

Regular Session, December 2, 2024, 7:00 p.m.
Catawba County Board of Commissioners

Appointments

Oaths of Office	142	12/02/24
Organizational Appointments	142	12/02/24
Catawba County Board of Adjustment – Tommy Luckadoo	145	12/02/24
Catawba County Board of Adjustment – Timothy Scaer	145	12/02/24

Awards

2024 Tax Assessor of the Year	145	12/02/24
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Budget

ARPA Budget Amendment	173	12/02/24
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Closed

Economic Development and Property Acquisition	177	12/02/24
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Finance

Bureau of Justice Grant Award for LEAD and MAT Programs (Ordinance 2024-9)	147	12/02/24
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Historical Association

America 250 Resolution	146	12/02/24
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Legal

Approval of Counsel to the Board David Hood's Contract	142	12/02/24
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Ordinances

Grant Project Ordinance for Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program: U.S. Department of Justice, Bureau of Justice Assistance (Ordinance 2024-9)	147	12/02/24
Grant Project Ordinance for Catawba County American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds (Ordinance 2024-10)	173	12/02/24

Presentations

America 250 Resolution	146	12/02/24
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Public Comment

Michael McRee	146	12/02/24
Sherrill Watkins	146	12/02/24

Resolutions

Resolution of Catawba County Recognizing and Approving the Catawba County Official America 250 NC Committee (Resolution 2024-30)	146	12/02/24
Preliminary Assessment Roll for Aspen Heights Subdivision Road Improvement Project Special Assessment (Resolution 2024-31)	163	12/02/24
Preliminary Assessment Roll for Brookstone Subdivision Road Improvement Project Special Assessment (Resolution 2024-32)	166	12/02/24
Preliminary Assessment Roll for Wind Bluff Court/The Knolls Subdivision Road Improvement Project Special Assessment (Resolution 2024-33)	170	12/02/24
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Utilities and Engineering

Renewable Natural Gas Pipeline Easement	148	12/02/24
2018 Caterpillar Compactor Rebuild	161	12/02/24
Preliminary Assessment Roll for Aspen Heights Subdivision Road Improvement		

Project Special Assessment	161	12/02/24
Preliminary Assessment Roll for Brookstone Subdivision Road Improvement		
Project Special Assessment	164	12/02/24
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Improvement Project Special Assessment	169	12/02/24

The Catawba County Board of Commissioners met in Regular Session on Monday, December 2, 2024, at 7:00 p.m., in the Board of Commissioners Meeting Room, 2nd Floor, Catawba County Justice Center, 100 Government Drive, Newton, North Carolina.

Present were Chair Randy Isenhower, Vice-Chair Austin Allran, and Commissioners Robert C. Abernethy, Jr., Barbara G. Beatty, and Cole Setzer.

Also present were County Manager Mary S. Furtado, Assistant County Manager Paul Murray, Assistant County Manager Justin Merritt, County Attorney Jodi Stewart, Assistant County Attorney Josh Teague, and County Clerk Dale Stiles.

1. Chair Randy Isenhower called the meeting to order at 7:00 p.m., noting a quorum was present.
2. Chair Isenhower led the Pledge of Allegiance.
3. Vice Chair Austin Allran offered the invocation.
4. Commissioner Robert C. Abernethy, Jr., made a motion to approve the Minutes from the Board's Regular Meeting of November 18, 2024. The motion carried unanimously.
5. Oaths of Office:
The Honorable Clifton H. Smith, Special Superior Court, administered the oath of office to Commissioner Austin Allran. The Honorable Mitchell Setzer, NC State Representative, administered the oath of office to Commissioner Barbara G. Beatty. Family and friends were present to observe.
6. Election of Chair and Vice-Chair: Chair Isenhower turned the meeting over to County Manager Mary Furtado to take nominations for Chair. Ms. Furtado opened the floor for nominations. Vice-Chair Allran nominated Randy Isenhower as Chair, and nominations were closed. Board members present voted unanimously to approve the nomination. Chair Isenhower then opened the floor for nominations for Vice-Chair. Commissioner Robert Abernethy nominated Austin Allran as Vice-Chair, and nominations were closed. Board members voted on the nomination, which passed unanimously.

Chair Isenhower made the following recommendations for organizational appointments:

County Attorney – Jodi Stewart

Counsel to the Board – David Hood and approval of Contract

Finance and Personnel Subcommittee – Commissioners Allran and Setzer

Policy and Public Works Subcommittee – Commissioners Beatty and Abernethy

WPCOG Policy Board Delegate – Commissioner Setzer

WPCOG Policy Board Alternate - Commissioner Beatty

CVMC Board of Trustees – Commissioner Isenhower

K-64 Education Board – Commissioner Abernethy

Public Health Board – Commissioner Allran

Social Services Board – Commissioner Abernethy

Partners Health Management Board – Commissioner Beatty

Metropolitan Planning Organization – Commissioner Beatty

These recommendations for appointments were made in the form of a motion; the motion carried unanimously.

Commissioner Cole Setzer made a motion to approve Counsel to the Board David Hood's contract. The motion carried unanimously.

A copy of David Hood's contract is hereto attached:

**NORTH CAROLINA
COUNTY OF CATAWBA**

AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of December, 2024, between Catawba County, a body politic, corporate in nature and existing by virtue of the laws of the State of North Carolina, and David W. Hood of the law firm Patrick, Harper & Dixon, LLP located in Hickory, North Carolina.

WITNESSETH:

WHEREAS, the Catawba County Board of Commissioners desires to appoint David W. Hood as Board Attorney, who shall serve and be referred to as Counsel to the Board of Catawba County; and

WHEREAS, David W. Hood desires to accept this appointment.

NOW THEREFORE, in consideration of the promises and of the mutual covenants contained in this Agreement, and of other good and valuable consideration, Catawba County and David W. Hood covenant and agree as follows:

1. The Board of Commissioners of Catawba County now appoints David W. Hood as Board Attorney for Catawba County, and this appointment is accepted. He shall report to, consult with, and advise the Board members directly and shall owe his legal duties to the Catawba County Board of Commissioners.
2. The term of this Agreement shall begin on the 16th day of December, 2024, and shall continue until the first Board of Commissioners' Meeting in December 2024, unless terminated by either party.
3. Catawba County will pay to David W. Hood an annual retainer fee of \$1,000.00.
4. In return for payment of the above noted retainer fee, David W. Hood accepts Catawba County as a preferred client and will assign a priority status to work to be performed as Board Attorney. He will not attend Board Meetings unless requested to do so by the Board member(s) but shall be available to the Board of Commissioners for legal consultation and advice.
5. Catawba County will pay to David W. Hood compensation at the hourly rate of \$200.00 for all services provided by David W. Hood to Catawba County. The retainer described in paragraph 3 shall constitute a credit against all charges billed by David W. Hood during the term of this Agreement, such further payment by Catawba County only to occur if the charges exceed the retainer amount during the term of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

CATAWBA COUNTY

By: _____
C. Randall Isenhower, Chair

PATRICK, HARPER & DIXON, LLP

By: _____
David W. Hood, Partner

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

Date: _____
Mary Morrison, Assistant Chief Finance Officer
Account Number 110-110050-856200

APPROVED AS TO FORM

Date: _____
Jodi Stewart, County Attorney

7. Recognition of Special Guests:
Chair Isenhower welcomed everyone present.
8. Public Comments.
Michael McRee came forward requesting the monument on the grounds of the 1924 Courthouse not be removed. Watkins Sherrill came forward and shared a Christmas poem.
9. Appointments.
Upon a recommendation by Chair Isenhower that came in the form of a motion which unanimously carried, the Board reappointed Tommy Luckadoo for a sixth term and Timothy Scaer to a second term to the Catawba County Board of Adjustment, with term expirations of November 30, 2027.
10. Presentations.
 - a. Catawba County Historical Association Executive Director Susan Holbrook presented to the Board America 250 NC's mission to engage all North Carolinians and all 100 counties through officially recognized programs, projects, and events over the commemoration by inspiring future leaders and celebrating North Carolina's contribution to the nation over the last 250 years and requested the Board recognize and approve the Catawba County Official America 250 NC Committee Resolution. After her presentation, Commissioner Setzer made a motion to approve the Catawba County Official America 250 NC Committee Resolution, which carried unanimously.

The following resolution applies:

Resolution # 2024- 30 of Catawba County
Recognizing and Approving of the Catawba County
Official America 250 NC Committee

A resolution of Catawba County, North Carolina, supporting the America 250 NC committee for the United States semiquincentennial (AMERICA 250 NC).

WHEREAS, Roy Cooper, Governor of North Carolina created AMERICA 250 NC to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the United States and North Carolina's integral role in that event and the role of its people on the nation's past, present, and future; and,

WHEREAS, AMERICA 250 NC has a mission to engage all North Carolinians and all 100 counties through their many signatures and officially recognized programs, projects, and events over the commemoration by inspiring future leaders and celebrating North Carolina's contributions to the nation over the last 250 years; and,

WHEREAS, by adoption of America 250 NC's mission, Catawba County Committee is officially formed to achieve the goals of America 250 NC.

NOW, THEREFORE, BE IT RESOLVED, the County of Catawba hereby endorses AMERICA 250 NC and its mission; and

BE IT RESOLVED, the County of Catawba officially establishes an AMERICA 250 NC Committee made up of a broad range of citizens to work with AMERICA 250 NC on activities related to the commemoration of the 250th anniversary. The participants of the Catawba County Committee will be strictly voluntary roles and there will be no compensation for participation; and

BE IT FURTHER RESOLVED a copy of this resolution be sent to the North Carolina legislative delegation and the AMERICA 250 NC Committee.

Adopted the 2nd day of December, 2024.

b. Chair Isenhower presented the 2024 Tax Assessor of the Year Award by the NC Association of Assessing Officers (NCAAO) to Catawba County Tax Administrator Brian Myers.

11. Consent Agenda.

County Manager Mary Furtado presented the following eight items under the consent agenda. Chair Isenhowe asked if any commissioner wished for an item to be broken out of the consent agenda for individual consideration. None was requested.

a. The Finance and Personnel Subcommittee recommended the Board of Commissioners accept the Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program federal grant award of \$1.3 million from the Bureau of Justice Assistance Office of Justice Programs to support the Law Enforcement Assisted Diversion (LEAD) program and Medicated Assisted Treatment (MAT) services provided at the Detention Center; authorize the County Manager to execute the award agreement and all necessary documents to accept the grant award; and authorize the County Manager to enter into a subaward agreement with Catawba Valley Healthcare to provide the services outlined in the grant award.

Catawba County was previously awarded federal funding to support the Law Enforcement Assisted Diversion (LEAD) program through the 2020 Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program grant with a performance period ending September 2024. The goal of the LEAD program is to reduce criminal behavior and improve public safety by connecting low-level drug offenders with treatment, social services, and other community resources. Over the last four years, the LEAD program has served 126 individuals with a 70% success rate of participants not reoffending.

The Medicated Assisted Treatment (MAT) program was started in 2022 as a pilot program and has proven to be successful, providing services to more than 150 individuals. The detention center's medical provider, Mediko, currently provides MAT services. FDA approved medications specific to treating addiction are demonstrating increased efficacy allowing for greater opportunity for long-term recovery. In addition to clinical interventions to support MAT services, grant funding will be used to purchase specific medications targeting addiction.

To ensure continuity of services and to provide program enhancements, the County applied for the 2024 Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program grant and incorporated Medicated Assisted Treatment (MAT) services into the grant application.

The total federal award is \$1,300,000 over a 3-year performance period beginning October 1, 2024 through September 30, 2027. The grant does not require a cash or in-kind match. In order to provide the necessary services and support for the activities funded by this grant, the County will enter into a subrecipient agreement with Catawba Valley Healthcare to provide case management, peer support services, behavioral health services, and law enforcement officer educational opportunities. The County will utilize funding to contract with its current medical provider for MAT services.

