

Regular Session, December 16, 2024, 7:00 p.m.
Catawba County Board of Commissioners

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The Catawba County Board of Commissioners met in Regular Session on Monday, December 16, 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. Commissioner Robert C. Abernethy, Jr., led the Pledge of Allegiance.
3. Chair Isenhower offered the invocation.
4. Commissioner Abernethy made a motion to approve the Minutes from the Board's Regular Meeting and Closed Session of December 2, 2024. The motion carried unanimously.
5. Recognition of Special Guests.
Chair Isenhower welcomed everyone present, including Newton City Mayor Jerry Hodge and Newton City Manager Sean Hovis.
6. Public Comments.
Kenyon Kelley came forward requesting the removal of the monument on the grounds of 1924 Courthouse. Michael McRee came forward requesting the monument on the grounds of the 1924 Courthouse not be removed. Sherrill Watkins came forward and spoke about the southern states' succession.
7. Appointments.
Upon a recommendation by Chair Isenhower that came in the form of a motion which unanimously carried, the Board reappointed Michael "Shawn" Hooper to the Catawba County Board of Adjustment for a second term, with a term expiration of November 30, 2027.
Upon a recommendation by Chair Isenhower that came in the form of a motion which unanimously carried, the Board reappointed Eric Goins and Dan Hunsucker to the Catawba County Planning Board for second terms, with term expirations of December 31, 2028.
Upon a recommendation by Chair Isenhower that came in the form of a motion which unanimously carried, the Board appointed Jeff Cline to the Board of Equalization and Review for a first term, and reappointed Joe Rowe to a fourth term, with term expirations of December 6, 2027.
8. Presentations.
Chief Finance Officer Mary Morrison, and Paula P. Hodges, Partner with Martin Starnes & Associates, presented the FY23-24 Financial Audit Report. Ms. Hodges reported the County continued to deliver services in a sound fiscal manner and has remained in excellent financial condition. Commissioner Cole Setzer made a motion to accept the report, which carried unanimously.

9. Public Hearings.

a. Western Piedmont Council of Government Community and Economic Development Administrator Laurie Powell requested the Board of Commissioners conduct a public hearing to receive citizen input and consider approving an amendment to the scope of beneficiaries related to the original 2020 Scattered Site Housing Grant application that adds three additional homes to the grant scope.

The county received a \$750,000 Scattered Site Housing grant in 2020 from the North Carolina Department of Commerce, Rural Economic Development Division. These funds were targeted to rehabilitate up to fifteen homes scattered throughout the County which had already been pre-selected.

The first five homes were selected when the application was submitted for funding and the remaining ten were selected from the waiting list. Currently, only six homes out of the fifteen are eligible for repairs. The other ten homes have fallen out of eligibility for various reasons (judgements against the property, unpaid taxes, applicants passing away or applicants changing their mind about the program).

To date, three houses have been completed for \$169,383 and two other houses are near completion at a cost of \$129,875 for a total of \$299,258. WPCOG staff are waiting on one more title search for the sixth house.

A waiting list was started with additional applicants after the grant was funded. Those applicants were recently contacted to see if they were still interested in this program. The locations below were chosen from that list. The Environmental Assessment has already been completed for these homes.

The three proposed replacement homes are:

1. 3123 Catawba Street, Claremont
2. 526 24th St SW, Hickory (Longview)
3. 3545 Spring Valley Drive, Newton

The grant was supposed to target 15 homes. That will not be possible due to rising costs of materials and labor. There are only a few licensed general contractors who work on these jobs. Due to the contractors' current workload and various housing projects in the Unifour, the county will not be able to complete any more houses with this grant. Recently, it has been difficult to find applicants that are still interested in this program to receive housing rehabilitation due to the requirement for an eight-year deed of trust to be placed on the property.

This project beneficiary amendment will have to be submitted to Rural Economic Development Division for approval. Another extension letter will need to be submitted as well, extending the grant schedule to accommodate the completion of these three houses.

After Ms. Powell's presentation, there were no questions. Chair Isenhower opened the public hearing. With no one coming forward, the Chair closed the public hearing. Commissioner Barbara G. Beatty made a motion to approve an amendment to the scope of beneficiaries related to the original 2020 Scattered Site Housing Grant application that adds three additional homes to the grant scope. The motion carried unanimously.

b. Planning Director Chris Timberlake requested the Board of Commissioners conduct a public hearing to consider a request to rezone approximately 14.8 acres from Planned Development – Conditional District (PD-CD RZ2020-05) and Planned Development – Conditional District (PD-CD RZ2018-07) to Planned Development-Conditional District (PD-CD RZ2024-05).

The proposed development area for which rezoning is being requested (subject parcels) is comprised of 11 parcels, identified by Parcel Identification Numbers 4617-0915-6536, 4617-0915-5301, 4617-0915-8265, 4617-0915-6110, 4617-1314-1976, 4617-0905-7095, 4617-0915-0282, 4617-0915-3368, 4617-0915-3702, 4617-0905-9849, and 4617-0905-1551 and labeled as Parcels 1A through 1L on the enclosed maps. These parcels are located in the northwest quadrant of the intersection of NC 150 Highway and Sherrills Ford

Road, and some are within the Townes at Sherrills Ford development. The parcels are in the Sherrills Ford Area section of the Catawba County Comprehensive Plan.

Five of these parcels (parcels 1A-1E) were rezoned in 2020 as part of the Terrell Town Center (Area 2) (PD-CD RZ2020-05). Six of these parcels (parcels 1F – 1L) were rezoned in 2018 as part of the Townes at Sherrills Ford (PD-CD RZ2018-07).

The approved 2020 PD-CD for Terrell Town Center consists of approximately 65.75 acres in three designated areas around the intersection of NC 150 and Sherrills Ford Road. Below is the approved uses and intensity of each Area from the 2020 PD-CD.

- Area 1 (~41 acres), northeast of the intersection, was approved for a maximum of 141,000 square feet of commercial space, 400 2nd and 3rd story multi-family units and 59 single-family detached homes. In 2022, a rezoning approval added four acres to Area 1 for up to 19 single-family detached homes, for a total of 78 single-family units.
- Area 2 (~10 acres), northwest of the intersection, was approved for a maximum 76,000 square feet of commercial space and 48 2nd and 3rd story multifamily residential units. This is the section of the development for which rezoning is being requested.
- Area 3 (~14 acres), southwest of the intersection, was approved for a maximum 11,000 square feet of commercial space and 50 townhome units.

The single-family development of Area 1 is the only portion of the 2020 Terrell Town Center project that has been developed.

The entire Terrell Town Center project is located in the Mixed-Use Corridor Overlay (MUC-O) and the Watershed Protection Overlay (WP-O), specifically the Critical Area of Water Supply Watershed IV (WS-IV). With the 2020 PD-CD designation, the total project was approved for the high-density option under the watershed regulations, allowing for up to 50% built upon area with the use of engineered stormwater control measures. All 3 areas within the Terrell Town Center PD-CD are limited to 50% built upon area. For Area 2, the total development area is approximately 9.9 acres, which yields a maximum built upon area of approximately 4.9 acres.

In 2018, the Townes at Sherrills Ford townhomes were approved as part of rezoning PD-CD RZ2018-07. This project included 153 townhomes, 200 multifamily senior living units and 50,000 square feet of commercial. The townhome portion of this project is adjacent to Terrell Town Center Area 2. This approval included 20.3 acres of open space.

The Townes at Sherrills Ford is also in the critical area of the Watershed Protection Overlay and in the Mixed-Use Corridor Overlay. Since the approval of the PD-CD RZ2018-07, the Townes project has been constructed and finalized with 153 townhomes.

The PD-CD district provides for master planning of larger development projects based on a firm development proposal. It allows for specific development conditions not necessarily identified in the existing Unified Development Ordinance.

Adjacent Properties Zoning, Use and Rezoning History

- North – Parcels 10 and 11 are zoned Highway Commercial; parcel 10 contains Long Island Marina and Boat Sales and parcel 11 contains a single-family dwelling. Parcels 12 through 15 are zoned R-20 and are undeveloped. The Planning Department has received an application for a proposed by-right major subdivision of 62 units to be developed on parcels 13 through 15 along Sallie Gabriel Lane.

- South – Parcel 3 is zoned R-20 Residential and is developed with a single-family dwelling with accessory uses. Parcel 4 encompasses Area 3 of the 2020 Terrell Town Center PD-CD, which was approved for 11,000 square feet of commercial and 50 townhomes. It is currently undeveloped.
- East – Parcels 6, 7, 8, and 9 on the attached maps are zoned Planned Development- Conditional District, comprising Area 1 in the 2020 Terrell Town Center project. Parcels 6 and 7 are undeveloped. Parcels 8 and 9 contain single-family dwellings.
- West – Parcel 18 is entitled for the multifamily (senior living) portion of The Townes at Sherrills Ford and is currently undeveloped. Parcel 19 is part of the common area of the Townes at Sherrills Ford. Parcel 20 is split zoned PD-CD, R-20 and HC; it contains the stormwater pond for the Townes at Sherrills Ford and Area 2 of Terrell Town Center project and a self-storage facility. Parcels 21-25 are townhomes within the Townes at Sherrills Ford development.

