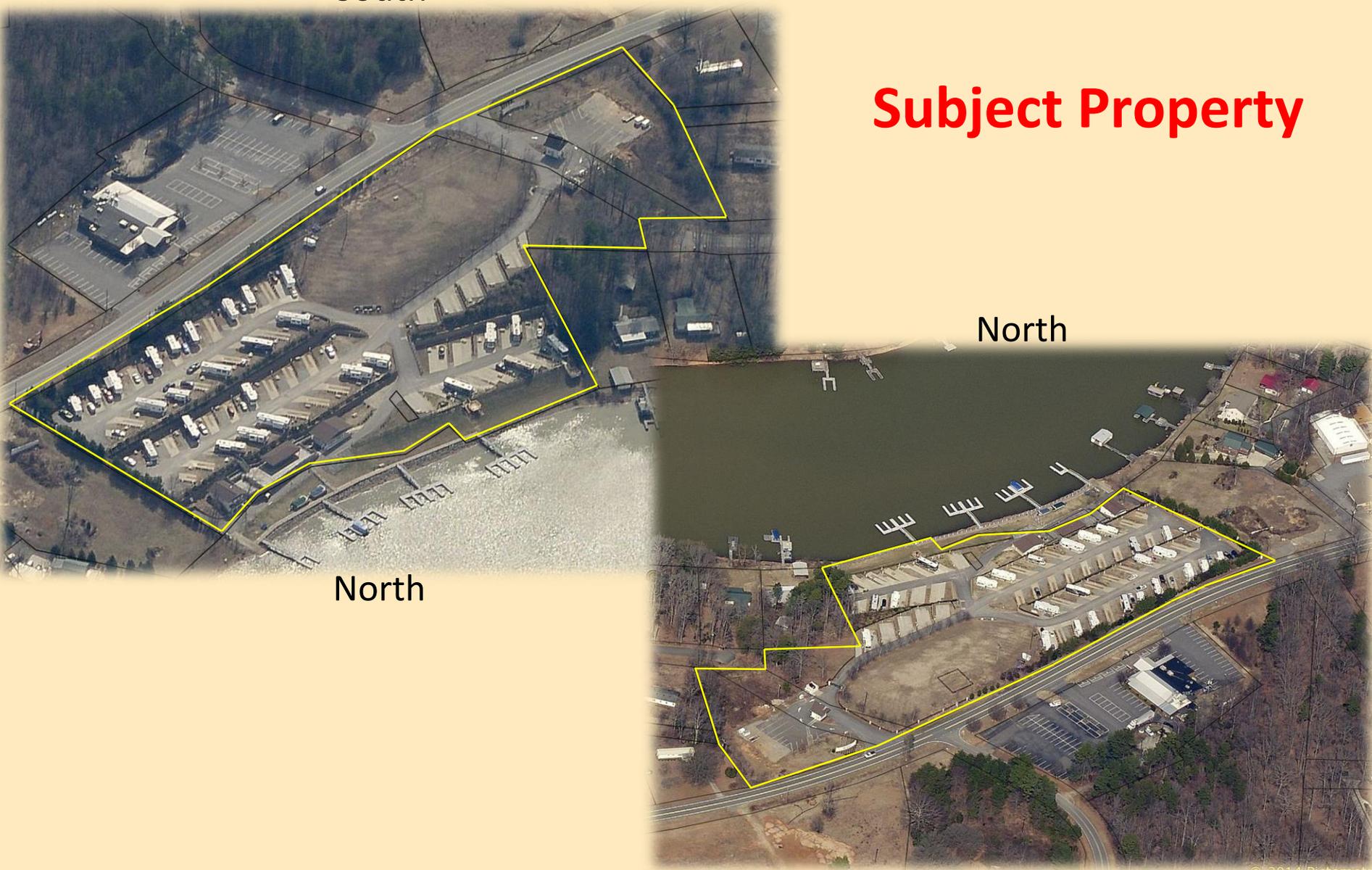
South

Subject Property

North

North

South



Adjacent Properties



East



South



South



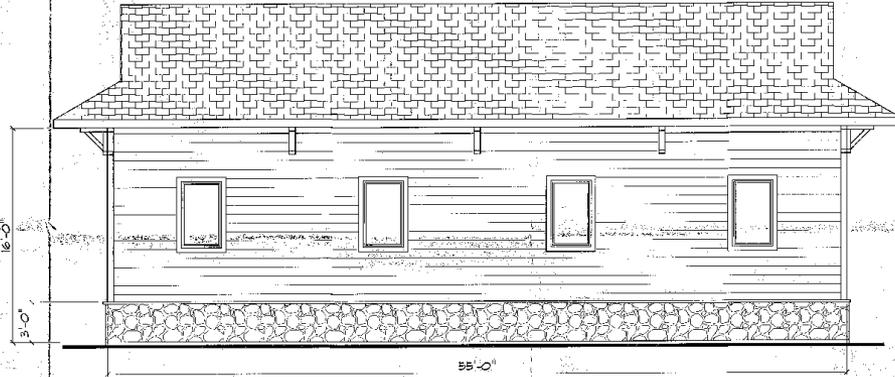
South

Adjacent Properties

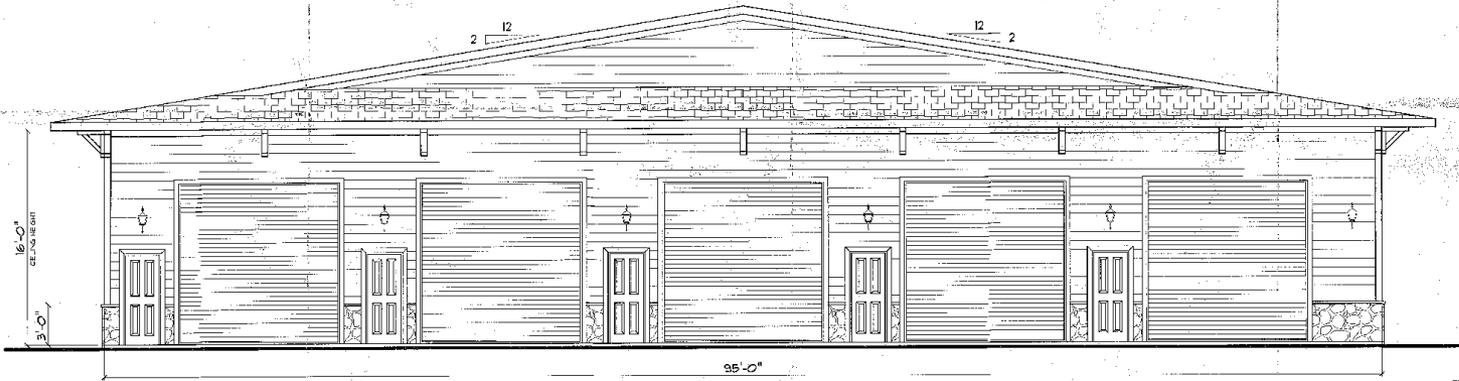


Purpose - Review

- The Planned Development (PD) district is established to encourage the master planning of larger scale, multiple and/or mixed use developments. Generally, applicants proposing a planned development have more flexibility and creativity in design than is possible under conventional regulations.
- Amend plan to include:
 - RV Storage Building
 - Overflow Parking Area
 - Storm Water “Best Management Practice” (BMP), High-density development (exceed 24% built upon area)
 - Relocation of Park Models (2)



