

Regular Session, February 17, 2025, 7:00 p.m.  
Catawba County Board of Commissioners

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**Lake Norman Marine Commission**

Lake Norman Marine Commission Cost Share	236	02/17/25
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**Presentations**

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Michael McRee	235	02/17/25
Sherrill Watkins		

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**Social Services**

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**Technology**

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**Utilities and Engineering**

Construction Bid Award & Appropriation: Bay Pointe Subdivision Road Improvement Project	237	02/17/25
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The Catawba County Board of Commissioners met in Regular Session on Monday, February 17, 2025, at 7:00 p.m., in the Board of Commissioners Meeting Room, 2<sup>nd</sup> 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. Vice-Chair Austin Allran led the Pledge of Allegiance.

3. Commissioner Cole Setzer offered the invocation.
4. Commissioner Robert C. Abernethy, Jr., made a motion to approve the Minutes from the Board's Regular Meeting and Closed Session of February 3, 2025. The motion carried unanimously.
5. Recognition of Special Guests:  
Chair Isenhower welcomed everyone present.
6. Public Comments.  
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 Catawba and Lincoln County line boundary.
7. Presentations.  
Work First Program Manager Beth Jones presented to the Board the Work First Electing County Plan FY 2026-2028.

Staff requested the Board of Commissioners approve the Catawba County Work First Plan for FFY 2026 – 2028.

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 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 December 16, 2024, the Catawba County Board of County Commissioners voted to continue pursuit of "Electing County" status and appointed a planning committee. The planning committee met on January 8, 2025. Members discussed the current plan, reviewed current conditions within Catawba County, and made suggestions for the new plan.

The planning committee agreed to keep the policies currently in place in Catawba County's Electing Plan as-is, with no additional recommended changes.

After Ms. Jone's presentation, there were no questions. Commissioner Abernethy made a motion to approve the Catawba County Work First Plan for FFY 2026-2028.

8. Consent Agenda.  
County Manager Mary Furtado presented the following eight 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 and Personnel Subcommittee recommended the Board of Commissioners appropriate \$42,000 from Schools Capital Fund Balance to the Hickory High School Renovations project to repair a loose piping chase.

Hickory High School has a piping chase, which is an architectural feature used to house pipes in the ceiling, that is coming loose from the rest of the ceiling grid. The loose piping chase is in a breezeway that connects the main building to the gym. This breezeway is heavily traveled by students, teachers, and basketball spectators and as such creates a significant safety hazard that needs to be addressed immediately. HCS staff obtained a quote of \$42,000 to complete the repairs needed.

*Supplemental Appropriation:*

*Revenue:*

420-750100-690100	Fund Balance Applied	\$42,000
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*Expense:*

420-750100-865200-32104-3-19	HHS Renovations	\$42,000
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b. The Finance and Personnel Subcommittee recommended appropriation of \$24,137 from General Fund Fund Balance for Catawba County's share of lymbya treatment on Lake Norman in Fiscal Year 2024/25.

Recently, an invasive algae called lymbya has spread in Lake Norman. Planned treatment of 10 acres over a four-year period began in 2024, with approval of \$10,000 per Lake Norman Marine Commission member county. Initial surveys indicated these efforts were successful; however, the annual state lake survey showed lymbya present in three area lakes, with the need to treat 25 acres of Lake Norman, 25 acres of Mt. Island Lake, and 10 acres of Lake Wylie. If left unmanaged, lymbya will proliferate and affect lakefront property owners, recreational users, and potentially drinking water. As a result, a coalition was formed between the Catawba Wateree Water Management Group, Lake Norman Marine Commission, Lake Wylie Marine Commission, Charlotte Water, and Duke Energy to develop a more efficient, coordinated four-year program for lymbya management. Details of the management plan as well as anticipated costs were shared at a symposium held on January 15, 2025, at Charlotte Water's water treatment plant in Huntersville and are attached to this memo.

The total four-year cost to treat the lymbya across all three lakes is \$1,180,974 plus \$60,000 for program management, of which \$482,734 plus \$20,000 for program management is needed for Lake Norman. Each county bordering the lakes is asked to contribute an equal share towards the treatment costs of their respective lakes each year. Charlotte Water has also committed to being an equal funding partner for Lake Norman and Mt. Island Lake since they have drinking water intakes in these lakes. Duke Energy will fund program management and provide in-kind services to address any public questions or concerns. NC State University will provide technical support. The Catawba Wateree Water Treatment Management Group will receive all funding from the partners and contract for treatment services for the coalition. The total request from Catawba County over four years is \$96,547, or \$24,137 annually. The first payment is requested by April 1, 2025, so that treatment can begin by mid-April.