Zoning Standards and Project Description

The project is located within the Watershed Protection-Overlay (WP-O) WS-IV Critical Area and Mixed-Use Corridor Overlay, each of which has specific regulations. The WS-IV Critical Area of the WP-O limits imperviousness to 24% without the Board of Commissioners authorizing the high-density development option, which then provides for up to 50% built-upon area with the use of engineered stormwater controls. The Mixed-Use Corridor Overlay provides aesthetic appearance and pedestrian oriented design standards. The 2020 Terrell Town Center approval allowed for use of the high-density option and placed conditions on the project consistent with MUC-O standards.

The Applicant is requesting this rezoning to amend the original Planned Development- Conditional District by:

1. Removing the 48^{2nd} and 3rd floor residential units for Area 2;
2. Incorporating approximately 4.6 acres of the Townes at Sherrills Ford open space to comply with the 50% built upon area for Area 2;
3. Modifying the original conditions of approval by further limiting commercial uses within Area 2.

PD-CD RZ2018-07 (The Towns at Sherrills Ford) has excess unbuilt upon area in the development's common open space. This extra "pervious" area is being offered in an approximately 4.88-acre conservation easement to allow Terrell Town Center Area 2 to have 7.03 acres (50%) of impervious surface. Using this approach, which is authorized through the NC Administrative Code, this project meets the required WP-O standards for imperviousness.

The original developer of The Townes at Sherrills Ford is the principal agent for the Townes at Sherrills Ford Owners Association and owner of the common open space and has offered the easement.

2024 Additional Terrell Town Center Area 2 Development Conditions

The applicant is now proposing additional conditions to limit the commercial uses for the project. The newly proposed additional restrictions are as follows:

- A. No mini storage.
- B. No more than 1 New Car Dealership, together with all ancillary uses that usually are included with a New Car Dealership, including its Used Car Sales, repairs, show rooms and any other ancillary uses which are permitted in the zoning district.
- C. No Used Car Dealerships, unless they are part of a new car dealership.
- D. No retail establishments whose primary business is Vape and Cigarette sales. This shall not exclude any retailer or businesses from selling Vape or Cigarettes as an ancillary part of their business or sales.
- E. No more than two automotive retail or business and/or automotive service establishments or business, in additions to the New Car Dealership listed in B.
- F. No Pawn Shops
- G. No retail establishments whose primary business is Appliance Repairs, although a retailer or business may have an appliance repair as an ancillary part of their business or operations.

- H. No more than 1 gas station.
- I. No more than 3 free-standing Drive thru buildings, although this limit shall not apply to pick up/drop off windows or drive thru of any multi-tenant building.
- J. No adult establishments.

2020 Original Terrell Town Center Development Conditions

In addition to the regulations within the Unified Development Ordinance, the applicant has agreed to the conditions which were approved as part of the 2020 PD-CD. These conditions include development standards identified on Sheet 1 and 2 of the 2020 concept site plan along with a plan and image booklet. Additionally, some of the development conditions are listed below:

Architectural Design Guidelines.

1. Where practical, buildings shall be oriented towards the internal street system to reinforce the streetscape.
2. Architectural treatment shall continue on all sides of a building as 'four-sided' architecture.
3. 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 shall comply to the ordinance.
4. Building height: Area 2 – Building height shall not exceed 60' for commercial.
5. Accessory structures shall be consistent with the principal building in material, texture, and color.
6. 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.
7. All roof mounted mechanical equipment on the buildings to be constructed on the site shall be screened from view from adjoining public rights-of-way and abutting properties as viewed from the nearest street grade.
8. HVAC condensers shall be screened from view from adjoining public rights-of-way and abutting properties.
9. 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.

10. Mixed-Use Facades Materials

- a. Windows and doors shall be provided for at least 15% of the total facade area along Highway NC 150 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.
- b. 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.

- c. 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.
11. Mixed-Use Facade Articulation
- a. 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.
 - b. First story facades of all buildings along public street fronts shall incorporate columns, awnings, arcades, windows, doors, and/or other architectural elements.
 - c. 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.

Utilities

Public water and sewer exist along East NC 150 Highway and in the area of the proposed development along portions of Sherrills Ford Road. If the development were approved, the applicant would be responsible for extending connections and installing sewer and water lines throughout the development. The utilities must 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. NC 150 Highway is scheduled for widening to a 4-lane road with a divided median. In the current 2024-2033 State Transportation Improvement Program, right-of way acquisition and utility relocation is scheduled for 2027 with construction to begin in 2030.

Traffic volume counts from 2023 east of the NC 150/Sherrills Ford Road intersection measured 17,000 Annual Average Daily Traffic (AADT). Counts taken west of the intersection measured 13,500 AADT.

Sherrills Ford Road is a state maintained minor collector road. Most recent traffic counts from 2021 near the site measured 4,900 AADT. The adopted thoroughfare plan recommends minor lane widening of Sherrills Ford Road.

As part of the 2020 Planned Development-Conditional Zoning District development request, the developer submitted a Traffic Impact Analysis (TIA) produced by a traffic engineering firm for review by NCDOT. 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. The developer of Area 2 will be required to construct traffic improvements based on the recommendations of the TIA for Area 2.

Land Use Plan

The Catawba County Comprehensive Plan, Sherrills Ford Area Future Land Use Map designates the project area as "Mixed Use/Commercial/Multifamily." The request is consistent with the adopted land use plan and reasonable for consideration.

Planning Board Public Hearing

No one spoke in opposition to the rezoning request. The applicant noted he would appreciate the approval of the request.

The Planning Board asked about the Traffic Impact Analysis (TIA) and was concerned about the time interval and traffic volumes since the TIA was completed. Staff noted with the elimination of the residential units, there would be a reduction in traffic generated by this project. The Board members also discussed the

types of site lighting to be used on the site. After input from staff, the Board discussed a condition to require the site lighting to be "full cutoff" to reduce light pollution.

Staff recommended and the Planning Board voted 8 – 0 to recommend to the Board of Commissioners adoption of the Consistency and Reasonableness Statement and rezoning of the properties (approximately 14.8 acres) from Planned Development – Conditional District (PD-CD RZ2020-01) and Planned Development – Conditional District (PD-CD RZ218-07) to Planned Development-Conditional District (PD-CD RZ2024-05) to allow commercial development with multiple buildings and authorize the high-density development option based upon:

1. All development conditions and designs identified with the 2020 Terrell Town Center approval are applicable;
2. The use limitations proposed by the applicant in his July 10, 2024 memo to staff;
3. The developer being responsible for any transportation improvements required by the TIA for the development of Area 2 of the Terrell Town Center;
4. The developer extending public water and sewer within and throughout the proposed development;
5. The proposed development being near other nonresidential developments;
6. The proposed development reducing residential units and allowing for commercial development at the intersection of NC 150 and Sherrills Ford Road, consistent with the original 2020 Terrell Town Center approval;
7. The high-density development option using stormwater control measures to address and treat runoff compliant with State regulations;
8. The built-upon area will meet the 50% impervious limit for both the Terrell Town Center Area 2 and the Townes at Sherrills Ford, achieving compliance with critical area watershed standards;
9. The proposed request being consistent the Future Land Use map of the Catawba County Comprehensive Plan; and
10. The use of full-cut off site lighting.

After Mr. Timberlake's presentation, there were no questions. Chair Isenhower opened the public hearing. With no one coming forward, the Chair closed the public hearing. Commissioner Beatty noted concerns with not seeing the design features described initially in 2020 that included an Old General Store and walkways and traffic calming features. Commissioner Setzer made a motion to rezone approximately 14.8 acres from Planned Development – Conditional District (PD-CD RZ2020-05) and Planned Development – Conditional District (PD-CD RZ2018-07) to Planned Development-Conditional District (PD-CD RZ2024-05), based upon the consistency statement laid out above. The motion carried by a 4-1 vote with Chair Isenhower, Vice-Chair Allran, and Commissioners Abernethy and Setzer in favor. Commissioner Beatty opposed the motion.