55'-0"
SIDE ELEVATION
 SCALE: 1/4" = 1'-0"



95'-0"
FRONT ELEVATION
 SCALE: 1/4" = 1'-0"

Received
 APR 28 2016
 Carolina County
 Planning Center



T&M Home Design
 This drawing is the property of T&M Home Design. It is to be used only for the project and location specified. Any other use without the written consent of T&M Home Design is prohibited. Changes made after approval are the responsibility of the client. T&M Home Design is not responsible for any errors or omissions. This drawing is not to be used for construction without the approval of the architect.

LAKE NORMAN RV PARK
"Storage Building"

T&M Home Design
 P.O. Box 6328 Hickory, NC 28603
 Tracy Site: 704-200-3811 Marie Site: 704-290-3808

Elevations	
Rev	Sheet
1	21061
Scale	Block
1/4" = 1'-0"	
Type	
	A-1

Utilities

- The property is served by public water and public sewer.

Transportation

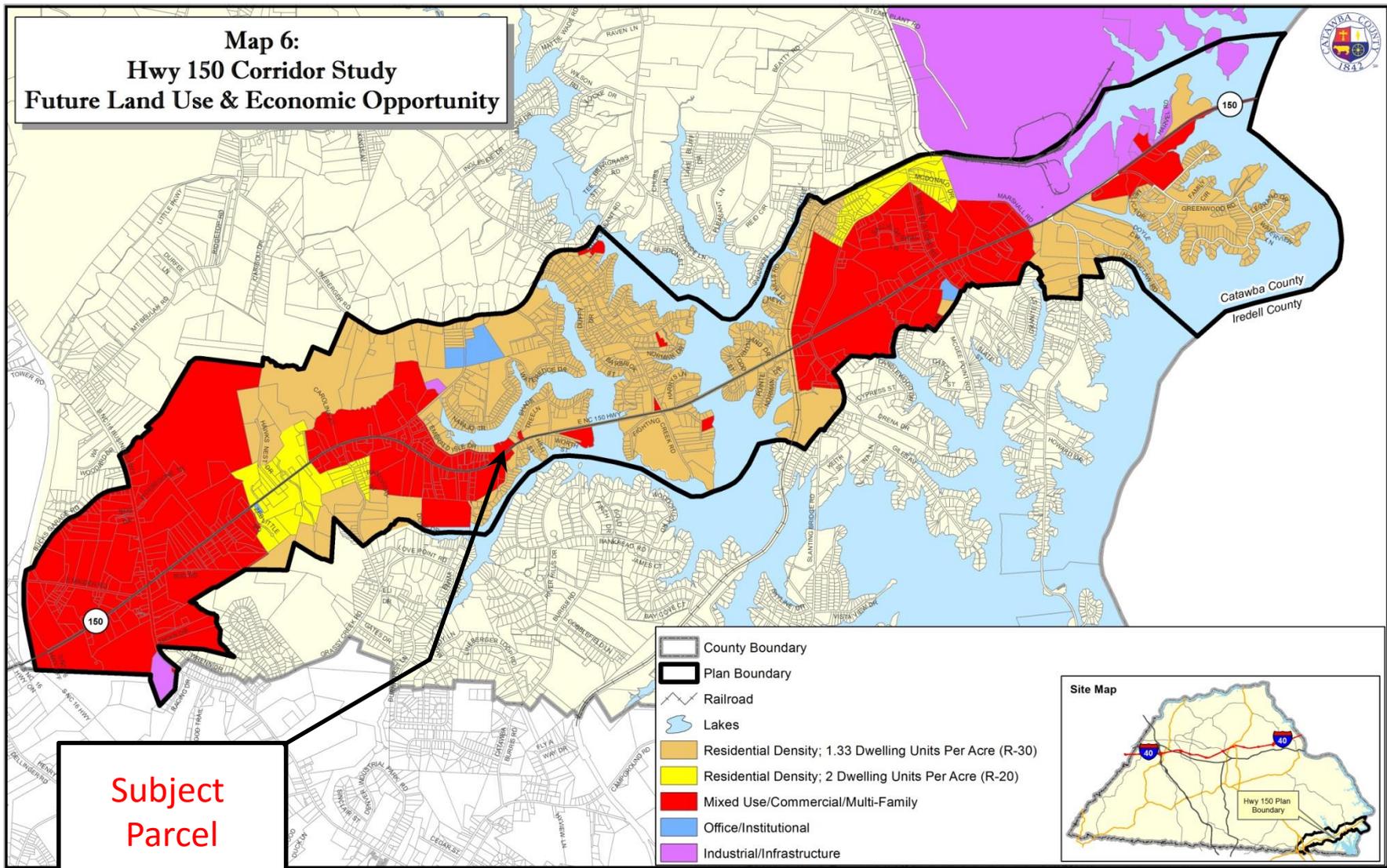
- East NC 150 Highway is designated as a major thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan.
- Traffic counts taken in 2013, east and west of the site, measured 9,400 and 12,000 average trips per day, respectively.
- This section of NC 150 Highway is designed to accommodate approximately 14,200 vehicles per day.
- Plan recommends widening to a multi-lane median divided highway.
- Right-of-way acquisition is scheduled to begin in 2022.
- The proposed development of property will not overburden the existing roadway.

Land Use Plan

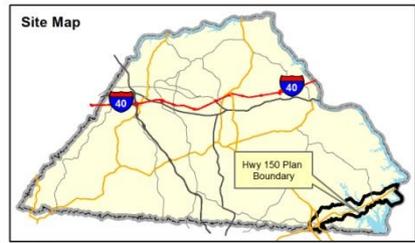
- Property is within the Highway 150 Corridor Plan adopted in September 8, 2014.
- Map 6, titled “Future Land Use & Economic Opportunity,” recommends mixed-use, commercial, and/or multi-family use for the property.
- The Planned Development district is consistent with the land use recommendations of the adopted plan.