Appropriation

Revenue		
110-270050-620134	2024 BJA COSSUP Grant	\$1,300,000
Expenditures		
110-270050-868334	2024 BJA COSSUP Grant	\$1,300,000

The following ordinance applies:

ORDINANCE# 2024-09

Grant Project Ordinance for Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program:
U.S. Department of Justice, Bureau of Justice Assistance

BE IT ORDAINED by the Catawba County Board of Commissioners, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: The project authorized is the U.S. Department of Justice, Bureau of Justice Assistance (BJA), 2024 Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program, award 15PBJA-24-GG-04515-COAP. This project is more familiarly known as the LEAD program and MAT services at the Catawba County Detention Center. The total grant award is \$1,300,000 over a 3-year period beginning October 1, 2024 until September 20, 2027.

Section 2: The County Manager and Finance Officer are hereby directed to proceed with the grant project within the terms of the grant award agreement, the rules and regulations of the U.S. Department of Justice, and the budget contained herein.

Section 3: The following revenues are anticipated and the following expenditures are appropriated for the 2024 Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program:

Revenue		
110-270050-620134	2024 BJA COSSUP Grant	\$1,300,000
Expenditures		
110-270050-868334	2024 BJA COSSUP Grant	\$1,300,000

Section 4: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records, submit required performance data, conduct subrecipient monitoring as well as other compliance activities to satisfy the requirements of the grantor agency and the grant award agreement.

Section 5: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk.

Section 6: This grant project ordinance expires on September 30, 2027.

This the 2nd day of December, 2024.

b. The Policy and Public Works Subcommittee recommended the Board of Commissioners approve a pipeline easement between Catawba County and Terreva Catawba RNG, LLC.

In April 2022, the Board of Commissioners approved the lease of 1 acre of land and the sale landfill gas to MAS Catawba RNG, LLC for the generation and sale of Renewable Natural Gas (RNG). In September 2022, MAS Catawba RNG, LLC was purchased by Terreva Catawba RNG, LLC, resulting in the lease being assigned to Terreva Catawba RNG, LLC.

As part of the 2022 lease, the County agreed to grant additional easements, as needed, for the construction and operation of a pipeline for the transport of products generated or treated by the RNG Plant. The RNG Plant is expected to be operational in June 2025.

Staff agrees with the proposed pipeline route and associated easements and has verified they will not interfere with current or future landfill operations.

The following agreement and Exhibit A is hereby approved:

PIPELINE UTILITY EASEMENT

PREPARED BY: V&M
RETURN TO: TERREVA CATAWBA RNG, LLC
889 Howell Mill Rd NW, Suite 4300
Atlanta, NC 30318

STATE OF NORTH CAROLINA

COUNTY OF CATAWBA

KNOW ALL MEN BY THESE PRESENTS:

THAT for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged CATAWBA COUNTY, A North Carolina Body Politic, hereinafter referred to as GRANTOR, (whether one or more), does hereby grant, bargain, sell and convey unto TERREVA CATAWBA RNG, LLC a Delaware limited liability company, whose mailing address is 889 Howell Mill Rd NW, Suite 4300, Atlanta, GA 30326, its successors and assigns, hereinafter referred to as "GRANTEE", the rights, privileges, easement and right of way as hereinafter set forth for the purposes of constructing, operating, maintaining, inspecting, repairing, removing and/or abandoning in place a pipeline or pipelines, and appurtenances, along with ingress and egress, together with such valves, fittings, markers, corrosion control devices, pipeline operating control devices and other equipment and appurtenances as may be necessary or convenient for the transportation by pipeline of gas, on, over, under, across and through a strip of land Thirty feet (30') in width (the "Right-of-Way"), being generally depicted on the Exhibit "A" attached hereto and made a part hereof, located all or in part of Jacobs Fork Township, Catawba County, North Carolina, and described as follows:

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Catawba County Registry, Deed Book 3893, Page 1341.

Tax Parcel Number (s): 361804522134

Bounded substantially by lands now and/or formerly owned as follows:

On the North by lands of: ROCKY FORD RD
On the East by lands of: JONATHON MAUSER
On the South by lands of: CATAWBA COUNTY
On the West by lands of: VARIOUS

With the right of ingress and egress to and from the same for any and all purposes necessary or convenient to the exercise by the Grantee of the rights and easements herein granted, on over and across said lands and adjacent lands of the Grantor.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, so long as any one or more of said rights or privileges are exercised or useful to Grantee. Grantee hereby agrees to pay any reasonable damages to crops, timber or fences which may immediately and directly result from the exercise of the rights and privileges granted herein except for those damages caused by maintaining and clearing the right of way as hereinafter provided.

Grantee may use a strip of land TWENTY feet (20') in width as a temporary workspace easement to be located along, adjacent to and parallel with the easement. Grantor agrees to not impound water upon, build, create, or construct nor permit to be built, created or constructed, any obstruction, building, improvement or other structure over, under or within, said right of way after such pipeline has been constructed by Grantee. Grantee shall have the right to use additional workspace at the crossing of roads, railroads, streams or uneven terrain alongside the right of way as needed during the exercise of any of the rights granted herein and shall have the right at any time to clear and keep clear said right of way of any trees, shrubs, or brush without payment for damages. This shall be a covenant running with the land and shall be binding on Grantor, his heirs and assigns.

Should said pipeline be abandoned by the Grantee, its successors or assigns, or should Grantee, its successors or assigns cease commercial activities upon the property for a period of twenty four (24) months, this easement shall be terminated and become null and void.

The rights of way easements and privileges herein granted are divisible, assignable or transferable in whole or in part by Grantee. This agreement can be signed in counterparts with the same effect as if all parties signed one agreement. It is hereby understood that the party securing this grant on behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

EXECUTED this the ____ day of ____, 2024.

GRANTOR:
CATAWBA COUNTY, A NORTH CAROLINA BODY POLITIC

C. Randall Isenhower, Chairman,
Catawba County Board of Commissioners

ATTESTED BY:

Dale Stiles, County Clerk

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, _____, a Notary Public, do hereby certify that Dale Stiles personally appeared before me this day and acknowledged that she is County Clerk and that, by authority duly given and as the act of the Catawba County Board of Commissioners, the foregoing instrument was signed in its name by its Chair, sealed with its corporate seal, and attested by herself as its Clerk.

Witness my hand and official seal, this the ____ day of _____, 2024.

{Seal}

Notary Public
Printed Name: _____
My Commission Expires: _____

TERREVA CATAWBA RNG, LLC
a Delaware limited liability company

Name: _____

)

)

SS:

On this, the ____ day of _____, 2024, before me the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ of TERREYA CATAWBA RNG, LLC, a Delaware limited liability company, and that as such officer, being authorized so to do, he/she executed the foregoing instrument for purposes therein contained by signing the name of the limited liability company by himself/herself as such officer.

In witness whereof, I hereunto set my hand and official seals.

Notary Public

My commission expires: _____

This instrument prepared by: **V&M**, on behalf of Terreva CATAWBA RING, LLC, 889 HOWELL MILL RD NW, Suite 4300, Atlanta, GA 30318
When recorded return to: Terreva CATAWBA RING, LLC, 889 HOWELL MILL RD NW, Suite 4300, Atlanta, GA 30318

EXHIBIT "A"

This Exhibit "A" attached hereto and made a part hereof of that certain Pipeline Right of Way Grant dated _____, 2024 by and between CATAWBA COUNTY Grantor, and Terreva CATAWBA RNG, LLC, a Delaware limited liability company, as Grantee.

[Insert Exhibit]

AREA TABLE			EXHIBIT A	
EASEMENT TYPE	ACRES	SQ. FT.		
PERMANENT EASEMENT	2.262±	98,522	<p>THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.</p> <p>30 0 30 60 SCALE IN FEET</p>	
TCE	1.366±	59,485		

CERTIFICATION

I, ERIC F. COOKE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 3893, PAGE 1341); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK AS SHOWN, PAGE AS SHOWN; THAT THE RATIO OF PRECISION IS 1:10,000 ±; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA 12 N.C.A.C. 56.1600; PURSUANT TO G.S. 47-30 (FID1)(C)(4) THIS SURVEY IS OF A PROPOSED EASEMENT FOR A PUBLIC UTILITY AS DEFINED IN G.S. 62-5; AND MEETS THE ATTACHMENT RULES OF G.S. 47-30 (M)(1); THE PURPOSE OF THIS EXHIBIT IS FOR RIGHT OF WAY OR EASEMENT ACQUISITION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN HEREON.

THIS 10TH DAY OF OCTOBER 2024

ERIC F. COOKE, PLS L-3897

LINE TABLE		
LINE #	LENGTH	BEARING
L1	22.38'	S14°20'26"E
L2	30.01'	S14°20'26"E
L10	20.01'	S14°20'26"E

OWNER OF RECORD
CATAWBA COUNTY
BOOK 3893 PAGE 1341
PIN: 361804522134

N/E
JOEL MAUSER
BOOK 3341 PAGE 227
PIN: 361804636536

LEGEND

- REBAR SET
- REBAR FOUND
- CONC. MONUMENT FOUND
- COMPUTED POINT (NOT SET)
- TCE TEMPORARY CONSTRUCTION EASEMENT
- USSE UTILITY STATION SITE EASEMENT
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- R/W RIGHT OF WAY
- SUBJECT PARCEL
- SUBJECT EASEMENT
- STREET RIGHT OF WAY
- ADJACENT PARCEL
- EXISTING EASEMENT
- CENTERLINE
- TIE LINE
- CHAIN LINK FENCE

