

AGENDA

Catawba County Board of Commissioners Meeting
Tuesday, January 21, 2020, 7:00 p.m.
Board of Commissioners Meeting Room
2nd Floor, Catawba County Justice Center
100 Government Drive, 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 and Closed Session of December 16, 2019.](#)
5. Recognition of Special Guests.
6. Public Comments.
7. [2nd Amendment Resolution.](#)
8. Public Hearings:
 - a. [Rezoning Request – 55 Acre Mixed-Use Waterfront Development. Presented by Assistant Planning Director Chris Timberlake.](#)
 - b. [Rezoning Request – 3217 South NC 16 Highway, R-40 Residential to Highway Commercial. Presented by Assistant Planning Director Chris Timberlake.](#)
9. Appointments.
10. Consent Agenda.
 - a. [Appropriation of Conover Rural Fire Tax Funds to City of Conover.](#)
 - b. [Juvenile Crime Prevention Council Fiscal Year 2019/20 Raise the Age Funding.](#)
 - c. [Urgent Repair Program \(URP\) Project Budget Ordinance Amendment for Interest Received on Grant Funds and Decreased Administrative Costs.](#)
 - d. [Excise Tax Refund Request.](#)
 - e. [Tax Release/Refund Request.](#)
 - f. [Proposed Amendment to K-64 Education Board Bylaws.](#)
11. Other Items of Business.
12. Manager's Report.
[Budget Transfer.](#)
13. Attorneys' 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. Participation in public meetings is without regard to race, ethnicity, religion, sex, age, or disability.

CALENDAR: The February Board of Commissioners Meetings will take place on Monday, February 2, 2020, at 7:00 p.m. and on Monday, February 17, 2020, at 7:00 p.m.

**Resolution Declaring Catawba County a Constitutional Rights Protected
County**

WHEREAS, the Constitution of the United States is the Supreme Law of our nation and the Second Amendment states: “A well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed...”; and

WHEREAS, the North Carolina Constitution, Article I, Section 30 states: “A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and, as standing armies in time of peace are dangerous to liberty, they shall not be maintained, and the military shall be kept under strict subordination to, and governed by, the civil power. Nothing herein shall justify the practice of carrying concealed weapons, or prevent the General Assembly from enacting penal statutes against that practice;” and

WHEREAS, a long line of established U.S. Supreme court cases have ruled where rights are secured by the U.S. Constitution, including Second Amendment Rights, no rule making or legislation may abrogate those rights, and the right to “keep and bear arms” is secured by the “due process” and “privileges and immunities” clauses of the Fourteenth Amendment which protects rights of, and closely related to, the Second Amendment; and

WHEREAS, the citizens of Catawba County have long supported the rights of the individual, particularly as those rights exist under the U.S. and North Carolina Constitutions, including the Second Amendment; and

WHEREAS, the Catawba County Board of Commissioners is concerned about the passage of any bill or legislation which could be interpreted as infringing the rights of the citizens of Catawba County to keep and bear arms; and

WHEREAS, the Catawba County Board of Commissioners expresses its deep commitment to the rights of all citizens of Catawba County to keep and bear arms; and

WHEREAS, the Catawba County Board of Commissioners wishes to express its opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the U.S. Constitution and under the North Carolina Constitution of the citizens of Catawba County to keep and bear arms, and all rights and privileges arising therefrom; and

WHEREAS, the Catawba County Board of Commissioners expresses its intent to stand as a Constitutional Rights Protected County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the State of North Carolina, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of citizens to keep and bear arms.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Catawba County, working with Sheriff Donald G. Brown, II and the Catawba County Sheriff's Office, within its powers, duties, and responsibilities, the Board shall respect, protect, and defend the Second Amendment rights of the citizens of Catawba County and the Board will oppose, within the limits of the Constitutions of the United States and the State of North Carolina, any efforts to unconstitutionally restrict such rights, and to use such constitutional means at its disposal to protect the rights of its citizens to keep and bear arms; and

The Board of Commissioners hereby declares Catawba County, North Carolina, as a "Constitutional Rights Protected County."

Adopted this the 21st day of January, 2020.

C. Randall Isenhower, Chairman
Catawba County Board of Commissioners

ATTEST:

Barbara Morris, Clerk to the Board

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Assistant Planning Director

DATE: January 21, 2020

IN RE: Rezoning Request – 55 Acre Mixed-Use Waterfront Development

REQUEST

Staff and the Planning Board request the Board of Commissioners conduct a public hearing to receive citizen comments and consider a request to rezone approximately 55 acres from R-30 Residential (minimum lot size of 30,000 square feet) and Rural Commercial (RC) to Planned Development-Conditional District (PD-CD) and authorizes the high-density development option to allow for a mixed-use waterfront development.

REVIEW/BACKGROUND

Land Use and Zoning of the Subject Properties

The proposed development area (subject parcels) is comprised of 16 parcels. Fifteen of the parcels are zoned R-30 Residential. The R-30 Residential district requires a minimum lot size of 30,000 square feet and is considered a medium-density residential district. This district predominately provides for single-family homes and agricultural uses. One parcel is zoned Rural Commercial (RC). The RC district requires a minimum lot size of 20,000 square feet and provides small areas for offices, services, and retail uses designed in scale with surrounding residential uses. The properties contain a mixture of residences and nonresidential uses (restaurant, boat store, marina).

The subject parcels are located at 8629 and 8585 East NC 150 Highway, 8846 Greenwood Road, 9040, 9050, 9060, 9068, 9074, 9080, 9086, 9092, 9096, 9100, 9104, and 9108 Clement Circle. They are identified within the Sherrills Ford Small Area Plan and NC 150 Corridor Plan Area and are within the Mountain Creek Township. Properties are further identified by Parcel Identification Numbers 461708998493, 461708981988, 461708981821, 461708984339, 462705081502, 462705081661, 462705082731, 462705083800, 462705083859, 462705084925, 462705095001, 462705096008, 462705096163, 462705097210, 462705097290, and 462705098175.

Adjacent Properties

- **North** – Parcels 24, 25, 26, 27, 29, and 30 on the attached maps are zoned General Industrial (GI) which requires a 60,000 square feet minimum lot size. Parcel 24 is the location of Marshall Steam Station. Parcel 27 is the location of an auto and tire service center. The other parcels remain undeveloped.

- **South** – Parcels 2 - 20 on the attached maps are zoned R-30 Residential. With exception of 19 and 20, each contain single-family residences. Parcel 19 is undeveloped and Parcel 20 is part of the Hidden Harbour Homeowners Association (HOA) and includes a large Duke Power Easement.
- **East** – Lake Norman
- **West** – Parcels 21 – 23 on the attached maps are zoned R-30 Residential. Parcel 21 is part of Hidden Harbour HOA and is undeveloped. Parcels 22 and 23 contain single-family residences.

Rezoning and Planning History of Subject Parcels and Surrounding Area

The Rural Commercial property appears to have been zoned for commercial uses (Highway-Business Zoning District, H-B) since the adoption of zoning in 1974. There is no rezoning history on other parcels.

Zoning Standards and Project Description

The property is located within the Watershed Protection-Overlay (WP-O) WS-IV Critical Area, Floodplain Management Overlay (FP-O), Catawba River Corridor Overlay (CRC-O) Districts, and Mixed-Use Corridor Overlay (MUC-O), all of which have specific regulations.

The Watershed Protection Overlay, specifically the WS-IV Critical Area Watershed, limits imperviousness (built-upon area) to 24% without the Board of Commissioners authorizing use of the high-density option which then provides for up to 50% imperviousness (built-upon area) by use of engineered stormwater controls. Stormwater controls collect and treat on-site stormwater as required by the State. The Floodplain Management Overlay indicates that portions of the property are within the special flood hazard area. Boat docks and water related structures such as a light house and boat ramp are the only structures proposed within the floodplain (lakeside), each of which are allowed. The Catawba River Corridor-Overlay requires low impact development techniques for nonresidential development, allows for cluster subdivisions, and requires that accessory structures meet a minimum setback of 30' from the high water mark (760'). The Mixed Use Corridor Overlay incorporates additional architectural and pedestrian-friendly standards within a nonresidential project.

The Midway development project is proposed to consist of five major development areas; a public waterfront and marina, the 'gateway' element, several blocks of ground floor mixed-use (restaurant and retail) with second story multi-family, several town home districts, a multi-family district, and a lakeside single-family cluster subdivision. Overall, the development is proposed to consist of a maximum of 641 age-targeted (55+ years) residences and 247,000 square feet of nonresidential space.

The five major development areas are further divided into 10 development districts. They include the following:

- 01 Marina District
- 02, 03, 04, and 10 Mixed Use (MU) District
- 05, 07 Townhome (TH) District
- 06 Multi-family (MF) District
- 08 and 09 Single-family (SF) District

A minimum of 15% percent of the nonresidential district’s land area will be planned for pedestrian and landscaped common areas. In addition, approximately three acres (25%) of the cluster subdivision (SF District 08 and 09) land area will be set aside for common open space.

Midway Development Conditions

In addition to the regulations within the Unified Development Ordinance, the applicant proposes the Midway development be subject to the development standards within the attached Development Narrative (project booklet) and the conceptual site plan submitted by Shook Kelley dated December 11, 2019. Some of the development conditions are listed below:

**Midway Development
Planned Development Conditions and Notes**

General Design Guidelines.

- (i) Buildings will be oriented towards the internal street system to reinforce the streetscape.
- (ii) Architectural treatment shall continue on all sides of a building as ‘Four-Sided’ architecture.
- (iii) Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, change in materials, building step backs, art work and landscaping. Blank walls greater than twenty feet (60’) shall comply to the ordinance.
- (iv) Accessory structures shall be consistent with the principal building in material, texture, and color.
- (v) Structured parking and boat storage facility oriented toward NC 150 shall be designed per the ordinance.
- (vi) New dumpster and recycling areas will be enclosed on all four sides by an opaque wall

or fence with one side being a hinged opaque gate. If one or more sides of a new dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.

- (vii) All roof mounted mechanical equipment on the buildings to be constructed on the site will be screened from view from adjoining public rights-of-way and abutting properties as viewed from the nearest street grade.
- (viii) HVAC condensers shall be screened from view from adjoining public rights-of-way and abutting properties.

Architectural Character. The architectural character associated with the building(s) to be located on the site as generally depicted within Section 6 in connection with the permitted uses of the site shall be equal to or better than materials depicted and are included to reflect the architectural style and quality of the building(s) that will be constructed, it being understood that the actual building(s) so constructed and the nature/location of the building elements may vary from these illustrations as long as (i) the general architectural concept and intent shown is maintained and (ii) heights of any buildings above heights specified in the Development Data Section 5 portion are not increased. The use of vinyl siding is prohibited. The use of vinyl for horizontal eave vent, trim or railing systems is acceptable.

Mixed-Use Facades Materials:

- (i) Windows and doors shall be provided for at least 15% of the total facade area along Highway NC 150 (with the exception of the boat storage and structured parking facilities), with each floor calculated independently. This standard will not apply to the portions of the buildings that are located along internal private driveways and/or along buffer or drives that are not visible from public streets.
- (ii) The facades of first/ground floor of the buildings along Highway NC 150 shall incorporate a minimum of 25% masonry materials such as brick, hard stucco (E.I.F.S) or stone.
- (iii) Foundations, where provided, shall be constructed as a distinct building element that contrasts with facade materials. Exposed above-ground foundations shall be coated or faced in cement, stucco, E.I.F.S, brick, manufactured stone, or natural stone to contrast with facade materials.

Mixed-Use Façade articulation:

- (i) Public street fronting facades and end fronting facades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, varied roof lines, and building offsets.
- (ii) First story facades of all buildings along public street fronts shall incorporate columns, awnings, arcades, windows, doors, and/or other architectural elements.
- (iii) Acceptable façade materials include, but are not limited to the following: masonry materials such as brick, hard stucco, stone or tile materials. Cementitious (panel, siding, trim & battens) and (E.I.F.S). New materials to the market proposed for exterior use are acceptable pending compliance with the architectural character.

Project Phasing. Development taking place on the site may occur in phases and in such event, except as expressly required by the ordinance, certain streetscape and related improvements and improvements associated with the open space to be developed within each development area may take place in connection with the phase of development to which such improvements relate. Proposed development schedule is listed below:

- Jan. 2020 Catawba County rezoning approved (anticipated)
- May 2020 property closing - pending FERC review (3-4 months) then Washington, DC review (2 months)
- May 2020 property engineering and geo completed
- May 2021 ground breaking / construction start
- TBD Greenwood Road realignment and stoplight installation pending NCDOT review and approval of TIA but in place prior to any new tenant Certificate of Occupancy.

Development Area Setbacks, Heights and Square Footage / Residential Units

Note: F.O.C. = Face of Curb (Internal streets)

Multi-family allocated in 01 Marina District may be substituted in 02, 03, and 04

		<u>Height</u>	<u>Setback</u>
01	Marina District	50' Max	30' Front Yard (NC 150) 14' Front Yard (F.O.C.)
	Surface Parking	NA	10' Front Yard (NC 150)
	149,000 sf. nonresidential		
	310 boat slips		
	150,000 sf. multi-family		

02	MU District	75' Max	30' Front Yard (NC 150) 14' Front Yard (F.O.C.)
	Structured Parking	40' Max	30' Front Yard (NC 150)
	Surface Parking	NA	10' Front Yard (NC 150)
	40,000 sf. nonresidential		
	160,000 sf. multi-family		
		<u>Height</u>	<u>Setback</u>
03	MU District	75' Max	30' Front Yard (NC 150) 14' Front Yard (F.O.C.)
	Structured Parking	40' Max	30' Front Yard (NC 150)
	Surface Parking	NA	10' Front Yard (NC 150)
	50,000 sf. nonresidential		
	200,000 sf. multi-family		
04	MU District	75' Max	30' Front Yard (NC 150) 14' Front Yard (F.O.C.)
	Structured Parking	30' Max	30' Front Yard (NC 150)
	Surface Parking	NA	10' Front Yard (NC 150)
	30,000 sf. nonresidential		
	50,000 sf. multi-family		
05	TH District	50' Max	50' Front Yard (Greenwood Road) 14' Front Yard (F.O.C.)
	20 residential units		
06	MF District	75' Max	50' Front Yard (Greenwood Road) 30' Front Yard (Clement Circle) 14' Front Yard (F.O.C.)
	150 residential units		
07	TH District	50' Max	30' Front Yard (Clement Circle) 11' Front Yard (F.O.C.)
	60 residential units		
08	SF District	40' Max	30' Front Yard (Clement Circle) 21' Front Yard (F.O.C.) 5' Side Yard
	62 residential units (08 & 09*)		

09	SF District *see above	40' Max	30' Front Yard (Clement Circle) 21' Front Yard (F.O.C.) 5' Side Yard
10	MU District Surface Parking	30' Max	30' Front Yard (NC 150) 30' Front Yard (Greenwood Road) 30' Rear Yard (Greenwood Road) 10' Front Yard (NC 150)

Utilities

Public water and sewer exist along East NC 150 Highway. A sewer pump station exists to the east of the proposed boat storage structure. The development group is responsible for engineering, permitting, and installing the sewer and water lines within the development to all development areas. The utilities will be designed according to the City of Hickory and state specifications. Once installed and approved, the utilities will become part of the County's system, maintained by the City of Hickory. Perimeter and internal site lighting is proposed to incorporate full and/or semi-cut off lighting fixtures.

Transportation

East NC 150 Highway is identified as a boulevard in the 2035 Long Range Transportation Plan. Traffic counts taken in 2017 near the site measured 17,000 Annual Average Daily Traffic (AADT). East NC 150 Highway is scheduled for widening to a 4-lane road with a divided median. The project is separated into two sections, R-2307A and R-2307B. R-2307B encompasses widening from NC 21 Highway in Iredell County to Greenwood Road. Right-of-way is currently being acquired for section R-2307B. According to the 2020-2029 STIP, construction is scheduled to begin in 2020. R-2307A extends from South NC 16 Highway By-pass to Greenwood Road. Right-of-way for this section of improvements is scheduled to begin in 2025 with construction commencing in 2028.

Greenwood Road is a state maintained local residential road. Traffic counts taken in 2017 near the site measured 760 AADT. NCDOT has planned realignment of the intersection of Greenwood Road and East NC 150 Highway just east of the current intersection to a 'T' intersection. There are no additional recommended improvements for Greenwood Road. However, the developer has discussed willingness to install a traffic signal at the NC 150 / Greenwood Road intersection.

Clement Circle is a state maintained local residential road. There are no traffic counts available for Clement Circle and no recommended improvements identified within transportation plans.

As part of the Planned Development-Conditional Zoning District development request, the developer intends to submit a Traffic Impact Analysis (TIA), produced by a traffic engineering

firm, for review by NCDOT. The TIA will identify any loss of service at off-site intersections and propose traffic improvements off-site and determine site ingress / egress locations. The traffic improvements recommended in the TIA and required by NCDOT must be constructed by the developer to mitigate adverse impacts created by the proposed development.

Two points of ingress and egress are proposed on East NC 150 Highway and two and a possible third are proposed on Greenwood Road. Three points of ingress and egress are proposed on Clement Circle. All interior streets will be designed for public use and built to NCDOT standards.

Land Use Plan

Map 5, 'Future Land Use Recommendations', found within the Sherrills Ford Small Area Plan, adopted February 17, 2003 depicts the properties within the Highway 150 Corridor recommended for office, institutional, mixed use and residential. The Highway 150 Corridor Plan, which was adopted on September 8, 2014, also provides land use recommendations. Map 6, titled "Future Land Use & Economic Opportunity" recommends mixed use, commercial and multi-family uses. The request is consistent with the adopted land use plans and reasonable for consideration.

Planning Board Public Hearing

The Planning Board held a public hearing on December 19, 2019. The Planning Board asked about the slopes (grade) shown at the townhome location, if there are plans for bike lanes within the development, and whether the lots on the north side of Clement Circle had any deed restrictions which might exclude development. The slope will allow for various construction types include basement construction. Bike lanes have not been specifically discussed. The traditional neighborhood design is an opportunity to use the sharrow (bike/vehicle) marked lane design. There are no prohibitive development deed restrictions along the lots on the north side of Clement Circle.

Two citizens spoke at the public hearing; both spoke in favor of the development. One recommended that improvements be made to Clement Circle. Another felt Mr. Scott had taken area citizens' requests into consideration, but also asked that golf cart use be an allowed consideration within the development. Mr. Scott, developer and Terry Shook, designer spoke on behalf of the request. Mr. Shook indicated that improvements would be made to Clement Circle along with other required transportation improvements identified in the Traffic Impact Analysis. Both, Mr. Scott and Mr. Shook covered other general concepts of the development.