The following ordinance applies:

Ordinance No. 2024- 11
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 Planned Development – Conditional District (PD-CD RZ2020-05) and Planned Development – Conditional District (PD-CD RZ2018-07) to Planned Development-Conditional District (PD-CD RZ2024-05):

Eleven parcels totaling 14.8 acres, identified by Parcel Identification Numbers 4617-0915-6536, 4617-0915-5301, 4617-0915-8265, 4617-0915-6110, 4617-1314-1976, 4617-0905-7095, 4617-0915-0282, 4617-0915-3368, 4617-0915-3702, 4617-0905-9849, and 4617-0905-1551 as represented on the proposed rezoning map.

This, the 16th day of December 2024.

The following Plan Consistency and Reasonableness Statement applies:



catawba county
planning

CATAWBA COUNTY BOARD OF COMMISSIONERS

PLAN CONSISTENCY AND REASONABLENESS STATEMENT

Zoning Amendment Request: To rezone approximately 14.8 acres from Planned Development – Conditional District (PD-CD RZ2020-05) and Planned Development – Conditional District (PD-CD RZ2018-07) to Planned Development-Conditional District (PD-CD RZ2024-05).

The Catawba County Board of Commissioners finds the request to be consistent with the Catawba County Comprehensive Plan Future Land Use Map recommendation of Mixed Use/Commercial/Multifamily use on this parcel.

Pursuant to NCGS 160D-605, the Board of Commissioners finds the rezoning request reasonable based upon:

1. All development conditions and designs identified with the 2020 Terrell Town Center approval remaining applicable;
2. The use limitations proposed by the applicant in his July 10, 2024 memo in addition to the full cut-off lighting standard recommended by the Planning Board;
3. The developer being responsible for all transportation improvements required by the TIA for the development of Area 2 of the Terrell Town Center;
4. The developer extending public water and sewer within and throughout the proposed development;
5. The proposed development being near other nonresidential developments;
6. The proposed development reducing residential units and allowing for commercial development at the intersection of NC 150 and Sherrills Ford Road, consistent with the original 2020 Terrell Town Center approval;
7. The high-density development option using stormwater control measures to address and treat runoff compliant with State regulations;
8. The built-upon area will meet the 50% impervious limit for both the Terrell Town Center Area 2 and the Townes at Sherrills Ford, achieving compliance with critical area watershed standards; and
9. The proposed request being consistent the Future Land Use map of the Catawba County Comprehensive Plan.
10. Other matters deemed appropriate by the Board of Commissioners:
 - a. _____
 - b. _____

By a vote of _____, the Catawba County Board of Commissioners approves the rezoning request.

This the 16th day of December 2024.

C. Randall Isenhower, Chair

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Catawba County Government Center

25 Government Drive | Newton NC 28658 | 828.465.8380

MAKING. LIVING. BETTER.

c. Planning Director Chris Timberlake requested the Board of Commissioners conduct a public hearing to consider an application to rezone two parcels totaling 38.33 acres located at 6218 and 6238 S. NC 16 Business Highway from Highway Commercial and R-40 Residential to Highway Commercial and R-20 Residential.

Location/Zoning

Parcel 1A, which is split-zoned Highway Commercial and Residential R-40, is owned by Brett and Laura Schrader. Parcel 1B is zoned Residential R-40, and is owned by Janice Morrell, Revocable Living Trust, Lisa F Sigmon, Revocable Trust, Bengy Sigmon, Trustee and Donald Fisher. Both parcels are within the Mixed-Use Corridor Overlay (MUC-O) and the Watershed Protection Overlay (WP-O).

The request, which encompasses both properties, is to rezone 2.89 acres along the frontage of NC 16 Business to Highway Commercial, and to rezone the remaining 35.44 acres to Residential R-20. This is a general rezoning request, for which no specific site plan is required.

The current Highway Commercial district at 6218 S. NC 16 Business (Parcel 1A) is 3.38 acres. The purpose of the HC district is to provide areas for regional highway-oriented business, office, service, and civic uses. The minimum lot size in HC district is 40,000 square feet, and the maximum size of a building is 50,000 square feet of leasable area. Highway Commercial district has a maximum floor area ratio (the allowable building floor area in relation to lot size) of 1:3.

Parcel 1B in its entirety (24.58 acres) is zoned Residential R-40 district, as is the remaining 10.37 acres of Parcel 1A. The R-40 district requires a minimum lot size of 40,000 square feet for new lots and is a low-density general residential district. Predominant uses in this district include single-family homes and agriculture. By right, the current Residential R-40 zoning supports a maximum of approximately 35 units.

The R-20 district requires a minimum lot size of 20,000 square feet for new lots. This is a higher density, general residential district. By right, residential development in an R-20 district is allowed with a maximum density of 2 dwelling units per acre. If supported by the underlying zoning classification, approximately 70 units would be allowed on the combined acreage within the R-20 district.

These properties are in the Mixed-Use Corridor Overlay. The MUC-O specifies many commercial uses and has standards that address building aesthetics and pedestrian scale projects. The properties are also located within the WP-O, more specifically the WS-IV Protected Area. The WS-IV Protected Area limits built-upon area for non-residential and multifamily development and density within single-family development.

The surrounding parcels have the zoning designations and uses described below.

- *North* – Mixture of Residential R-40 and Highway Commercial (HC). Parcel 2 is zoned Highway Commercial and contains a single-family dwelling. Parcels 3 and 4 are zoned R-40 and contain manufactured homes. Parcel 5 is zoned R-40 Residential and is undeveloped. Parcel 6 is zoned R-40 Residential and appears to have an older residential structure and various accessory structures.
- *South* – Mixture of R-40 and HC. Parcel 22 is zoned HC and contains The Turn Sports Lounge. Parcels 14 through 21 are zoned R-40 Residential. Single-family homes and accessory structures exist on four of the properties. The other four properties are undeveloped.
- *West* – Parcel 23 is zoned R-20 Residential and is in the agricultural present use value program, containing agricultural structures.
- *East* – Parcels 7 through 13 are zoned R-40 Residential in the Stonecroft residential subdivision. Three are developed with single-family dwellings, and four are undeveloped. Stonecroft is zoned Residential R-40; its minimum lot size is 15,000 sq. ft., per the recorded plats.

Zoning History

In 1990, a 3.38-acre portion of 6218 S. NC 16 Business (Parcel 1A) was rezoned from R-2 Residential to C-2 Commercial at the request of the property owner. In 2007, the adoption of the Unified Development Ordinance amended the zoning district names, changing the C-2 district to the HC district. In 2008, the Mixed-Use Corridor Overlay was applied within the areas near the NC 16 Business and NC 150 intersection, and near the intersection of NC 16 By-pass and NC 150.

Land Use

The applicant is proposing a general rezoning, with 2.89 acres of HC along NC 16 Business frontage and the remaining 35.44 acres being Residential R-20. A dwelling in disrepair exists on Parcel 1A. The dwelling that was on Parcel 1B was demolished earlier this year.

If this rezoning request were to be approved, any use permitted in the Highway Commercial zoning district listed in the Use Matrix (Table 44-403.1 in the Unified Development Ordinance) would be allowed to be developed within the existing HC area, subject to MUC-O standards.

If the requested rezoning is approved, in the area proposed for R-20 designation, a residential subdivision meeting the standards of the Unified Development Ordinance would be allowed through administrative approval by the County's Subdivision Review Board.

The project is in the Water Supply Watershed IV – Protected Area. Single family residential development that maintains a density of 2 dwellings per acre is allowed by the watershed regulations.

Utilities

Catawba County water is available at the intersection of E. NC 150 Highway and S. NC 16 Business (approximately 1,900 feet north). Catawba County sewer is located near 6156 S. NC 16 Business (approximately 425 feet north). In order to be allowed to connect to Catawba County sewer, the project developer will also be required to connect to Catawba County water. Any future development of a commercial project or a residential project will be required to adhere to the Catawba County Utilities Ordinance in terms of connection requirements.

Transportation

Traffic counts from 2023 in the vicinity of this request on S. NC 16 Business measured 8,700 Average Annual Daily Trips (AADT).

Schools

Students from the project area are projected to attend Balls Creek Elementary School, Mill Creek Middle School and Bandys Hill High School.

Land Use Plan

The Catawba County Comprehensive Plan was adopted in April 2024. The Future Land Use map designates these parcels for Mixed Use, Commercial and Multifamily development.

Planning Board Public Hearing

The Planning Board held a public hearing on Monday, November 25th. The consulting engineer, Paul Carter, spoke to the Planning Board about the gas access easement along Hicks Road, the gas line easement on the east side of the property, and the stream buffer and terrain of the property. With these impacts to the property, the applicant is asking for R-20 to increase density due to the financial impacts of extending water and sewer to the property.

Mr. Mike Sebazco of 5926 Taurus Drive spoke in opposition to the request. Mr. Sebazco stated his neighborhood was adjacent to the rezoning request. Since a plan was not presented, Mr. Sebazco did not support a change from R-40 to R-20 and did not think the Board should support the request without a plan.