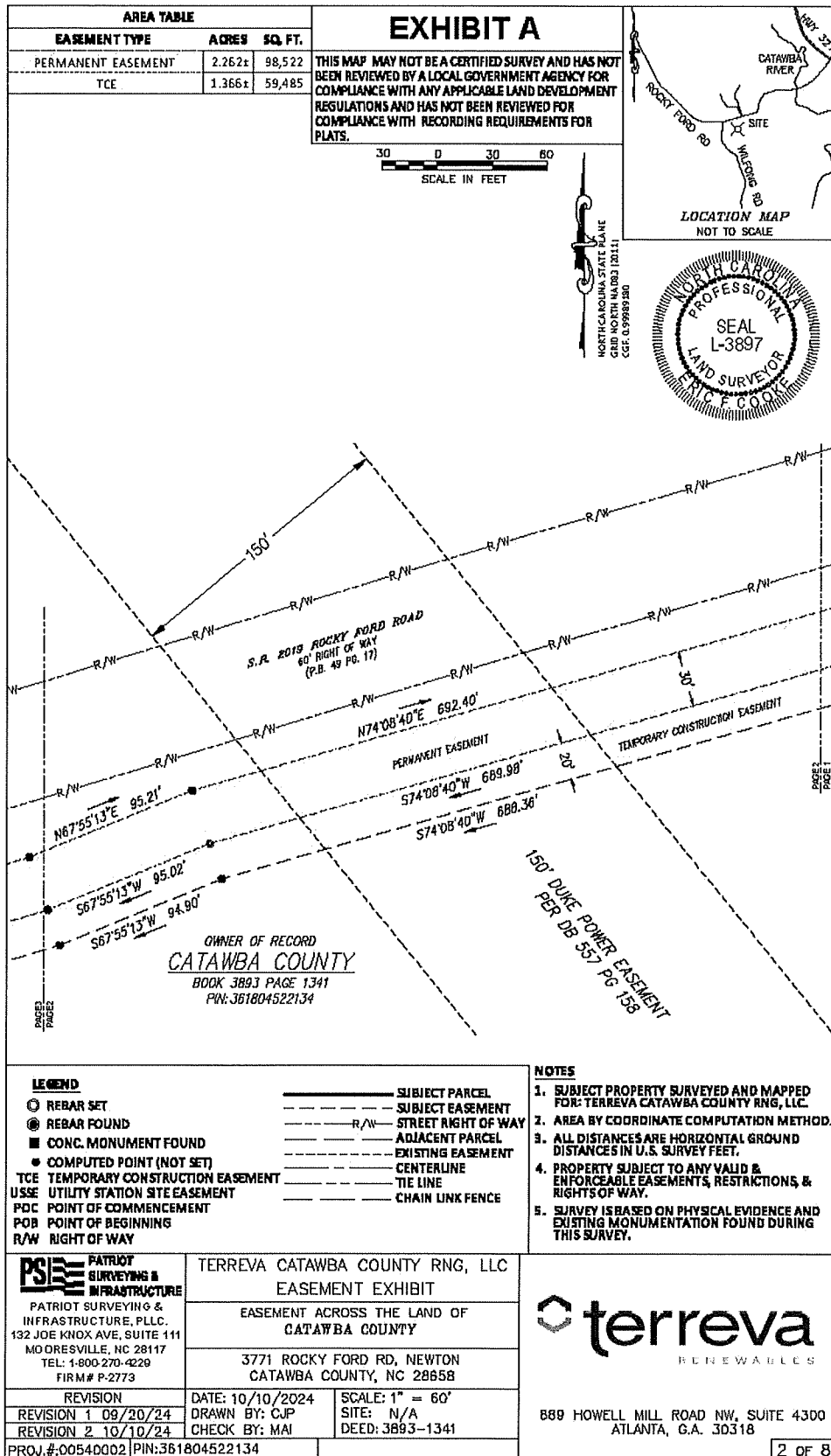
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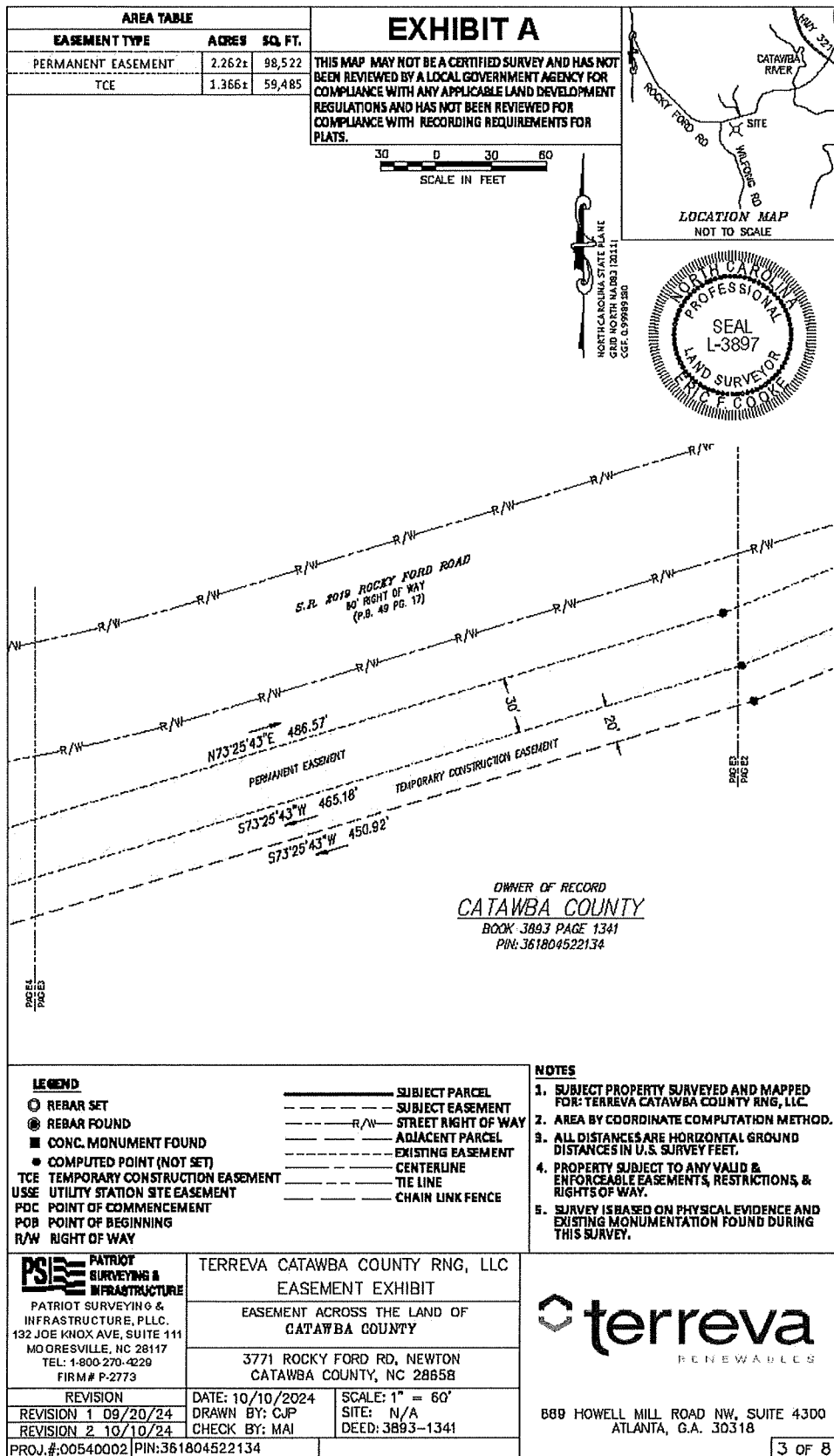
- SUBJECT PROPERTY SURVEYED AND MAPPED FOR: TERREVA CATAWBA COUNTY RNG, LLC.
- AREA BY COORDINATE COMPUTATION METHOD.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET.
- PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS, & RIGHTS OF WAY.
- SURVEY IS BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THIS SURVEY.

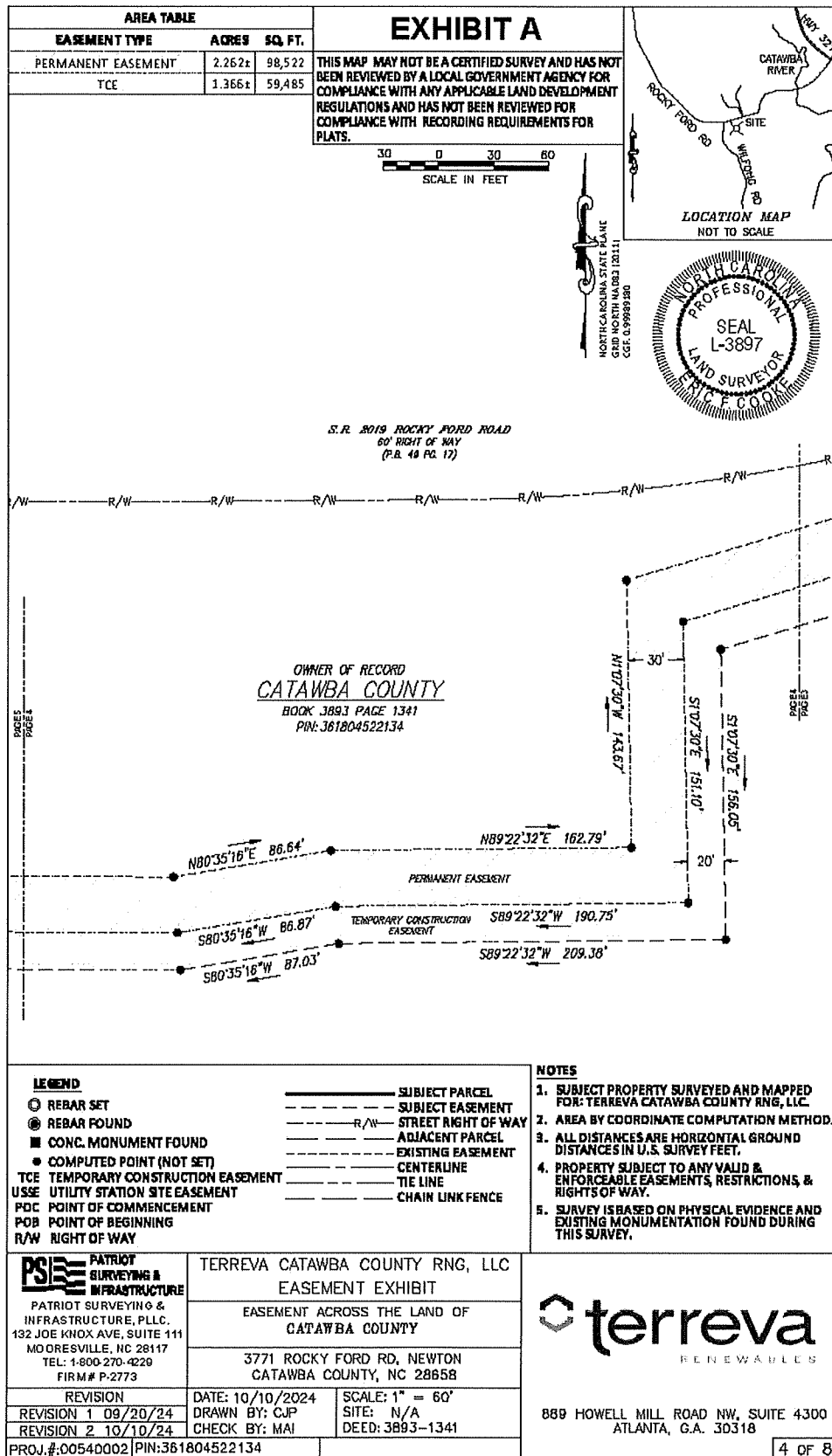
<p>PATRIOT SURVEYING & INFRASTRUCTURE</p> <p>PATRIOT SURVEYING & INFRASTRUCTURE, PLLC.</p> <p>132 JOE KNOX AVE, SUITE 111</p> <p>MOORESVILLE, NC 28117</p> <p>TEL: 1-800-270-4229</p> <p>FIRM # P-2773</p>	TERREVA CATAWBA COUNTY RNG, LLC	
	EASEMENT EXHIBIT	
	EASEMENT ACROSS THE LAND OF CATAWBA COUNTY	
	3771 ROCKY FORD RD, NEWTON CATAWBA COUNTY, NC 28658	
REVISION	DATE: 10/10/2024	SCALE: 1" = 60'
REVISION 1 09/20/24	DRAWN BY: CJP	SITE: N/A
REVISION 2 10/10/24	CHECK BY: MAI	DEED: 3893-1341
PROJ.#: 00540002 PIN: 361804522134		