STAFF AND PLANNING BOARD RECOMMENDATION

Staff recommended approval of the application to the Planning Board, which voted 7 – 0 to submit a favorable recommendation to the Board of Commissioners to adopt an ordinance and consistency statement to rezone approximately 55 acres from R-30 Residential and Rural Commercial to Planned Development-Conditional Zoning District to allow the mixed use commercial and residential development and authorize the high-density development option based upon:

1. All conditions identified within the Development Narrative booklet and concept site plan prepared by Shook Kelley;
2. The developer extending public water and sewer within and throughout the proposed development;
3. The proposed development meeting high-quality development standards including public open space;
4. The proposed development being in close proximity to other nonresidential developments;
5. The high-density option improving water quality by capturing stormwater runoff and treating it through State approved Best Management Practices (BMPs); and
6. The proposed request being consistent with adopted land use plans.

Applicant

Tom Scott, Terra Change LLC

Request

Rezone approximately 55 acres from R-30 Residential and Rural Commercial (RC) to Planned Development-Conditional Zoning District (PD-CD)

Location

Midway (South of NC 150, East of Greenwood Rd, and North of Clement Circle)

Date

January 21, 2020

REZONING REQUEST

Applicant: Terra Change, LLC (Tom Scott)
 RC & R-30 to PD-CD
 (Planned Development-Conditional District)

-  Sewerlines
-  Waterlines
-  Subject Boundary
-  Subject Parcels
-  Structures
-  Lakes
- County Zoning**
-  GI
-  PD
-  R-30
-  RC



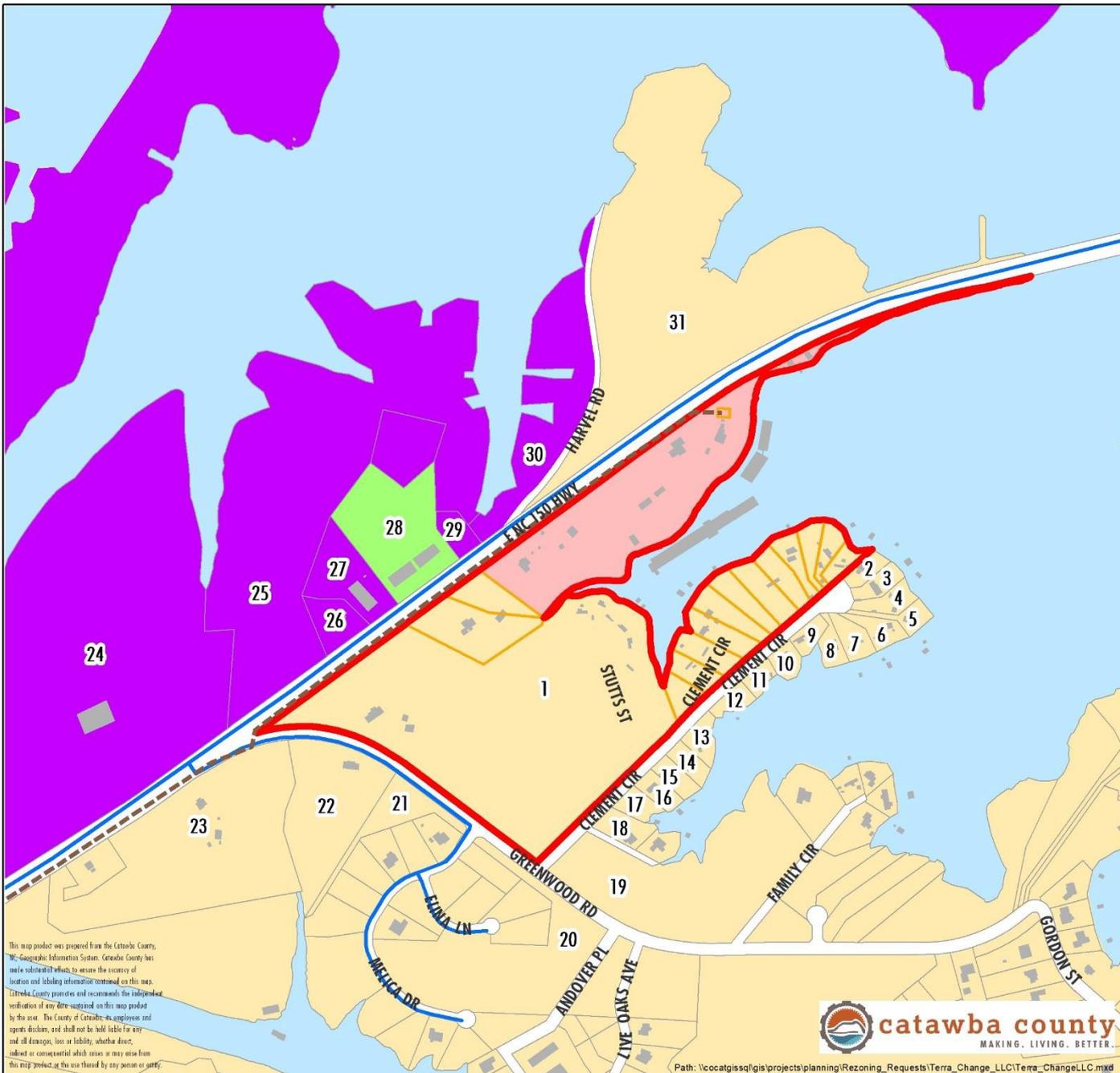
Subject Parcels fall within the following Overlays:
 CRC-O, MUC-O, WP-O, FPM-O

1 inch = 650 feet

FOCUS AREA



CATAWBA COUNTY, NC



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REZONING REQUEST

Applicant: Terra Change, LLC (Tom Scott)
 RC & R-30 to PD-CD
 (Planned Development-Conditional District)

-  Sewerlines
-  Waterlines
-  Subject Boundary
-  Subject Parcels



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

1 inch = 650 feet

FOCUS AREA



REZONING REQUEST

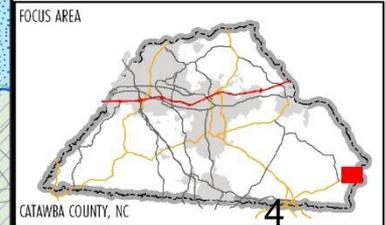
Applicant: Terra Change, LLC (Tom Scott)
 RC & R-30 to PD-CD
 (Planned Development-Conditional District)

-  Subject Boundary
-  Subject Parcels
-  Parcels
-  Structures
-  MUC-O
-  FPM-O
-  CRC-O
-  WP-O
-  Lakes

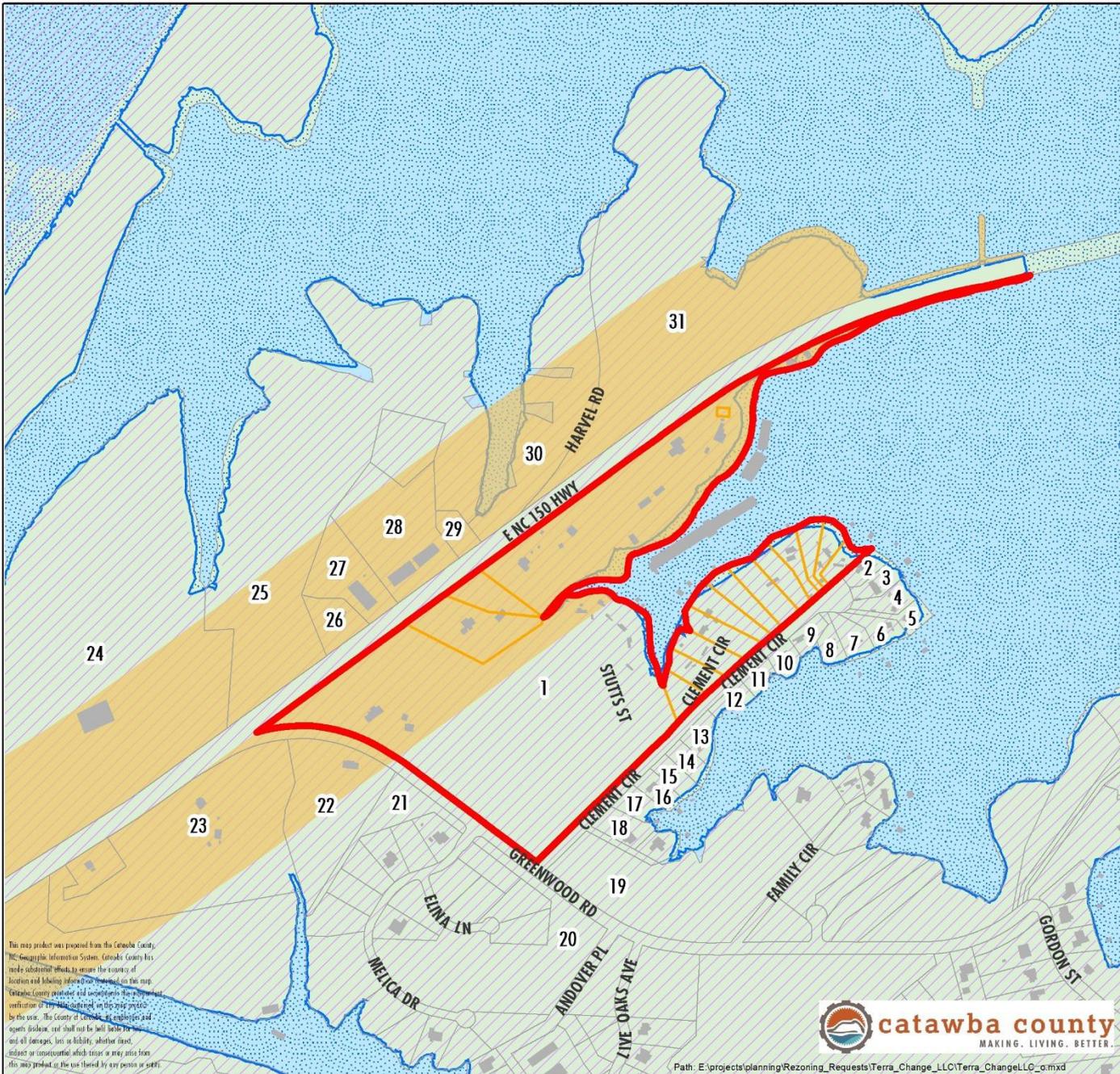


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1 inch = 650 feet



CATAWBA COUNTY, NC



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Subject Property



Subject Property



Adjacent Properties – North



Adjacent Properties – South



Adjacent Properties – South



Adjacent Properties – West



Review – Existing and Proposed Zoning

- R-30 Residential district requires a minimum lot size of 30,000 square feet (3/4 acre) and is a medium-density residential district providing for single-family and agricultural uses.
- Rural Commercial district provides small areas for retail, service and civic uses.
- Planned Development-Conditional Zoning District provides for master planned development based on a firm development proposal.

Midway

Terrell, North Carolina

Proposed Development Architectural Character
Proposed View from Highway NC 150 Bridge



Midway

Terrell, North Carolina

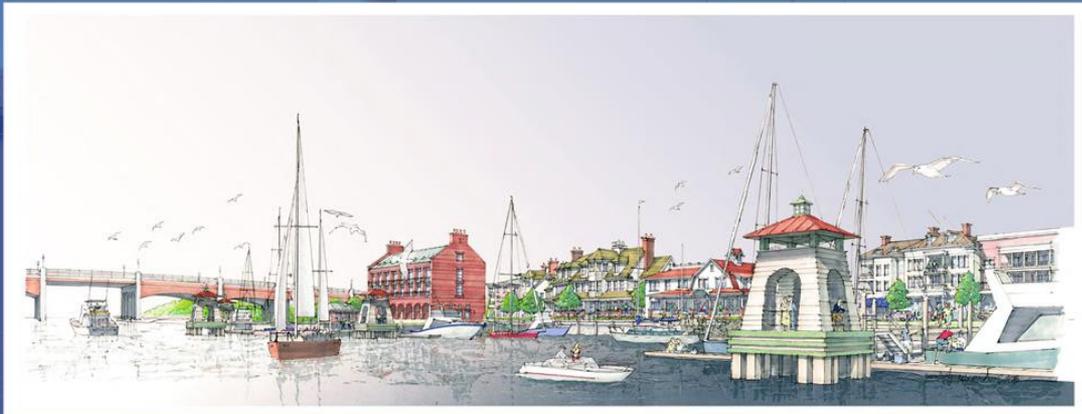
Proposed Development Architectural Character
Marina & Waterfront



Midway

Terrell, North Carolina

Proposed Development Architectural Character
Waterfront & Mixed-Use



Midway

Terrell, North Carolina

Proposed Development Architectural Character
Waterfront & Mixed-Use Precedent Images



Midway

Terrell, North Carolina

Proposed Development Architectural Character
Waterfront & Mixed-Use Precedent Images



Midway

Terrell, North Carolina

Proposed Development Architectural Character
Mixed-Use & Neighborhood Precedents



Midway

Terrell, North Carolina

Proposed Development Architectural Character
Architectural & Place Making Precedents



Wilson Landing, Palmto Bluff, Bluffton, SC



Hannah Bridge, Thomas Creek, OR



Marina Batic, Seged Dvori, Croatia



Marina Del Rey, CA



Marina Park, SC



Comney Rowing, Cary, NC



Marina Park, Cary, NC



La Marina, New York, NY



Village of Charlotte, Bank Mountain, NC



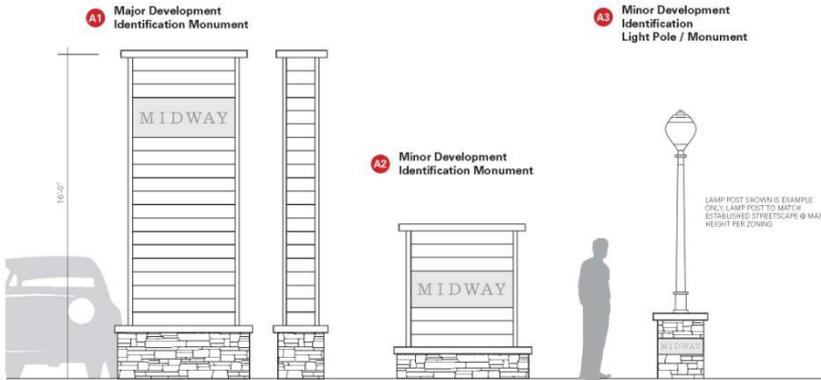
A Primary Identification Monument Sign

Midway
Terrell, NC

For purposes of serving as gateway signs signifying the real and/or perceptual entrance points to the development. These signs will identify only the name of the development on the front and back sides of each structure, and will be installed in conformance to all ROW and sight triangle requirements in the UDO. Heights and sign areas of all Primary Identifications will conform to the maximum heights allowed in the UDO Sign Requirements based on size and speed of adjoining street.

Design and materials of all signs shown are example only and are subject to revision based on the architectural features of the development. Composition of development wordmark/logo subject to change. Illumination method(s) to be determined.

Quantity: TBD



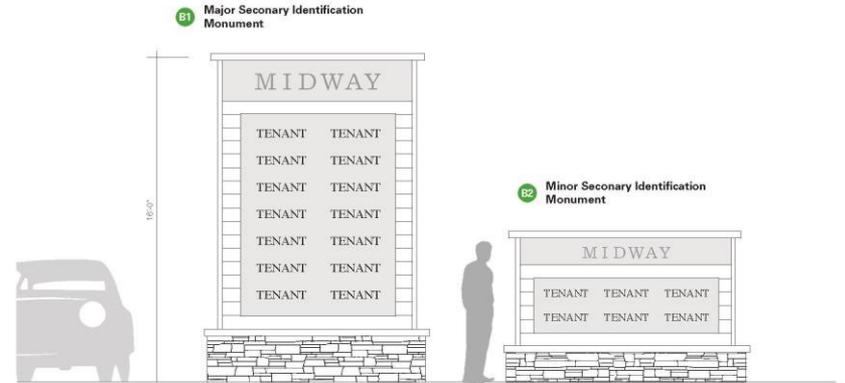
B Secondary Identification Monument Sign

Midway
Terrell, NC

For purposes of serving as monument signs identifying the mix of tenant uses within the development. These signs will identify the retail or other tenant logos and the name of the development on the front and back sides of each structure, and will be installed in conformance to all ROW and sight triangle requirements in the UDO. Heights and sign areas of all Secondary Identifications will conform to the maximum heights allowed in the UDO Sign Requirements based on size and speed of adjoining street.

Design and materials of all signs shown are example only and are subject to revision based on the architectural features of the development. Composition of development wordmark/logo subject to change. Illumination method(s) to be determined.

Quantity: TBD



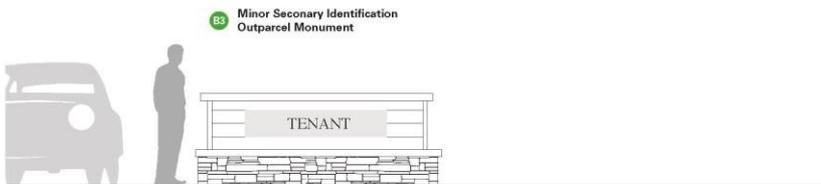
B Secondary Identification Outparcel Monument Sign

Midway
Terrell, NC

For purposes of serving as monument signs identifying an individual retailer or use within the development. These signs will identify tenant's name or logo on the front and back sides of each structure, and will be installed in conformance to all ROW and sight triangle requirements in the UDO. Heights and sign areas of all Secondary Identifications will conform to the maximum heights allowed in the UDO Sign Requirements based on size and speed of adjoining street.

Design and materials of all signs shown are example only and are subject to revision based on the architectural features of the development. Composition of development wordmark/logo subject to change. Illumination method(s) to be determined.

Quantity: TBD



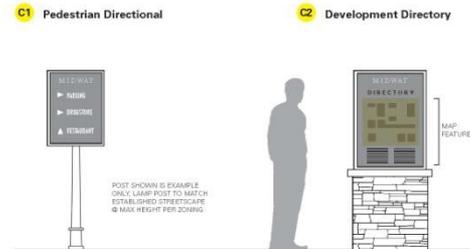
C Directional / Informational Sign

Midway
Terrell, NC

For the purpose of directing visitors to parking, shops and other amenities within the development. These signs will be installed in conformance to all ROW and sight triangle requirements in the UDO. Heights and sign areas of all Directional/Informational Signs will conform to the maximum heights allowed in the UDO Sign Requirements based on size and speed of adjoining street.

Design and materials of all signs shown are example only and are subject to revision based on the architectural features of the development. Composition of development wordmark/logo subject to change. Illumination method(s) to be determined.

Quantity: TBD



Utilities

- Public water and sewer exist along East NC 150 Highway.
- A sewer pump station exists to the east of the proposed boat storage structure.
- The development group is responsible for engineering, permitting, and installing the sewer and water lines within the development to all development areas.
- The utilities will be designed according to the City of Hickory and state specifications.
- Once installed and approved, the utilities will become part of the County's system, maintained by the City of Hickory.
- Perimeter and internal site lighting is proposed to incorporate full and/or semi-cut off lighting fixtures.