The Planning Board asked several questions about access to the site and whether Hicks Road would be used for access to the residential portion of the property. There were several questions about the requirement for public water and sewer to be extended to the parcel.

Staff recommended and the Planning Board voted 8-0 to recommend the Board of Commissioners rezone two parcels totaling approximately 38.33 acres located at 6218 and 6238 S. NC Business 16 Hwy from Highway Commercial and R-40 Residential to Highway Commercial and R-20 Residential, based upon:

1. The Comprehensive Plan Future Land Use Map designates these parcels for mixed use, commercial or multifamily development;
2. The density and dimensional requirements of the Residential R-20 district is consistent with the property to the west (R-20) and with the adjacent residential development to the east, Stonecroft, which has a platted minimum lot size of 15,000 square feet;
3. The request proposes Highway Commercial adjacent to existing commercial use and near other commercial uses; and
4. The request allows for the development of a mixed-use project with a commercial district on the highway frontage and a high-density single-family residential district on the remainder of the project within the Mixed-Use Corridor Overlay.

After Mr. Timberlake's presentation, there were no questions. Chair Isenhower opened the public hearing. With no one coming forward the Chair closed the public hearing. Commissioner Beatty confirmed road access off Highway 16 as well as Hicks Drive. Chair Isenhower made a motion to rezone two parcels totaling 38.33 acres located at 6218 and 6238 S. NC 16 Business Highway from Highway Commercial and R-40 Residential to Highway Commercial and R-20 Residential based upon the consistency statement laid out above. The motion carried unanimously.

The following ordinance applies:

Ordinance No. 2024-12
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 Highway Commercial (HC) and R-40 Residential to Highway Commercial (HC) (2.89 acres) and R-20 Residential (35.4 acres):

Two parcels totaling 38.33 acres, parcels identified by Parcel Identification Numbers 3686-1673-6290 and 3686-1682-2859 and located at 6218 and 6238 S NC 16 Business Highway in the manner pursuant to the proposed rezoning map.

This, the 16th day of December 2024.

The following Plan Consistency and Reasonableness Statement applies:



catawba county
planning

CATAWBA COUNTY BOARD OF COMMISSIONERS

PLAN CONSISTENCY AND REASONABLENESS STATEMENT

Zoning Amendment Request: To rezone two parcels totaling approximately 38.3 acres located at 6218 and 6238 S. NC 16 Business Highway from Highway Commercial and R-40 Residential to Highway Commercial and R-20 Residential.

The Catawba County Board of Commissioners finds the request to be consistent with the Catawba County Comprehensive Plan Future Land Use Map recommendation of Mixed Use/Commercial/Multifamily use on this parcel.

Pursuant to NCGS 160D-605, the Board of Commissioners finds the rezoning request reasonable based upon:

1. The Comprehensive Plan Future Land Use Map designates these parcels for mixed use, commercial or multifamily development;
2. The density and dimensional requirements of the Residential R-20 district is consistent with the property to the west (R-20) and with the adjacent residential development to the east, Stonecroft, which has a platted minimum lot size of 15,000 square feet;
3. The request proposes Highway Commercial adjacent to existing commercial use and near other commercial uses;
4. The request allows for the development of a mixed-use project with a commercial district on the highway frontage and a high-density single-family residential district on the remainder of the project within the Mixed-Use Corridor Overlay; and
5. Other matters deemed appropriate by the Board of Commissioners:
 - a. _____
 - b. _____

By a vote of _____, the Catawba County Board of Commissioners approve the rezoning request.

This the 16th day of December 2024.

C. Randall Isenhower, Chair

catawbacountync.gov

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

MAKING. LIVING. BETTER.

d. Economic Development Corporation Development Manager Mick Berry requested the Board of Commissioners Conduct a public hearing to consider adopting a resolution authorizing purchase of approximately 61.65 acres (46.15 acres at 2625 Heart Drive in Claremont approximately 15.5 acres at 2545 Heart Drive) for \$25,000 per acre, and authorizing the Chair to sign any necessary documents associated with this transaction; amend the Interlocal Agreement with the City of Claremont as proposed; and authorize transfer of \$1,541,250 in previously appropriated funds to the Claremont International Rail Park capital project to support this transaction.

Over the last decade, Catawba County Economic Development Corporation (EDC) has branded Claremont International Rail Park (CIRP) for industrial development and has marketed the multi-parcel rail-served site, working in partnership with both Catawba County and the City of Claremont to plan and develop this business park. This partnership was formalized in June 2023, with Claremont, the County, and the EDC agreeing via an interlocal agreement that stipulates all property purchased for this targeted industrial development will be jointly owned in equal shares by Catawba County and the City of Claremont, and all development costs (net of grants and other non-local funding sources) will be evenly shared between the local governments.

In June 2024, the County and the City purchased 63.3 acres adjacent to a 35.82-acre parcel along Conover Boulevard owned by the City of Claremont to create 99.12 contiguous publicly controlled acres served by water, sewer and rail, generally referred to as CIRP Phase 1. Through the planning process, Catawba County, Claremont, and the EDC identified additional contiguous acreage that would facilitate additional development, with these properties being generally referred to as CIRP Phase 2.

In recent months, two individual property owners of roughly 61.65 acres in property targeted for Phase 2 development have offered to sell these properties to the local government partners, with tiered per-acre pricing: \$25,000 per acre if the closing occurs within 6 months, \$30,000 per acre if the closing occurs between 6 months and 1 year of entering into the arrangement, and \$35,000 per acre if the closing occurs more than a year after entering into the arrangement. The \$25,000 per acre pricing represents over \$600,000 in discounted land acquisition costs from the full purchase price of \$35,000 per acre.

These savings are significant, especially within the context of the anticipated near-term infrastructure costs (primarily entrance road construction, among other items). From a cash-flow standpoint, the County has funds available from previous appropriations to support its share of the acquisition of 61.65 acres at \$25,000 per acre. Claremont has funds available to support either near-term infrastructure installation or Phase 2 property acquisition, but not both.

Based on the County's desire to take advantage of over \$600,000 in real property acquisition savings (which will be reinvested into the project itself), staff has negotiated an arrangement with Claremont whereby it is proposed that the County funds 100% of the property acquisition at \$25,000 per acre (for a total cost of \$1,541,250) up front, and Claremont agrees to pay its 50% share of this acquisition cost at a later time. This arrangement, which would require the proposed revision to the attached Interlocal Agreement between the partners, enables Claremont to expend its local funds for half the road construction and other infrastructure costs. The key terms and conditions of the proposed revisions stipulate:

- County will purchase and retain ownership of the Property until Claremont reimburses County 50% of the purchase price.
- Claremont must reimburse the County within seven (7) years from the closing date or when the Property is sold, whichever occurs first. If reimbursement is completed before the sale of the Property, Claremont will then be added to the title.
- If the Property is used as an economic development incentive prior to the County being fully repaid, Claremont's property tax revenue generated by the Property will be directed to County until County is fully reimbursed for 50% of purchase price.

Design of road access for CIRP Phase 1 is currently underway and will accommodate accessing the properties from the south via extension of Kelly Boulevard. Construction is estimated to be roughly \$1.9M. Staff is actively seeking non-local funding to offset these costs, as has been done throughout the project,

which has secured a \$500,000 grant from NC Rail Road for water line construction and sewer line extension and due diligence support from the Golden Leaf Foundation, in addition to the CIRP project having been named one of 13 state-wide "SelectSites" through the Economic Development Partnership of NC's SelectSite program (which opens up eligibility to additional funds for the project).

After Mr. Berry's presentation, there were no questions. Chair Isenhower opened the public hearing. With no one coming forward the Chair closed the public hearing. Commissioners discussed joint title and the benefit of land investment. Commissioner Setzer made a motion adopt a resolution authorizing purchase of approximately 61.65 acres (46.15 acres at 2625 Heart Drive in Claremont approximately 15.5 acres at 2545 Heart Drive) for \$25,000 per acre, and authorizing the Chair to sign any necessary documents associated with this transaction; amend the Interlocal Agreement with the City of Claremont as proposed; and authorize transfer of \$1,541,250 in previously appropriated funds to the Claremont International Rail Park capital project to support this transaction. The motion carried unanimously.