Future Land Use Recommendations

**Map 6:
Hwy 150 Corridor Study
Future Land Use & Economic Opportunity**



- County Boundary
- Plan Boundary
- Railroad
- Lakes
- Residential Density; 1.33 Dwelling Units Per Acre (R-30)
- Residential Density; 2 Dwelling Units Per Acre (R-20)
- Mixed Use/Commercial/Multi-Family
- Office/Institutional
- Industrial/Infrastructure



**Subject
Parcel**

Public Hearing Discussion

- The Planning Board held a public hearing on June 27, 2016 to consider the request.
- Three adjacent property owners raised concerns about stormwater run-off. One had concerns about the undersized cul-de-sac at the end of Emerald Isle Drive.
- The applicant spoke in favor of the request and spoke about the stormwater concerns. He intends to install all required sedimentation and erosion control measures as well as a stormwater “Best Management Practice” (i.e. retention pond).
- The Planning Board commented on additional areas (Highway 150 drainage) from which the stormwater also originates.

Planning Board Recommendation

The Planning Board voted 9-0 to recommend to the Catawba County Board of Commissioners, approval of the amendment to the Planned Development for Lake Norman RV Resort including the RV storage building, additional parking, stormwater management structure (high-density development), and sedimentation and erosion control measures based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted Highway 150 Corridor Plan future land use recommendations.

Chris Timberlake

From: Toni Norton
Sent: Wednesday, July 06, 2016 2:09 PM
To: 'dj Chang'
Cc: Chris Timberlake
Subject: RE: Lake Norman RV Resort stormwater runoff

Good Afternoon Mr. Chang:

Even though the proposed disturbance is less than one acre Lake Norman RV Resort will have to submit an erosion control plan for the intended improvements since the additional ground disturbing activity is part of a common plan of development. Having to submit an erosion control plan for a site within the watershed, in this case WaterShed WS-IV Critical Area, requires engineered stormwater controls if the built-upon area exceeds a certain level depending upon what type of development it is. I'll check with Planning and Parks Administration (copied herewith) to see what section this project falls under and we'll ensure Lake Norman RV Resort is in compliance with the County watershed regulations. I would very much like to meet you on site to discuss, maybe Wednesday the 13th next week?

Thank you for the pictures.

Toni

Toni Norton, P.E., LEED A.P., CPESC
Water Resources Engineer
Catawba County Department of Utilities & Engineering
P.O. Box 389
Newton, NC 28658
(828) 465-8161 desk
(828) 465-8375 fax
(828) 217-2529 cell
tnorton@catawbacountync.gov

From: dj Chang [<mailto:djchang@gmail.com>]
Sent: Tuesday, July 05, 2016 9:10 PM
To: Toni Norton
Subject: Lake Norman RV Resort stormwater runoff

Dear Ms. Toni Norton:

My name is Dr. John Chang owner of the house at 6778 Emerald Isle Drive, Sherrills Ford. I was referred to you by Miss Holliday Keen, NC Department of Environmental Quality.

Myself and both side of my neighbors have been suffering from rain water and storm-water bleeding down problem from Lake Norman RV Resort since the resort was developed. With the resort construction a lot of tree above us were replaced with paved drive way and building. Because of inadequate storm-water control rain water from the RV Site always flood down through the short steep wooded hill and run down to my drive way, my car port, next lot and the end of Emerald Isle Drive then Lake Norman. The water has damaged my drive way (which was top paved in 2009) house. The storm-water also cause erosion to the water channel between lot to Lake Norman.

Recently the owner of RV resort is requesting site expansion. Please see the attached site map (rezoning request PIN-3696-08-79-8176). But there is no drainage plan on the site map at all. The map storm-water BMP on the left is not and will not collect the storm water from paving and future parking lot area (because it is lower). That is the main reason the storm-water is running to our lots and Emerald Isle Drive now. If the expansion approved as planned the storm-water problem is going to be much worse. When I discuss this issue and possible option (such as grading or under ground drainage (as I found on NC Storm Water Best Management Manual) with the RV Resort owner Mr. Davidson. I was rudely ignored (such as hangup the phone) and refused to consider.

On June 27, 2016 in the public hearing of the Catawba County Plan and Parks Department all three lots owner from the end of Emerald Isle Dr attended. We expressed our concerns and complaints. We afraid of the storm water problem is going to be much worse with the site plan without parking lot underground draining or water divert grading. Unfortunately our voices were not taken seriously. The site plan was approved with maybe some storm water consideration attached. We were given only 3 minutes each to speak. At the end of meeting the chair

said "water is going to go to where-ever is lower just like my farm land". Another board member said " this is not our job to control the storm water. It is other Department's job".

I believe it is State Requirement to have surface storm water management approved before any commercial development begins. As far as I can tell Mr. Davidson plan not to put any under ground drain nor curbing or grading to divert storm water from flood through the planned parking to us and/or Emerald Isle Dr cul de sac.

Please help us. Thank you for your consideration of our problems.

I will be glad to meet you at the site at your convenience. Call my cell at [980-241-9344](tel:980-241-9344). or Email me at "djchang@gmail.com".

Enclose attached pictures,

Sincerely,

Dr. John Chang



Planning and Parks Department
PO Box 389
100 A Southwest Boulevard
Newton, NC 28658
828-465-8380
Fax: 828-465-8484
www.catawbacountync.gov/

ZONING MAP CONSISTENCY STATEMENT

On July 28, 2016 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering an amendment to the Planned Development approved for PIN 3696-08-79-8176 (Case #RZ2016-02). The applicant/owner is James Davidson.

Upon considering the matter, the Catawba County Board of Commissioners finds the request to be consistent with Map 6 titled "Future Land & Economic Opportunities" of the Highway 150 Corridor Plan and reasonable based upon:

- 1) The property's proximity to other commercial properties; and
- 2) The request being consistent with the accepted Highway 150 Corridor Plan future land use recommendations.

This recommendation was affirmed by a vote of ____ - ____ of the Catawba County Board of Commissioners.

Presiding Officer

Date



Ordinance No. 2016-_____

AMENDMENT TO THE CATAWBA COUNTY ZONING MAP

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, that the Conceptual Site Plan for Lake Norman RV Resort is hereby amended to include and RV storage facility, additional parking, and stormwater “Best Management Practice” area (RZ2016-02).

One parcel totaling approximately 6.73 acres located at 6738 East NC 150 Highway in the Highway 150 Corridor Planning Area, Mountain Creek Township, and further identified by Parcel Identification Number 3696-08-79-8176.

PLAN CONSISTENCY STATEMENT:

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners finds the request to be consistent with Map 6 titled “Future Land Use & Economic Opportunity” of the Highway 150 Corridor Plan. The board therefore finds the request reasonable based upon:

- 1) The property’s proximity to other commercial properties; and
- 2) The request being consistent with the accepted Highway 150 Corridor Plan future land use recommendations.

This, the 18th day of July 2016.