Transportation

- East NC 150 Highway is identified as a boulevard.
- Traffic counts taken in 2017 near the site measured 17,000 Annual Average Daily Traffic (AADT).
- East NC 150 Highway is scheduled for widening to a 4-lane road with a divided median.
- The project is separated into two sections.
- R-2307B encompasses widening from NC 21 Highway in Iredell County to Greenwood Road.
- Right-of-way is currently being acquired for section R-2307B.
- According to the 2020-2029 STIP, construction is scheduled to begin in 2020.
- R-2307A extends from South NC 16 Highway By-pass to Greenwood Road. Right-of-way for this section of improvements is scheduled to begin in 2025 with construction starting in 2028. 22

Transportation

- Greenwood Road is a state maintained local residential road.
- Traffic counts taken in 2017 near the site measured 760 AADT.
- NCDOT has planned realignment of the intersection of Greenwood Road and East NC 150 Highway just east of the current intersection to a 'T' intersection.
- There are no additional recommended improvements for Greenwood Road.
- However, the developer has discussed willingness to install a traffic signal at the NC 150 / Greenwood Road intersection.
- Clement Circle is a state maintained local residential road.
- There are no traffic counts available for Clement Circle and no recommended improvements identified within transportation plans.

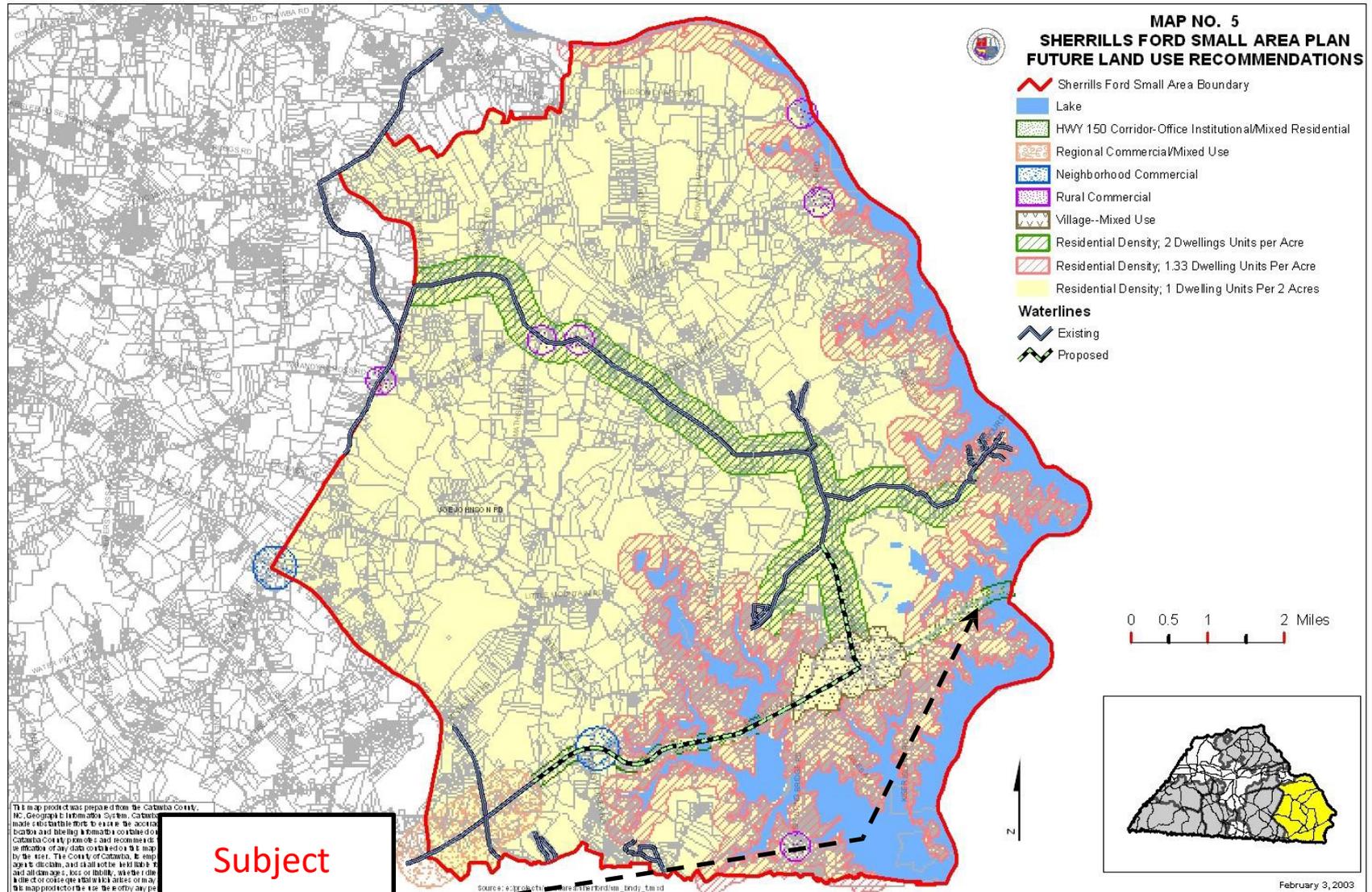
Transportation

- As part of the rezoning request, the developer will submit a Traffic Impact Analysis (TIA), produced by a traffic engineering firm, for review by NCDOT.
- The TIA will identify any loss of service at off-site intersections and identify traffic improvements off-site and determine site ingress / egress locations.
- The traffic improvements recommended in the TIA and required by NCDOT must be constructed by the developer to mitigate adverse impacts created by the proposed development.
- Two points of ingress and egress are proposed on East NC 150 Highway and two and a possible third are proposed on Greenwood Road. Three points of ingress and egress are proposed on Clement Circle. All interior streets will be designed for public use and built to NCDOT standards.

Land Use Plan

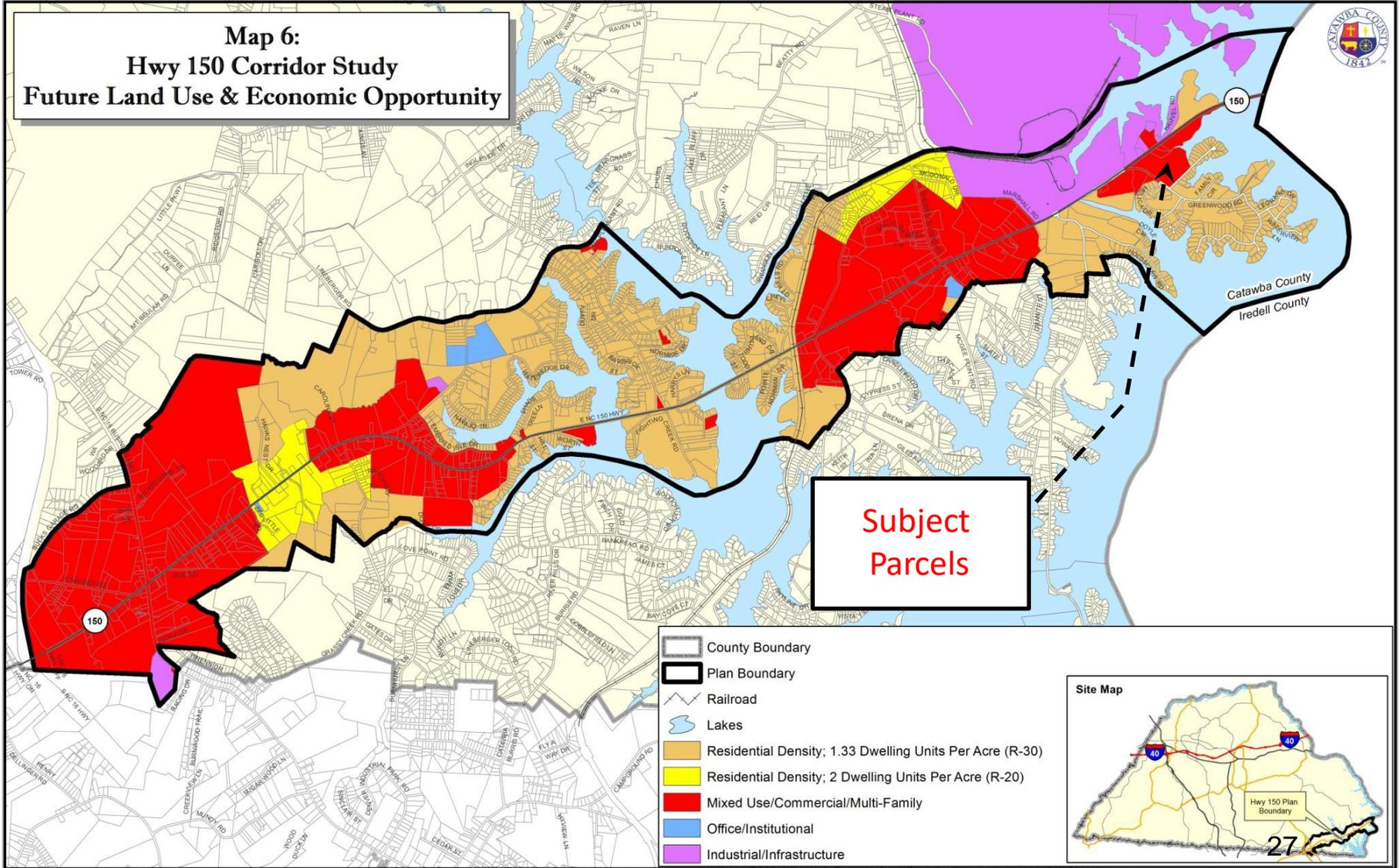
- Map 5, 'Future Land Use Recommendations', found within the Sherrills Ford Small Area Plan, adopted February 17, 2003 depicts the properties within the Highway 150 Corridor recommended for office, institutional, mixed use and residential.
- The Highway 150 Corridor Plan, which was adopted on September 8, 2014, also provides land use recommendations. Map 6, titled "Future Land Use & Economic Opportunity" recommends mixed use, commercial and multi-family uses.
- The request is consistent with the adopted land use plans and reasonable for consideration.

Future Land Use Recommendations



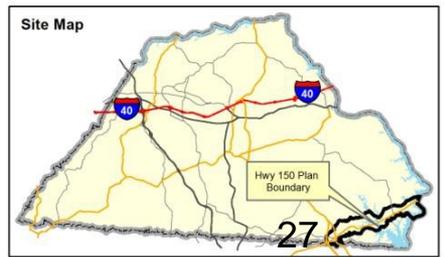
Future Land Use Recommendations

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



**Subject
Parcels**

- 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



Planning Board Public Hearing

- The Planning Board held a public hearing on December 19, 2019.
- The board asked about the slopes (grade) shown at the townhome location, if there are plans for bike lanes within the development, and whether the lots on the north side of Clement Circle had any deed restrictions which might exclude development.
- The slopes allow for various construction types including basement construction.
- Bike lanes have not been specifically discussed. The traditional neighborhood design is an opportunity to use the sharrows (bike/vehicle) marked lane design.
- There are no prohibitive development deed restrictions along the lots on the north side of Clement Circle.

Planning Board Public Hearing

- Two citizens spoke at the public hearing. Both spoke in favor of the development.
- One recommended that improvements be made to Clement Circle.
- Another felt the Mr. Scott had taken area citizens requests into consideration, but also asked that golf cart use be an allowed consideration within the development.
- Mr. Scott, developer and Terry Shook, designer spoke on behalf of the request.
- Mr. Shook indicated that improvements would be made to Clement Circle along with other required transportation improvements identified in the Traffic Impact Analysis.
- Both, Mr. Scott and Mr. Shook covered other general concepts of the development.

Staff and Planning Board Recommendation

Staff recommended approval of the application to the Planning Board, which voted 7 – 0 to submit a favorable recommendation to the Board of Commissioners to rezone the approximate 55 acres from R-30 Residential and Rural Commercial to Planned Development-Conditional Zoning District to allow the mixed use commercial and residential development and authorize the high-density development option based upon:

1. All conditions identified within the Development Narrative booklet and concept site plan prepared by Shook Kelley;
2. The developer extending public water and sewer within and throughout the proposed development;
3. The proposed development meeting high-quality development standards including public open space;

Recommendation cont.

4. The proposed development being in close proximity to other nonresidential developments;
5. The high-density option improving water quality by capturing stormwater runoff and treating it through State approved Best Management Practices (BMPs); and
6. The proposed request being consistent with adopted land use plans.

Subject and Adjacent Property Owners List

<u>label</u>	<u>PIN</u>	<u>CALCAC</u>	<u>owner</u>	<u>owner2</u>	<u>address</u>	<u>city</u>	<u>state</u>	<u>zip</u>	<u>bidg no</u>	<u>street nam</u>
1	461708984339	29.42	EVELYN G STUTTS REVOCABLE TRUST	TONY LEE STUTTS TRUSTEE	PO BOX 247	TERRELL	NC	28682-0247	8846	GREENWOOD RD
2	462705099192	0.48	DORIS JEAN BROWN		9115 CLEMENT CIR	TERRELL	NC	28682-9719	9115	CLEMENT CIR
3	462705190054	0.54	HANNA L STUTTS REVOCABLE LIVING TRUST		9113 CLEMENT CIR	TERRELL	NC	28682-9719	9113	CLEMENT CIR
4	462705181916	0.63	DENNIS W GRAYBEAL	MARCIA C GRAYBEAL	5456 CROFTON AVE	KANNAPOLIS	NC	28081-8749	9111	CLEMENT CIR
5	462705181878	0.53	BOBBIE CRANOR LFI		9109 CLEMENT CIR	TERRELL	NC	28682-9719	9109	CLEMENT CIR
6	462705180863	0.62	MILDRED P WATTS	RICKY WAYNE WATTS	2007 PENNSYLVANIA AVE	KANNAPOLIS	NC	28083-6655	9105	CLEMENT CIR
7	462705089729	0.63	KEITH CLAXTON MOYE	KAREN F MOYE	6574 CLAIBORNE COURT	MASON	OH	45040-5758	9101	CLEMENT CIR
8	462705088715	0.49	JAMES CARROLL JARRETT	MARY L JARRETT	9097 CLEMENT CIR	TERRELL	NC	28682-9718	9097	CLEMENT CIR
9	462705087810	0.44	JAMES CARROLL JARRETT	MARY L JARRETT	9097 CLEMENT CIR	TERRELL	NC	28682-9718	9087	CLEMENT CIR
10	462705086608	0.46	JOSEPH M SUCHECKI	EMMA H SUCHECKI	7293 JAMES CT	DENVER	NC	28037-7842	9075	CLEMENT CIR
11	462705084680	0.37	RONDA SNYDER LEVERICK	FRANCIS JOSEPH LEVERICK	3247 BARR RD	CONCORD	NC	28027-7666	9063	CLEMENT CIR
12	462705083459	0.44	CHARLES E KIMREY	SHARON O KIMREY	4545 RIDGE RD	CHARLOTTE	NC	28269-1077	9047	CLEMENT CIR
13	462705082300	0.58	GARY N SIMES	CAROL P SIMES	1195 HUDGINS HILL CT	WINSTON SALEM	NC	27103-6750	9031	CLEMENT CIR
14	462705081157	0.51	ROBERT J FRYE AKA ROBERT FRYE	WHITNEY J FRYE AKA WHITNEY FRYE	9021 CLEMENT CIR	TERRELL	NC	28682-9718	9021	CLEMENT CIR
15	462705080180	0.52	WILLIAM DE LELLIS	MARY ELLEN DE LELLIS	9013 CLEMENT CIR	TERRELL	NC	28682-9718	9013	CLEMENT CIR
16	461708989085	0.53	GINA M MALVASO		9005 CLEMENT CIRCLE	TERRELL	NC	28682-9718	9005	CLEMENT CIR
17	461708979907	0.51	ZINK PROPERTIES LLC		4300 POINTE NORMAN DR	SHERRILLS FORD	NC	28673-8357	8997	CLEMENT CIR
18	461708978846	0.76	KENNETH CHARLES PALMER	SUSAN ELAINE PALMER	8985 CLEMENT CIR	TERRELL	NC	28682-9717	8985	CLEMENT CIR
19	462705074711	11.08	TONY L STUTTS	CAROL S STUTTS	PO BOX 247	TERRELL	NC	28682-0247		
20	461712971156	8.52	HIDDEN HARBOUR HOMEOWNERS ASSOCIATION INC		7108 SARDIS RD	CHARLOTTE	NC	28270-6060	3584	MELICA DR
21	461708877945	1.71	HIDDEN HARBOUR HOMEOWNERS ASSOCIATION INC		7108 SARDIS RD	CHARLOTTE	NC	28270-6060	3483	MELICA DR
22	461708874917	5.73	MITCHELL LEWIS PARKER	RITA H PARKER	8833 GREENWOOD RD	TERRELL	NC	28682-9737	8833	GREENWOOD RD
23	461708778717	13.83	ANNIE CLYDE B HOLDSCLAW HEIRS	BILLY C HOLDSCLAW	719 DOGWOOD LN	MOORESVILLE	NC	28115-2416	8411	E NC 150 HWY
24	461803426350	1709.11	DUKE ENERGY CAROLINAS LLC		550 SOUTH TRYON STREET DEC22A	CHARLOTTE	NC	28202-4200	8320	E NC 150 HWY
25	461708896509	30.20	DUKE ENERGY CAROLINAS LLC		400 S TRYON ST STE 30C	CHARLOTTE	NC	28285-1900		
26	461708884874	1.15	JETEN PROPERTIES LLC		8580 E NC 150 HWY	TERRELL	NC	28682-8710	8550	E NC 150 HWY
27	461708896110	2.47	JETEN PROPERTIES LLC		8580 E NC 150 HWY	TERRELL	NC	28682-8710	8576	E NC 150 HWY
28	461708897420	5.36	JETEN PROPERTIES LLC		8580 E NC 150 HWY	TERRELL	NC	28682-8710	8586	E NC 150 HWY
29	461708990239	0.67	JETEN PROPERTIES LLC		8580 E NC 150 HWY	TERRELL	NC	28682-8710	8614	E NC 150 HWY
30	461708995953	7.73	DUKE ENERGY CAROLINAS LLC		PO BOX 1007	CHARLOTTE	NC	28201-1007	8632	E NC 150 HWY
31	462817000538	28.54	DUKE ENERGY CAROLINAS LLC		400 S TRYON ST STE 30C	CHARLOTTE	NC	28285-1900		

Catawba County Rezoning/Ordinance Text Amendment Application

Applicant Terra Chuga LLC Phone # 704-907-7425
 Applicant's Fnx 704-749-19496 Applicant's Email _____
 Applicant's Mailing Address 10801 Johnson Rd. #1157 City, State, Zip Charlotte, NC 28226
 Property Owner TONY L. STUTTS Phone # 704-907-4944
 Property Owner's Mailing Address P.O. Box 247, TERRELL City, State, Zip N.C. 28682
 Property Owner Harold E. Stutts Phone # 704-361-1204
 Property Owner's Mailing Address P.O. Box 15 Terrell City, State, Zip N.C. 28682
 Property Owner CLAY B. STUTTS Phone # 828-455-2899
 Property Owner's Mailing Address 4351 Kiser E-sham Rd Terrell, NC City, State, Zip 28682
 Parcel 911 Address N.A. PIN # See Attachment 'A'
 Subdivision Name and Lot # N.A.
 Current Zoning District RC & R-30 Proposed Zoning District PD-CD

Type of Rezoning Application:

- General Rezoning**
 - The general information listed below shall be submitted with the rezoning application.
- 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.
- 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.
- 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.
- 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 _____
- 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 18 x 24 inch map or larger format.
- Submittal of 15 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 Name (Printed) Thomas N. Smith, Manager Member
 Applicant's Signature [Signature] Date 11-4-19
 Property Owners Name (Printed) TONY L. STUTTS
 Property Owner's Signature Tony L. Stutts Date 10/23/19
 Property Owners Name (Printed) Harold E. Stutts
 Property Owner's Signature Harold E. Stutts Date 10/23/19
 Property Owners Name (Printed) CLAY B. STUTTS
 Property Owner's Signature Clay B. Stutts Date 10/23/19



catawba county
planning & parks

ZONING MAP AMENDMENT CONSISTENCY STATEMENT

On January 21, 2020 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to 55 acres identified by PINs 461708998493, 461708981988, 461708981821, 461708984339, 462705081502, 462705081661, 462705082731, 462705083800, 462705083859, 462705084925, 462705095001, 462705096008, 462705096163, 462705097210, 462705097290, and 462705098175 (Case #RZ2019-09).