The following resolution applies:

RESOLUTION 2024-
RESOLUTION AUTHORIZING
ACQUISITION OF REAL PROPERTY FOR ECONOMIC DEVELOPMENT

Whereas, North Carolina General Statute §158-7.1 authorizes cities and counties to acquire, assemble, and hold for resale property that is suitable for industrial or commercial use; and

Whereas, the Claremont International Rail Park ("Rail Park") is a joint partnership between the City of Claremont ("City") and Catawba County ("County") formed for the purpose of creating an industrial rail-served business park to create jobs and new investment in the local economy; and

Whereas, J-Mar Investments, a sole proprietorship, and MHBPC, Inc. ("Property Owners") are the owners of approximately 63.31 acres in Claremont Township, Catawba County, more particularly depicted on Exhibit "A" attached hereto and incorporated herein by reference ("Property"); and

Whereas, the City, County and Property Owner have engaged in negotiations for the sale of the Property and have reached an agreement on the terms of the conveyance; and

Whereas, City and County have agreed to enter into the Addendum to the Interlocal Agreement attached hereto as Exhibit "B"; and

Whereas, the County advertised and held a public hearing on December 16, 2024, to consider whether to approve the purchase of the Property.

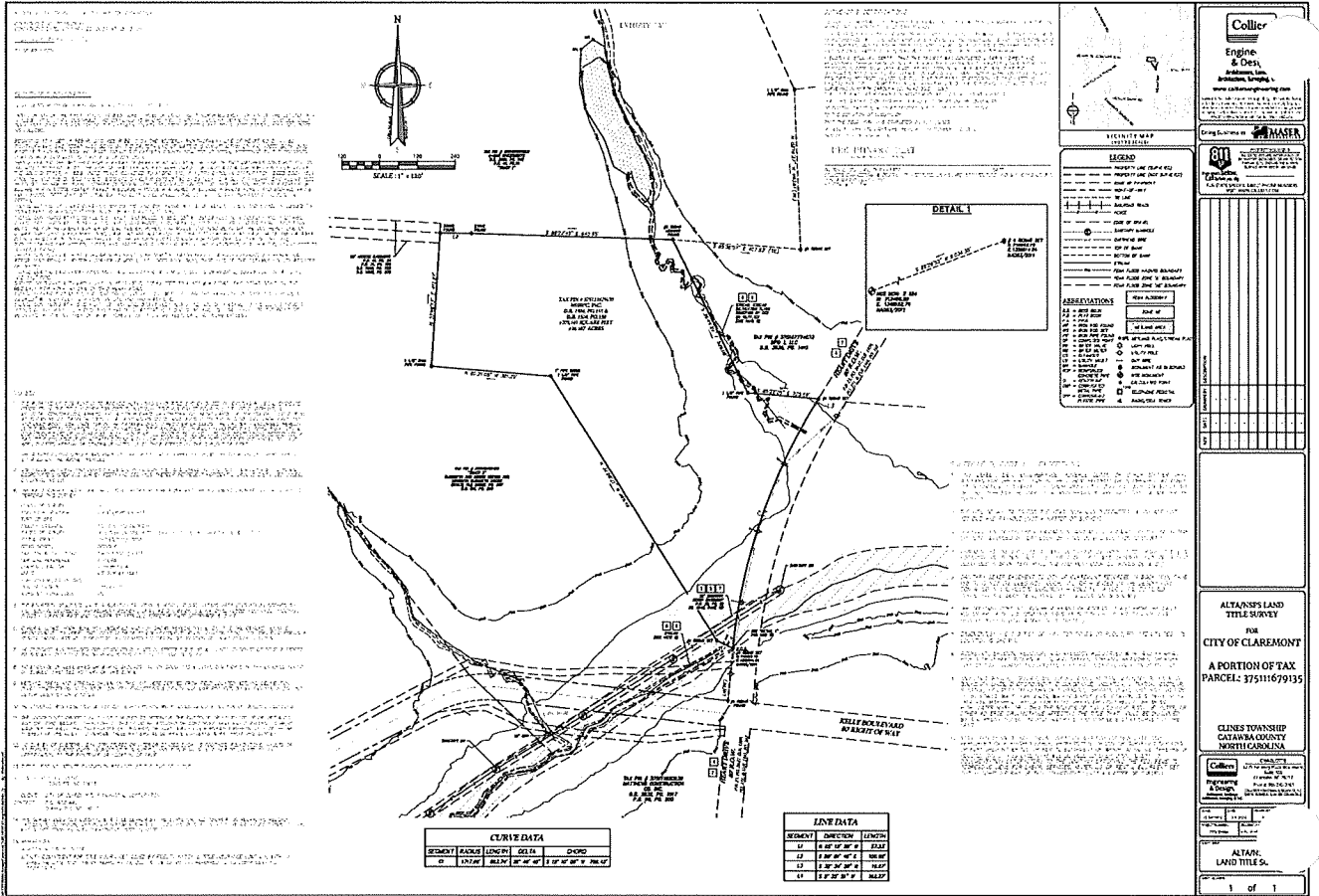
Now, therefore, the Catawba County Board of Commissioners resolves that:

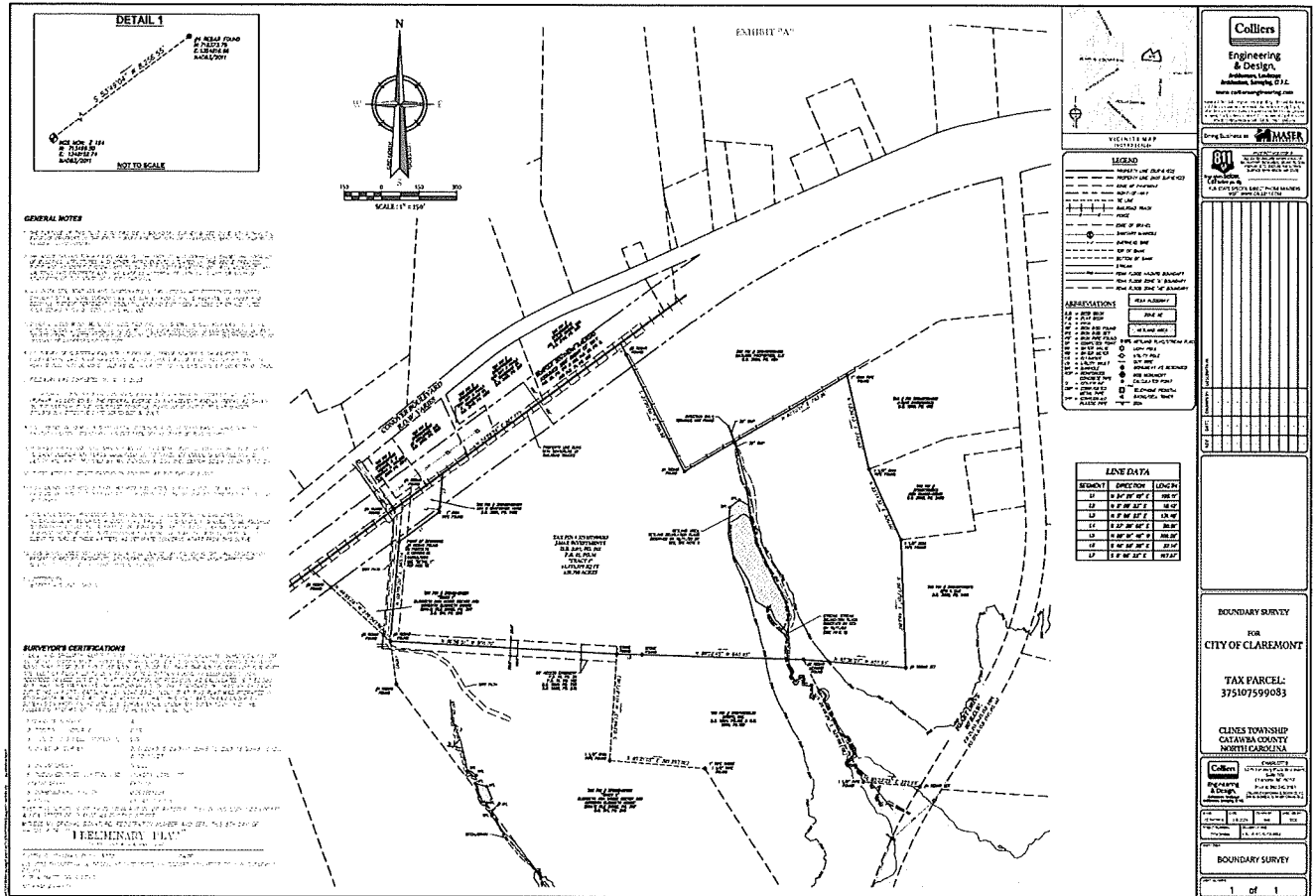
1. Subject to the satisfactory completion of due diligence, the purchase of the Property by County from the Property Owners for approximately \$1,500,000.00 total, along with the other negotiated terms in the Offer to Purchase agreement, is approved.
2. The Interlocal Agreement approved on June 19, 2023 and the attached Addendum are ratified and approved.
3. The Chair is authorized to execute any documents necessary to complete the purchase transaction.