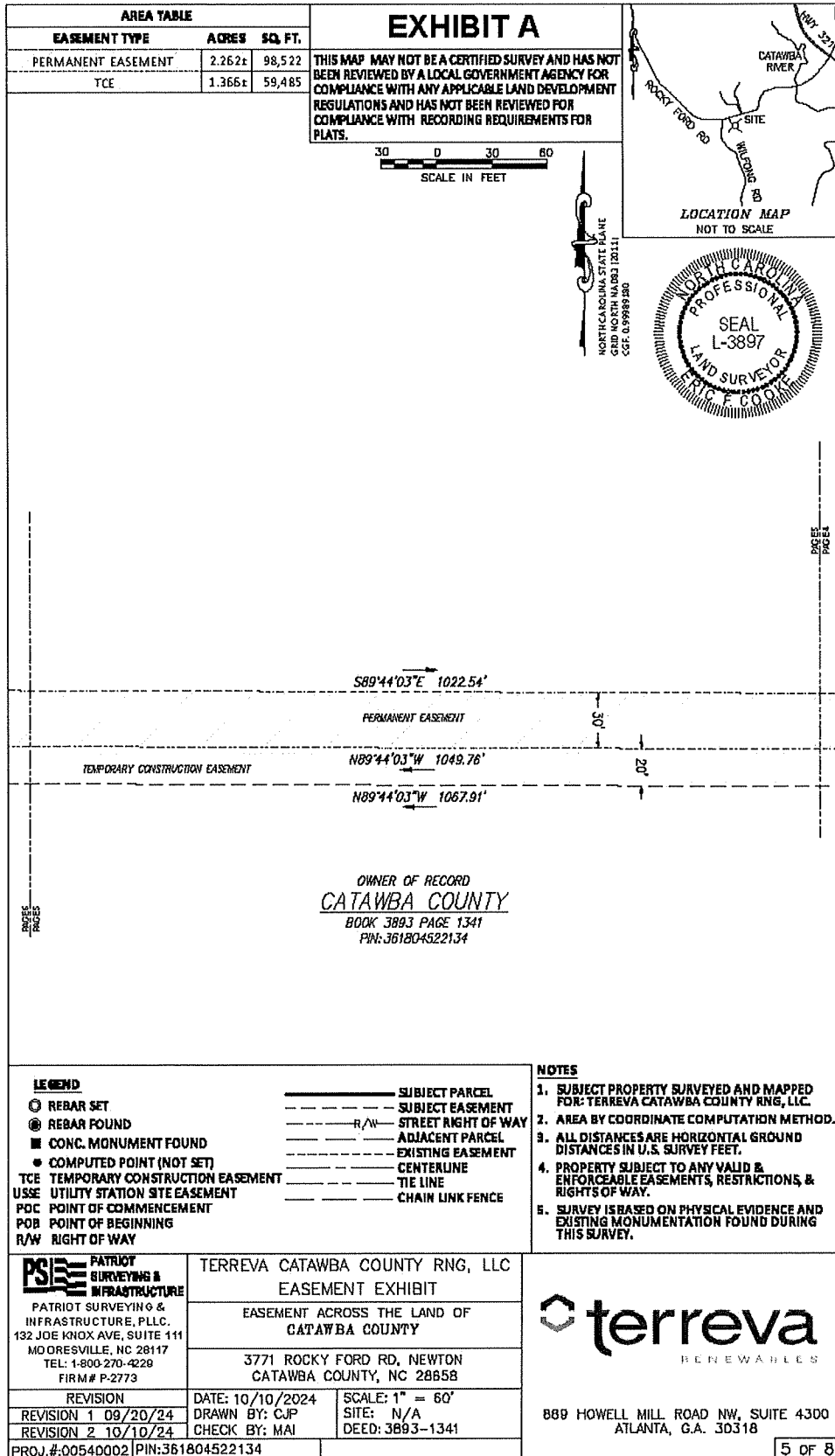
889 HOWELL MILL ROAD NW, SUITE 4300
ATLANTA, GA. 30318