Upon considering the matter, the Board of Commissioners find the request to be consistent with Map 5, "Future Land Use Recommendations," found within the Sherrills Ford Small Area Plan, depicting the properties along NC 150 for office, institutional, mixed use and residential. The Highway 150 Corridor Plan's Map 6, titled "Future Land Use & Economic Opportunity" recommends the properties for mixed use, commercial and multi-family uses. The board finds the request reasonable for rezoning and in the public's interest based upon:

1. All conditions identified within the Development Narrative booklet and concept site plan prepared by Shook Kelley;
2. The developer extending public water and sewer within and throughout the proposed development;
3. The proposed development meeting high-quality development standards including public open space;
4. The proposed development being in close proximity to other nonresidential developments;
5. The high-density option improving water quality by capturing stormwater runoff and treating it through State approved Best Management Practices (BMPs); and
6. The proposed request being consistent with adopted land use plans.

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

Presiding Officer

Date

catawbacountync.gov
Catawba County Government Center
25 Government Drive | Newton NC 28658 | 828.465.8380

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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 and Rural Commercial (RC) to Planned Development-Conditional Zoning District (PD-CD):

55 acres identified by Parcel Identification Numbers 461708998493, 461708981988, 461708981821, 461708984339, 462705081502, 462705081661, 462705082731, 462705083800, 462705083859, 462705084925, 462705095001, 462705096008, 462705096163, 462705097210, 462705097290, and 462705098175 in the Sherrills Ford Small Area Planning District and Highway 150 Corridor Planning Area, Mountain Creek Township.

PLAN CONSISTENCY STATEMENT:

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners find the request to be consistent with Map 5, "Future Land Use Recommendations," found within the Sherrills Ford Small Area Plan, depicting the properties along NC 150 for office, institutional, mixed use and residential. The Highway 150 Corridor Plan's Map 6, titled "Future Land Use & Economic Opportunity" recommends the properties for mixed use, commercial and multi-family uses. The board finds the request reasonable for rezoning and in the public's interest based upon:

1. All conditions identified within the Development Narrative booklet and concept site plan prepared by Shook Kelley;
2. The developer extending public water and sewer within and throughout the proposed development;
3. The proposed development meeting high-quality development standards including public open space;
4. The proposed development being in close proximity to other nonresidential developments;
5. The high-density option improving water quality by capturing stormwater runoff and treating it through State approved Best Management Practices (BMPs); and
6. The proposed request being consistent with adopted land use plans.

This, the 21st day of January 2020.

C. Randall Isenhower, Chair

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Assistant Planning Director

DATE: January 21, 2020

IN RE: Rezoning Request – 3217 South NC 16 Highway, R-40 Residential to Highway Commercial

REQUEST

Staff requests the Board of Commissioners holds a public hearing to receive citizen comments and considers an application and recommendation to rezone approximately 5.1 acres, owned by Ge Yang and Mai See Cindy Vang, from R-40 Residential to Highway Commercial (HC) District.

REVIEW/BACKGROUND

Location/Zoning

The current R-40 Residential district requires a minimum lot size of 40,000 square feet (approx. 1 acre), and is considered a low-density “general use” residential district. Predominate uses in this district include single-family homes and agriculture. The Highway Commercial district requires a minimum lot size of 40,000 square feet (1 acre) and is considered a “general use” district. The district provides for highway-oriented business, office, service, and civic uses.

The property for which the rezoning request is being considered is located at 3217 South NC 16 Highway in the Balls Creek Small Area Planning District, Caldwell Township, and further identified by Parcel Identification Number 3668-01-18-9912.

The property depicted as Parcel 1 on the attached map is zoned R-40 Residential and is undeveloped. The surrounding parcels contain the zoning districts and uses described below.

- *North* – Parcel 3 is zoned Rural Commercial (RC) which requires a minimum lot size of 20,000 square feet and is currently vacant. Most, if not all, of this parcel will be required for the NC 16 widening project. Parcel 4 is zoned R-40 Residential and is currently vacant.
- *South* – Parcel 7 is zoned R-40 Residential and contains a manufactured home park with five sites.
- *West* – Parcels 2 and 8 are zoned R-40 Residential. Both contain single-family homes.
- *East* – Parcels 5 and 6 are zoned R-40 Residential. Parcel 5 is vacant and Parcel 6 contains a single-family home.

Zoning History

None to report.

Land Use

Because only a small portion of the property frontage is within the Mixed Use Corridor Overlay (MUC-O), MUC-O standards (higher aesthetic and pedestrian oriented development standards) would not apply to future development. Non-residential development standards within the Unified Development Ordinance would regulate development of the property if it is rezoned to Highway Commercial.

Utilities

Public water is planned and being installed along NC 16 Highway as part of the road widening project. Public water exists along North Olivers Cross Road, approximately 430 feet west of the property. Public sewer is not available.

Transportation

South NC 16 Highway is identified as a major thoroughfare in the 2035 Long Range Transportation Plan. Traffic counts taken in 2017 near the site measured 16,000 Annual Average Daily Traffic (AADT). South NC 16 Highway is currently being widened to a 4-lane roadway with a divided median. NCDOT has stated construction is anticipated to be complete by end of year 2020. NCDOT construction plans identify a future access point to the site.

Land Use Plan

The Balls Creek Small Area Plan, adopted on June 16, 2003, serves as the current land use plan for this area. Map 5, titled "Future Land Use and Residential Density Recommendations," identifies a neighborhood commercial node at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road. The plan further states that the node should include highway business type uses with a site area of 10 to 25 acres and maximum gross leasable area of 50,000 square feet per lot. The Highway Commercial district is consistent with the recommended future land use map.

Planning Board Public Hearing

The Planning Board held a public hearing on December 19, 2019 to consider the request. There were no questions or comments from the Planning Board. No one spoke for or against the request.

PLANNING BOARD AND STAFF RECOMMENDATION

Staff recommended approval of the application to the Planning Board, which voted 7 – 0 to submit a favorable recommendation to the Board of Commissioners to adopt an ordinance and consistency statement to rezone the 5.1 acres owned by Ge Yang and Mai See Cindy Vang from R-40 Residential to Highway Commercial District based upon:

- 1) The property's proximity to other commercial properties located at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road;
- 2) The current widening of NC 16 Highway at this location;
- 3) NCDOT's provision for allowing access to the site for possible development; and
- 4) The request being consistent with the adopted Balls Creek Small Area Plan, Map 5 Future Land Use and Residential Densities map and recommendations.

Applicant

Ge Yang and Mai See Cindy Vang

Request

Rezone one parcel (5.1 acres) from R-40 Residential to Highway Commercial (HC) Zoning District

Location

3217 South NC 16 Highway

Date

January 21, 2020



catawba county
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REZONING REQUEST

Applicant: Ge Yang & Mai See Cindy Vang

R-40 to HC

PIN: 3668-01-18-9912

 Subject Parcel

 Structures

 Waterlines

County Zoning

 HC

 R-40

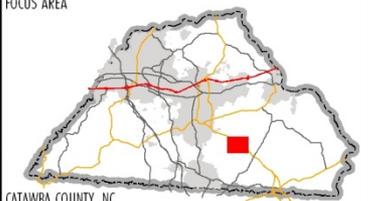
 RC



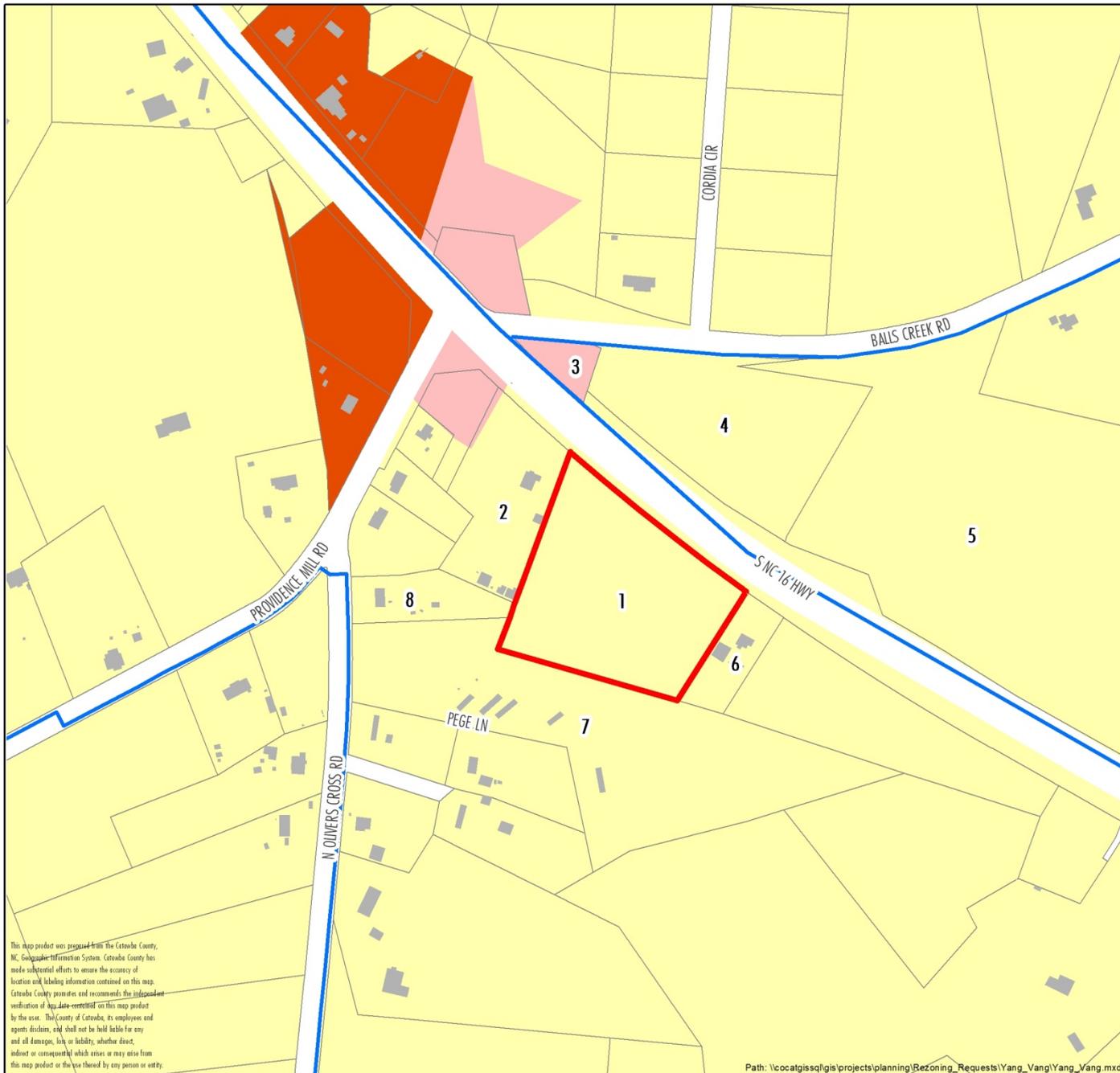
Subject Parcel is in the following Overlay: MUC-O

1 inch = 350 feet

FOCUS AREA



CATAWBA COUNTY, NC



This map product was prepared using 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 presented on this map product by the user. The County of Catawba, its employees and agents disclaims, 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.

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REZONING REQUEST

Applicant: Ge Yang & Mai See Cindy Yang

R-40 to HC

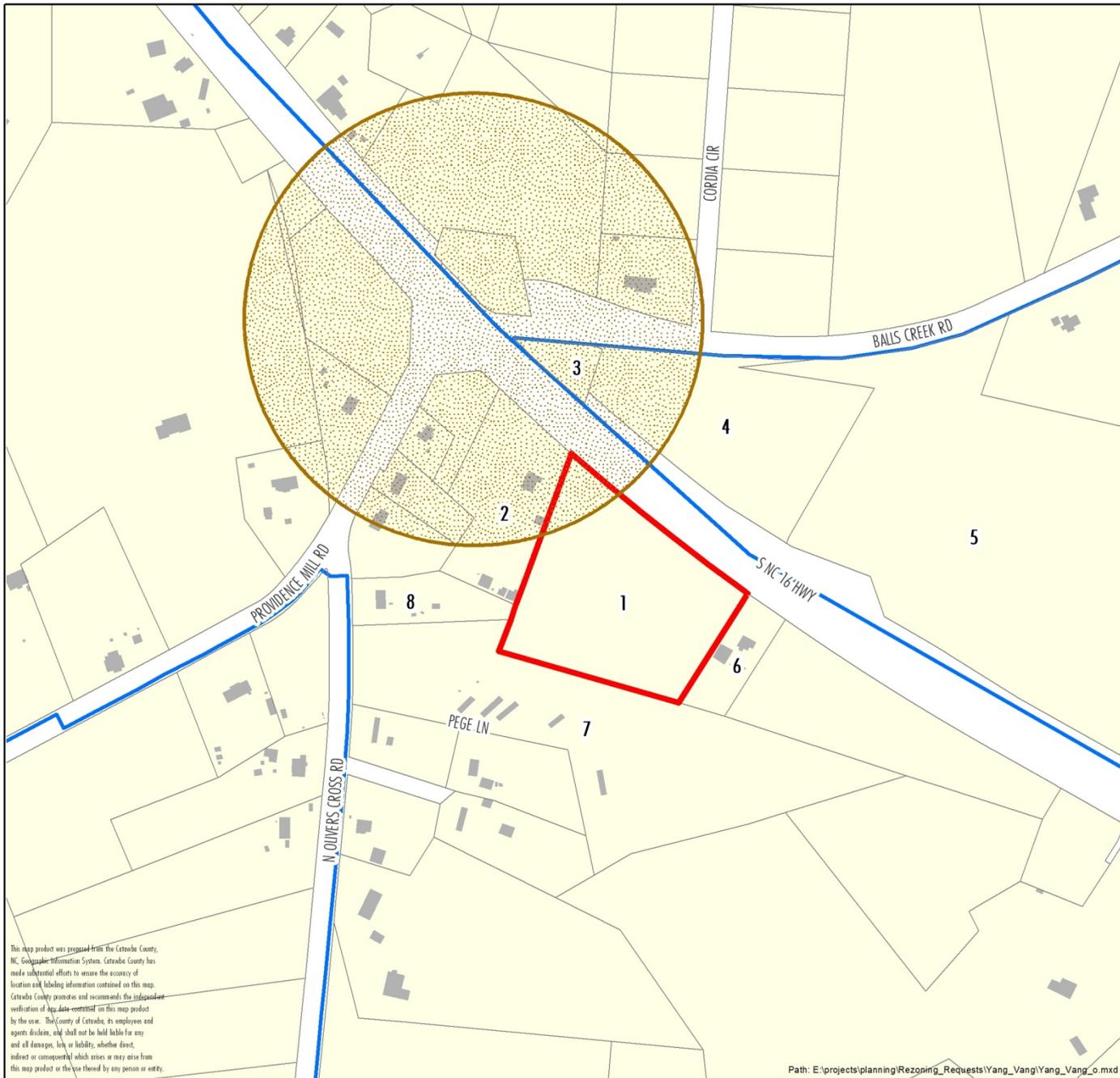
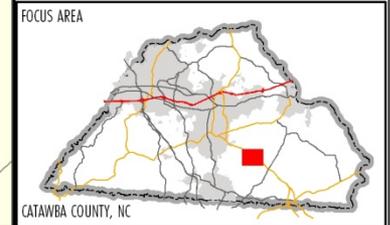
PIN: 3668-01-18-9912

-  Subject Parcel
-  MUC-O
-  Parcels
-  Structures
-  Waterlines



Subject Parcel is in the following Overlay: MUC-O

1 inch = 350 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, big 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.

Subject Property



Adjacent Property – North



Adjacent Property – South



Adjacent Properties – East



Review – Existing and Proposed Zoning

- R-40 Residential district requires a minimum lot size of 40,000 square feet (1 acre) and is a low-density residential district providing for single-family and agricultural uses.
- Highway Commercial district provides areas for retail, service and civic uses.

Utilities

- Public water is planned and being installed along NC 16 Highway as part of the road widening project. It exists along North Olivers Cross Road, approximately 430 feet west of the property. Public sewer is not available.