C. Randall Isenhower, Chair

MEMORANDUM

To: Catawba County Board of Commissioners
From: George Place, Director of Cooperative Extension Service
Date: July 18, 2016
Re: Budget Revision - Allocation of Funds Received from the State Youth Council Grant

Request

Staff requests the Board of Commissioners approve a budget revision allocating \$360 received from a State Youth Council grant for 4-H programming.

Background

The 4-H Club applied for a State Youth Council mini-grant and they were awarded \$360 to do science programs at Brown Penn Recreation Ctr in Hickory.

Recommendation

The 4-H staff recommends the Board of Commissioners approve a budget revision allocating \$360 received from the State Youth Council grant for 4-H programming.

Revenue:

110-310050-680100	\$360
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Expenditures:

110-310050-849007	\$360
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MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Policy and Public Works Subcommittee

DATE: July 18, 2016

SUBJECT: Information Required on Maps and Instruments Affecting Real Property

REQUEST

The Policy and Public Works Subcommittee recommends the Board of Commissioners adopt a resolution, attached, requiring the name and address of the person to whom a document is to be returned be included on documents before they are accepted for registration by the Register of Deeds.

BACKGROUND

In 1975, the BOC adopted a resolution, pursuant to North Carolina General Statute §161-30, which requires the grantee's name and permanent address be on the face of an instrument before it is accepted for registration. The statute also allows the BOC to require the name and address of the person to whom the document is to be returned be on the face of the document. The resolution adopted in 1975 did not contain this provision.

The number of electronic transactions in the Register of Deeds' office has increased significantly, and the recording process will be more efficient if the documents being recorded include the name of the person or entity to whom the document is to be returned.

RECOMMENDATION

The Policy and Public Works Subcommittee recommends the Board of Commissioners adopt a resolution, attached, requiring the name and address of the person to whom a document is to be returned be included on documents before they are accepted for registration by the Register of Deeds.

Resolution#
Information Required on Maps and Instruments Affecting Real Property

Whereas, in 1975 the Board of Commissioners adopted a resolution pursuant to NCGS §161-30 entitled "Information Required on Deeds and Wills"; and

Whereas, the resolution instructed that no deeds conveying real estate be accepted by the Register of Deeds for registration without the grantee's name and permanent address on the face of the deed; and

Whereas, NCGS §161-30 also allows the Board of Commissioners to require that the Register of Deeds not accept for registration any map or instrument affecting real property unless the name and address of the person to whom the map or instrument is to be returned is affixed on the face of the instrument; and

Whereas, the recording process will be more efficient if the Register of Deeds' office has this information on the face of documents, including documents filed electronically.

Now, therefore, be it resolved that the Register of Deeds be, and hereby is, instructed to not accept for registration any map or instrument affecting real property unless the following requirements are satisfied:

- (1) The name and address of the person to whom the map or instrument is to be returned is affixed on the face thereof.
- (2) The grantee's or owner's permanent mailing address is affixed on the face thereof. In the case of multiple grantees, one grantee's address as agent may be accepted.

This the _____ day of July, 2016.

C. Randall Isenhower, Chair
Catawba County Board of Commissioners

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Policy and Public Work Subcommittee

DATE: July 18, 2016

SUBJECT: Revision 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

Request:

The Policy and Public Works Subcommittee recommends to the Board of Commissioners:

1. Chairperson Randy Isenhower be authorized to sign the Modification Revision 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232 on behalf of Catawba County, and
2. Jacky Eubanks, Planning and Parks Director, continues to serve as Catawba County's Designated Representative on the Duke Energy FERC Final Agreement Committee (FAC).

Background/Review:

The Board of Commissioners authorized execution of the Duke Power Catawba-Wateree Relicensing Final Agreement on July 17, 2006. The Comprehensive Relicensing Agreement (CRA) was originally signed on August 29, 2006. The CRA was revised on December 22, 2006, (Revision 1), for the limited purpose of accurately reflecting only the signatory Parties' benefits and obligations by deleting specific benefits and obligations of entities that were signatories to the Agreement in Principle but that declined to become Parties to the CRA.

On February 29, 2016, CRA Parties reviewed five proposed CRA modifications. On March 31, 2016, these Draft CRA Modifications, incorporating background information, were distributed for CRA Party Designated Representatives and Alternates to review. Comments on the Draft CRA Modifications were returned to Duke Energy. The Duke Energy FERC Final Agreement Committee (FAC) met on May 24, 2016, to review comments and to finalize Revision 2 to be distributed to CRA Parties.

Actions Requested of CRA Parties

Section 24 of the CRA provides 60 days from the date this notice is posted or delivered for CRA Parties to review, sign, and return to Duke Energy its response to each proposed CRA modification included in Revision 2.

Any Party who fails to respond within 60 days of the date of the notice is posted or delivered shall be deemed to have consented to all the Final CRA Modifications contained in Revision 2 in accordance with CRA Section 24.0 just as if that Party had signed in support of all modifications.

A Party's authorized signature on page 12 of Revision 2 indicates whether the Party approves or does not approve that particular CRA modification. Each modification must be signed by the Party.

To constitute an authorized signature, each Party's response to Revision 2 must be accompanied by documentation in writing from the CRA Party affirming the signing individual has been authorized by the CRA Party to sign Revision 2 on behalf of the Party. Failure to include such documentation of authorization shall result in a failure to respond within the 60-day period set in CRA Section 24.0.

In addition, Duke Energy requests each CRA Party identify any changes it wishes to make to its Designated Representatives.

In general, the only impact to Catawba County of significance is:

Additional 6 inches to Lake James, Norman and Wylie Summer Normal Target Elevations [Catawba-Wateree Water Management Group's (CWWMG) Water Supply Master Plan]. This will help to make these lakes more drought resistant and improve lake safety for recreational purposes.

Staff Recommendation

The Policy and Public Works Subcommittee recommends to the Board of Commissioners:

1. Chairperson Randy Isenhowe be authorized to sign the Modification Revision 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232 on behalf of Catawba County, and
2. Jacky Eubanks, Planning and Parks Director, continues to serve as Catawba County's Designated Representative on the Duke Energy FERC Final Agreement Committee (FAC).

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

REVISION 2 (“Revision 2”) OF THE **Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232, December 22, 2006, Signature Copy, Revision 1 (“CRA”)** is made and entered into as of the date of the last signature of all signatory Parties to the CRA referred to herein individually as a “Party” and collectively as “Parties” as the context requires.