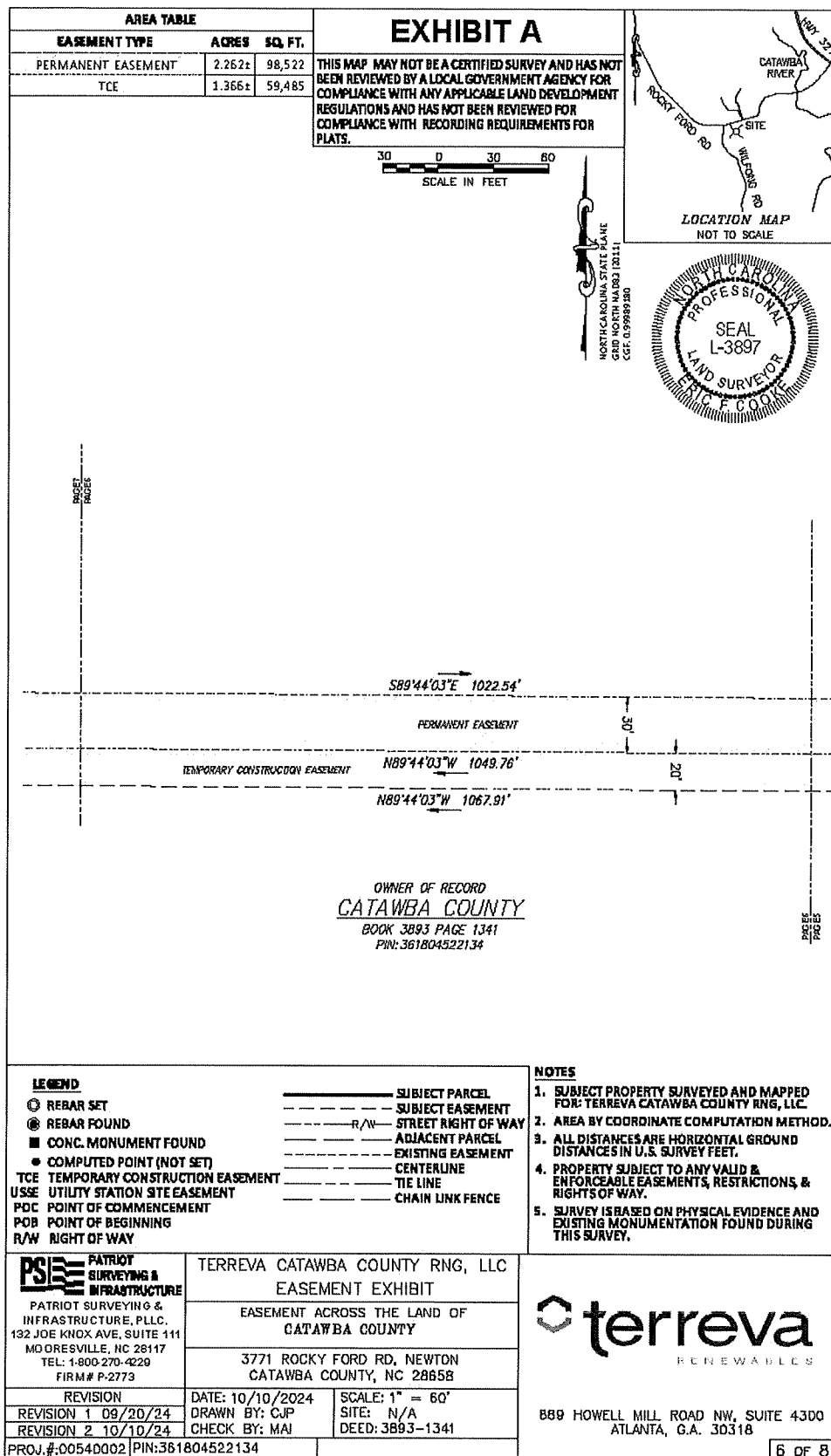
1 OF 8

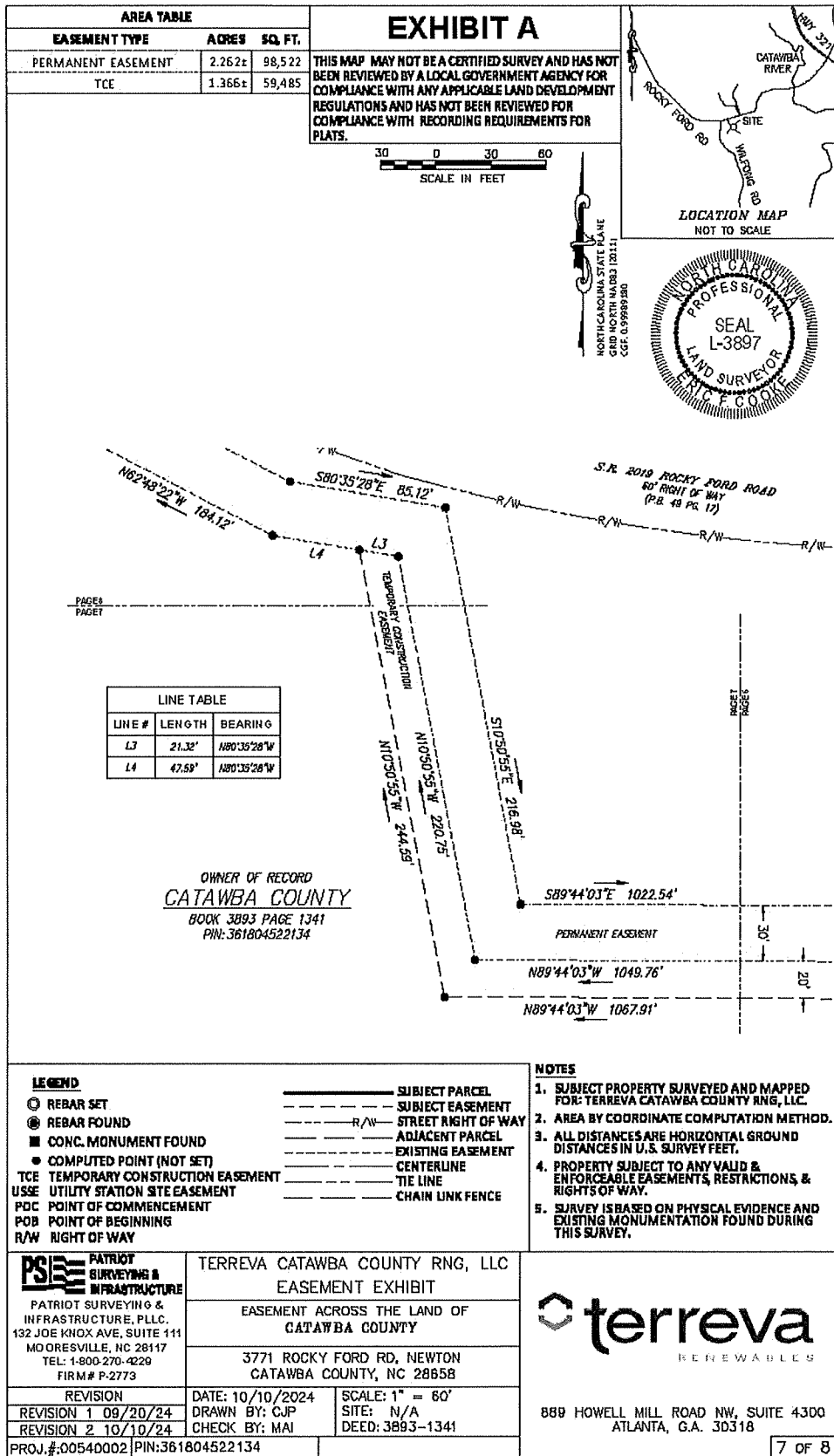


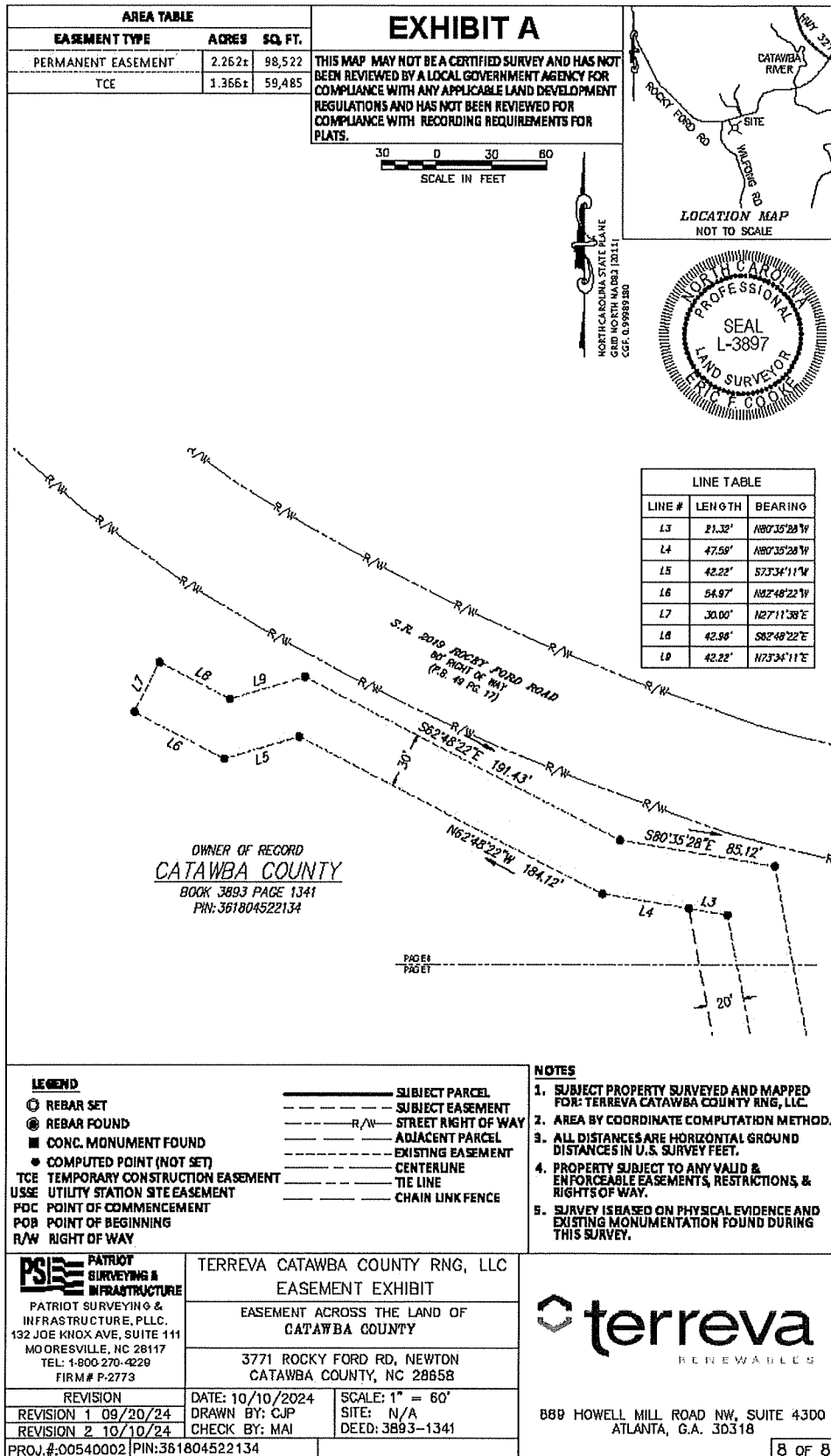












c. The Policy and Public Works Subcommittee recommended the Board of Commissioners approve a sole source exemption for rebuild of a 2018 Caterpillar 826K compactor; and authorize the County Manager or her designee to execute all required documents associated with this service work.

Currently the landfill has 3 Caterpillar 826K model compactors: a 2015 model which was rebuilt last year, a 2018 model with 9,492 hours, and a 2023 model with 2,715 hours. Caterpillar offers a rebuild program for waste compactors. Caterpillar builds their compactors so components can be rebuilt 2 or 3 times in 10,000-hour cycles. The rebuild program consists of several different options from a completely certified rebuild to a power train plus rebuild. The machine is sent back to Carolina Tractor Caterpillar, taken down to the frame, and rebuilt to current standards. Warranties are issued for 3 years or 5,000 hours (CAT offers longer warranties). A rebuilt compactor's life expectancy is approximately 10,000 hours; the cost is usually 55% to 60% of the new purchase price. A capital expenditure amount of \$700,000 for the compactor rebuild was approved in the Solid Waste Enterprise Fund's 24/25 fiscal year budget.

Carolina Tractor has inspected the 2018 model and provided a cost for a power train plus rebuild, which will include reconditioning of all major system components (engine, exhaust manifold, coolant hoses / lines, emission module, transmission and torque converter, transmission cooler and pumps, axle arrangement and drive shaft, service brakes, pumps, accumulator, controls, actuator, Operator cab, fuel supply, hydraulic and steering systems, etc.). The rebuild will be substantial and will recondition the entire machine. The estimated cost for the rebuild is \$654,000 and will take approximately 12 weeks to complete. The work will be locally performed at Hickory Carolina Tractor. For comparison, a new compactor would cost \$1,200,000 and take 10 to 12 months for delivery. This rebuild would cost 54.5% of a new compactor saving approximately \$500,000.

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

This critical waste compactor rebuild is available through only one source, Caterpillar's Certified Rebuild Program. In addition, Caterpillar equipment rebuilt through this Certified Rebuild Program will have a 3-year or 5,000-hour Caterpillar warranty to protect the investment. This Caterpillar program is designed to provide customers with rebuilt Caterpillar machines that perform like new.

d. The Policy and Public Works Subcommittee recommended the Board of Commissioners adopt the a resolution establishing project total cost, setting the Preliminary Assessment Roll, and scheduling a Public Hearing on the Preliminary Assessment Roll for Aspen Heights Subdivision Road Improvement Project; and authorize the Chair to petition the North Carolina Department of Transportation (NCDOT) to accept Aspen Court in Aspen Heights subdivision into NCDOT's Secondary Road Maintenance Program.

In 2020, the Board established a petition-driven program to facilitate acceptance of private roads into NCDOT's Secondary Road Maintenance Program, which is consistent with NCGS §153A-185 *Authority to Make Special Assessments*. Through this program, the County provides up-front financing to improve private roads to NCDOT standards, so NCDOT can assume maintenance responsibility. The cost of improvements is assessed against the property owners and recouped over a 10-year period through the special assessment process. To participate in the program, at least 75 percent of the homeowners to be assessed must voluntarily sign a petition supporting the project, and the owners who sign the petition must account for at least 75 percent of the road frontage to be improved through the assessment. The Board of Commissioners must then authorize the project prior to any construction efforts. In 2022, the Board established the \$2.5 Million Subdivision Road Improvement Fund and authorized the dedication of special assessment repayment revenue to the Fund, thereby establishing a clear funding mechanism for subdivision road improvement projects.

Property owners of Aspen Heights subdivision followed the above process to petition the County to finance repairs to their subdivision roads for the purpose of bringing the roads up to NCDOT standards for acceptance into NCDOT's secondary road maintenance program. The construction is now complete, and

NCDOT Division staff are satisfied that the roads meet NCDOT standards and can be accepted into the secondary road maintenance program.

To complete the special assessment after a project is complete, the Board must make a final determination of cost, prepare and publish a Preliminary Assessment Roll, conduct a public hearing, and consider adopting what – if approved – will then become the Final Assessment Roll, and charge the Tax Administrator with the collection of the assessments. Property owners will then be notified of the assessment and payment options. This action implements the special assessment. The last required action is submission of a petition to the NCDOT Board for acceptance of the roads into the State's program for maintenance.

The table below summarizes the statutory process for establishing private road assessments and, for the items that have already been completed, provides the dates on which the Board of Commissioners took each required action. The table also outlines the remaining steps the Board will still need to take in order to implement the assessment (*noted in italics, with planned dates*).

NCGS §	Date	Action Items
153A-205	6/15/2023	Citizens petition BOC with >75% of property owners & >75% of road frontage.
153A-190 & 153A-191	10/16/2023	BOC accepts Citizen Petition, makes funding decision and adopts Preliminary Resolution describing the Project, financing and setting time for Public Hearing.
153A-192	11/6/2023	BOC holds Public Hearing on Preliminary Assessment Resolution.
153A-192	11/6/82023	BOC adopts Final Resolution approving Project, setting financing terms.
143-131	12/13/2023	Project is bid in accordance with NC Procurement Procedures.
143-131	1/17/2024	Bid awarded.
153A-193 & 194	12/2/2024	<i>BOC determines Project Total Cost, sets date and time for Public Hearing on the Preliminary Assessment Rolls.</i>
153A-195	1/21/2025	<i>BOC holds Public Hearing on the Preliminary Assessment Rolls annuals, confirms Preliminary Assessment Rolls. If confirmed, Tax Administrator is authorized to collect assessment fees in same manner as property taxes.</i>

Below is a summary of the actions the Board is being requested to take today.

1). Determination of Cost

In determining the total cost, the Board may include construction costs and the cost of publishing and mailing notices. For Aspen Heights, the costs associated with the project are:

Determination of Cost – Aspen Heights

Construction	\$42,359.00
Advertisement of Preliminary Assessment (prior to construction)	\$200.00
Advertisement and notice of Preliminary Roll (current BOC item)	\$200.00
Tax Roll Advertisement	\$200.00
Total Cost – Aspen Heights	\$42,959.00

The basis for assessment is by lot in accordance with the number of subdivision lots at the time the petition was made, which is 11.

The individual assessment for each of the 11 lots is \$3,905.36. This amount can be paid as a lump sum before the first assessment bill comes due or in 10 annual payments with 1.5% annual interest. The annual payment with interest is \$423.47.

2.) Preliminary Assessment Roll Prepared and Published

Now that construction is complete, County staff have developed a preliminary assessment roll for Aspen Heights subdivision, in accordance with the provisions of NCGS 153A-194. If the Board adopts the resolution presented, the preliminary assessment roll will be filed in the Clerk's office where it will be available for inspection, and the required public hearing will be scheduled for the Board meeting on January 21, 2025. Additionally, a notice of the preliminary assessment roll and public hearing time will be mailed by first-class mail to each property owner to be assessed.

3.) Petition to NCDOT

To initiate the process with NCDOT regarding maintenance responsibility, the Board must authorize submitting a petition to NCDOT to accept the following roads: Aspen Court in Aspen Heights subdivision. A copy of the NCDOT petition form for the subdivision is attached.

If the Board of Commissioners should choose not to adopt the Final Assessment Rolls, the County would be unable to recover the project funds spent repairing the roads and would have established a precedent of dedicating public funding to private road repair projects.