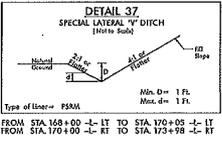
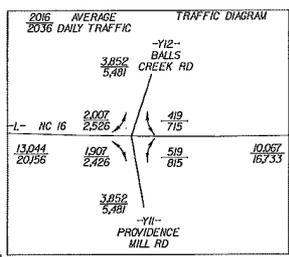
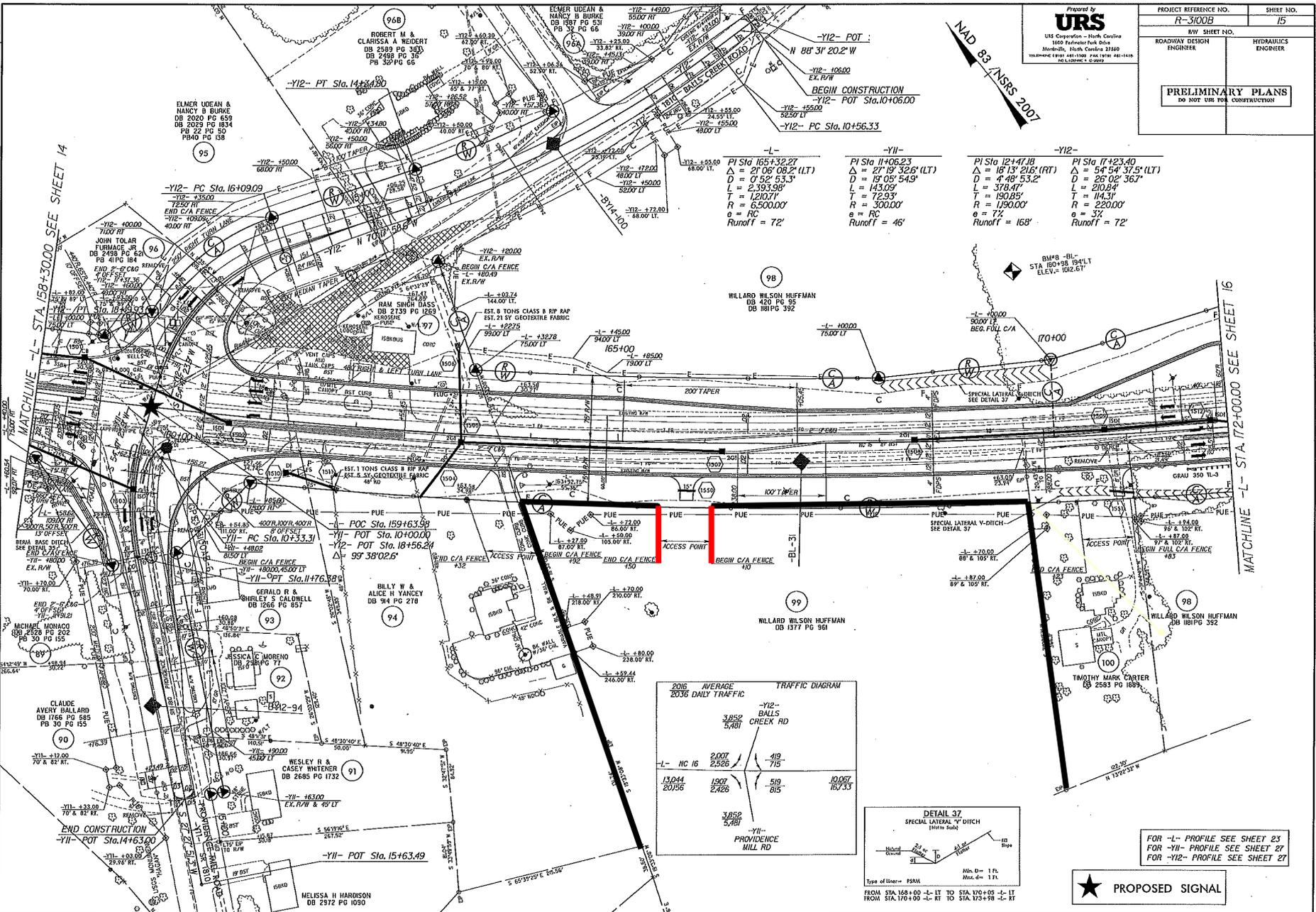
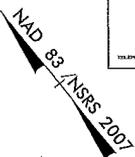
Transportation

- South NC 16 Highway is identified as a major thoroughfare in the 2035 Long Range Transportation Plan.
- Traffic counts taken in 2017 near the site measured 16,000 Annual Average Daily Traffic (AADT).
- South NC 16 Highway is currently being widened to a 4-lane roadway with a divided median.
- NCDOT has stated construction is anticipated to be complete by end of year 2020.
- NCDOT construction plans identify a future access point to the site.

Prepared by **URS**
 URS Corporation - North Carolina
 1605 Federal Park Drive
 Morrisville, North Carolina 27560
 Telephone: (919) 448-1100 Fax: (919) 461-1414
 u.com/nc/02-0002

PROJECT REFERENCE NO. R-3100B	SHEET NO. 15
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION



FOR -L- PROFILE SEE SHEET 27
 FOR -Y11- PROFILE SEE SHEET 27
 FOR -Y12- PROFILE SEE SHEET 27

★ PROPOSED SIGNAL

MATCHLINE -L- STA. 158+30.00 SEE SHEET 14

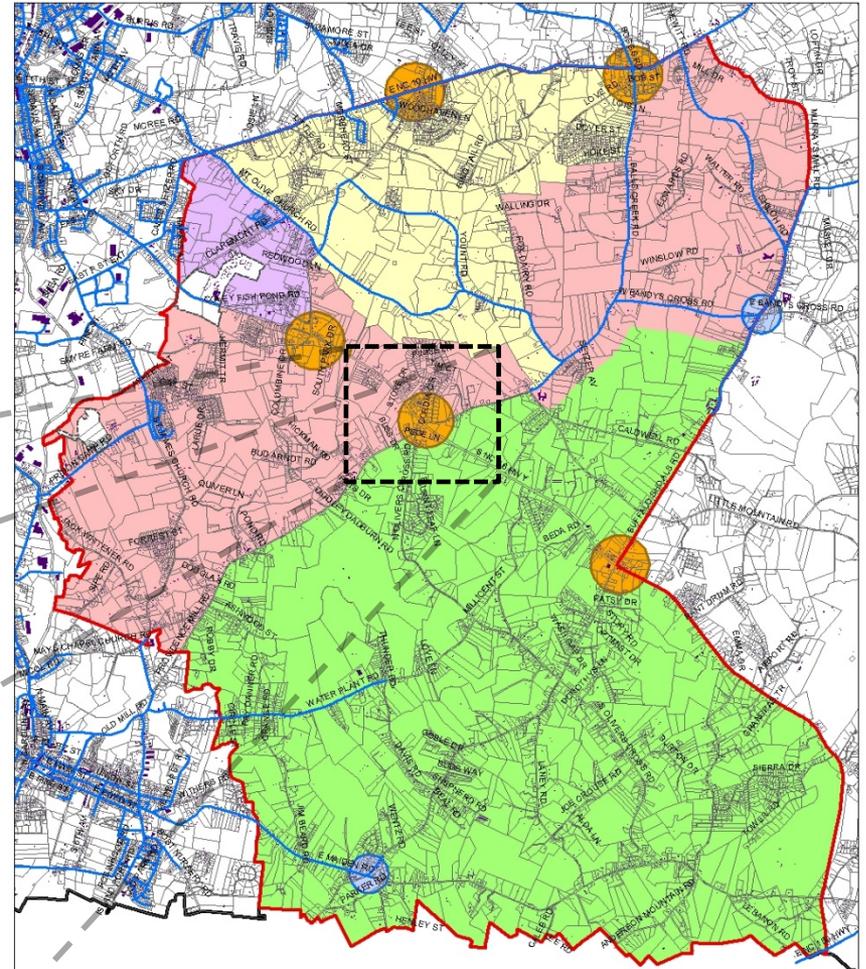
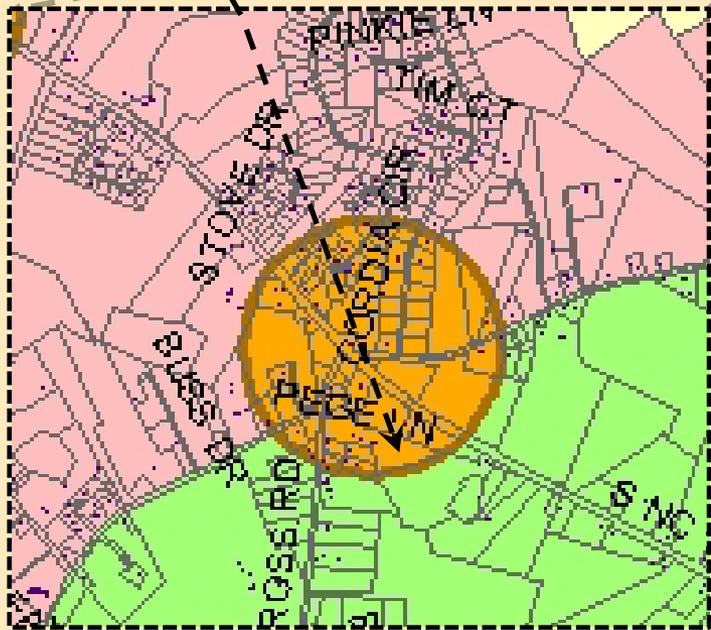
MATCHLINE -L- STA. 172+00.00 SEE SHEET 16

Land Use Plan

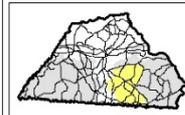
- The Balls Creek Small Area Plan serves as the current land use plan for this area.
- The Future Land Use and Residential Density Recommendations map identifies a neighborhood commercial node at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road.
- The plan states the node should include highway business type uses with a site area of 10 to 25 acres and maximum gross leasable area of 50,000 square feet per lot.
- The Highway Commercial district is consistent with the recommended future land use map.

Future Land Use Recommendations

Subject Parcel

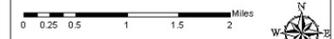


The map product was prepared for the City of Castle Rock, CO. It is intended for use as a planning tool only. It is not intended to be used for any legal or financial purposes. The City of Castle Rock is not responsible for any errors or omissions in this map product. The City of Castle Rock, CO, is not responsible for any damages, loss of property, or other consequences that may result from the use of this map product or any other product of the City of Castle Rock, CO.



- Structures
- Balls Creek SAP Boundary
- Municipal Boundary
- Waterlines
- Residential Density: .75 Acre Lots
- Residential Density: 1 Acre Lots
- Residential Density: 2 Acre Lots
- Village/Multi-Family/Office-Institutional
- Rural Commercial
- Neighborhood Commercial

**MAP NO. 5A
BALLS CREEK SMALL AREA PLAN
FUTURE LAND USE
AND
RESIDENTIAL DENSITY
RECOMMENDATIONS**



Revised: 04/18/2011

Planning Board Public Hearing

- The Planning Board held a public hearing on December 19, 2019 to consider the request.
- There were no questions or comments from the Planning Board.
- No one spoke for or against the request.

Staff and Planning Board Recommendation

Staff recommended approval of the application to the Planning Board, which voted 7 – 0 to submit a favorable recommendation to the Board of Commissioners to rezone the 5.1 acres owned by Ge Yang and Mai See Cindy Vang from R-40 Residential to Highway Commercial District based upon:

1. The proximity of the property to other commercial properties located at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road;
2. The current widening of NC 16 Highway at this location;
3. NCDOT's provision for allowing access to the site for possible development; and
4. The request being consistent with the adopted Balls Creek Small Area Plan, Map 5 Future Land Use and Residential Densities map and recommendations.

Catawba County Planning Department
25 Government Drive
Newton, NC 28658

Re: Rezoning Application, 3217 S. NC 16 Hwy

To Whom It May Concern,

Ge Yang and Mai See Cindy Vang, is pleased to submit to the Catawba County Planning Department an application for the rezoning of 3217 S. NC 16 Hwy, Maiden, NC 28650. The subject parcel encompasses 5.18 Acres of land undeveloped. It is labeled with Parcel ID: 366801189912. We believe that this property is a candidate for rezoning to the classification Highway Commercial (HC) due to the proximity of the property to other intersection of Balls creeks road and NC 16 Hwy, and the potential change in circumstances regarding the uses near the intersection. This property is currently in the Plan recommendation within Catawba County.

The parcel ID: 366801189912 of the address 3217 S. NC 16 Hwy has enough length to make a pavement for deceleration and acceleration within the 60 ft. of access and not slow down traffic. The 60 ft. of access is best to be the centered within the property of 3217 S NC 16 Hwy of the frontage road due to having 575 ft. of length of its property.

Based on the Balls Creek Small Area Plan for development, the property we submit for rezoning, the future use plan shows a "neighborhood commercial" development. Moreover, one of the guiding principles of the Development Plan was to provide more job opportunities in Maiden of Catawba County through an increase in commercial sites.

For these reasons, we feel that our property is an excellent fit for rezoning to Highway Commercial, to reflect a use of the property more in line with the changing conditions in the area, and to bring the property in line with county's future vision. We appreciate your consideration in this matter and are happy to answer any questions you may have.

Sincerely,



Ge Yang and Mai See Cindy Vang

Catawba County Rezoning/Ordinance Text Amendment Application

Applicant Ge Yang And MaiSee Cindy Vang Phone # 828-405-2200
Applicant's Fax _____ Applicant's Email _____
Applicant's Mailing Address 2184 Stove Dr. City, State, Zip Newton NC 28658
Property Owner Ge Yang And MaiSee Cindy Vang Phone # 828-405-2200
Property Owner's Mailing Address 2184 Stove Dr. City, State, Zip Newton NC 28658
Parcel 911 Address 3217 S NC 16 HIGHWAY PIN # 366B-01-18-9912
Subdivision Name and Lot # _____
Current Zoning District R40 Proposed Zoning District HC

Type of Rezoning Application:

General Rezoning

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

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.

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.

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.

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 _____

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 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** \$ 720.00

Applicant's Name (Printed) Ge Yang And MaiSee Cindy Vang
Applicant's Signature Ge Yang MaiSee Cindy Vang Date 10-24-19
Property Owners Name (Printed) Ge Yang And MaiSee Cindy Vang
Property Owner's Signature Ge Yang MaiSee Cindy Vang Date 10-24-19

Subject and Adjacent Property Owners List

<u>label</u>	<u>PIN</u>	<u>CALCAC</u>	<u>owner</u>	<u>owner2</u>	<u>address</u>	<u>city</u>	<u>state</u>	<u>zip</u>	<u>bldg no</u>	<u>street nam</u>
1	366801189912	5.18	GE YANG	MAI SEE CINDY VANG	2184 STOVE DR	NEWTON	NC	28658-9670	3217	S NC 16 HWY
2	366801195290	2.41	BILLY WAYNE YANCEY	ALICE H YANCEY	4155 E MAIDEN RD	MAIDEN	NC	28650-9661	3171	S NC 16 HWY
3	366801197525	0.42	RAM SINGH DASS		2650 SOCO RD	MAGGIE VALLEY	NC	28751-8803	3166	S NC 16 HWY
4	366801291367	4.48	MOORE INVESTMENTS OF NC LLC		2671 WALNUT ST	NEWTON	NC	28658-9060	3120	BALLS CREEK RD
5	366801299004	20.89	WILLARD W HUFFMAN HEIRS		430 1ST AVE NW	HICKORY	NC	28601-6156	3217	S NC 16 HWY
6	366801281767	0.86	TIMOTHY MARK CARTER		3225 S NC 16 HWY	MAIDEN	NC	28650-9452	3225	S NC 16 HWY
7	366801187692	8.25	PROVIDENCE MILL INC		PO BOX 311	NEWTON	NC	28658-0311	3148	PEGE LN
8	366801183984	1.02	ALLEN BILLY BARBER	LINDA BARBER	2414 N OLIVERS CROSS RD	NEWTON	NC	28658-9618	2414	N OLIVERS CROSS RD



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ZONING MAP AMENDMENT CONSISTENCY STATEMENT

On January 21, 2020 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to 5.1 acres identified by PIN 3668-01-18-9912 (Case #RZ2019-08).

Upon considering the matter, the Board of Commissioners finds the request to be consistent with the "Future Land Use and Residential Density Recommendations," Map 5, of the Balls Creek Small Area Plan, which identifies a neighborhood commercial node at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road. The board finds the request reasonable for rezoning and in the public's interest based upon:

- 1) The property's proximity to other commercial properties located at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road;
- 2) The current widening of NC 16 Highway at this location;
- 3) NCDOT's provision for allowing access to the site for possible development; and
- 4) The request being consistent with the adopted Balls Creek Small Area Plan, Map 5 Future Land Use and Residential Densities map and recommendations.

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

Presiding Officer

Date

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Catawba County Government Center
25 Government Drive | Newton NC 28658 | 828.465.8380

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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 property from R-40 Residential to Highway Commercial (HC):

5.1 acres identified by Parcel Identification Number 3668-01-18-9912 in the Balls Creek Small Area Planning District, Caldwell Township.

PLAN CONSISTENCY STATEMENT:

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners finds the request to be consistent with the "Future Land Use and Residential Density Recommendations," Map 5, of the Balls Creek Small Area Plan, which identifies a neighborhood commercial node at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road. The board finds the request reasonable for rezoning and in the public's interest based upon:

- 1) The property's proximity to other commercial properties located at the intersection of NC 16 Highway, Providence Mill Road and Balls Creek Road;
- 2) The current widening of NC 16 Highway at this location;
- 3) NCDOT's provision for allowing access to the site for possible development; and
- 4) The request being consistent with the adopted Balls Creek Small Area Plan, Map 5 Future Land Use and Residential Densities map and recommendations.

This, the 21st day of January 2020.

C. Randall Isenhower, Chair

APPOINTMENTS

RANDY (Due) Juvenile Crime Prevention Council

Chair Isenhower recommends the appointment of Dr. Sylvia White for an unexpired term to succeed Rosanna Whisnant on the Juvenile Crime Prevention Council. This term will expire June 30, 2020.

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: January 21, 2020

SUBJECT: Appropriation of Conover Rural Fire Tax Funds to City of Conover

Request:

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves distribution of \$300,000 in Conover Rural Fire District tax revenue to the City of Conover to purchase a 2012 used fire engine as a replacement vehicle for a fire engine involved in a motor vehicle collision.

Background:

Conover Fire Department's Engine 2 was involved in a wreck on December 4, 2019 and is anticipated to be declared a total loss. The City of Conover plans to purchase a used 2012 fire engine at a projected cost of \$395,000 to replace the lost vehicle. Due to the age, mileage, and engine hours on the 2005 fire engine, its market value for insurance purposes will fall considerably short of covering the cost of the used replacement fire engine. The insurance settlement for the wrecked engine is \$126,572. The City submitted a request for an emergency distribution of \$300,000 in Conover Rural Fire District fund balance (\$200,000) and current year fire tax collections (\$100,000) to assist with the purchase.

At the time of the crash, Engine 2 had 95,675 miles and over 8,215 engine hours. The engine hours equate to 287,525 actual road miles on this apparatus. It was one of the most frequently used apparatuses and is considered critical to fire response. Conover had planned to cycle the engine into reserve status to preserve the engine life this current year after purchasing a new engine approved in the budget as a planned replacement for a 1991 unit. Conover Fire anticipates useful life of this 2012 engine to be between 10 and 15 years. Purchasing the used engine is expected to have minimal impact on Conover Fire's capital improvement plan.

The department requested a one cent tax rate increase in Fiscal Year 2019/20 to assist with alleviating staffing pressures that was not approved, and the Fire Chief has indicated intentions of requesting the same increase in Fiscal Year 2020/21.

Unlike other fire districts, Conover traditionally requests the County hold its rural fire tax collections in restricted fund balance for future purchases of apparatus and capital equipment acquisitions. Conover Fire Department had an audited 2019 fund balance of \$287,248 and has collected over \$110,000 in current year revenues to date. Historically, fire departments have been allowed to request up to 90% of existing fund balance to address major projects such as buildings,

building additions, truck replacement and other equipment, with 10% held for unforeseen expenditures during the budget year. With the requested distribution, Conover would still have over \$97,500 in total fund balance (roughly \$58,000 more than required at 90%).