IN WITNESS WHEREOF, the Catawba County Board of Commissioners has approved this Resolution Authorizing Acquisition of Real Property for Economic Development purposes.

This the 16th day of December, 2024.

A copy of Exhibit A & Exhibit B are hereto attached:





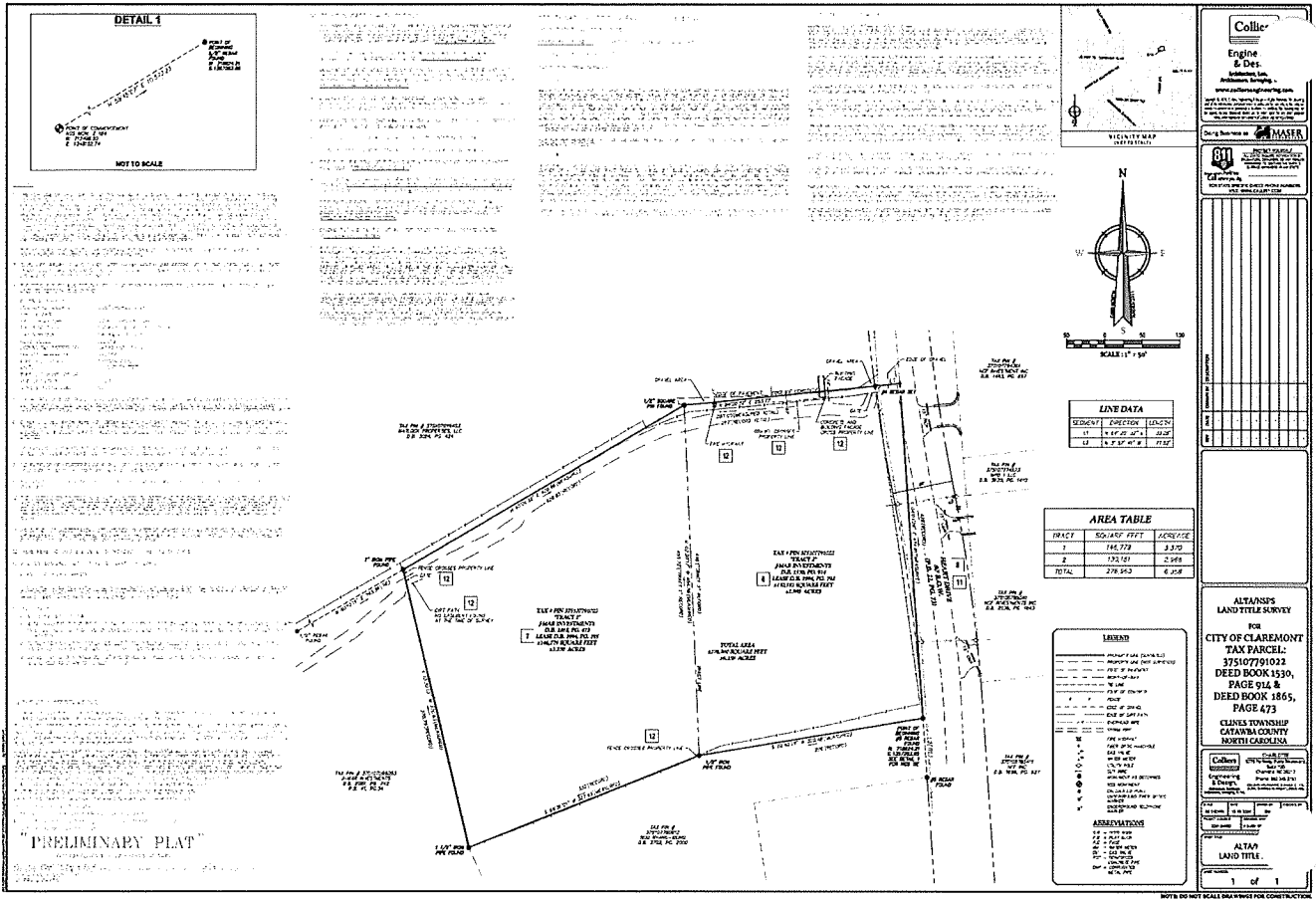


EXHIBIT "B"

State of North Carolina
Catawba County

Addendum to Interlocal Agreement Between Catawba
County, City of Claremont, and Catawba County
Economic Development Corporation for the
Development of Claremont International Rail Park
Road

THIS Addendum to the agreement entitled Interlocal Agreement Between Catawba County, City of Claremont, and Catawba County Economic Development Corporation for the Development of Claremont International Rail Park dated July 10, 2023 ("Agreement") is made and entered into as of the _____ day of December, 2024 by and between Catawba County ("County") and City of Claremont ("Claremont"), collectively "Parties".

WHEREAS, pursuant to the Agreement, County and Claremont agreed to share equally in the cost of developing a Class A Rail Park entitled Claremont International Rail Park ("CIRP"); and

WHEREAS, the Parties were offered a reduced rate of \$25,000 per acre for the property owned by J-Mar, a sole proprietorship, and MHBPC, Inc. (PIN #375107791022, #375107599083, #375106489404, and a portion of #375111679135) ("Property") if purchased within a period of six (6) months, as opposed to entering into a seven (7) year option; and

WHEREAS, County has agreed to fund the purchase of the Property and allow Claremont to reimburse County pursuant to the terms contained in this Addendum.

NOW THEREFORE, for and in consideration of the foregoing recitals and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties, intending to be bound hereby, agree as follows:

1. County will purchase and retain ownership of the Property until Claremont reimburses County 50% of the purchase price, at which time County shall transfer to Claremont a one-half undivided interest in the Property.
2. Claremont must reimburse County 50% of the purchase price of the Property within seven (7) years from the closing date or when the Property is sold, whichever occurs first. If reimbursement is completed before the sale of the Property, Claremont will then be added to the title.
3. If the Property is used as an economic development incentive prior to the County being fully repaid, Claremont's property tax revenue generated by the Property will be directed to County and credited to Claremont's reimbursement obligation until County is fully reimbursed.
4. The first sentence of Article I, Section 3 of the July 10, 2023 Agreement is amended to read: "Property Ownership. The Park property, as defined and described on Exhibit A attached hereto and incorporated herein by reference, and any subsequently purchased Park property ("Property"), shall be owned jointly in equal shares by the City and County, except as otherwise agreed in a writing signed by all parties."
5. All provisions of the Agreement not specifically modified by this Addendum remain unchanged and are reaffirmed hereby.

IN WITNESS WHEREOF, the Parties hereto have caused this Addendum to be executed this the day and year first above written.

CATAWBA COUNTY

By: _____
C. Randall Isenhower, Chair

ATTEST:

Dale R. Stiles

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

Date: _____
Mary Morrison, Catawba County Finance Director

APPROVED AS TO FORM:

Date: _____
Jodi Stewart, Catawba County Attorney

CITY OF CLAREMONT

By: _____
Shawn R. Brown, Mayor

ATTEST:

Wendy Helms, Clerk

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

Date: _____
Valerie McKenna, City of Claremont Finance Director

APPROVED AS TO FORM:

Date: _____
Robert M. Grant, Jr., City of Claremont Attorney

10. Department Reports

b. County Manager's Office

County Attorney Jodi Stewart requested the Board of Commissioners authorize the sale of County property located at 104 and 108 West D Street, Newton to the City of Newton for \$56,200.00.

The City of Newton has requested to purchase 0.59 acres of county property located at 104 and 108 West D Street, Newton, PIN#'s: 3730-1692-1872 and 3730-1692-2864. Previously utilized for residential purposes, the lots have been vacant since 2021, and the City of Newton has identified a potential use for the property. No County departments have identified a need for the lots. The proposed purchase price is reflective of the properties' current tax value.

NCGS §160A-274 authorizes a governmental unit to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as the governmental unit deems wise, with or without consideration.

The County can continue to own and maintain the property or choose to dispose of it in another manner.

Commissioners discussed the possibility of securing a first right of refusal if the property were to be put up for sale in the future, reservations with the property being adjacent to the main branch library, the need for additional information from the developer and the City of Newton, and the impact to the overall development project if this land transaction does not go forward.

Commissioner Abernethy made a motion to table this matter until a later date for further discussion. The motion carried unanimously.

11. Consent Agenda.

County Manager Mary Furtado presented the following seven items under the consent agenda. Chair Isenhower 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 & Personnel Subcommittee recommended the Board of Commissioners approve the purchase of the Sherrills Ford-Terrell Fire Station located at 4385 Mt. Pleasant Road for \$475,000, transfer funds to support the acquisition, and authorize the County Manager to execute all documents necessary to complete the purchase, subject to satisfactory due diligence results.