The following resolution applies:

RESOLUTION No. 2024-31

RESOLUTION DECLARING COST, ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON THE PRELIMINARY ASSESSMENT ROLL FOR THE STREET IMPROVEMENT PROJECT FOR ASPEN HEIGHTS SUBDIVISION

WHEREAS, the improvement of a portion of Aspen Heights subdivision fronting on Aspen Court was requested by petition of Property Owners filed on June 15, 2023, duly certified, to the Board of Commissioners, and determined to be sufficient in all respects by the Director of Utilities and Engineering; and

WHEREAS, the Board authorized the project by a Resolution adopted by the Board on October 16, 2023 and the project has been completed; and

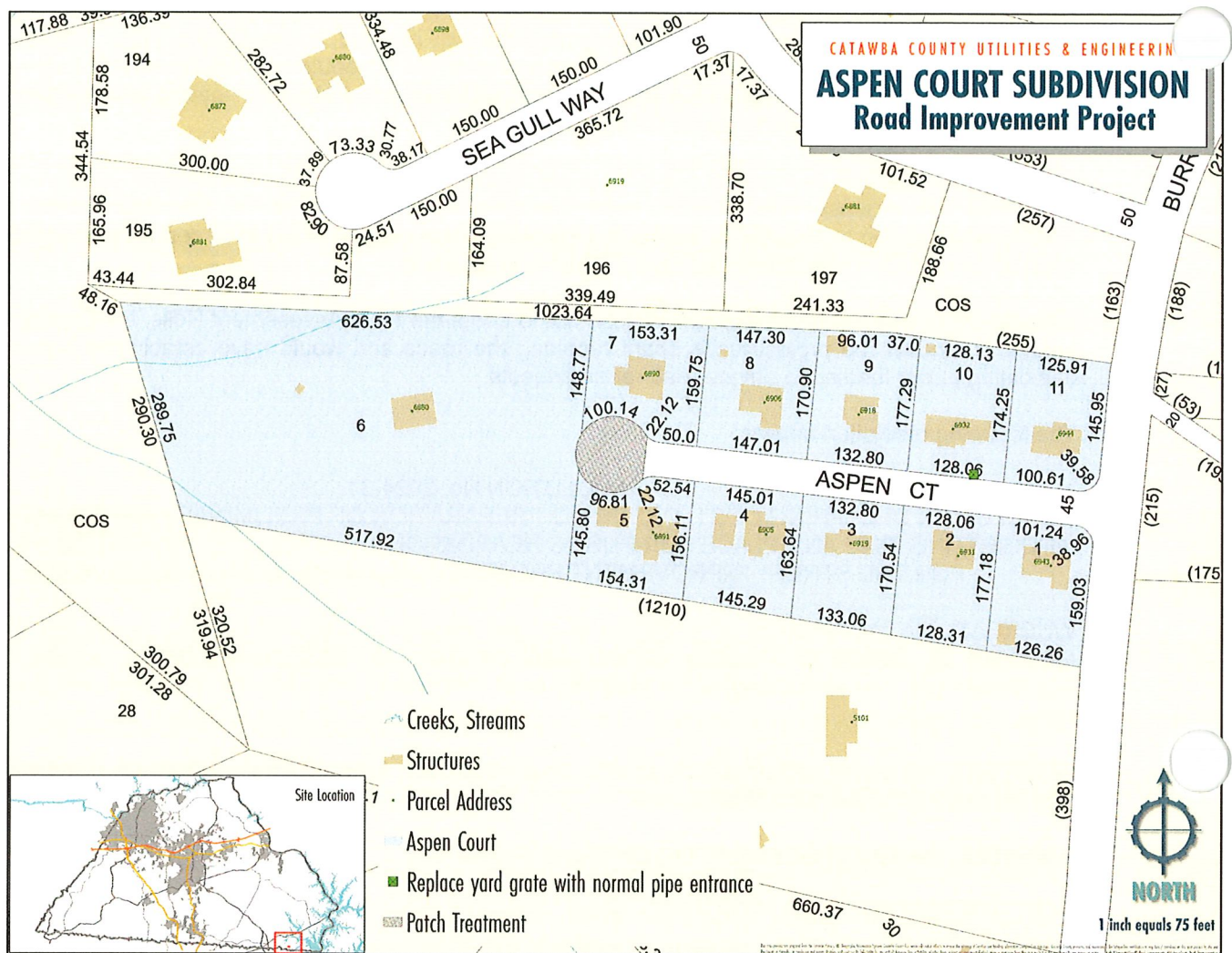
WHEREAS, the cost of the project, has been determined.

NOW, THEREFORE, BE IT RESOLVED by the Catawba County Board of Commissioners that:

1. The cost of the above-described improvement has been computed and determined and is hereby declared to be \$42,959.00
2. The Catawba County Tax Administrator is hereby directed to prepare a preliminary assessment roll in accordance with N.C.G.S. §153A-194, showing the individual assessments upon properties benefited by the improvement.
3. The Catawba County Clerk is hereby directed to make available during regular office hours, in the Clerk's office, the preliminary assessment roll for inspection by the public from this day through January 21, 2025.
4. The Catawba County Board of Commissioners will hold a public hearing in accordance with N.C.G.S. §153A-195 at 7:00 p.m. on January 21, 2025 at the Catawba County Board of Commissioners Board Room, located in the Justice Center in Newton, North Carolina.
5. The Clerk is hereby directed to issue notice of the above-described public hearing.
6. The Clerk is further directed, no later than 10 days before the public hearing, to mail by first class mail copies of the notice of hearing to the property owners listed on the preliminary assessment roll.

Adopted the 2nd day of December, 2024.

A copy of the Aspen Heights Subdivision is hereto attached:



e. The Policy and Public Works Subcommittee recommended the Board of Commissioners adopt a resolution establishing project total cost, setting the Preliminary Assessment Roll, and scheduling a Public Hearing on the Preliminary Assessment Roll for the Brookstone Subdivision Road Improvement Project; and authorize the Chair to petition the North Carolina Department of Transportation (NCDOT) to accept the following roads into NCDOT's Secondary Road Maintenance Program: Brookstone Drive, Tuscany Court, Windsor Court, Waterford Drive and a portion of Cottingham Drive in Brookstone subdivision.

In 2020, the Board established a petition-driven program to facilitate acceptance of private roads into NCDOT's Secondary Road Maintenance Program, which is consistent with NCGS §153A-185 *Authority to Make Special Assessments*. Through this program, the County provides up-front financing to improve private roads to NCDOT standards, so NCDOT can assume maintenance responsibility. The cost of improvements is assessed against the property owners and recouped over a 10-year period through the special assessment process. To participate in the program, at least 75 percent of the homeowners to be assessed must voluntarily sign a petition supporting the project, and the owners who sign the petition must account for at least 75 percent of the road frontage to be improved through the assessment. The Board of Commissioners must then authorize the project prior to any construction efforts. In 2022, the Board established the \$2.5 Million Subdivision Road Improvement Fund and authorized the dedication of special assessment repayment revenue to the Fund, thereby establishing a clear funding mechanism for subdivision road improvement projects.

Property owners of Brookstone subdivision followed the above process to petition the County to finance repairs to their subdivision roads for the purpose of bringing the roads up to NCDOT standards for acceptance into NCDOT's secondary road maintenance program. The construction is now complete, and NCDOT Division staff are satisfied that the roads now meet NCDOT standards and can be accepted into the secondary road maintenance program.

In order to complete the special assessment after a project is complete, the Board must make a final determination of cost, prepare and publish a Preliminary Assessment Roll, conduct a public hearing, and consider adopting what – if approved – will then become the Final Assessment Roll, and charge the Tax Administrator with the collection of the assessments. Property owners will then be notified of the assessment and payment options. This action implements the special assessment. The last required action is submission of a petition to the NCDOT Board for acceptance of the roads into the State's program for maintenance.

The table below summarizes the statutory process for establishing private road assessments and, for the items that have already been completed, provides the dates on which the Board of Commissioners took each required action. The table also outlines the remaining steps the Board will still need to take in order to implement the assessment (*noted in italics, with planned dates*).

NCGS §	Date	Action Items
153A-205	9/8/2023	Citizens petition BOC with >75% of property owners & >75% of road frontage.
153A-190 & 153A-191	1/16/2024	BOC accepts Citizen Petition, makes funding decision and adopts Preliminary Resolution describing the Project, financing and setting time for Public Hearing.
153A-192	2/5/2024	BOC holds Public Hearing on Preliminary Assessment Resolution.
153A-192	2/5/2024	BOC adopts Final Resolution approving Project, setting financing terms.
143-131	3/13/2024	Project is bid in accordance with NC Procurement Procedures.
143-131	5/6/2024	Bid awarded.
153A-193 & 194	12/2/2024	<i>BOC determines Project Total Cost, sets date and time for Public Hearing on the Preliminary Assessment Rolls.</i>
153A-195	1/21/2025	<i>BOC holds Public Hearing on the Preliminary Assessment Rolls annuals, confirms Preliminary Assessment Rolls. If confirmed, Tax Administrator is authorized to collect assessment fees in same manner as property taxes.</i>

Below is a summary of the actions the Board is being requested to take today.

1). Determination of Cost

In determining the total cost, the Board may include construction costs and the cost of publishing and mailing notices. For Brookstone, the costs associated with the project are:

Determination of Cost – Brookstone

Construction	\$337,575.12
Advertisement of Preliminary Assessment (prior to construction)	\$200.00
Advertisement and notice of Preliminary Roll (current BOC item)	\$200.00
Tax Roll Advertisement	\$200.00
Total Cost – Brookstone	\$338,175.12

The basis for assessment is by lot in accordance with the number of subdivision lots at the time the petition was made, which is 91.

The individual assessment for each of the 91 lots is \$3,716.21. This amount can be paid as a lump sum before the first assessment bill comes due or in 10 annual payments with 1.5% annual interest. The annual payment with interest is \$402.96.

2.) Preliminary Assessment Roll Prepared and Published

Now that construction is complete, County staff have developed a preliminary assessment roll for Brookstone subdivision, in accordance with the provisions of NCGS 153A-194. If the Board adopts the resolution presented, the preliminary assessment roll will be filed in the Clerk's office where it will be available for inspection, and the required public hearing will be scheduled for the Board meeting on January 21, 2025. Additionally, a notice of the preliminary assessment roll and public hearing time will be mailed by first-class mail to each property owner.

3.) Petition to NCDOT

To initiate the process with NCDOT regarding maintenance responsibility, the Board must authorize submitting a petition to NCDOT to accept the following roads: Brookstone Drive, Tuscany Court, Windsor Court, Waterford Drive and a portion of Cottingham Drive in Brookstone subdivision. A copy of the NCDOT petition form is attached.

If the Board of Commissioners should choose not to adopt the Final Assessment Rolls, the County would be unable to recover the project funds spent repairing the roads and would have established a precedent of dedicating public funding to private road repair projects.

The following resolution applies:

RESOLUTION No. 2024-32

RESOLUTION DECLARING COST, ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON THE PRELIMINARY ASSESSMENT ROLL FOR THE STREET IMPROVEMENT PROJECT FOR BROOKSTON SUBDIVISION

WHEREAS, the improvement of a portion of Brookstone subdivision fronting on Brookstone Drive, Tuscany Court, Windsor Court, Waterford Drive and a portion of Cottingham Drive was requested by petition of Property Owners filed on September 8, 2023, duly certified, to the Board of Commissioners, and determined to be sufficient in all respects by the Director of Utilities and Engineering; and

WHEREAS, the Board authorized the project by a Resolution adopted by the Board on January 16, 2024 and the project has been completed; and

WHEREAS, the cost of the project has been determined.