*Supplemental Appropriation:*

*Revenue:*

110-190050-690100	Fund Balance Applied	\$24,137
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*Expense:*

110-270050-868181	Catawba Wateree Water Treatment Management Group	\$24,137
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c. The Finance and Personnel Subcommittee recommended the Board of Commissioners approve appropriations in the amount of \$483,148 to recognize the addition of Microsoft 365 (MS365) to the existing Microsoft Enterprise agreement, meeting GASB 96 criteria as a long-term debt obligation.

Catawba County implemented Governmental Accounting Standards Board (GASB) 96 in fiscal year 2024. This new accounting standard requires recognition of Subscription-Based Information Technology Agreements (SBITAs) with non-cancellable periods greater than 12 months as long-term debt obligations. In

addition, payments made to satisfy the debt obligation must be recognized as debt service payments versus operating expenses.

The existing Microsoft Enterprise Agreement was recognized as a long-term debt obligation under GASB 96 in fiscal year 2024. With the recent addition of MS365 to that agreement, subscription costs of \$483,148 for the remaining two years of the original Microsoft agreement must be added to the current long-term debt obligation. (Implementation of MS365 is currently underway.)

#### Supplemental Appropriation

110-410200-690416	SBITA Liabilities Issued	\$483,148
110-410200-980102	Capital Outlay-SBITA	\$483,148

d. The Policy and Public Works Subcommittee recommended the Board of Commissioners award the bid for the Bay Pointe Subdivision Road Improvements to J.T. Russell & Sons Inc., of Conover, in the amount of \$242,731.55; transfer \$250,000 from Subdivision Road Improvement Future Projects; and authorize the County Manager to execute all necessary documents associated with the project.

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 the Bay Pointe subdivision, fronting on Bay Pointe Drive, Golden Bay Court and West Bay Drive, 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. Bay Pointe subdivision is located off Little Mountain Road and consists of approximately 50 homes or lots. The repairs consist of removal of objects within rights-of way; replacement of approved NCDOT drainage structures; regrading of road shoulder to allow water drainage, pavement milling, base reconditioning / reconstruction in some areas, and repaving with 1.5 inches of asphalt.

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 each took the required action. The table also outlines the remaining steps the Board will still need to take to implement the assessment (*noted in italics*).

NCGS §	Date	Action Items
153A-205	8/2/2024	Citizens petition BOC with >75% of property owners & >75% of road frontage.
153A-190 & 153A-191	10/21/2024	BOC accepts Citizen Petition, makes funding decisions and adopts Preliminary Resolution describing the Project, financing and setting time for Public Hearing.
153A-192	11/4/2024	BOC holds Public Hearing on Preliminary Assessment Resolution.
153A-192	11/4/2024	BOC considers adopting Final Resolution approving Project, setting financing terms.
143-131	11/26/2024	Project is bid in accordance with NC Procurement Procedures.
143-131	2/17/2025	<i>Bid awarded.</i>

153A-193 & 194	tbd	BOC determines Project Total Cost, sets date and time for Public Hearing on the Preliminary Assessment Rolls.
153A-195	tbd	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 the same manner as property taxes.

On January 21, 2025, the County received a total of one bid for Bay Pointe:  
JT Russell & Sons Inc. \$252,731.55

On January 31, 2025, the County received a revised bid for Bay Pointe:  
JT Russell & Sons Inc. \$242,731.55

The only responsive bid is from J.T. Russell & Sons, Inc. for 242,731.55, which is .018% lower than the estimated cost.

The minimum assessment for each affected parcel in Bay Pointe, based on the bid only, is estimated to be \$4,854.63. Statutorily, the project's total cost may include the actual construction cost, necessary legal costs, and the cost of publishing and mailing notices and resolutions and will be finalized at the end of the project.

*Transfer:*

413-460113-868505-19990	Subdivision Road Improvement Future Projects	\$250,000
413-460113-868505-17011	Bay Pointe Subdivision Road Improvements	\$250,000

e. The Policy and Public Works Subcommittee requested the Board of Commissioners approve a resolution declaring the County-owned property located at 17 Hwy 70 SE, Hickory surplus and begin the upset bid process, based on an offer to purchase the property by Everett-Two, LLC, in the amount of \$650,000.

Everett-Two, LLC, owns the tract of land immediately adjoining this 2.04-acre tract owned by Catawba County, and has expressed an interest in acquiring the property for business purposes. Everett-Two, LLC, made an offer to purchase for \$650,000 and submitted a bid deposit of \$32,500, as required by County policy and State law.

The County does not have any specific use for this property at the present time or in the foreseeable future. The property's assessed value is \$529,800. A recently conducted appraisal yielded a market value of \$535,000 for the parcel.