Analysis/Alternatives

1. Purchase a used 2012 fire engine, saving the Conover Fire Department approximately \$305,000.
2. Replace the damaged 2005 fire engine with a new fire engine. The cost of a new fire engine would be approximately \$700,000.
3. Do not replace the engine. This would negatively impact the department's Insurance Rating resulting in a potential increase of Fire Insurance rates for citizens.
4. Rent/Lease a truck at a cost of between \$5,500 to \$7,200 per month. Lease amounts depend on the age of the vehicle, mileage, engine hours and wear and tear. Estimated annual cost between \$66,000 and \$86,000.

Recommendation:

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves distribution of \$300,000 in Conover Rural Fire District tax revenue to the City of Conover to purchase a 2012 used fire engine as a replacement vehicle for a fire engine involved in a motor vehicle collision.

Supplemental Appropriation

355-260010-690100	\$200,000
Fund Balance Applied	

355-260010-849010	\$200,000
Fire Protection	

Transfer of Appropriation:

355-260010-866820	\$100,000
Conover Capital	

355-260010-849010	\$100,000
Fire Protection	

Memorandum

TO Catawba County Board of Commissioners
FROM Finance and Personnel Subcommittee
RE Juvenile Crime Prevention Council Fiscal Year 2019/20 Raise the Age Funding
DATE January 21, 2020

Request:

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves appropriation of \$35,679 in Raise the Age Funds for Fiscal Year 2019/20 for Conflict Resolution Center (CRC) to operate a Sentencing Circles program and \$838 for Administration to support existing programs.

Background:

North Carolina's Raise the Age legislation, which means that 16- and 17-year olds who commit crimes in North Carolina will no longer automatically be charged in the adult criminal justice system, went into effect on December 1, 2019. As a result, each JCPC received additional funding to implement new programs and/or expand services provided by existing programs to 16- and 17-year olds, accompanied by strong encouragement from the state to establish diversionary and restorative justice programs like Teen Court.

Catawba County received \$61,583 in supplemental funds this fiscal year, which will increase to \$98,859 in Fiscal Year 2020/21. In October 2019, JCPC advertised to solicit proposals for a focused list of services listed in the approved Risk and Needs from Fiscal Year 2019/20: Teen Court/Restorative Justice; Substance Abuse assessment and treatment; Interpersonal Skill building; Vocational Skills; Restitution. The JCPC received one new program proposal from the CRC for a restorative justice program known as Sentencing Circles.

Sentencing Circles is a best practice-aligned diversionary program with growing nationwide popularity in restorative justice. Designed for mostly first time offenders between ages 11 and 17 with certain misdemeanors and infractions, Sentencing Circles brings together juvenile offenders with a group that works to help them understand the impact of their inappropriate behavior, restore justice, and focus on healing for the victim, offender, and community. Sentencing Circles are typically composed of the offender, victims, the offender's parents or other family members, peers, and members of the community such as law enforcement, judges, counselors, school personnel etc. Youth can be referred to Sentencing Circles by schools, SROs, or Juvenile Court Counselors for mental health issues, family issues, gang affiliation / association, and substance use, in addition to behavioral issues. Similar to Teen Court, youth peers participate in the Circles, which develops an individualized service plan that incorporates appropriate sanctions. Offenders are also required to observe two subsequent Circles and to report back on completion of imposed sanctions.

Examples of sanctions or referrals include Project TND (Cognitive Connections Substance Abuse Education), Conflict Resolution Education, Project Challenge for Community Service/Restitution,

competency development activities such as Survival Skills Workbooks and Emerging Adulthood Online Video/Workbook, educational videos/worksheets for Drugs/Alcohol/Making Good Choices, apology letters, and restorative projects emphasizing the nature of the offense.

Moving forward, the JCPC hopes to provide funding support for a formal Teen Court in addition to supporting Sentencing Circles, as it is helpful to have a continuum of diversion options to support youth.

Since all available funds were not requested and must be reverted to the State if not committed, the JCPC voted to appropriate \$838 to increase the Administration budget to its maximum allowable amount of \$15,000. These funds could be transferred to existing programs to help them address needs such as training or serving additional youth.

Recommendation:

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves appropriation of \$35,679 in Raise the Age Funds for Fiscal Year 2019/20 for Conflict Resolution Center to operate a Sentencing Circles program and \$838 for Administration for potential existing program support.

Supplemental Appropriation:

110-190050-630630	JCPC Conflict Resolution Center	\$35,679
110-190050-630615	JCPC Planning	\$ 838
110-190050-868143	JCPC Conflict Resolution Center	\$35,679
110-190050-849180	JCPC Planning	\$ 838



catawba county
planning & parks

Memorandum

To: Catawba County Board of Commissioners
From: Jacky Eubanks, Director of Planning and Recreation
Date: January 21, 2020
RE: Urgent Repair Program (URP) Project Budget Ordinance Amendment for interest received on grant funds and decreased administrative costs

REQUEST

Staff requests the Board of Commissioners adopts a Project Budget Ordinance Amendment to appropriate \$743 in interest received on grant funds to the rehabilitation line item under the North Carolina Housing Finance Agency Urgent Repair Grant.

BACKGROUND

Catawba County received a \$100,000 Urgent Repair Grant in April 2018 to rehabilitate sixteen (16) houses at \$7,200 or less per house. The County is allowed to earn interest on the funds that were received from the North Carolina Housing Finance Agency. A total of \$743 has been earned to date and these funds need to be expended through the rehabilitation line item by February 14, 2020.

The Project Budget Ordinance needs to be amended so that the County may expend the interest earned through the rehabilitation line item. These fund will be used to complete the repairs needed for the last house in this project.

Additionally, the Project Budget Ordinance needs to be amended for the Administration line item. The Administration line item needs to be decreased from \$12,000 to \$11,398 due to lower than estimated administrative costs. The Rehabilitation line item needs to be increased from \$88,000 to \$89,345 to reflect \$602 in additional funds for rehabilitation needs.

Eighteen (18) homeowners scattered throughout Catawba County have benefited from this grant. The grant was able to rehabilitate two (2) more units than originally targeted. The repairs on the houses have consisted of installation of new roofs, handicap showers, a handicap ramp, installation of heating systems, and floor repairs.

RECOMMENDATION

Staff recommends the Board of Commissioners adopts the Project Budget Ordinance Amendment to appropriate \$743 in interest received on grant funds to the rehabilitation line item and re-appropriate \$602.00 from Administration to Rehabilitation due to decreased administrative costs.

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Catawba County Government Center

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ORDINANCE# _____
AMENDMENT#1
CATAWBA COUNTY PROJECT BUDGET ORDINANCE
FOR THE 2018 URGENT REPAIR GRANT (1803)

The following revenues are anticipated to be available to complete this Project:

Revenues

North Carolina Housing Finance Agency-URP

NCHFA-URP Grants Revenue	\$100,000
Interest Earned on Revenue	\$ 743
	<u>\$100,743</u>

Section 4. The following Expenditures are appropriated for the project:

Expenditures

North Carolina Housing Finance Agency-URP

Rehabilitation-URP	\$ 89,345
WPCOG Administration	\$ 11,398
	<u>\$ 100,743</u>

Adopted this the ____ of _____, 2020.

Chair, Catawba County Commissioners

Attest:

County Clerk

To: Catawba County Board of Commissioners
From: Donna Hicks Spencer, Register of Deeds
Date: January 21, 2020
IN RE: Excise Tax Refund Request

REQUEST

An excise tax refund request totaling \$272.00 was submitted to the Board of Commissioners and the Register of Deeds. The Register of Deeds verified the refund and is recommending approval of the refund request.

BACKGROUND

Attorney Kimberly Whitley has requested a refund of the excise tax she paid to the Register of Deeds Office on December 30, 2019, in the amount of \$272.00. Mrs. Whitley's office electronically recorded the deed reflecting an excise tax in the amount of \$274.00, but the actual tax amount is \$2.00.

Pursuant to NCGS 105-228.37, a taxpayer who has overpaid an excise tax may request, in writing, a refund for the amount that was paid in error, and the Board must conduct a hearing on the request within ninety (90) days after the request was filed. Mrs. Whitley's request is attached.

RECOMMENDATION

It is recommended that the Board of Commissioners approves the refund to Attorney Kimberly Whitley the overpayment of the excise tax paid to the Register of Deeds in the amount of \$272.00.

AFFIDAVIT REQUESTING REFUND
Pursuant to N. C. Gen. Stat. 105-228.37(a)

THIS INSTRUMENT WAS PREPARED BY:

KIMBERLY H. WHITLEY
PATRICK, HARPER & DIXON L.L.P.
P. O. Box 218, Hickory, NC 28603

Mail after recording to: Kimberly H. Whitley

NORTH CAROLINA
CATAWBA COUNTY

The undersigned hereby makes the following affidavit:

1. The undersigned is an attorney licensed by the State of North Carolina (“Attorney”), and her firm is authorized by the Register of Deeds of Catawba County to electronically record various documents in Catawba County Register of Deeds.
2. On December 30, 2019, Attorney electronically recorded a North Carolina General Warranty Deed (Joint Tenants with Right of Survivorship) bearing Tax PIN 371417126016, wherein a one percent (1%) interest in the property was purchased.
3. The revenue reflected on the Deed and advanced by Patrick, Harper, & Dixon, LLP was \$274.00; however, the revenue reflected on the Deed should have been \$2.00 to represent the purchase price of the one percent interest.
4. Due to the aforementioned facts and pursuant to N.C. Gen. Stat. §105-228.37(a) of the North Carolina General Statutes, Attorney requests the Catawba Board of County Commissioners to refund to Patrick Harper & Dixon, LLP the amount of Two Hundred Seventy Two and 00/100 Dollars (\$272.00), representing the amount of the overpayment of the excise tax fee that was paid to the Catawba County Register of Deeds.

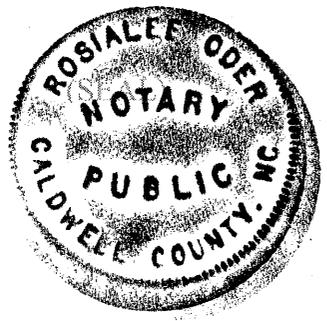
1/8/2020
Date

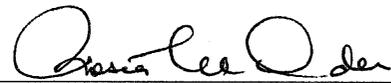

Kimberly H. Whitley
Patrick, Harper & Dixon L.L.P.
Post Office Box 218
Hickory, North Carolina 28603
(828) 322-7741

NORTH CAROLINA
CATAWBA COUNTY

I, a Notary Public of the county and state aforesaid, certify that **Kimberly H. Whitley** personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and seal, this the 8 day of January, 2020.




Notary Public
Print Name: Rosalee Oder
My Commission Expires: 7/24/2020

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Brad Fowler, Tax Administrator

DATE: January 21, 2020

IN RE: Tax Release / Refund Request

REQUEST

The Tax Administrator requests the Board of Commissioners approves one hundred three (103) releases totaling \$21,886.26, (6) refund requests totaling \$1,505.94, and (40) Motor Vehicles Bill adjustments / refunds totaling \$2,955.37 requested during the month of December.

BACKGROUND

North Carolina General Statute 105-381(b) states upon receipt of a taxpayer's written request for release or refund, the taxing unit's governing body has 90 days to determine whether the taxpayer's request is valid and to either approve the release or refund of the incorrect portion or to notify the taxpayer in writing that no release or refund will be made.

During the month of December, Tax Office staff has checked records and verified the legitimacy of one hundred three (103) release requests totaling \$21,886.26, (6) refund request totaling \$1,505.94, and forty (40) Motor Vehicle Bill adjustments / refunds totaling \$2,955.37.

Common reasons for release of tax bill amounts include changes in exemption status, acreage adjustments, businesses closing / being sold, and material changes in property structures. The refund requests are driven by adjustments due to double billings, adjustments to exemptions and late list penalties charged in error. The motor vehicle bill adjustments are largely due to pro-ration of tax bill amounts to account for mid-year transfers of ownership. (A detailed transaction summary of individual transactions is attached.)

Consistent with current practice, the Tax Collector will continue to present any material refunds or releases of significant dollar amounts individually, rather than bundled together with other minor transactions on consent agenda.

RECOMMENDATION

Staff recommends the Board of Commissioners approves one hundred three (103) releases totaling \$21,886.26, (6) refunds request totaling \$1,505.94 and forty (40) Motor Vehicle Bill adjustments / refunds totaling \$2,955.37 requested during the month of December.



North Carolina Vehicle Tax System

NCVTS Pending Refund report

Report Date
1/9/2020 12:28:06

Payee Name	Address 1	Address 2	Address 3	Plate Number	Status	Refund Description	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
ADAMS, BOYD FRANK	6401 RAVENGLASS WAY		SARASOTA, FL 34321	EHL6807	PENDING	Refund Generated due to proration on Bill #0045366882-2018- 2018-0000-00	CATA	Tax	(\$99.43)	\$0.00	(\$99.43)
							F14	Tax	(\$20.75)	\$0.00	(\$20.75)
											Refund
BAKER, RITA SUE	3221 5TH STREET CT NE		HICKORY, NC 28601	FMD1860	PENDING	Refund Generated due to proration on Bill #0047514191-2018- 2018-0000-00	CATA	Tax	(\$6.58)	\$0.00	(\$6.58)
							C05	Tax	(\$6.48)	\$0.00	(\$6.48)
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
						Refund	\$13.06				
BATES, TRACEY ELAINE	5049 SIERRA DR		MAIDEN, NC 28650	EDN9081	PENDING	Refund Generated due to proration on Bill #0050145644-2018- 2018-0000-00	CATA	Tax	(\$30.75)	\$0.00	(\$30.75)
							F09	Tax	(\$4.39)	\$0.00	(\$4.39)
											Refund
BEAN, TERESA ANN	319 7TH ST PL SW APT B6		CONOVER, NC 28613	TRR2572	PENDING	Refund Generated due to proration on Bill #0042114926-2018- 2018-0000-00	CATA	Tax	(\$22.19)	\$0.00	(\$22.19)
							C04	Tax	(\$19.29)	\$0.00	(\$19.29)
							C04	Vehicle Fee	\$0.00	\$0.00	\$0.00
						Refund	\$41.48				
BELL, STEPHEN MICHAEL	2110 CHELESA LANE		NEWTON, NC 28658	FCJ1576	PENDING	Refund Generated due to proration on Bill #0050785576-2019- 2019-0000-00	CATA	Tax	(\$42.67)	\$0.00	(\$42.67)
							C08	Tax	(\$40.07)	\$0.00	(\$40.07)
											Refund
BEN, BHAVYA	725 LAUREL OAKS CT		FORT MILL, SC 29715	EDN6086	PENDING	Refund Generated due to proration on Bill #0036905307-2017- 2017-0000-00	CATA	Tax	(\$38.62)	\$0.00	(\$38.62)
							C05	Tax	(\$38.05)	\$0.00	(\$38.05)
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
						Refund	\$76.67				
BLACK, JASMIN SHEREE	447 FOREST RD APT A		WALLKILL, NY 12589	FHM7455	PENDING	Refund Generated due to proration on Bill #0048282293-2018- 2018-0000-00	CATA	Tax	(\$34.90)	\$0.00	(\$34.90)
							C05	Tax	(\$34.37)	\$0.00	(\$34.37)
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
						Refund	\$69.27				
CHAPMAN, JOHN HERMAN	PO BOX 421		CATAWBA, NC 28609	EX6332	PENDING	Refund Generated due to proration on Bill #0032594776-2019- 2019-0000-00	CATA	Tax	(\$55.30)	\$0.00	(\$55.30)
							F09	Tax	(\$7.50)	\$0.00	(\$7.50)
											Refund
DICKINSON, DAN YORK	1927 46TH AVENUE DR NE		HICKORY, NC 28601	WRR4487	PENDING	Refund Generated due to proration on Bill #0034189272-2018- 2018-0000-00	CATA	Tax	(\$44.75)	\$0.00	(\$44.75)
							C05	Tax	(\$44.09)	\$0.00	(\$44.09)
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
						Refund	\$88.84				
DUTKA, ADAM JAMES	2379 METCALF DR		SHERRILLS FORD, NC 28673	CAK4478	PENDING	Refund Generated due to adjustment on Bill #0049437742-2018- 2018-0000	CATA	Tax	\$0.00	\$0.00	\$0.00
							C05	Tax	(\$105.20)	\$0.00	(\$105.20)
							C05	Vehicle Fee	(\$5.00)	\$0.00	(\$5.00)
							F08	Tax	\$20.43	\$0.00	\$20.43
						Refund	\$89.77				
DUTKA, ADAM JAMES	2379 METCALF DR		SHERRILLS FORD, NC 28673	FAD9957	PENDING	Refund Generated due to adjustment on Bill #0050290746-2018- 2018-0000	CATA	Tax	\$0.00	\$0.00	\$0.00
							C05	Tax	(\$69.45)	\$0.00	(\$69.45)
							C05	Vehicle Fee	(\$5.00)	\$0.00	(\$5.00)
							F08	Tax	\$13.49	\$0.00	\$13.49