WHEREAS, All CRA Parties and Designated Representatives are listed on Duke Energy’s web site at <http://www.duke-energy.com/pdfs/C-W-CRA-APPENDIX-B.pdf> as required by CRA Section 29.0;

WHEREAS, It is beneficial to modify the CRA to incorporate safety, drought resiliency, technology flexibility and other improvements as well as to adapt the CRA to changed conditions identified by Parties since the CRA was signed in 2006;

WHEREAS, Duke Energy introduced and described proposed CRA modifications at a meeting of CRA Parties on February 29, 2016;

WHEREAS, Duke Energy distributed draft CRA modification language and other supporting and background information to all CRA Parties on March 31, 2016;

WHEREAS, Parties had the opportunity to review the proposed CRA modifications and return comments to Duke Energy by May 2, 2016;

WHEREAS, On May 25, 2016, Duke Energy provided notice in accordance with CRA Sections 24.0 (Modification of this Agreement) and Section 29.0 (Notice) to all Parties of all the CRA modifications included in this Revision 2;

WHEREAS, The CRA provides 60 days from the date the notice is posted or delivered for Parties to review, sign, and return to Duke Energy its response to each proposed CRA modification herein;

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

WHEREAS, Any Party who fails to respond within 60 days of the date of the notice shall be deemed to have consented to all the modifications contained herein in accordance with CRA Section 24.0 just as if that Party had signed in support of all modifications;

WHEREAS, Section 39.18 of the CRA provides for execution in counterparts.

NOW THEREFORE:

1. CRA modifications are described as follows, including the implementation date for each modification.
2. A Party's authorized signature on page 12 of this Revision 2 indicates whether the Party approves or does not approve that particular CRA modification. To approve all modifications, each must be signed by the Party.
3. To constitute an authorized signature, each Party's signatures must be accompanied by documentation in writing from the Party affirming the signing individual has been authorized by the CRA Party to sign this Revision 2 on behalf of the Party. Failure to include such documentation of authorization shall result in a failure to respond within the 60-day period set in CRA Section 24.0.
4. Signed Party modification approvals and Party signature authorization documentation should be returned to:

mark.oakley@duke-energy.com

or

Mark Oakley, Catawba-Wateree Project Manager
Duke Energy Carolinas, LLC
526 South Church Street
Mail Code EC12Y
Charlotte, NC 28202

5. Modifications to the CRA require the consent of all CRA Parties. Duke Energy will therefore reissue Revision 2 to all Parties, including all signatures received and identifying the modifications that have been approved, within 30 days following the 60-day approval period.

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

Summary of CRA Revision 2 Modifications

Modification	CRA Party Requesting (Reason)	Affected CRA Section(s)	Modification Implementation Date
Change 6,000 cfs recreation flow release at Wylie Hydro Station to 3,000 cfs	Carolina Canoe Club (Safety)	<u>Appendix A, page A-6</u>	After state water quality certification amendment and FERC license amendment approvals are received.
Repurpose East Wateree Access Area funding	Kershaw County, SC and SC Department of Natural Resources (Changed circumstances)	<u>10.27.35.4</u>	Immediately upon reissuance of this Revision incorporating Party approvals.
Additional option for funding for Upper Wylie Motorboat Launch Improvements	Belmont, NC, Mecklenburg County, NC and Duke Energy (Improve drought resiliency)	<u>10.27.21.3</u>	Immediately upon reissuance of this Revision incorporating Party approvals.
Technology flexibility for flood management at Lake Wateree	Duke Energy (Thorough consideration of options)	<u>14.6.3</u>	After FERC license amendment approval is received (Note: This is not a requirement of state water quality certifications).
Add six inches to James, Norman, and Wylie summer Normal Target Elevations (Catawba-Wateree Water Management Group's (CWWMG) Water Supply Master Plan)	Duke Energy and other CRA Parties that are also CWWMG Members (Improve drought resiliency)	<u>Appendix A, pages A-1 and A-2</u>	State water quality certification amendment and FERC license amendment approvals are required. If approvals are received, this modification would be implemented after Wateree Dam is modified to improve flood management or 12/31/2025 whichever is later.

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

CRA Revision 2 Modified Text

The individual CRA modifications in their final form are presented as follows. For ease of identification, text modified from the December 22, 2006, Signature Copy of the CRA, Revision 1 is shown in bold italics.

CRA Appendix A, page A-6:

(C) Wylie Development – Within 60 days following issuance of this license, the Licensee shall provide recreational flow releases at the Wylie Development in accordance with the following schedule in the table below. In addition, the Licensee shall, from May 1 to July 15 inclusive, release at least 1,300 cfs for six hours prior to the recreational flow release scheduled start times shown in the table below to ensure suitable water levels at Landsford Canal State Park.

Wylie Development Recreational Flow Schedule				
Dates (inclusive)	Days / Description	Flow (at or above) (cfs)	Hour Start	Hour End
Apr 1-Apr 30	Last full weekend – Saturday and Sunday	3,000	10:00 am	4:00 pm
May 1-Jun 15	Each Friday, Saturday and Sunday plus Memorial Day	3,000	10:00 am	4:00 pm
Jun 16-Jul 15	Each Friday, Saturday and Sunday plus Independence Day	<i>3,000</i>	10:00 am	4:00 pm
Jul 16-Aug 31	Each Saturday and Sunday	<i>3,000</i>	10:00 am	4:00 pm
Sep 1-Sep 30	Each Friday, Saturday and Sunday plus Labor Day	<i>3,000</i>	10:00 am	4:00 pm
Oct 1-Oct 31	Each Saturday and Sunday	3,000	10:00 am	4:00 pm

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

CRA Section 10.27.35.4:

10.27.35.4 East Wateree Access Improvements – Provided that Kershaw County, SC is a Party to this Agreement and that Kershaw County, SC acquires in fee-simple ownership suitable property that adjoins the Licensee's property on the east side of Lake Wateree, the Licensee shall provide funding to Kershaw County, SC (up to \$900,000 total), within five years following the FERC's issuance of the New License and the closure of all rehearing and administrative challenge periods related to recreation, for the County to construct two motorized boat ramps with a courtesy dock, paved and lighted parking, and a swimming area with bathhouse and paved parking on the County-acquired property to improve public access to the east side of Lake Wateree. Kershaw County, SC shall manage the access area and shall maintain all facilities. This new access area shall not be included in the FERC Project Boundaries.

If Kershaw County, SC is not a Party to this Agreement, or if the County does not acquire suitable property ***or chooses not to develop the described amenities***, then the Licensee shall make its funding, up to \$900,000 total, available, within ***one year***, to ***the SCDNR to support enhancement and protection of fish and wildlife populations, including rare, threatened or endangered species in the Catawba-Wateree River Basin; biodiversity protection and enhancement; environmental outreach programs; and/or the purchase of land in the Catawba-Wateree River Basin for conservation, wildlife management and/or compatible public recreation.*** If ***the SCDNR*** does not agree ***to use this funding in this manner***, the Licensee shall be under no obligation to provide these funds described in this Paragraph 10.27.35.4.