If authorized by the Board, notice of the bid will be advertised in the Hickory Daily Record and on the County's website, and upset bids may be made to the County within ten (10) days of publication. If an upset bid is received, that bid will be re-advertised until there are no further upset bids. The Board will then either accept or reject the offer. If the offer is accepted, the property will be sold to the highest bidder. The successful bidder must present cash or a certified check for the entire balance due at the time of closing.

The following resolution applies:

RESOLUTION 2025-06  
RESOLUTION AUTHORIZING SALE AND UPSET BID PROCESS  
Parcel ID: 370215636586

WHEREAS, Catawba County owns certain property located at 17 Hwy 70 SE, Hickory, North Carolina, as shown in Deed Book 439 at Page 180 in the office of the Register of Deeds for Catawba County, to which Deed reference is hereby made for more complete description; and

WHEREAS, North Carolina General Statute §160A-269 permits the County to sell property by upset bid, after declaring the property surplus and receiving an offer to purchase the property; and

WHEREAS, the County has received an offer to purchase the property described above, in the amount of \$650,000, submitted by Everett-Two, LLC; and

WHEREAS, Everett-Two, LLC, has paid the required five percent (5%) deposit on the offer; and

WHEREAS, the Catawba County Board of Commissioners acknowledges the offer of \$650,000, subject to the upset bid procedure, for the property located at 17 Hwy 70 SE, Hickory, North Carolina.

NOW, THEREFORE, the Catawba County Board of Commissioners resolves that:

1. The Catawba County Board of Commissioners declares the property located at 17 Hwy 70 SE, Hickory surplus and authorizes the sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269.
2. The County Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the most recent offer received shall submit a sealed bid with their offer to the office of the County Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the Purchasing Manager shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying bid is received, the County Clerk shall cause a new notice of upset bid to be published and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit equal to five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that the property is sold "as is," and the buyer must pay with cash, cashier's check or certified check at the time of closing.
8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.
9. If no qualifying bid is received after the initial public notice, the offer set forth above by Everett-Two, LLC is hereby accepted. The appropriate County officials are authorized to execute the instruments necessary to convey the property. All other bids must be accepted by the Board of Commissioners.

This the 17th of February, 2025.

f. Staff recommended the Board of Commissioners amend the list of Map Review Officers by adoption of a resolution.

North Carolina General Statutes require all counties to appoint Review Officers to review each plat or map before recordation and certify it meets statutory mapping requirements. Statutorily, individuals must be appointed by name, not job title, so any time a change occurs in staffing, a new Review Officer has to be approved by resolution of the Board of Commissioners and subsequently recorded in the Register of Deeds Office.

City of Hickory is requesting Wilson Elliott be added as a review officer.  
City of Conover is requesting Terry Lail be removed as a review officer.  
Town of Catawba is requesting Dustin Millsaps be removed as a review officer.

With approval of the attached resolution incorporating the changes noted above, the active list of Review Officers will be:

Catawba County: Chris Timberlake, Madison Whisnant, Laurie LoCicero, Maggie Gaughan and Frances Darnall  
City of Hickory: Brian Frazier, Cal Overby, Mike Kirby, and Wilson Elliott  
City of Newton: Randy Williams and Alex S. Fulbright  
City of Conover: Stephanie Watson, Heather Stephens, Madeleine Epley, and Erik Schlichting  
City of Claremont: Bryce Carter  
Town of Long View: Charles T. Mullis  
Town of Maiden: Blake Wright, Lisa Johnson  
Town of Catawba: John E. Wear, Teresa Kinney, and Ashley Young  
Town of Brookford: Marshall Eckard

The following resolution applies:

RESOLUTION 2025-07  
APPOINTMENT OF MAP REVIEW OFFICERS

WHEREAS, G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person or persons to serve as Review Officer to review each plat or map before it is recorded and certify that it meets the statutory requirements for recording; and

WHEREAS, it is the desire of the Catawba County Board of Commissioners to insure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording; and

WHEREAS, the Catawba County Board of Commissioners on September 5<sup>th</sup>, 2023, adopted Resolution #2023-28 which included names of individuals who were appointed as Review Officers for representative jurisdictions in Catawba County; and

WHEREAS, said Resolution was recorded in the Office of the Register of Deeds in Book 3830 Pages 0209-0210; and

WHEREAS, staffing changes have occurred in the City of Hickory, City of Conover and Town of Catawba which necessitate an amendment to the approved list of Map Review Officers.

NOW THEREFORE, BE IT RESOLVED, that Wilson Elliott is hereby appointed to perform the responsibilities as required for Map Review Officer for the City of Hickory as indicated in accordance with the appropriate General Statutes.