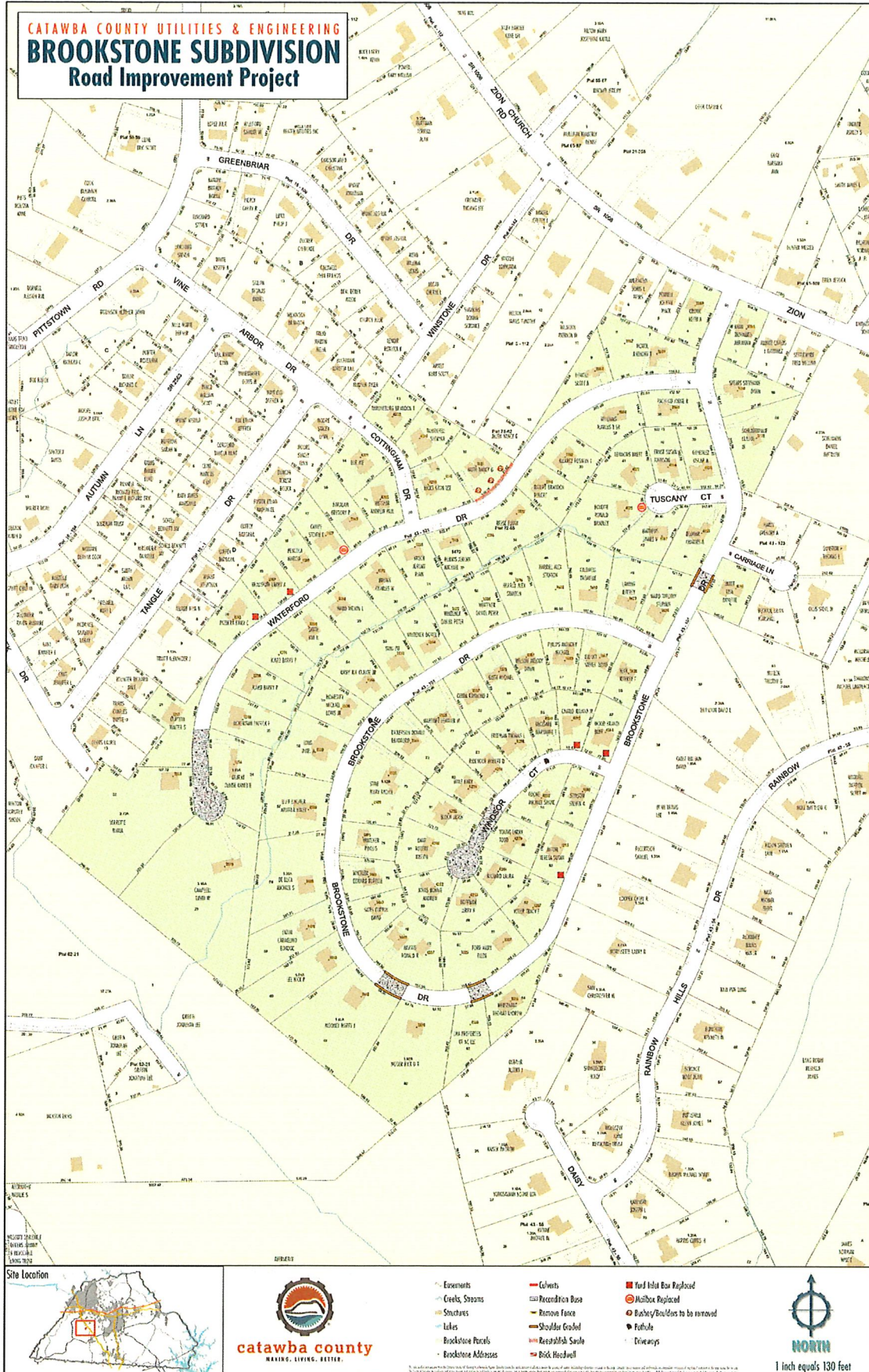
NOW, THEREFORE, BE IT RESOLVED by the Catawba County Board of Commissioners that:

1. The cost of the above-described improvement, has been computed and determined and is hereby declared to be \$ 338,175.12.
2. The Catawba County Tax Administrator is hereby directed to prepare a preliminary assessment roll, in accordance with N.C.G.S. §153A-194, showing the individual assessments upon properties benefited by the improvement.
3. The Catawba County Clerk is hereby directed to make available during regular office hours, in the Clerk's office, the preliminary assessment roll for inspection by the public from this day through January 21, 2025.
4. The Catawba County Board of Commissioners will hold a public hearing in accordance with N.C.G.S. §153A-195 at 7:00 p.m. on January 21, 2025 at the Catawba County Board of Commissioners Board Room, located in the Justice Center in Newton, North Carolina.

5. The Clerk is hereby directed to issue notice of the above-described public hearing.
6. The Clerk is further directed, no later than 10 days before the public hearing, to mail by first class mail copies of the notice of hearing to the property owners listed on the preliminary assessment roll.

Adopted the 2nd day of December, 2024.

A copy of Brookstone Subdivision is hereto attached:



f. The Policy and Public Works Subcommittee recommended the Board of Commissioners adopt a resolution establishing project total cost, setting the Preliminary Assessment Roll, and scheduling a Public Hearing on the Preliminary Assessment Roll for Windbluff Court/The Knolls Subdivision Road Improvement Project; and authorize the Chair to petition the North Carolina Department of Transportation (NCDOT) to accept the following roads into NCDOT's Secondary Road Maintenance Program: Windbluff Court in The Knolls subdivision.

In 2020, the Board established a petition-driven program to facilitate acceptance of private roads into NCDOT's Secondary Road Maintenance Program, which is consistent with NCGS §153A-185 *Authority to Make Special Assessments*. Through this program, the County provides up-front financing to improve private roads to NCDOT standards, so NCDOT can assume maintenance responsibility. The cost of improvements is assessed against the property owners and recouped over a 10-year period through the special assessment process. To participate in the program, at least 75 percent of the homeowners to be assessed must voluntarily sign a petition supporting the project, and the owners who sign the petition must account for at least 75 percent of the road frontage to be improved through the assessment. The Board of Commissioners must then authorize the project prior to any construction efforts. In 2022, the Board established the \$2.5 Million Subdivision Road Improvement Fund and authorized the dedication of special assessment repayment revenue to the Fund, thereby establishing a clear funding mechanism for subdivision road improvement projects.

Property owners of Wind Bluff Court/The Knolls subdivision followed the above process to petition the County to finance repairs to their subdivision roads for the purpose of bringing the roads up to NCDOT standards for acceptance into NCDOT's secondary road maintenance program. The construction is now complete, and NCDOT Division staff are satisfied that the roads now meet NCDOT standards and can be accepted into the secondary road maintenance program.

In order to complete the special assessment after a project is complete, the Board must make a final determination of cost, prepare and publish a Preliminary Assessment Roll, conduct a public hearing, and consider adopting what – if approved – will then become the Final Assessment Roll, and charge the Tax Administrator with the collection of the assessments. Property owners will then be notified of the assessment and payment options. This action implements the special assessment. The last required action is submission of a petition to the NCDOT Board for acceptance of the roads into the State's program for maintenance.

The table below summarizes the statutory process for establishing private road assessments and, for the items that have already been completed, provides the dates on which the Board of Commissioners took each required action. The table also outlines the remaining steps the Board will still need to take in order to implement the assessment (*noted in italics, with planned dates*).

NCGS §	Date	Action Items
153A-205	7/3/2023	Citizens petition BOC with >75% of property owners & >75% of road frontage.
153A-190 & 153A-191	11/20/2023	BOC accepts Citizen Petition, makes funding decision and adopts Preliminary Resolution describing the Project, financing and setting time for Public Hearing.
153A-192	12/18/2023	BOC holds Public Hearing on Preliminary Assessment Resolution.
153A-192	12/18/2023	BOC adopts Final Resolution approving Project, setting financing terms.
143-131	12/28/2023	Project is bid in accordance with NC Procurement Procedures.
143-131	2/19/2024	Bid awarded.
153A-193 & 194	12/2/2024	<i>BOC determines Project Total Cost, sets date and time for Public Hearing on the Preliminary Assessment Rolls.</i>
153A-195	1/21/2025	<i>BOC holds Public Hearing on the Preliminary Assessment Rolls annuals, confirms Preliminary Assessment Rolls. If confirmed, Tax Administrator is authorized to collect assessment fees in same manner as property taxes.</i>

Below is a summary of the actions the Board is being requested to take today.

1). Determination of Cost

In determining the total cost, the Board may include construction costs and the cost of publishing and mailing notices. For Wind Bluff Court/The Knolls, the costs associated with the project is:

Determination of Cost – Wind Bluff Court/The Knolls

Construction	\$34,296.50
Advertisement of Preliminary Assessment (prior to construction)	\$200.00
Advertisement and notice of Preliminary Roll (current BOC item)	\$200.00
Tax Roll Advertisement	\$200.00
Total Cost – Wind Bluff Court/The Knolls	\$34,896.50

The basis for assessment is by lot in accordance with the number of subdivision lots at the time the petition was made, which is 5.

The individual assessment for each of the 5 lots is \$6,979.30. This amount can be paid as a lump sum before the first assessment bill comes due or in 10 annual payments with 1.5% annual interest. The annual payment with interest is \$756.79.

2.) Preliminary Assessment Roll Prepared and Published

Now that construction is complete, County staff has developed a preliminary assessment roll for Wind Bluff Court/The Knolls, in accordance with the provisions of NCGS 153A-194. If the Board adopts the resolution presented, the preliminary assessment roll will be filed in the Clerk's office where it will be available for inspection, and the required public hearing will be scheduled for the Board meeting on January 21, 2025. Additionally, a notice of the preliminary assessment roll and public hearing time will be mailed by first-class mail to each property owner to be assessed.

3.) Petition to NCDOT

To initiate the process with NCDOT regarding maintenance responsibility, the Board must authorize submitting a petition to NCDOT to accept the following roads: Wind Bluff Court in The Knolls subdivision. Copy of the NCDOT petition form for the subdivision is attached.

If the Board of Commissioners should choose not to adopt the Final Assessment Rolls, the County would be unable to recover the project funds spent repairing the roads and would have established a precedent of dedicating public funding to private road repair projects.

The following resolution applies:

RESOLUTION No. 2024-33

RESOLUTION DECLARING COST, ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON THE PRELIMINARY ASSESSMENT ROLL
FOR THE STREET IMPROVEMENT PROJECT FOR THE KNOLLS SUBDIVISION

WHEREAS, the improvement of a portion of The Knolls subdivision fronting on Wind Bluff Court was requested by petition of Property Owners filed on July 3, 2023, duly certified, to the Board of Commissioners, and determined to be sufficient in all respects by the Director of Utilities and Engineering; and

WHEREAS, the Board authorized the project by a Resolution adopted by the Board on November 20, 2023 and the project has been completed; and

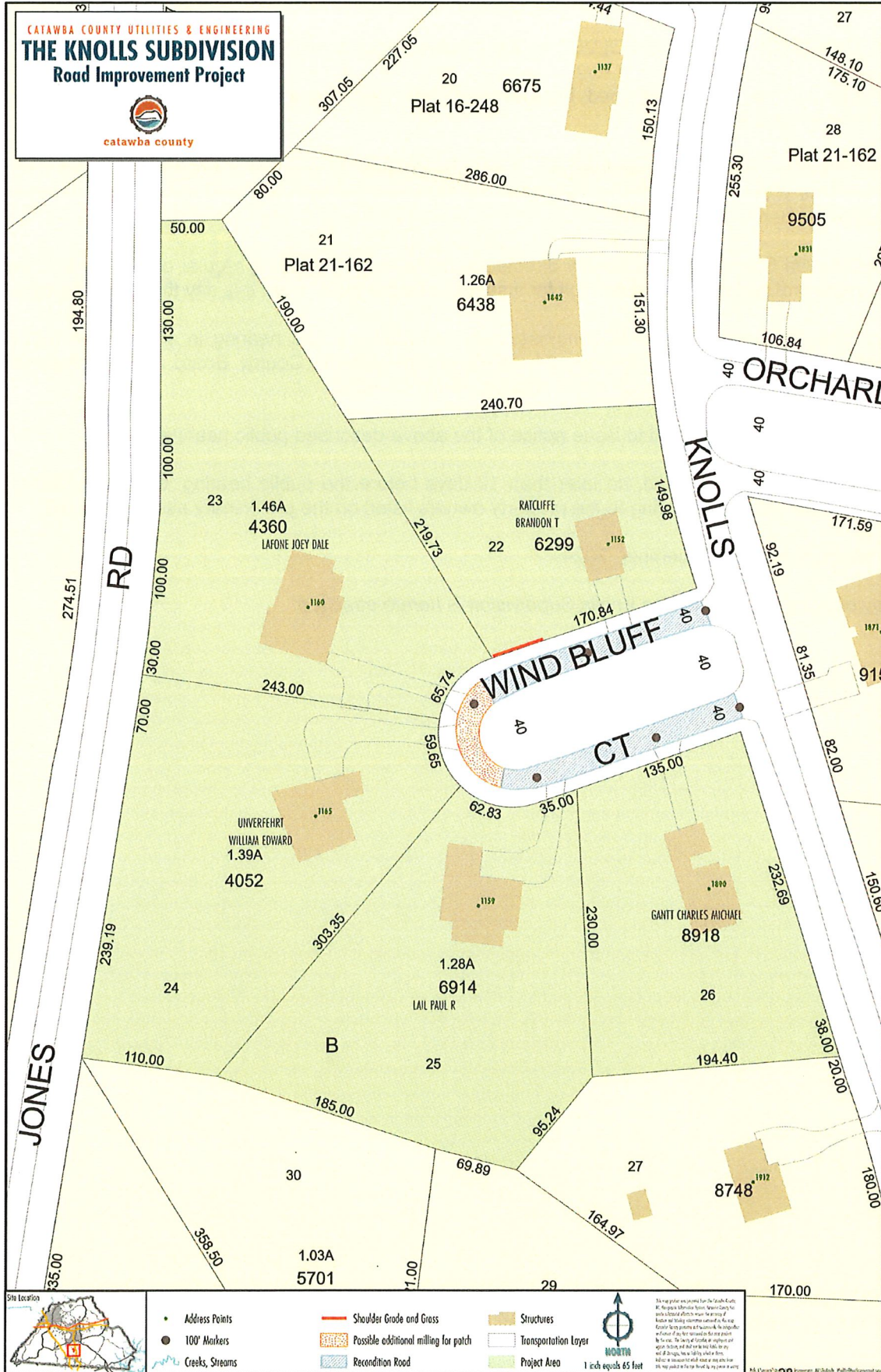
WHEREAS, the cost of the project has been determined.