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							Refund	\$60.96			
FALTYNOWICZ, BEVERLY JEAN	PO BOX 934	APT Y1	CONOVER, NC 28613	ECK7662	PENDING	Refund Generated due to proration on Bill #0035732906-2018-2018-0000-00	CATA	Tax	(\$21.19)	\$0.00	(\$21.19)
							C04	Tax	(\$18.42)	\$0.00	(\$18.42)
							C04	Vehicle Fee	\$0.00	\$0.00	\$0.00
							Refund	\$39.61			
FOGLER, ANTHONY RICHARD	2278 EDNA ST		CATAWBA, NC 28609	EBS9833	PENDING	Refund Generated due to proration on Bill #0044608375-2018-2018-0000-00	CATA	Tax	(\$44.85)	\$0.00	(\$44.85)
							F12	Tax	(\$7.80)	\$0.00	(\$7.80)
FOTHERINGHAM, WILLIAM CARLTON JR	3870 12TH STREET CT NE		HICKORY, NC 28601	ECL2909	PENDING	Refund Generated due to proration on Bill #0043152786-2018-2018-0000-00	CATA	Tax	(\$108.04)	\$0.00	(\$108.04)
							C05	Tax	(\$106.44)	\$0.00	(\$106.44)
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
							Refund	\$214.48			
HENDERSHOT, NORMAN ALAN	4236 SECTION HOUSE RD		HICKORY, NC 28601	PCT2234	PENDING	Refund Generated due to proration on Bill #0025266404-2018-2018-0000-00	CATA	Tax	(\$21.77)	\$0.00	(\$21.77)
							F05	Tax	(\$4.54)	\$0.00	(\$4.54)
HILL, THOMAS RUSSELL	7117 QUEEN PALM CIR		SARASOTA, FL 34243	BDD5085	PENDING	Refund Generated due to proration on Bill #0018225927-2018-2018-0000-00	CATA	Tax	(\$42.43)	\$0.00	(\$42.43)
							F05	Tax	(\$8.85)	\$0.00	(\$8.85)
HUFFMAN, LAWRENCE DAVID	PO BOX 442		NEWTON, NC 28658	7J5707	PENDING	Refund Generated due to proration on Bill #0047568496-2018-2018-0000-00	CATA	Tax	(\$9.49)	\$0.00	(\$9.49)
							F20	Tax	(\$1.98)	\$0.00	(\$1.98)
HUGHES, JOE DAVID	128 PARADISE HILLS CIR		MOORESVILLE, NC 28115	JM3164	PENDING	Refund Generated due to proration on Bill #0048115916-2018-2018-0000-00	CATA	Tax	(\$93.56)	\$0.00	(\$93.56)
							F03	Tax	(\$12.20)	\$0.00	(\$12.20)
HUGHES, JOE DAVID	128 PARADISE HILLS CIR		MOORESVILLE, NC 28115	FMC6681	PENDING	Refund Generated due to proration on Bill #0048145388-2018-2018-0000-00	CATA	Tax	(\$61.38)	\$0.00	(\$61.38)
							F03	Tax	(\$8.01)	\$0.00	(\$8.01)
JOHNSON, BRIAN DANIEL	3437 SWEET GUM DR		LINCOLNTON, NC 28092	DCY3416	PENDING	Refund Generated due to proration on Bill #0040079345-2018-2018-0000-00	CATA	Tax	(\$27.81)	(\$1.39)	(\$29.20)
							F04	Tax	(\$3.00)	(\$0.15)	(\$3.15)
KIZIAH, CLINTON WILLIS	7235 BURKE COUNTY RD		HICKORY, NC 28602	ZRW3394	PENDING	Refund Generated due to proration on Bill #0014459578-2018-2018-0000-00	CATA	Tax	(\$14.72)	\$0.00	(\$14.72)
							F03	Tax	(\$1.92)	\$0.00	(\$1.92)
LEWIS, GREGORY ALLAN	1941 20TH AVE DR NE APT	14	HICKORY, NC 28601	EFA2504	PENDING	Refund Generated due to proration on Bill #0039768679-2019-2019-0000-00	CATA	Tax	(\$10.17)	\$0.00	(\$10.17)
							C05	Tax	(\$10.39)	\$0.00	(\$10.39)
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
							Refund	\$20.56			
LUNDEEN, CAROL JEAN	4215 2ND ST NE		HICKORY, NC 28601	WTS9139	PENDING	Refund Generated due to proration on Bill #0020654497-2018-2018-0000-00	CATA	Tax	(\$30.29)	\$0.00	(\$30.29)
							C05	Tax	(\$29.84)	\$0.00	(\$29.84)
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
							Refund	\$60.13			
MANGUS,	2286	SE	HICKORY, NC	HBV4559	PENDING	Refund Generated due	CATA	Tax	(\$22.56)	\$0.00	(\$22.56)

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Owner Name	Address	City	State	Zip	Vehicle ID	Status	Refund Reason	Code	Category	Amount	Refund Amount	Net Amount
ERIN PAGE MOSTELLER ESTATE AV	28602					PENDING	to proration on Bill #0026774096-2018-2018-0000-00	C05	Tax	(\$22.23)	\$0.00	(\$22.23)
								C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
										Refund	\$44.79	
MARTZ, DENNIS ROBERT	1782 SHADY LN	NEWTON, NC	28658	AAW4917	PENDING	Refund Generated due to proration on Bill #0014445704-2013-2013-0000-00	CATA	Tax	(\$52.75)	\$0.00	(\$52.75)	
							C08	Tax	(\$47.77)	\$0.00	(\$47.77)	
									Refund	\$100.52		
MASSAGEE, JORDAN TYLER	4093 HEMINGWAY DR	HICKORY, NC	28601	FFB6880	PENDING	Refund Generated due to proration on Bill #0046154352-2018-2018-0000-00	CATA	Tax	(\$48.97)	(\$2.81)	(\$51.78)	
							F05	Tax	(\$10.22)	(\$0.59)	(\$10.81)	
									Refund	\$62.59		
MILLER, MARIA ANNE	8374 PASO FINO LN	CATAWBA, NC	28609	JT3330	PENDING	Refund Generated due to proration on Bill #0049372938-2019-2019-0000-00	CATA	Tax	(\$48.91)	\$0.00	(\$48.91)	
							F08	Tax	(\$11.05)	\$0.00	(\$11.05)	
									Refund	\$59.96		
NAPIER, ROYCE COCHRAN	46 32ND AVE NW	HICKORY, NC	28601	FJV3273	PENDING	Refund Generated due to proration on Bill #0045216851-2018-2018-0000-00	CATA	Tax	(\$12.76)	\$0.00	(\$12.76)	
							C05	Tax	(\$12.57)	\$0.00	(\$12.57)	
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00	
		Refund	\$25.33									
PASQUALE PERROTTA, DIANE JEAN	5051 ABERNETHY PARK DR	HICKORY, NC	28602	YVJ3109	PENDING	Refund Generated due to proration on Bill #0047885920-2018-2018-0000-00	CATA	Tax	(\$55.86)	\$0.00	(\$55.86)	
							F03	Tax	(\$7.28)	\$0.00	(\$7.28)	
									Refund	\$63.14		
PENSKE LEASING AND RENTALCOMP ANY	RT 10 GREENHILLS	PO BOX 791	READING, PA	19603	ZK4774	PENDING	Refund Generated due to adjustment on Bill #0050663947-2019-2019-0000-00	CATA	Tax	(\$135.30)	\$0.00	(\$135.30)
								C05	Tax	(\$138.24)	\$0.00	(\$138.24)
								C05	Vehicle Fee	\$0.00	\$0.00	\$0.00
		Refund	\$273.54									
RAKES, GARY WAYNE	PO BOX 283	TERRELL, NC	28682	NWX4853	PENDING	Refund Generated due to proration on Bill #0014453710-2018-2018-0000-00	CATA	Tax	(\$7.12)	\$0.00	(\$7.12)	
							F08	Tax	(\$1.36)	\$0.00	(\$1.36)	
									Refund	\$8.48		
RAMSEY, MARK EDWARD	3845 STEVE IKERD DR NE	HICKORY, NC	28601	ZNN7161	PENDING	Refund Generated due to proration on Bill #0033733330-2018-2018-0000-00	CATA	Tax	(\$166.72)	\$0.00	(\$166.72)	
							C05	Tax	(\$164.26)	\$0.00	(\$164.26)	
							C05	Vehicle Fee	\$0.00	\$0.00	\$0.00	
		Refund	\$330.98									
ROWE, JAMES HOWARD	7611 LONG ISLAND RD	CATAWBA, NC	28609	ZVS2437	PENDING	Refund Generated due to proration on Bill #0014455435-2018-2018-0000-00	CATA	Tax	(\$3.14)	\$0.00	(\$3.14)	
							F08	Tax	(\$0.60)	\$0.00	(\$0.60)	
									Refund	\$3.74		
SCHULTZ, ROBERT EDWARD	3944 STADLER DR NE	CONOVER, NC 28613	DMV8306	PENDING	Refund Generated due to proration on Bill #0040004230-2018-2018-0000-00	CATA	Tax	(\$24.48)	\$0.00	(\$24.48)		
						C04	Tax	(\$21.29)	\$0.00	(\$21.29)		
						C04	Vehicle Fee	\$0.00	\$0.00	\$0.00		
		Refund	\$45.77									
SCHULTZ, ROBERT EDWARD	3944 STADLER DR NE	CONOVER, NC 28613	HFB5696	PENDING	Refund Generated due to adjustment on Bill #0051226176-2019-2019-0000-00	CATA	Tax	(\$53.44)	\$0.00	(\$53.44)		
						C04	Tax	(\$46.47)	\$0.00	(\$46.47)		
						C04	Vehicle Fee	\$0.00	\$0.00	\$0.00		
		Refund	\$99.91									
STINSON, STEVEN ALFRED	4185 WINDSOR CT	HICKORY, NC	28602	BDD8914	PENDING	Refund Generated due to proration on Bill #000154105-2018-2018-0000-00	CATA	Tax	(\$61.86)	\$0.00	(\$61.86)	
							F03	Tax	(\$8.07)	\$0.00	(\$8.07)	

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									Refund	\$69.93	
THOMPSON, SCOTT CHRISTAIN	1473 BUFFALO SHOALS RD		CATAWBA, NC 28609	TAM4966	PENDING	#0001154485-2018- 2018-0000-00 Refund Generated due to proration on Bill #0049965206-2019- 2019-0000-00	CATA	Tax	(\$117.49)	\$0.00	(\$117.49)
							F09	Tax	(\$15.94)	\$0.00	(\$15.94)
										Refund	\$133.43
TISCARENO VELASCO, CRESCENCIO	1432 OLD BOXWOOD CIR NW		CONOVER, NC 28613	FJS2971	PENDING	Refund Generated due to adjustment on Bill #0045139716-2018- 2018-0000-00	CATA	Tax	(\$14.26)	\$0.00	(\$14.26)
							C04	Tax	(\$12.40)	\$0.00	(\$12.40)
							C04	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$26.66							
WOODY, RODNEY MAXWELL	1209 4TH ST DR SE		CONOVER, NC 28613	E3T004	PENDING	Refund Generated due to proration on Bill #0042055994-2018- 2018-0000-00	CATA	Tax	(\$52.83)	\$0.00	(\$52.83)
							C04	Tax	(\$45.94)	\$0.00	(\$45.94)
							C04	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$98.77							
XIONG, SAMUEL A	4536 SUMMIT CIR		CONOVER, NC 28613	DLX4405	PENDING	Refund Generated due to proration on Bill #0044642856-2018- 2018-0000-00	CATA	Tax	(\$54.85)	\$0.00	(\$54.85)
							F05	Tax	(\$11.44)	\$0.00	(\$11.44)
										Refund	\$66.29
									Refund Total	\$2955.37	

Abstract Number (Please include leading zeros)	Owner Name as Billed (Last, First, Middle)	Release or Refund?	Year for which release/refund requested	Original Value	Corrected Value	RELEASE/REFUND AMOUNT	Reason (Please do not use all CAPS. Use correct capitalization)
0001801353	Abernathy, Arcola P	Release	2019	\$1,000.00	\$0.00	\$7.05	Executor of the estate came into the office to let us know the mobile was transferred into the name of Patricia Abernathy Warren on 12/3/2013. The Vin number MCFC1419H3K1W8H7DG is the correct Vin number, The 1986 Regal Mobile home has been billed under Patricia Warren (0003031532) which was paid. The 1986 Regal Mobile Home was also billed under Arcola Abernathy. We are releasing the unpaid bills for Arcola Abernathy since they are unpaid and have been paid under Patricia Warren account.
0001801353	Abernathy, Arcola P	Release	2018	\$1,000.00	\$0.00	\$7.78	Executor of the estate came into the office to let us know the mobile was transferred into the name of Patricia Abernathy Warren on 12/3/2013. The Vin number MCFC1419H3K1W8H7DG is the correct Vin number. The 1986 Regal Mobile home has been billed under Patricia Warren (0003031532) which was paid. The 1986 Regal Mobile Home was also billed under Arcola Abernathy. We are releasing the unpaid bills for Arcola Abernathy since they are unpaid and have been paid under Patricia Warren account.
0001801353	Abernathy, Arcola P	Release	2017	\$1,000.00	\$0.00	\$8.41	Executor of the estate came into the office to let us know the mobile was transferred into the name of Patricia Abernathy Warren on 12/3/2013. The Vin number MCFC1419H3K1W8H7DG is the correct Vin number. The 1986 Regal Mobile home has been billed under Patricia Warren (0003031532) which was paid. The 1986 Regal Mobile Home was also billed under Arcola Abernathy. We are releasing the unpaid bills for Arcola Abernathy since they are unpaid and have been paid under Patricia Warren account.
0001801353	Abernathy, Arcola P	Release	2016	\$1,060.00	\$0.00	\$9.57	Executor of the estate came into the office to let us know the mobile was transferred into the name of Patricia Abernathy Warren on 12/3/2013. The Vin number MCFC1419H3K1W8H7DG is the correct Vin number. The 1986 Regal Mobile home has been billed under Patricia Warren (0003031532) which was paid. The 1986 Regal Mobile Home was also billed under Arcola Abernathy. We are releasing the unpaid bills for Arcola Abernathy since they are unpaid and have been paid under Patricia Warren account.
0001801353	Abernathy, Arcola P	Release	2015	\$1,170.00	\$0.00	\$11.31	Executor of the estate came into the office to let us know the mobile was transferred into the name of Patricia Abernathy Warren on 12/3/2013. The Vin number MCFC1419H3K1W8H7DG is the correct Vin number. The 1986 Regal Mobile home has been billed under Patricia Warren (0003031532) which was paid. The 1986 Regal Mobile Home was also billed under Arcola Abernathy. We are releasing the unpaid bills for Arcola Abernathy since they are unpaid and have been paid under Patricia Warren account.
0001801353	Abernathy, Arcola P	Release	2014	\$1,260.00	\$0.00	\$11.87	Executor of the estate came into the office to let us know the mobile was transferred into the name of Patricia Abernathy Warren on 12/3/2013. The Vin number MCFC1419H3K1W8H7DG is the correct Vin number. The 1986 Regal Mobile home has been billed under Patricia Warren (0003031532) which was paid. The 1986 Regal Mobile Home was also billed under Arcola Abernathy. We are releasing the unpaid bills for Arcola Abernathy since they are unpaid and have been paid under Patricia Warren account.
0001643817	Abernethy Harry Noel	Release	2019	\$114,800.00	\$61,300.00	\$349.36	Reinstated Elderly/Disability exclusion for 2019
0001644123	Aiken Marie	Release	2019	\$76,400.00	\$38,700.00	\$241.28	Reinstated Elderly Exclusion for 2019
0001679879	Alfaro Dick Anthony	Release	2019	\$473,200.00	\$428,200.00	\$317.25	Reinstated Veteran Exclusion for 2019
0001644288	Allen Wayburn Piercy	Release	2019	\$89,200.00	\$45,000.00	\$293.93	Reinstated Elderly Exclusion for 2019
0001644877	Arndt Janice R	Release	2019	\$75,500.00	\$38,200.00	\$415.90	Reinstated Elderly Exclusion for 2019
0001637513	Auton Jimmie R	Release	2019	\$92,000.00	\$53,700.00	\$266.19	Reinstated Elderly Exclusion for 2019
0001645539	Baker Ozelle P	Release	2019	\$109,900.00	\$54,900.00	\$591.25	Reinstated Elderly Exclusion for 2019
0001699527	Ballard Shelvie Jean	Release	2019	\$219,200.00	\$143,800.00	\$840.71	Reinstated Elderly Exclusion for 2019
0003021656	Ballard, Reginald B	Release	2019	\$36,000.00	\$16,000.00	\$143.66	Per signed Listing Form, 1946 Aeronca 7AC AC Aircraft was sold out of state in 2018

0001629402	Bandy Vetra M LFI	Release	2019	\$152,600.00	\$77,300.00	\$491.71	Reinstated Elderly Exclusion for 2019
0003048366	Barnes, Kevin Scott	Release	2016	\$200.00	\$0.00	\$1.92	Per signed Discovery Notice, 2003 Carr Multi Yr TL was not moved into Catawba County until April/2018.
0003048366	Barnes, Kevin Scott	Release	2017	\$200.00	\$0.00	\$1.79	Per signed Discovery Notice, 2003 Carr Multi Yr TL was not moved into Catawba County until April/2018.
0003048366	Barnes, Kevin Scott	Release	2018	\$400.00	\$0.00	\$3.29	Per signed Discovery Notice, 2003 Carr Multi Yr TL and 1985 Tri Multi Yr UL were not moved into Catawba County until April/2018.
0001646538	Beard Michael D	Release	2019	\$219,900.00	\$116,500.00	\$718.63	Reinstated Elderly/Disability or Veteran's exclusion for 2019
0001647319	Bevens, Claude Edgar	Release	2019	\$74,700.00	\$41,700.00	\$214.50	Reinstated Elderly/Disability exclusion for 2019
0001647326	Bixby Duane Douglas	Release	2019	\$76,000.00	\$38,100.00	\$422.59	Reinstated Elderly/Disability exclusion for 2019
0001647662	Boggs Earl Kenneth Jr	Release	2019	\$78,200.00	\$39,350.00	\$258.35	Reinstated Elderly Exclusion for 2019
0001624432	Blackburn Roger	Release	2019	\$47,600.00	\$22,600.00	\$173.75	Reinstated Elderly Exclusion for 2019
0002569856	Bolick, Herman Smith	Release	2019	\$834.00	\$0.00	\$5.55	1997 Yamaha WRA700AV 9" was sold in 2018. per laserfice 2018 listing form does show it was marked and sold was written on form. 2019 Listing was sent out, but taxpayer failed to mark item off. Item should not have been listed for 2019.
0001636865	BOLLINGER SHIRLEY J	Release	2019	\$324,000.00	\$164,000.00	\$1,034.88	Reinstated Elderly Exclusion for 2019
0003048329	Bond, Ada	Release	2019	\$3,807.00	\$0.00	\$29.52	Per returned bill, Ada Bond notated that the 2016 Stingray was listed in Mecklenburg County. Confirmed on Mecklenburg's website that there was a bill for the Stingray for 2019 Tax Year.
0003048159	Bradford, Dianne Conner	Release	2019	\$3,161.00	\$0.00	\$22.50	Scrapped 1995 Seadoo Speedster 14 prior to 1/1/19
0001648917	Bradshaw Wilma Lloyd	Release	2019	\$56,400.00	\$28,300.00	\$326.66	Reinstated Elderly Exclusion for 2019
0001648970	Bramlett Linda Martin	Release	2019	\$85,900.00	\$46,200.00	\$461.51	Reinstated Elderly Exclusion for 2019
0002414079	Brittain Lena R	Release	2019	\$99,700.00	\$53,700.00	\$319.70	Reinstated Elderly Exclusion for 2019
0001649466	Brookshire Millie R	Release	2019	\$125,600.00	\$62,800.00	\$730.05	Reinstated Elderly/Disability exclusion for 2019
0001649470	Broome Kenneth Charles	Release	2019	\$24,700.00	\$10,900.00	\$89.70	Reinstated Elderly Exclusion for 2019
0001641279	Brown Dean	Release	2019	\$46,600.00	\$21,600.00	\$286.25	Reinstated Elderly Exclusion for 2019
0001649744	BROWN RICHARD DALE	Release	2019	\$286,800.00	\$143,600.00	\$916.48	Reinstated Elderly Exclusion for 2019
0001649874	Bryant David L	Release	2019	\$168,500.00	\$123,500.00	\$317.25	Reinstated Elderly Exclusion for 2019
0003047740	Bure, George Edward	Release	2019	\$19,164.00	\$13,364.00	\$44.98	Value of 2018 Sun Tracker Bass Buggy 18' was over assessed. New value was determined by ABOS. When i first created the bill i had added the motor, but according to the description it already had the motor included in the value.
0001650891	Byers Madeline	Release	2019	\$90,100.00	\$45,050.00	\$294.18	Reinstated Elderly/Disability exclusion for 2019
0001803116	Carolina Construction Co	Release	2019	\$1,161.00	\$0.00	\$8.88	Business closed 6/30/18 - all equipment donated