FURTHER BE IT RESOLVED, that Terry Lail is hereby removed from the list of appointed Review Officers for City of Conover and Dustin Millsaps is hereby removed from the list of appointed Review Officers for the Town of Catawba.

With the above change, the comprehensive list of Map Review Officers is as follows:

Catawba County: Chris Timberlake and Madison Whisnant, Laure LoCicero, Maggie Gaughan and Frances Darnall  
City of Hickory: Brian Frazier, Cal Overby, Mike Kirby, Wilson Elliott  
City of Newton: Randy Williams and Alex S. Fulbright  
City of Conover: Stephanie Watson, Heather Stephens, Madeleine Epley, and Erik Schlichting  
City of Claremont: Bryce Carter

Town of Long View: Charles T. Mullis  
Town of Maiden: Blake Wright, Lisa Johnson  
Town of Catawba: John E. Wear, Teresa Kinney, and Ashley Young  
Town of Brookford: Marshall Eckard

AND BE IT FURTHER RESOLVED that a copy of this Resolution designating the Review Officers be recorded in the Catawba County Register of Deed's Office and indexed in the names of the Review Officers.

Adopted this the 17th day of February 2025.

**g.** The Tax Administrator recommended the Board of Commissioners approve nine releases totaling \$2,585.79, 11 refunds totaling \$10,716.77 and 16 Motor Vehicles Bill adjustments / refunds totaling \$890.37 requested during the month of January.

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 January, Tax Office staff has checked records and verified the legitimacy of nine release requests totaling \$2,585.79, 11 refunds totaling \$10,716.77, and 16 Motor Vehicle Bill adjustments / refunds totaling \$890.37.

Common reasons for the recommended releases include change in values, months, and situs, businesses closing / being sold, clerical errors, and senior/disabled applications approved by Board of Equalization Review (BoER). The refunds are due to new settlement values from 2023 PTC appeals and case settlements, in addition to late senior/disabled application approvals by the BoER. The motor vehicle bill adjustments are largely due to pro-ration of tax bill amounts to account for mid-year transfers of ownership, change in values and change in situs.

**h.** Pursuant to NCGS §105-369, staff recommended the Board of Commissioners accept the Tax Collector's 2024 report on delinquent real property taxes and adopt a Resolution ordering the Tax Collector to advertise the delinquent tax liens.

NCGS §105-369(a) requires county tax collectors to submit to their respective board of commissioners the total amount of unpaid taxes for the current fiscal year. Catawba County's total amount as of February 1, 2025, is \$4,853,681.19. A detailed report will be provided upon request.

The statute also requires that upon receipt of this report, the governing body must order the tax collector to advertise the tax liens.

*The following resolution applies:*

RESOLUTION 2025-08  
RESOLUTION ORDERING THE ADVERTISING OF DELINQUENT  
REAL ESTATE PROPERTY TAX LIENS

WHEREAS, N.C. Gen. Stat. §105-369(a) requires the county tax collector to report to the governing body the total amount of unpaid taxes for the current fiscal year that have become liens on real property; and

WHEREAS, upon receipt of said report, pursuant to that same statute, the governing body must order the tax collector to advertise the tax liens; and



WHEREAS, the Catawba County Tax Collector has reported to the Catawba County Board of Commissioners the total amount of unpaid taxes for the current fiscal year which are now liens on the real property.

NOW THEREFORE BE IT RESOLVED by the Catawba County Board of Commissioners as follows:

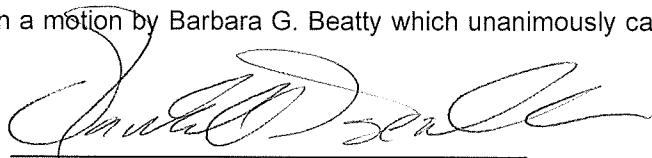
1. The Catawba County Tax Collector is hereby ordered to advertise the tax liens by posting a notice of the liens at the Catawba County Courthouse and by publishing each lien at least one time in one or more newspapers having general circulation in the taxing unit, in compliance with N.C. Gen. Stat. §105-369.

2. This Resolution is effective upon adoption.

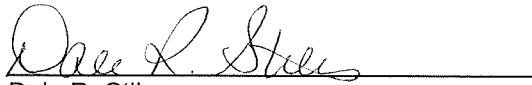
Adopted this 17th day of February, 2025.

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

9. Other Items of Business. None.
10. Manager's Report. None.
12. Attorney's Report.
13. Adjournment. No further action was taken. Upon a motion by Barbara G. Beatty which unanimously carried, the meeting was adjourned at 7:24 p.m.



Randy Isenhower, Chair  
Catawba County Board of Commissioners



Dale R. Stiles  
County Clerk