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

CRA Section 10.27.21.3:

10.27.21.3 Upper Wylie Access Area – Provided that Mecklenburg County, NC is a Party to this Agreement and that Mecklenburg County, NC owns and provides suitable land at the Highway 74 Bridge, the Licensee shall provide to the County up to \$435,000 for the County to construct a double-lane concrete boat ramp **with courtesy** dock and paved and lighted parking for up to 100 vehicles and trailers within five years following FERC issuance of the New License and the closure of all rehearing and administrative challenge periods related to recreation. The County shall maintain the boating access facility.

If Mecklenburg County, NC is not a Party to this Agreement, chooses not to receive the funding **or not to build the subject access area**, or does not build the subject access area in the first five years following the FERC's issuance of the New License and the closure of all rehearing and administrative challenge periods related to recreation, then the Licensee shall **make its funding** (up to \$435,000) **available** within **five** years following the FERC's issuance of the New License and the closure of all rehearing and administrative challenge periods related to recreation **to be divided equally between Mecklenburg County, NC and the City of Belmont, NC (provided each is a Party to this Agreement). The City of Belmont shall use its funding to develop** public **motorboat** access facilities at **the Kevin Loftin Park adjoining the Highway 74 Bridge provided it agrees to maintain the enhancements for the term of the New License. Mecklenburg County, NC shall use its funding to make or arrange for enhancements (e.g., new boat ramp and/or extension of existing boat ramp(s) with other supporting amenities) at the existing Copperhead Access Area to facilitate launching and retrieval of motorboats with Lake Wylie at levels well below its Normal Minimum Elevation (target boat ramp use down to at least 91.0 ft local datum), provided Mecklenburg County, NC (the current Copperhead Access Area lessee) agrees to maintain the enhancements for the term of the New License. The Licensee will perform or arrange for the design of the ramp extension.**

If either Mecklenburg County, NC or the City of Belmont, NC does not use its share of this funding as described, the funding will revert to the other Party to use to develop the amenities described in this Paragraph 10.27.21.3.

If neither Mecklenburg County, NC nor the City of Belmont, NC use its funding as described herein, then the Licensee shall be under no obligation to provide the funding **or make the enhancements** in this Paragraph 10.27.21.3.

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

CRA Section 14.6.3:

14.6.3 Flood Management at Lake Wateree

14.6.3.1 The Parties agree that installing a bladder dam (similar in concept to the Bridgestone Rubber Dam Option evaluated in the Wateree High Water Level Management Study (Operations 08) conducted during the relicensing process) **or another flow release technology on** the dam's **spillway sufficient** to provide approximately 10,000 cfs flow release capacity with the reservoir at full pond elevation will improve the Licensee's flood management capabilities at Lake Wateree, but that it will not prevent flooding on Lake Wateree above any specific elevation.

14.6.3.2 The Parties agree that the existing flood easements held by the Licensee on Lake Wateree shall remain in place.

14.6.3.3 The Parties understand that even with the **improved flow release technology**, water elevations in the upstream areas of Lake Wateree may be substantially higher during flood events than the water elevations at Wateree Dam.

14.6.3.4 The Parties agree that, except for government entities with specific statutory responsibilities at the Project related to flood management, Parties to this Agreement shall not advocate for or request the installation of other or additional flood management structural improvements at or adjoining any Project dam or reservoir prior to issuance of the New License and the closure of all rehearing and administrative challenge periods.

14.6.3.5 The Parties agree that, except for government entities with specific statutory responsibilities at the Project related to flood management, Parties to this Agreement shall not advocate for or request the installation of other or additional flood management structural improvements at or adjoining Wateree Dam or Lake Wateree for at least the first 10 years following completion of the modifications to Wateree Dam.

14.6.3.6 Provided that all of the following conditions are met, the Licensee shall modify Wateree Dam to improve its ability to manage flooding events by removing a portion of the existing concrete from the dam's crest and installing **an improved flow technology, such as a** bladder dam (similar in concept to the Bridgestone Rubber Dam Option evaluated in the Wateree High Water Level Management Study (Operations 08) conducted during the relicensing process) **or another flow release technology on** the dam's spillway **sufficient** to provide approximately 10,000 cfs flow release capacity with the reservoir at full pond elevation.

- 1) Modification Feasibility – (i) Detailed engineering analysis of the dam modification to be conducted by the Licensee demonstrates that the modification is feasible; and, (ii) the Licensee is able to obtain the necessary approvals and permits, including FERC approval, to make the modification.
- 2) Reservoir Level Management during Construction – The approved construction technique allows construction costs to be reduced by maintaining the water level in Lake Wateree to the extent possible between the elevations

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

of approximately 93.0 ft and 94.0 ft for the duration of the dam construction (expected to take 6 to 10 months depending primarily on weather).

- 3) Both the Lake Wateree Association (LWA) and the Lake Wateree Homeowners' Association (WHOA) – Fairfield County are Parties to this Agreement.
- 4) Community Partnerships – Both the LWA and WHOA shall actively assist the Licensee during the period beginning approximately 18 months prior to the start of construction and continuing until approximately one year following construction completion to gain support from the lake community and to help minimize the impact of the construction project on the people and resources that depend on Lake Wateree. This assistance includes in-kind services to be provided by the LWA and WHOA to support activities such as:
 - a) Cultural resource studies, monitoring and looting prevention in support of the lowered reservoir levels;
 - b) Fish and wildlife studies and monitoring in support of the lowered reservoir levels;
 - c) Soliciting project support from members of the LWA and WHOA organizations as well as from other lake-area property owners;
 - d) Soliciting project support from owners of property in the vicinity of the Wateree River downstream of Wateree Dam;
 - e) Soliciting project support from the operators of businesses (public marinas, real estate companies, etc.);
 - f) Soliciting project support from resource agencies (e.g., SCDPRT, SCDNR, South Carolina Department of Health and Environmental Control, South Carolina Department of Archives and History, US Army Corps of Engineers, United States Fish and Wildlife Service, National Marine Fisheries Service, etc.);
 - g) Soliciting project support from owners of water intakes (e.g., City of Camden, Lugoff Elgin Water Authority, any fire protection hydrants);
 - h) Soliciting project support from the Catawba Indian Nation and local governments; and
 - i) Coordinating activities that require lake-use permits from the Licensee.

14.6.3.7 Dam Modification Schedule – The dam modification, ***either a bladder dam or another flow release technology to provide approximately 10,000 cfs flow***, shall occur on a schedule to be developed by the Licensee as part of the detailed engineering analysis and approved by the FERC. The Licensee shall file a license amendment request with the FERC including the detailed engineering analysis and schedule for approval within 18 months following the date of completion of the dam modifications at

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

the Great Falls-Dearborn Development that are needed to provide prescribed flow releases. Completion of the construction at Wateree Dam, ***either a bladder dam or another flow release technology***, is targeted for eight years following the date of issuance of the New License and the closure of all rehearing and administrative challenge periods.