0001803168	Carpenter Co	Release	2019	\$142,473.00	\$16,881.00	\$1,485.12	2019 International IRP tractor located and listed in Guilford County for 2019
0003024037	Carver, Matthew Kyle	Release	2019	\$17,880.00	\$0.00	\$138.65	Per phone call with Matthew, 2015 CRUS CT had been moved out of Cross County Campground and into his residence in Gaston County. Taxpayer marked item off 2019 Listing Form.
0002562021	Cornelius, Niles Stephen	Release	2019	\$21,680.00	\$0.00	\$165.75	2015 camper has a current tag; bill created in error
0003048084	Demeny, Kevin James	Release	2019	\$14,662.00	\$0.00	\$113.71	Per taxpayer, 2008 Sea Ray 21'0" was sold to Lake Norman Marina in 2018. Per Wildlife, ownership transfer was not completed until 7/26/19.
0001798631	Deperczel, John Leslie	Release	2019	\$3,738.00	\$0.00	\$47.80	Sold the 1994 Chaparral boat and 1994 MTI boat trailer in 2017. New owner has not re-registered items under their name.
0003047885	Dobson, Barry	Release	2015	\$770.00	\$0.00	\$13.18	Taxpayer moved to Catawba in middle of 2015 per recorded deed. He had paid his 2015 bill in Robeson County for the 2010 Ande Multi Yr Tag trailer.
0003047763	Gantt, Charles	Release	2018	\$20,570.00	\$0.00	\$169.09	Per taxpayer and DMV, 2005 CROR CT was tagged as of 2017 and tag was turned in on 11/2018. CT had been deemed as salvaged due to storm.
0003047763	Gantt, Charles	Release	2019	\$18,790.00	\$0.00	\$145.71	Per taxpayer and DMV, 2005 CROR CT was tagged as of 2017 and tag was turned in on 11/2018. CT had been deemed as salvaged due to storm.
0003032697	Gardner, Bryon Matthew	Release	2018	\$15,570.00	\$0.00	\$117.31	2011 FORE Camper had been moved out of Cross Country Campground and into a campground in Iredell County. Per Iredell's website, bill has been paid for 2018 and 2019.
0003032697	Gardner, Bryon Matthew	Release	2019	\$14,220.00	\$0.00	\$110.28	2011 FORE Camper had been moved out of Cross Country Campground and into a campground in Iredell County. Per Iredell's website, bill has been paid for 2018 and 2019.
0002145316	Garnett, Tammy Lynn	Release	2019	\$1,718.00	\$0.00	\$13.32	Per signed 2019 listing form, 2002 SEADOO was salvaged and no longer owns.
0003024552	Gibbs, Duane Thomas	Release	2019	\$1,423.00	\$0.00	\$16.83	Taxpayer called to say he sold the 1996 Tracker Bass Buggy 18' a couple years ago.
0003048093	Griffin, Brian Lewis	Release	2019	\$23,173.00	\$0.00	\$179.70	Did not return Discovery Notice, but received a phone call from taxpayer stating it had been listed in Iredell County for 2019 tax year and has been sold since. Taxpayer provided a copy of the bill from Iredell.
0003024842	Healy, Peter John	Release	2019	\$1,575.00	\$0.00	\$20.15	Moved and registered 2016 ALTC TL in NY in Aug of 2017.
0003022043	Hoiness, Randi Marie	Release	2019	\$25,900.00	\$0.00	\$184.27	2012 EBY Multi Yr Tag AT has been listed in Moore County per DMV. Catawba County home was sold in 2018 per recorded deed. Bill created in error
0003024466	Houser, Teddy Wilson	Release	2019	\$18,000.00	\$0.00	\$129.29	Bill was created in error; Per aircraft report, 1946 Aeronca Champ was sold
0003047920	Leary, Ann Marie	Release	2019	\$21,012.00	\$0.00	\$160.63	2018 Apex Marine and 2019 Yach Boat Trailer were listed in Alexander County for 2019 Tax Year. Taxpayer provided a copy of bill from Alexander County.
0003047992	Little, Kenneth Dale	Release	2019	\$5,057.00	\$0.00	\$38.67	It says in Alexander County 7 months of the year. I have attached a copy of the Alexander County bill. Releasing bill.
0003047510	Mackey, David	Release	2019	\$1,000.00	\$0.00	\$7.76	Duplicate bill; Created in error
0001864125	Martinez, Martinez Sandra	Release	2019	\$1,000.00	\$0.00	\$7.65	Sold 1975 Skyline Mobile Home 4 years ago, but new owner never transferred title over to their name.
0001808696	McCormick, Virginia Clendenen Heirs	Release	2019	\$300.00	\$0.00	\$3.84	Virginia passed away in 2013 or 2014. The 1967 Scotty Camping Trail was sold to pay for her rest home bill in 2013 by an auction company. Requesting release as they have not had the camping trailer for a long time.

0003048103	McCurry, Douglas Dwayne	Release	2019	\$17,912.00	\$0.00	\$138.91	Taxpayer called us to let it know it was listed in Lincoln County for 2019. I called Kristy Leonard with Lincoln County Tax office. She confirmed it was billed in Lincoln County for 2019. They have been billing it for multiple years.
0001808826	McRee, James Daniel Heirs	Release	2019	\$3,326.00	\$0.00	\$33.92	1987 Bayliner Ciera sold in 2017 - per owner and NCWL
0001808826	McRee, James Daniel Heirs	Release	2018	\$3,380.00	\$0.00	\$34.49	1987 Bayliner Ciera sold in 2017 - per owner and NCWL
0001797607	Northwest Associates Architecture	Release	2019	\$12,593.00	\$5,546.00	\$90.11	Submitted completed listing after discovery billing - removed assessed value of 7,047 (10% additional of last year's value)
0001800246	P & K Express Inc	Release	2019	\$573,092.00	\$490,967.00	\$589.90	Taxpayer did not submit a 2019 listing, provided an accurate list of trailers after discovery billing was processed. Taxpayer sold 6 of the trailers that were assessed and appealed the value of 5 trailers - adjusted to depreciated value from original cost.
0003049040	Parker, Earnest G	Release	2019	\$1,100.00	\$0.00	\$11.56	1998 Toyt Corolla was junked in 2018 per signed listing form; bill created in error
0001798791	Parsons, Windreth Melvina Heirs	Release	2017	\$4,080.00	\$0.00	\$33.88	Taxpayer stated the mobile home was removed before 2016. We found photos on Pictometry showing it was not there in 2017 but was there in 2014. We cannot find any pictures showing the year of 2015 or 2016.
0001798791	Parsons, Windreth Melvina Heirs	Release	2018	\$3,740.00	\$0.00	\$28.69	Taxpayer stated the mobile home was removed before 2016. We found photos on Pictometry showing it was not there in 2017 but was there in 2014. We cannot find any pictures showing the year of 2015 or 2016.
0001798791	Parsons, Windreth Melvina Heirs	Release	2019	\$3,440.00	\$0.00	\$24.10	Taxpayer stated the mobile home was removed before 2016. We found photos on Pictometry showing it was not there in 2017 but was there in 2014. We cannot find any pictures showing the year of 2015 or 2016.
0003048291	Paterno, Alan	Release	2019	\$4,720.00	\$0.00	\$36.08	Both Jetskis were located in Burk County as of January 1st of 2019. 2004 Bombardier GTX (2)
0003048289	Pike, Dylan G	Release	2019	\$16,045.00	\$0.00	\$115.25	The boat was sold in December 2018. Requesting release of bill.
0001996031	Pouge, Mark D	Release	2019	\$4,026.00	\$300.00	\$26.76	Gave away the 2006 BAYLINER and 2006 KARA Multi Year Tag Boat Trailer in 2018
0003017219	Propst, David Reynolds	Release	2019	\$4,160.00	\$3,360.00	\$5.56	Tagged 1997 Geo Tracker in June 2019
0003025116	Queen, Carrie Inez	Release	2019	\$1,000.00	\$0.00	\$7.65	This bill was paid under 0001799201 and 0003025116. The bills for 0001799201 has been paid every year. The situs under 0001799201 is wrong. Working to correct it. Sandra Dellinger called to tell us she is the only one who has owned the mobile home and Carrie Queen only rented the home. Releasing bill.
0003025116	Queen, Carrie Inez	Release	2018	\$1,000.00	\$0.00	\$8.43	This bill was paid under 0001799201 and 0003025116. The bills for 0001799201 has been paid every year. The situs under 0001799201 is wrong. Working to correct it. Sandra Dellinger called to tell us she is the only one who has owned the mobile home and Carrie Queen only rented the home. Releasing bill.
0003025116	Queen, Carrie Inez	Release	2017	\$1,000.00	\$0.00	\$9.12	This bill was paid under 0001799201 and 0003025116. The bills for 0001799201 has been paid every year. The situs under 0001799201 is wrong. Working to correct it. Sandra Dellinger called to tell us she is the only one who has owned the mobile home and Carrie Queen only rented the home. Releasing bill.
0003025116	Queen, Carrie Inez	Release	2016	\$1,000.00	\$0.00	\$9.95	This bill was paid under 0001799201 and 0003025116. The bills for 0001799201 has been paid every year. The situs under 0001799201 is wrong. Working to correct it. Sandra Dellinger called to tell us she is the only one who has owned the mobile home and Carrie Queen only rented the home. Releasing bill.
0003025116	Queen, Carrie Inez	Release	2015	\$1,000.00	\$0.00	\$10.31	This bill was paid under 0001799201 and 0003025116. The bills for 0001799201 has been paid every year. The situs under 0001799201 is wrong. Working to correct it. Sandra Dellinger called to tell us she is the only one who has owned the mobile home and Carrie Queen only rented the home. Releasing bill.

0003025116	Queen, Carrie Inez	Release	2014	\$1,000.00	\$0.00	\$10.35	This bill was paid under 0001799201 and 0003025116. The bills for 0001799201 has been paid every year. The situs under 0001799201 is wrong. Working to correct it. Sandra Dellinger called to tell us she is the only one who has owned the mobile home and Carrie Queen only rented the home. Releasing bill.
0003025116	Queen, Carrie Inez	Release	2013	\$1,000.00	\$0.00	\$10.73	This bill was paid under 0001799201 and 0003025116. The bills for 0001799201 has been paid every year. The situs under 0001799201 is wrong. Working to correct it. Sandra Dellinger called to tell us she is the only one who has owned the mobile home and Carrie Queen only rented the home. Releasing bill.
0003025288	Rhodes, Glenn Lee	Release	2019	\$15,913.00	\$0.00	\$123.41	Taxpayer says the boat was moved to Virginia in Summer of 2017.
0003048241	Rosamond, James Edgar III	Release	2014	\$200.00	\$0.00	\$1.88	Sold 1996 Trai Multi Yr Tag TL on 3/20/12 per signed title transfer
0003048241	Rosamond, James Edgar III	Release	2015	\$200.00	\$0.00	\$1.93	Sold 1996 Trai Multi Yr Tag TL on 3/20/12 per signed title transfer
0003048241	Rosamond, James Edgar III	Release	2016	\$200.00	\$0.00	\$1.79	Sold 1996 Trai Multi Yr Tag TL on 3/20/12 per signed title transfer
0003048241	Rosamond, James Edgar III	Release	2017	\$200.00	\$0.00	\$1.67	Sold 1996 Trai Multi Yr Tag TL on 3/20/12 per signed title transfer
0003048241	Rosamond, James Edgar III	Release	2018	\$200.00	\$0.00	\$1.54	Sold 1996 Trai Multi Yr Tag TL on 3/20/12 per signed title transfer
0003048241	Rosamond, James Edgar III	Release	2019	\$200.00	\$0.00	\$1.41	Sold 1996 Trai Multi Yr Tag TL on 3/20/12 per signed title transfer
0003025342	Setzer, Ritchie Allen/Setzer, Teresa Brown	Release	2019	\$745.00	\$0.00	\$4.77	Tagged Vehicle on 12/2019; GAP will pick up months
0003016524	Shree Laxmi Ganesh (Mtn View Market)	Release	2019	\$2,134.00	\$0.00	\$15.18	Clerical error, duplicate listing. New owner listed for 2018 & forward #3025506
0003016524	Shree Laxmi Ganesh (Mtn View Market)	Release	2018	\$1,940.00	\$0.00	\$15.30	Clerical error, duplicate listing. New owner listed for 2018 & forward #3025506
0002149898	Silva Masonry Inc & Cerda, Abel	Release	2019	\$1,450.00	\$450.00		Mobile Home & land was sold in 2016 to Martin S Ibarra & Selina M Patel
0002967744	Stewart, Harold Delane	Release	2015	\$200.00	\$0.00	\$1.93	Duplicate bill; 1987 Phelan had already been listed and paid for
0002967744	Stewart, Harold Delane	Release	2014	\$200.00	\$0.00	\$1.88	Duplicate bill; 1987 Phelan had already been listed and paid for
0002967744	Stewart, Harold Delane	Release	2016	\$200.00	\$0.00	\$1.79	Duplicate Bill; 1987 Phelan had already been listed and paid for
0002967744	Stewart, Harold Delane	Release	2017	\$200.00	\$0.00	\$1.67	Duplicate bill; 1987 Phelan had already been listed and paid for
0003016606	Taiji Group USA Inc	Release	2019	\$2,065,094.00	\$1,586,961.00	\$5,653.93	Taxpayer submitted an accurate listing after the discovery billing.
0001794521	Wahrmund, Gerald D	Release	2019	\$9,117.00	\$4,889.00	\$29.76	Taxpayer stated he sold the 2000 Yamaha XA1200 and the 2007 Seadoo GTX in 2017. Requesting release for 2019.
0003021934	Watson, Bradley Daniel	Release	2019	\$5,440.00	\$0.00	\$43.39	Taxpayer stated he sold the 2001 Larson SE190 boat a few years ago.
0003048223	Yester, David	Release	2019	\$14,541.00	\$0.00	\$112.76	Taxpayer called to let us know he paid the bill in Lincoln County because the boat was moved from the marina in late 2018.
0002693727	Soncerea Clark	Release	2010	\$7,540.00	\$0.00	\$155.07	12 month proration
0002941308	Richard Bryant	Release	2011	\$11,370.00	\$0.00	\$115.21	Out of County
0002681768	Danny Blalock	Release	2011	\$12,120.00	\$0.00	\$122.05	Out of County

0001803447	Childers, Don R	Release	2019	\$40,247.00	\$0.00	\$283.34	Business Closed in 2017
Total				\$6,497,693.00	\$4,037,718.00	\$21,886.26	

Abstract Number (Please include leading zeros)	Owner Name as Billed (Last, First, Middle)	Release or Refund?	Year for which release/refund requested	Original Value	Corrected Value	RELEASE/REFUND AMOUNT	Reason (Please do not use all CAPS. Use correct capitalization)
0001631025	Adams Louise	Refund	2019	\$88,800.00	\$44,400.00	\$516.15	Reinstated Elderly Exclusion for 2019
0001645546	Baker Ralph Eugene J	Refund	2019	\$153,100.00	\$96,450.00	\$658.56	Reinstated Elderly Exclusion for 2019
0003031373	Lutz, Darrell Steven	Refund	2019	\$3,860.00	\$0.00	\$26.83	The Motorcycle was double billed under old owner Iness Lutz (1808580) and Darrell Lutz (3031373). Requesting release for bill under Darrell Lutz.
0003031373	Lutz, Darrell Steven	Refund	2018	\$4,270.00	\$0.00	\$32.64	The Motorcycle was double bill under old owner Iness Lutz (1808580) and Darrell Lutz (3031373). Requesting refund for bill under Darrell Lutz.
0001810486	Powell E Dean DDS PA	Refund	2019	\$110,084.00	\$110,084.00	\$127.97	Clerical Error - charged Late List Penalty in error
0001810486	Powell E Dean DDS PA	Refund	2018	\$125,974.00	\$125,974.00	\$143.80	Clerical Error - charged Late List Penalty in error
Total				\$486,088.00	\$376,908.00	\$1,505.94	

COMMISSIONER APPROVAL OF RELEASES & REFUNDS

PROCESSED: December 1, 2019 Thru December 31, 2019

PROCESSED: January 21, 2020

REGULAR RELEASES

MOTOR VEHICLE	\$0.00
REAL & PERSONAL	\$21,886.26
TOTALS	\$21,886.26

REGULAR REFUNDS

MOTOR VEHICLE	\$0.00
REAL & PERSONAL	\$1,505.94
TOTALS	\$1,505.94

COUNTY GRAND TOTAL \$23,392.20

NEW MOTOR VEHICLE SYSTEM REFUNDS (VTS)

MOTOR VEHICLE NCVTS	\$2,955.37
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RANDY ISENHOWER
CHAIRMAN OF THE BOARD
CATAWBA COUNTY BOARD OF COMMISSIONERS

MEMORANDUM

TO: Catawba County Board of Commissioners
FROM: Policy and Public Works Subcommittee
DATE: January 21, 2020
RE: Proposed Amendment to K-64 Education Board Bylaws

REQUEST

The Policy and Public Works Subcommittee recommends the Board of Commissioners approve an amendment to the K-64 Education Board Bylaws regarding the frequency of meetings as set forth in Section 3.1. Regular Meetings.

BACKGROUND

PROPOSED AMENDMENT TO BYLAWS

At its January 17, 2017 meeting, the Board of Commissioners adopted bylaws for the K-64 board. The K-64 Education Board had its first meeting on May 30, 2017, and thereafter met monthly, which was consistent with the bylaws. Because of the establishment of subcommittees for the K-64 Board, and the amount of work being accomplished outside of full Board meetings, on October 2, 2017, the Board of Commissioners amended the bylaws to reflect that the K-64 Education Board meet every two months, starting in January 2018.

The K-64 Education Board subcommittees continue to accomplish many of the goals of the Board and it is now recommended that the bylaws are amended to reflect quarterly meetings of the full K-64 Education Board, as well as periodic updates to the Board of Commissioners. The following amendment is recommended:

CURRENT:

Commencing with the first month following the member's appointments, the Board shall meet once per month for 9 months. Thereafter, the Board shall meet every two months. Meetings shall be at a time and location decided upon by the Board Members.

PROPOSED:

Commencing with the first month following the member's appointments, the Board shall meet once per month for 9 months. Thereafter, the Board shall meet every two months. Commencing January 2020, the Board shall meet quarterly. Meetings shall be at a time and location decided upon by the Board Members. The K-64 Chief Executive Officer will periodically update the Board of Commissioners on the K-64 Education Board's activities and accomplishments.

Budget Transfers: Pursuant to Board authority granted to the County Manager, the following budget transfers have been completed:

Special Contingency Transfers:

K-9 Bulletproof Vest Donation

Transfer

From:

110-190100-691500	Special Contingency	\$700
110-190100-994200	Special Contingency	\$700

To:

110-210050-681900	Donations/Grants	\$700
110-210050-831015	Uniforms & Clothing	\$700

12/20/19 – Transfer from Special Contingency to recognize donation revenue received for a new K-9 bulletproof vest and appropriate expense to Sheriff’s Office budget.