NOW, THEREFORE, BE IT RESOLVED by the Catawba County Board of Commissioners that:

1. The cost of the above-described improvement, has been computed and determined and is hereby declared to be \$ 34,896.50.
2. The Catawba County Tax Administrator is hereby directed to prepare a preliminary assessment roll, in accordance with N.C.G.S. §153A-194, showing the individual assessments upon properties benefited by the improvement.
3. The Catawba County Clerk is hereby directed to make available during regular office hours, in the Clerk's office, the preliminary assessment roll for inspection by the public from this day through January 21, 2025.
4. The Catawba County Board of Commissioners will hold a public hearing in accordance with N.C.G.S. §153A-195 at 7:00 p.m. on January 21, 2025, at the Catawba County Board of Commissioners Board Room, located in the Justice Center in Newton, North Carolina.
5. The Clerk is hereby directed to issue notice of the above-described public hearing.
6. The Clerk is further directed, no later than 10 days before the public hearing, to mail by first class mail copies of the notice of hearing to the property owners listed on the preliminary assessment roll.

Adopted the 2nd day of December, 2024.

A copy of Wind Bluff Court/The Knolls Subdivision is hereto attached:



g. Staff recommended the Board of Commissioners adopt a resolution approving the proposed 2025 Board of Commissioners Meeting Schedule.

Historically, only one Board of Commissioners meeting is held in the month of January due to the holidays affecting the schedule. The proposed January meeting will be held on Tuesday, January 21, 2025. The meeting will be held on Tuesday due to the Dr. Martin Luther King, Jr. holiday, which falls on Monday, January 20, 2025.

The first meeting in September is proposed to occur on Tuesday, September 2, 2025 due to the Labor Day holiday affecting the regular meeting schedule.

The following resolution applies:

RESOLUTION NO. 2024-34

WHEREAS, Pursuant To Section 2-47 of the Catawba County Code, the regular meetings of the Catawba County Board of Commissioners shall be held as provided in a resolution adopted by the Board at a regularly scheduled meeting held not less than ten days prior to the first meeting to which the resolution is to apply.

NOW, THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners adopts the following Meeting Schedule for 2025:

ALL REGULARLY SCHEDULED BOARD OF COMMISSIONERS MEETINGS WILL TAKE PLACE AT 7:00 P.M. IN THE CATAWBA COUNTY JUSTICE CENTER, BOARD OF COMMISSIONERS MEETING ROOM, 2ND FLOOR, 100 GOVERNMENT DRIVE, NEWTON.

January 21, 2025 – Tuesday
February 3, 2025 – Monday
February 17, 2025 – Monday
March 3, 2025 – Monday
March 17, 2025 – Monday
April 7, 2025 – Monday
April 21, 2025 – Monday
May 5, 2025 – Monday
May 19, 2025 – Monday
June 2, 2025 – Monday
June 16, 2025 – Monday
July 7, 2025 - Monday
July 21, 2025 – Monday
August 4, 2025 – Monday
August 18, 2025 – Monday
September 2, 2025 – Tuesday
September 15, 2025 – Monday
October 6, 2025 – Monday
October 20, 2025 – Monday
November 3, 2025 – Monday
November 17, 2025 – Monday
December 1, 2025 – Monday
December 15, 2025 – Monday

This the 2nd day of December, 2024.

h. Staff recommended the Board of Commissioners increase the hiring above pre-pandemic levels project by \$189 to complete the County's obligation of federal ARPA funds.

To ensure all American Rescue Plan Act (ARPA) dollars are fully obligated by December 31, 2024 and spent by December 31, 2026, staff has continued to review the ARPA guidelines, county needs, and status of existing APRA projects, requesting adjustments by the BOC as necessary. Currently all authorized projects appear to be on track to be completely expended as required by the end of 2026. Today's requested action involving ARPA dollars consists of appropriating \$189 to the Hiring Above the Pre-Pandemic Baseline project, with corresponding amendment to the grant project ordinance.

At its August 5, 2024 meeting, the Board of Commissioners approved the closure of an HVAC project for the Social Services building, which freed \$189. This amount was inadvertently omitted from the hire above the base appropriation that was requested. Today's requested action, if approved, will complete the County's draw-down of federal ARPA funds totaling \$30,990,911.

Supplemental Appropriation

Revenue:

291-190050-626136	American Rescue Plan Funds	\$189
110-190050-695291	From American Rescue Plan Funds	\$189
110-190050-690100	Fund Balance Appropriated	(\$189)

Expense:

291-190050-995110	American Rescue Plan Funds	\$189
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The following ordinance applies:

ORDINANCE# 2024 - 10

Grant Project Ordinance for Catawba County American Rescue Plan Act of 2021:
Coronavirus State and Local Fiscal Recovery Funds

BE IT ORDAINED by the Catawba County Board of Commissioners, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLFRF). Catawba County has received a total allocation of \$30,990,911. These funds may be used for the following categories of expenditures, to the extent authorized by state law:

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The following amounts are planned by project with revenues and expenses previously appropriated or planned in upcoming budget actions for the project:

Internal Grant Project Code	Project Name	Expenditure Category (EC)	Cost Object	Appropriation / Commitment of CSLFRF	Date of Board Appropriation or Planned Action
1.4.EMS-Sterilization	EMS Sterilization / Disinfectant	1.4	Operating	\$21,010.92	11/17/21, closed 8/7/23
1.4.HVACDSSMain	HVAC upgrade Social Services	1.4	Capital	\$479,811.00	8/7/2023, reduced 8/4/24
1.4.HVACLibMain	HVAC upgrade Newton Library	1.4	Capital	\$283,773.00	11/21/22, closed 8/4/24
1.4.JailBodyScan	Jail Body Scan Machine	1.4	Capital	\$169,500.00	11/17/21
1.4.PSInventorySystem	Public Safety Inventory System	1.4	Contract / Services	\$15,800.00	11/17/21
1.6 HealthcareClaims	COVID-19 Healthcare Claims FY21-22	1.6	Contract /Services	\$598,943.00	9/19/22
1.7 AmbulRemounts	Ambulance Remounts (4)	1.7	Capital	\$835,605.23	9/19/22 & 4/17/23, closed 8/4/24
1.7.Radios Upgrade	Emergency Response Radios	1.4	Capital	\$975,000.00	11/21/22
3.1.EMS.Supv	EMS Supervisors	3.1	Salaries & Benefits	\$218,023.00	\$188,000 on 11/17/21; FY22/23 Budget; closed 8/7/23
			Capital	\$63,418.00	
3.1.NarcOfficers	Narcotics Officers	3.1	Salaries & Benefits	\$238,837.82	\$225,000 on 11/17/21; FY22/23 Budget; closed 8/7/23
			Operating	\$19,308.04	
			Capital	\$71,027.31	
3.2.Hire/Rehire	Hire / Rehire Above Pre-Pandemic Base	3.2	Salaries / Benefits	\$6,894,969.70	4/17/23; 7/1/23, FY23/24 Budget & 8/7/23 ordinance, 3/4/24, 7/1/24 FY24/25 Budget & 8/4/24 ordinance; 12/2/24
5.11.BuffShlsRdWater	Buffalo Shoals Road Water	5.11	Capital Project # 28004	\$256,000.00	8/1/22, reduced 8/4/24

5.11.MaidenWater	Maiden Loop Water	5.11	Capital Project # 27008	\$1,510,000.00	FY23/24 Budget - ordinance 8/7/23
5.11.NC16Water	Old Hwy 16 Waterline	5.11	Capital Project # 28001	\$2,554,947.89	11/1/2021, 8/4/24
5.19.BrdbndGREAT-Lumen	Broadband Expansion- GREAT Grant Match	5.19	Funding Match- GREAT Grant	\$800,000.00	9/19/22; 8/7/23
5.2 Hky/Catawba WWTF	Hickory/Catawba WWTF Expansion	5.2	Capital Project # 21028	\$1,400,000.00	11/7/22, reduced 8/4/24
5.2.McLinSwr/ Clarmnt	McLin Creek Sewer Extension - Claremont	5.2	Capital Project # 23005	\$3,500,000.00	11/1/21; 5/16/22; 8/1/22
5.21.BrdbndAssess	Broadband Assessment and Mapping	5.19	Contract / Services	\$49,750.00	FY21/22 Budget, reduced 4/17/23
6.1.Provision of Government Services	Revenue Replacement	6.1	Salaries / Benefits	\$10,000,000.00	5/16/22
7.1.GrantsMgr	Grants Manager	7.1	Salaries & Benefits	\$35,186.09	\$49,000 on 11/17/21; FY22/23 Budget, closed 8/7/23
	Assigned			\$30,990,911.00	
	Unassigned			\$0.00	
	Total			\$30,990,911.00	

Section 3: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 4: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk.

Section 5: This grant project ordinance expires on December 31, 2026, or when all the CSLFRF have been obligated and expended by the County, whichever occurs sooner.

This the 2nd day of December, 2024.

The consent agenda items came in the form of a motion by Chair Isenhower, which carried unanimously.

12. Other Items of Business. None.

13. Manager's Report. None.


12. Attorney's Report.

a. Angela Sigmon Henson was sworn in today as Catawba County Register of Deeds by the Honorable Nathaniel J. Poovey, Senior Resident Superior Court Judge. Pursuant to N.C. General Statute 161.4(a), every register of deeds shall give bond with sufficient surety, to be approved by the board of county

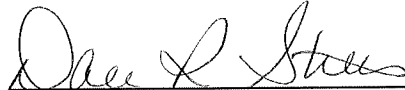
commissioners, in a sum of not less than ten thousand dollars (\$10,000), nor more than fifty thousand dollars (\$50,000), payable to the State, and conditioned for the safekeeping of the books and records, and for the faithful discharge of the duties of office. County Attorney Jodi Stewart requested the Board consider a motion to approve a \$10,000 surety bond. Commissioner Barbara G. Beatty made a motion to approve Mrs. Henson's \$10,000 bond, which carried unanimously.

b. County Attorney Jodi Stewart requested the Board consider moving into Closed Session in accordance with North Carolina General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations; and (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Attorney Stewart did not anticipate any action upon return to open session. Commissioner Setzer made a motion to move into closed session for the stated reason. The motion carried unanimously.

13. Adjournment. No further action was taken. Upon a motion by Commissioner Abernethy which unanimously carried, the meeting was adjourned at 7:55 p.m.



Randy Isenhower, Chair
Catawba County Board of Commissioners



Dale R. Stiles
County Clerk