Sherrills Ford-Terrell Fire and Rescue is in the process of constructing a new Fire Station adjacent to its existing station on Mt. Pleasant Road. The County currently operates the Sherrills Ford EMS unit out of this existing station, given its strategic location from a response perspective. With Sherrills Ford-Terrell Fire and Rescue's plan to vacate this existing station, their board of directors approached the County to gauge interest in purchasing the existing base. After negotiations, both parties have mutually agreed upon a purchase price of \$475,000, with the closing date to coincide with the completion and occupancy of the new adjacent Fire Station (estimated 12-18 months). Funding for this purchase is recommended to come from General Fund Fund Balance.

The station recommended for purchase, with a current tax value of \$436,800, is approximately 5,300 square feet with 4 bays and is situated on 1.24 acres. The County's Sherrills Ford EMS unit currently occupies one of these bays, and this purchase would allow for future EMS expansion in the fastest growing area of the County with minimal capital construction cost. This would also allow for EMS to store existing trailers/materials dedicated for McGuire Nuclear Station response closer to where they would be needed in the event of an emergency.

If the existing station is not purchased, the County will eventually need to find a suitable alternative for expansion of the Sherrills Ford EMS unit. This would require locating and purchasing property in a high-value real estate market and constructing a new base, which would be significantly more expensive.

Supplemental Appropriation:

Revenue:

110-190050-690100	Fund Balance Appropriated	\$475,000
410-460100-695110	From General Fund	\$475,000

Expense:

110-190900-995410	To General Capital Projects	\$475,000
410-460100-987000-12049	Sherrills Ford EMS Base	\$475,000

b. The Finance and Personnel Subcommittee recommended the Board of Commissioners authorize redirection of existing funding to replace thirty-four cardiac monitors and two automated CPR devices and to purchase eight additional automated CPR devices, for a total cost of \$1,987,972.

Catawba County has used LIFEPAK cardiac monitors for over thirty years. During that time, three new versions of the LIFEPAK cardiac monitor have come onto the market. Each new version was similar enough to the previous version that the County has been able to stagger the transition over several years.

The current version of the LIFEPAK cardiac monitor was released in 2008 and is called the LP15. Last year, the FDA approved the next version of the device, released in June 2024, which is called the LP35.

While core functionality (defibrillation, cardioversion, external pacing, SpO₂ monitoring, EtCO₂ monitoring, non-invasive blood pressure monitoring, etc.) remains the same, operation of the device is quite different, and the technology is significantly improved.

The primary operational difference involves a change from hard buttons to a touch screen. The LP15 utilizes 24 hard buttons that control all device functionality. The LP35 only has 4 hard buttons. Otherwise, it uses touch screen menus to control all functionality except powering the device on/off and defibrillation. This significant difference between models would likely create operator confusion that could result in delayed care or medical errors if staff are using both models simultaneously. (EMS staff work at more than one base, and equipment standardization between bases has proven to streamline operations significantly.)

Some of the technological improvements include five display channels, on-screen keyboard, patient specific physiological alarms, help menus, native 15 lead availability, the most current diagnostic algorithm, CPRInsight technology, auto transmission on shut down, enhanced storage and expansion ports to accommodate future technological advancement.

Although Stryker has not announced a discontinuation date for LP15, history would suggest this device will be discontinued within twelve to twenty-four months. Support, service and parts will be available for a longer period. However, Stryker has already stopped support and service for older LP15s.

Replacing all thirty-four of our cardiac monitors simultaneously will reduce the risk of operator confusion, standardize care for all patients, and eliminate issues related to Stryker discontinuing production, support, or service of the devices.

Stryker anticipates an eight percent increase on all devices sold after February 1, 2025. Additionally, Stryker has offered Catawba County \$8,000 trade-in value per device. (Starting January 1, 2025, the trade in value will decrease to \$6,250 for devices less than two years old and will be prorated down based on the age of devices older than two years.)

The first two Lucas CPR devices the County bought are due to be replaced, and eight additional devices are needed to complete deploying a device on every front-line unit.

Stryker has provided Catawba County with a quote for the aforementioned cardiac monitors, Lucas devices, and a 48-month service contract for a total cost of \$1,987,971.12. This pricing is based on the National Association of State Procurement Officials contract.

Due to the supply chain issues related to COVID-19, Catawba County has taken delivery of fifteen ambulances in the past thirty months. Catawba County also has four ambulances currently on order, with an anticipated delivery date of August 2026. Staff is confident that foregoing ambulance replacements for one year will not negatively impacting the fleet. Based on this dynamic, staff is requesting approval to redirect \$1,987,972 in funds originally appropriated to support ambulance replacement to instead support replacement of the equipment as detailed above.

To avoid a future situation where this large capital outlay for replacement creates an unsustainable budget pressure in any given year, staff will continue the practice of requesting funds be set aside annually to more evenly spread the anticipated replacement expense.

c. The Finance and Personnel Subcommittee recommended the Board of Commissioners approve a resolution to retire drug interdiction K-9 Stark and transfer ownership of Stark to K-9 handler Brian Weaver.

Stark is a drug interdiction K-9 owned by Catawba County and operated by the Catawba County Sheriff's Office. He has performed his duties diligently for 3 years. Stark is almost 6 years old and is no longer physically able to perform law enforcement duties. Stark was specifically trained in certain law enforcement procedures and may behave unpredictably and perhaps aggressively because of such training unless he is under the care and supervision of his trained handler. Stark's trained K-9 handler is Brian Weaver, and he possesses the necessary expertise to manage and care for Stark and provide a safe and suitable home for retirement.

Adoption of the resolution, pursuant to NCGS 160A-266(d), would allow the Catawba County Sheriff's Office to retire and transfer ownership of Stark to his handler Brian Weaver upon Deputy Weaver's accepting custody of Stark, agreeing to keep Stark retired, and assuming all liability and responsibility for the care of Stark for the remainder of its life.

The following resolution applies:

RESOLUTION 2024-37
AUTHORIZING THE RETIREMENT OF
K-9 "Stark"

WHEREAS, K-9 Stark and his handler, Brian Weaver, have been a great benefit to Catawba County for 3 years; and

WHEREAS, Stark will retire from service to the County effective December 16, 2024; and

WHEREAS, Stark was specifically trained in certain law enforcement procedures and may behave unpredictably and perhaps in an aggressive manner as a result of such training, and therefore presents a risk to the general public health and safety if presented for sale to or adoption by the general public; and

WHEREAS, such risk is not present when Stark is transferred to the care and keeping of his handler Brian Weaver; and

WHEREAS, the Board of Commissioners finds that Stark should be retired and ownership transferred to Brian Weaver due to the additional training and responsibility which is required; and

WHEREAS, NCGS § 160A-266(d) permits the Board of Commissioners to authorize the transfer of ownership of Stark to Brian Weaver upon Brian Weaver accepting custody of Stark and assuming all liability and responsibility for the care of Stark for the remainder of its life.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners authorizes transfer of ownership of K-9 Stark to Deputy Brian Weaver effective December 16, 2024.

This the 16th day of December 2024.

d. The Finance and Personnel Subcommittee recommended the Board of Commissioners approve a donation of 25 Motorola XTS2500 portable radios and 16 XTL2500 mobile radios to Catawba Valley Community College.

NCGS § 160A-279 authorizes the County to convey personal property to entities carrying out a public purpose without monetary consideration as long as the property will be used for a public purpose. The process begins with the governing board adopting a resolution authorizing the conveyance of the property and then the County publishing a ten-day notice summarizing the contents of the resolution.

In support of its Basic Law Enforcement Training Program, Catawba Valley Community College requests the donation of 25 Motorola XTS2500 portable radios and 16 XTL2500 mobile radios, valued at approximately \$1,950.00.

The Sheriff's Office is in the process of replacing mobile and portable VIPER radios to comply with the 2025 TDMA standards. These radios will no longer be functional for public safety use in the State of North Carolina as of July 1, 2025.

If the donation request is approved, the Basic Law Enforcement Training Program at Catawba Valley Community College will utilize these radios as part of its scenario-based practical skills exercises. The program is currently using radios that are approximately 10-25 years old and are falling into disrepair. The requested radios can be used in direct mode (line of sight) for the small area needed for BLET training.

An alternative is to sell the radios on GovDeals, with total estimated revenues to the County of \$1,950.00 for the equipment. These estimated revenues are based on GovDeals selling points for equipment of similar age and condition.