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

CRA Appendix A, pages A-1 and A-2:

ARTICLE – Reservoir Elevations

(A) Reservoir Elevations – Within 60 days following the issuance of this license, to protect and enhance the Project’s values that may be affected by reservoir level fluctuations, the Licensee shall maintain the elevations of the Project reservoirs between the Normal Minimum and Normal Maximum Elevations indicated in the tables below and shall endeavor in good faith to achieve the Normal Target Elevations in the tables. All elevations in the tables below are relative to the top of the dam (including floodgates and flashboards where applicable) with 100.0 ft. = Full Pond Elevation. The elevations included in the tables are for the first day of the given month; elevations for other days of the month are determined by linear interpolation.

Lake James (Full Pond is 1200.0 ft. above Mean Sea Level (MSL))			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January	93	96	100
February	92	94	100
March	92	95	100
April	92	96	100
May - October	95	<i>98 (98.5 after Wateree Dam is modified to improve flood management or 12/31/2025 whichever is later)</i>	100
November - December	93	96	100

Lake Rhodhiss (Full Pond is 995.1 ft. MSL)			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January - December	94	97	100

Lake Hickory (Full Pond is 935.0 ft. MSL)			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January - February	94	96	100
March – December	94	97	100

Lookout Shoals Lake (Full Pond is 838.1 ft. MSL)			
Month	Normal Minimum	Normal Target (ft.)	Normal Maximum

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

	(ft.)		(ft.)
January - December	94	97	100

Lake Norman (Full Pond is 760.0 ft. MSL)			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January	93	96	100
February	91	94	100
March	92.26	95.26	100
April	93.65	96.65	100
May - October	95	<i>98 (98.5 after Wateree Dam is modified to improve flood management or 12/31/2025 whichever is later)</i>	100
November	93.98	97	100
December	93	96	100

Mountain Island Lake (Full Pond is 647.5 ft. MSL)			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January - December	94.3	96	100

Lake Wylie (Full Pond is 569.4 ft. MSL)			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January - <i>April</i>	94	97	100
<i>May - October</i>	<i>94</i>	<i>97 (97.5 after Wateree Dam is modified to improve flood management or 12/31/2025 whichever is later)</i>	<i>100</i>
<i>November - December</i>	<i>94</i>	<i>97</i>	<i>100</i>

Fishing Creek Reservoir (Full Pond is 417.2 ft. MSL)			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January - December	95	98	100

Great Falls Reservoir (Full Pond is 355.8 ft. MSL)			
Month	Normal Minimum (ft.)	Normal Target (ft.)	Normal Maximum (ft.)
January - December	95	97.5	100

REVISION 2 of the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project, FERC Project No. 2232

IN WITNESS WHEREOF, having had opportunity to review the previously described CRA modifications, the Party named below indicates which CRA modifications the Party approves and does not approve. Each modification row must be signed and dated.

CRA Party: _____

Modification	Approved	Not Approved	Authorized Signature	Print Name and Title	Date
Change 6,000 cfs recreation flow release at Wylie Hydro Station to 3,000 cfs					
Repurpose East Wateree Access Area funding					
Additional option for funding for Upper Wylie Motorboat Launch Improvements					
Technology flexibility for flood management at Lake Wateree					
Add six inches to James, Norman, and Wylie summer Normal Target Elevations (Catawba-Wateree Water Management Group's (CWWMG) Water Supply Master Plan)					

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: July 18, 2016

RE: Safety of Citizens and Staff at Catawba County Social Services – Proposed Deputy Sheriff Position.

REQUEST:

Addition of One FTE Sheriff's Deputy Position

BACKGROUND:

Many of us have watched tragic events unfold in other Counties across the Country. Social Services has experienced increased safety concerns, and has received several questions and concerns from staff and citizens alike regarding the need for stronger security measures. As a result, John Eller has been in consultation with County Management, the Social Services Board, and Sheriff over the past several months.

Sheriff Reid conducted an onsite safety assessment and John Eller presented a proposed safety action plan to the Social Services Board. This plan was unanimously approved leading to many enhancements which have already been made. One of the items approved was the need for an onsite Sheriff's Deputy. Staff feels that by taking this additional safety step, the ability to respond to safety risks will be enhanced. The goal is to take a proactive stance versus waiting to respond after a tragic incident occurs.

Discussions and planning were not finalized at the time of budget preparation. As a result, this request was not able to be part of that process. However, due to its reinventing budget and associated state/federal revenues, Social Services is able to fully pay for this additional expense. John Eller and Sheriff Reid have agreed to the terms of how this partnership and associated funding will work, as the two offices have similar arrangements in place with Deputies who assist with Child Protective Services and Child Support.

RECOMMENDATION:

The Finance and Personnel Subcommittee recommends approval of one additional FTE Sheriff's Deputy position for the Sheriff's Office to be housed at Social Services to address citizen and staff safety issues.

Appropriations:

Revenue:

110-210050-6

\$60,000

Onsite Deputy – Social Services

Expense:	
110-210050-812100	\$35,506
Regular Wages	
110-210050-821100	\$2,790
FICA	
110-210050-822100	\$4,742
Retirement	
110-210050-823100	\$6,422
Health Insurance	
110-210050-823300	\$338
Dental Insurance	
110-210050-823600	\$64
Long Term Disability	
110-210050-825500	\$73
Short Term Disability	
110-210050-831015	\$2,350
Uniforms	
110-210050-870100	\$4,190
Small Tools & Equipment	
110-210050-831020	\$275
Ammunition	
110-210050-831005	\$50
Office Supplies	
110-210050-849160	\$3,000
Personnel Indirect Costs	
110-210050-841020	\$200
Training and Education	

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: July 18, 2016

IN RE: Appropriation of Grant Funds in the amount of \$ 56,513 to the Catawba County Library from 3 separate grants

REQUEST

The Finance and Personnel Subcommittee recommends the Board of Commissioners accept and appropriate grant funds in the amount of \$ 56,513 to the Catawba County Library from three separate grants: Library Services Technology Act (LSTA) Literacy and Lifelong Learning Grant; LSTA Edge Initiative Grant; and Unifour Foundation Grant.

BACKGROUND

In June 2015, the Board of Commissioners adopted the Catawba County Library Strategic Plan that lays out priorities for 2016 through 2019. The three major goals embedded in the strategic plan, which were driven by the results of a comprehensive community needs assessment and intensive input process, include:

- As a Community Center of Excellence, Fuel Citizens' Passion for Reading, Personal Growth, and Learning
- Innovate to Provide 21st Century Access that Empowers Citizens
- Library Anytime, Anywhere: Expand Citizens' Access to Information and Ideas

With increased reliance on libraries during times of economic downturn, the plan focuses on enhancing County libraries' role in serving as community centers, increasing libraries' capacity to provide the technology, digital resources, and personnel to bridge the digital divide for citizens, and increasing outreach and collaboration in the community to engage and empower citizens with resources, services and collections. To that end, the Library has already begun leveraging resources towards some of these strategies, pursuing and securing several grants in alignment with the overarching plan.