The following resolution applies:

RESOLUTION No. 2024-38
DECLARATION OF SURPLUS PROPERTY AND DONATION TO
CATAWBA VALLEY COMMUNITY COLLEGE

WHEREAS, pursuant to NCGS § 160A-279, the County has the authority to declare property no longer needed as surplus and donate said property to a nonprofit organization for which the County is authorized to appropriate funds so long as the property will be used for a public purpose; and

WHEREAS, twenty-five (25) Motorola XTS2500 portable radios and sixteen (16) XTL2500 mobile radios are no longer needed for any governmental use by Catawba County; and

WHEREAS, pursuant to NCGS § 160A-279 said equipment may be donated to Catawba Valley Community College.

THEREFORE, the Catawba County Board of Commissioners resolves that:

1. Twenty-five (25) Motorola XTS2500 portable radios and sixteen (16) XTL2500 mobile radios are declared surplus property, and the property shall be donated to Catawba Valley Community College without monetary consideration.
2. The Purchasing Manager is authorized to conduct the transfer of property by publishing a notice summarizing the contents of this resolution and conveying the property to the College ten (10) days after the Notice of Publication.

This the 16th day of December, 2024.

e. The Policy and Public Works Subcommittee recommended the Board of Commissioners approve submittal of the County's intent to pursue continuation of "Electing County Status" and appoint members (or their authorized designees) to serve on the required Planning Committee.

In 1996, Congress ended the national welfare program known as Aid to Families with Dependent Children (AFDC) and crafted legislation to allow states to implement their own welfare programs. North Carolina's program is called Work First Family Assistance (WFFA). Work First is a cash assistance program designed to assist families that care for children and who meet a certain degree of kinship to the child. All Work First participants must cooperate with all items on their Mutual Responsibility Agreement to receive a Work First benefit each month.

This federal devolution of authority enabled the North Carolina General Assembly to expand welfare reform. The legislature took the next step, allowing counties to compete for Electing County status – in essence offering a limited number of counties the opportunity to have greater control over local welfare policies, as well as greater control over available funding.

Catawba County has been an Electing County since 2007. With welfare reform, counties were encouraged to “think outside the box” and offer suggestions for innovative policy changes that would enable families to move more quickly to higher levels of personal responsibility and economic self-sufficiency. Electing County status also allows greater flexibility in program administration. Catawba County's Electing Plan incorporates quality values and organizational standards that reflect the worth and dignity of each and every citizen. Examples of local program requirements include all Work First participants being required to have a High School Diploma or be enrolled in a GED or Adult High School classes, and that all participants must be assessed for economic literacy within 12-calendar-days of application for Work First.

The County's current plan was approved by the Board of Commissioners on January 31, 2022 for Federal FYs 2023 - 2026.

On November 27, 2024, the Agency received notice that all counties must once again participate in the Work First planning process. Current Electing Counties must notify the state if they wish to remain an Electing County.

As mentioned, Electing Counties are given greater flexibility in establishing eligibility policies (who is eligible to receive assistance and under what conditions) as well as being able to realize funding flexibility within the Work First County Block Grant.

North Carolina General Statute (NCGS) 108A-27 requires county commissioners to appoint a committee of local leaders to assist in the development of the county Work First Block Grant plan. Membership of the committee must include, but is not limited to representatives of:

- County Board of Social Services
- Board of County Commissioners
- Division of Workforce Solutions (DWS) (NCWorks Career Centers)
- Workforce Innovative Opportunity Act (WIOA)
- Local Division of Vocational Rehabilitation
- Head Start Agency
- Local Management Organization – Managed Care Organization (LME – MCO)
- Local Public Health Department
- Local School System(s)
- Business Community
- Community-based organizations (Representative of the Population Served)
- Childcare Service Providers
- Social Services Staff
- Transportation Service Providers

If Catawba County chooses not to pursue Electing County Status, Social Services would revert to Standard Status and be subject to all the program requirements for all other non-Electing Status. This would also

mean the County would lose its ability to flexibly manage the Work First Block Grant funding, a practice which saves upwards of \$900,000 in County funds annually.

A list of proposed members to serve on the 26-28 Work First County Planning Committee is hereto attached:

Robert Abernethy, Jr.	Board of County Commissioners
Sherry Butler	Board of Social Services
Felicia Culbreath-Setzer	Division of Workforce Solutions (DWS) (NCWorks Career Centers)
Charity Patterson	Workforce Innovative Opportunity Act (WIOA)
Beth Mills	Vocational Rehabilitation Manager
Kim Holden	Partnership of Children
Paul Holden	Partners Behavioral Health Management
Jennifer McCracken	Public Health
Dr. Matt Stover	Local School System Representative – Catawba County Schools
Dr. Jennifer Griffin	Local School System Representative – Hickory Public Schools
Dr. Aron Gabriel	Local School System Representative – Newton-Conover City Schools
Lindsay Keisler	Business Community
Molly Sain	Greater Hickory Cooperative Christian Ministry
Kristal Manning	Ashure Ministry
Enrique Perez	Salvation Army
Kelli Payne	Goodwill Career Centers
Ashley Benfield	Children's Resource Center
Jordan Harrison	Qualified Substance Abuse Professional (QSAP)
Julie Walker	Cognitive Connection Corporation
Michael Bowman	Greenways Public Transit Authority
Mark Bumgarner	Catawba County United Way
Rodney Franklin	DSS Assistant Director
Kari Whisnant	DSS Assistant Director
Beth Jones	WFFA Program Manager
Lauren Daulton	WFFA Supervisor

f. Staff recommended the Board of Commissioners adopt a resolution accepting American Rescue Plan Act Funds from NC Department of Environmental Quality for Microsoft (Project Star) Sewer Line Extension, and authorize the County Manager to execute the Funding Offer and Acceptance for the \$8,800,000 grant.

In November 2022, Catawba County was awarded \$8,800,000 in American Rescue Plan Act (ARPA) funds, through NC Dept. of Environmental Quality (NCDEQ). Catawba County chose to allocate those funds towards extension of sanitary sewer service to the Microsoft Project Star site. These funds were subsequently made available to the City of Hickory, through a sub-recipient agreement adopted by the Board of Commissioners on November 21, 2022. The sanitary sewer line is currently under construction by the City of Hickory.

NCDEQ is currently reviewing all ARPA grants to ensure that required documentation is on file and, as a result, has identified two documents that need adoption and execution by Catawba County related to this project.

The attached resolution is required by NCDEQ to ensure the County accepts the funding, agrees to follow all conditions and assurances in the Award Offer and authorizes the County Manager to execute the Funding Offer and Acceptance. With adoption of the resolution, the County Manager will have the authority to execute the Funding Offer and Acceptance.

The following resolution applies:

RESOLUTION No. 2024-39
RESOLUTION TO ACCEPT STATE AWARDED AMERICAN RESCUE FUNDS FROM NC DEPARTMENT
OF ENVIRONMENTAL QUALITY FOR MICROSOFT PROJECT SEWER LINE EXTENSION

WHEREAS, Catawba County has received funding from the American Rescue Plan Act (ARPA) funded from the State Fiscal Recovery Fund established in S.L. 2021-180/2022-74 to assist eligible units of government with meeting their water/wastewater infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan Act (ARPA) funding in the amount of \$8,800,000 to perform work detailed in the submitted application; and

WHEREAS, Catawba County intends to perform said project in accordance with the agreed scope of work.

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

1. Catawba County does hereby accept the American Rescue Plan Act Grant offer of \$8,800,000.
2. Catawba County does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. Mary Furtado, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this 16th day of December, 2024.

g. The Tax Administrator recommended the Board of Commissioners approve 25 releases totaling \$258,657.27, one refund totaling \$33.35 and 39 Motor Vehicles Bill adjustments / refunds totaling \$2,679.89 requested during the month of November.

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 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.

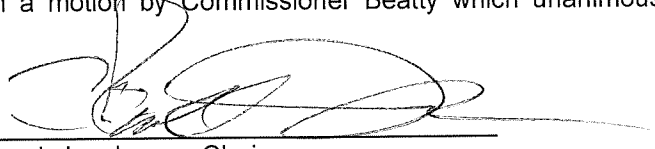
During the month of November, Tax Office staff has checked records and verified the legitimacy of 25 release requests totaling \$258,657.27, one refund totaling \$33.35, and 39 Motor Vehicle Bill adjustments / refunds totaling \$2,679.89.

Common reasons for the release of tax bill amounts include change in values and months, change in situs, businesses closing / being sold, clerical errors, in addition to, approved adjustments per the Board of Equalization and Review. The refund is due to an approved adjustment per the Board of Equalization and Review. The motor vehicle bill adjustments are largely due to pro-ratio of tax bill amounts to account for mid-year transfers of ownership, change in values and change in situs.

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. None.

13. Adjournment. No further action was taken. Upon a motion by Commissioner Beatty which unanimously carried, the meeting was adjourned at 8:52 p.m.



Randy Isenhower, Chair
Catawba County Board of Commissioners



Dale R. Stiles
County Clerk