Conduct literacy outreach activities to ensure children start school ready to learn and positioned to excel; enhance and support active learning for children. While it is not possible to fully implement this initiative without additional staff resources, the Library is being creative in identifying one-time initiatives and securing grant funding to move in the desired direction. With a \$5,000 grant received from the Unifour Foundation, the library will initiate a "Born to Read" campaign in partnership with local hospitals to promote early literacy and parent engagement in literacy through prenatal workshops and newborn early literacy bags containing baby's first library card, book and resource guides.

Conduct Adult Outreach / Programming to bring library resources to where people are, including non-traditional locations and targeting underserved audiences. Provide and maintain state of the art technology and technology programming to ensure access across the entire community and bridge the digital divide. As full implementation of this initiative would also require additional staff resources, the Library continues to focus on making progress through one-time initiatives using grant funding. The Library secured a \$47,233 LSTA grant to facilitate positive and equitable access to broadband internet service and increase digital citizenship for residents of Catawba County. By lending WiFi hotspot devices and computer equipment, the Library will provide improved access to critical digital resources across the entire community to help bridge the digital divide, even when the library’s doors are closed—expanding access to critical technologies and resources 24/7 to those in need. To compliment the improved access, the Library will provide digital literacy training to empower people to become effective internet users and digital citizens, partnering with community based organizations, including the local school systems, Catawba County Partnership for Children, NCWorks, Centro Latino, and other community service organization to reach citizens in need and curate resources relevant to their target audience. This grant requires a match of \$4,723, which is available within the Library’s reinventing budget.

Establish a culture of excellence by empowering a well-trained, knowledgeable staff: To this end, the Library secured an LSTA Edge Initiative Grant in the amount of \$4,280 to ensure staff is technology-trained in latest devices, software, electronic resources, and reference services so they are equipped with the skills to assist the public and bridge the digital divide. With this grant the Library will purchase two high-powered computers and create a dedicated training area for staff training, building online learning modules to increase staff confidence and skill with current and emerging technologies. This grant has no match requirement.

RECOMMENDATION

The Finance and Personnel Subcommittee recommends the Board of Commissioners accept and appropriate grant funds in the amount of \$56,513 to the Catawba County Library from three separate grants: LSTA Literacy and Lifelong Learning Grant; LSTA Edge Initiative Grant; and the Unifour Foundation Grant.

Revenue

110-810050-631912	\$47,233
LSTA Literacy and Lifelong Learning	
110-810050-631913	\$4,280
LSTA Edge Initiative	
110-810050-650285	\$5,000
Born to Read Project	

Expenditure

110-810050-841059	\$47,233
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LSTA Literacy and Lifelong Learning

110-810050-841054 \$4,280

LSTA Edge Initiative

110-810050-841085 \$5,000

Born to Read Project

MEMORANDUM

TO: Catawba County Board of Commissioners
FROM: Finance and Personnel Subcommittee
DATE: July 18, 2016
IN RE: Resolution for Establishing an Endowment with the North Carolina Community Foundation

REQUEST

The Finance and Personnel Subcommittee recommends the Board of Commissioners approve a resolution to establish a Library Endowment with the North Carolina Community Foundation to provide for ongoing long-term financial support and to ensure a strong foundation for the future of excellence in library services for Catawba County.

BACKGROUND

Catawba County Libraries provides essential services that empower lives and build community. A library endowment provides a structure for people to show their appreciation for and support of extended library services. By creating a Library Endowment through the North Carolina Community Foundation (NCCF), the library can take another proactive step in strengthening community partnerships and encouraging advocacy for the library and financial sustainability into the future. An endowment offers donors a familiar and reliable vehicle for tax-deductible contributions in support of the library and more clearly highlights the possibility of planned giving options.

Intended to supplement the existing financial support received from Catawba County and state and federal sources, a library endowment through NCCF requires a minimum of \$10,000 in initial funding. As with other endowments, the corpus of the investment would be maintained and only investment income would be available for annual spending. While investment options available to public agencies are usually more restrictive, NCCF has a large pool of investments to maximize the benefit for their endowments, and they handle all investment management and oversight, accounting and financial reporting, including an annual audit. Over the past ten years, endowment funds invested through NCCF have achieved growth in the range of 4.7% to 5%, and annual grant amounts to the library could be up to 5% of the Endowment Fund's average balance. The NCCF reports how much the fund has available to distribute, and the library receives an annual allocation, or can choose to leave in the fund for continued investment. There is a 1% administrative fee.

As the library works towards an increased focus on the advocacy role for the Library Advisory Board of Trustees and Friends of the Library groups, these strongest advocates will partner in the community to garner and mobilize support for the Library Endowment. An annual endowment campaign is a great way to involve non library users as well as library customers to increase awareness of library services, and a successful endowment conveys the significance of the library to the community.

The Library Advisory Board of Trustees has made the recommendation to establish the Library Endowment with the North Carolina Community Foundation. Both the individual members of the Library Advisory Board and each of the three Friends groups has contributed towards raising the initial \$10,000 to establish the Endowment.

RECOMMENDATION

The Finance and Personnel Subcommittee recommends the Board of Commissioners approve a resolution to establish a Library Endowment with the North Carolina Community Foundation to provide for ongoing long-term support and to ensure a strong foundation for the future of excellence in library services for Catawba County.

**RESOLUTION # 2016-
DONOR RESOLUTION**

BE IT RESOLVED that Catawba County, a North Carolina governmental entity, does hereby request and authorize establishment of an Agency Endowment Fund in its name, on its behalf and for the benefit of Catawba County Library, a division of Catawba County government, by the North Carolina Community Foundation, Inc. (NCCF), pursuant to the Agreement signed by Donor and NCCF. Catawba County agrees to receive the distributions from the Agency Endowment and restrict said distributions to the support of the Catawba County Library, a division of Catawba County government. The Agency Endowment is to be owned and managed by the NCCF as provided by said Agreement and held by the NCCF as a component fund thereof; and

BE IT FURTHER RESOLVED that the Catawba County Board of Commissioners hereby authorizes NCCF and its officers and agents to accept contributions to the said Agency Endowment Fund on its behalf, authorizes its own officers and directors to execute and deliver to NCCF any instruments or documents necessary or useful to effect the authorization, establishment, use and continued maintenance of such Agency Endowment Fund and further authorizes the Library Director of Catawba County Library to serve as the Catawba County contact for this Agency Fund.

ADOPTED on _____, 2016, by such organization's governing body at a meeting duly called and held, at which a quorum was present and acting throughout.

Signed this _____ day of _____, 2016.

(Corporate Seal if applicable)

C. Randall Isenhower, Chair
Catawba County Board of Commissioners