

**TENTATIVE AGENDA & MEETING NOTICE  
BOARD OF COUNTY COMMISSIONERS**

**TUESDAY, FEBRUARY 19, 2013  
5:30 P.M.**

**WATAUGA COUNTY ADMINISTRATION BUILDING  
COMMISSIONERS' BOARD ROOM**

<b>TIME</b>	<b>#</b>	<b>TOPIC</b>	<b>PRESENTER</b>	<b>PAGE</b>
5:30	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: February 5, 2012, Regular Meeting February 5, 2012, Closed Session		1
	3	APPROVAL OF THE FEBRUARY 19, 2013 AGENDA		11
5:35	4	SHERIFF'S OFFICE GRANT REQUEST	CAPTAIN DEE DEE ROMINGER	13
5:40	5	PRESENTATION OF THE FY 2012 AUDIT REPORT	MS. KATHY BROWN	17
5:45	6	REVISED AUDIT CONTRACT FOR FY 2012	MS. MARGARET PIERCE	19
5:50	7	PRESENTATION OF THE WATAUGA COUNTY PUBLIC LIBRARY ANNUAL REPORT	MS. MONICA CARUSO	23
5:55	8	PRESENTATION OF THE APPALACHIAN REGIONAL LIBRARY, INC., ANNUAL REPORT	MS. MOLLY WESTMORELAND	37
6:00	9	PUBLIC HEARING TO ALLOW CITIZEN COMMENT ON THE RECLASSIFICATION OF A PORTION OF THE SOUTH FORK NEW RIVER WATERSHED		49
6:05	10	PRESENTATION OF 2012 REGIONAL MITIGATION PLAN	MR. STEVE SUDDERTH	61
6:10	11	RESOLUTION OPPOSING THE ADOPTION OF SUPPLEMENTARY STANDARDS FOR MULTI-FAMILY HOUSING IN THE TOWN OF BOONE	CHAIRMAN MILLER	73
6:15	12	MISCELLANEOUS ADMINISTRATIVE MATTERS A. Boards & Commissions B. Announcements	MR. DERON GEOUQUE	79 91
6:20	13	PUBLIC COMMENT		92
7:20	14	ADJOURN		

**AGENDA ITEM 2:**

**APPROVAL OF MINUTES:**

February 5, 2013, Regular Meeting

February 5, 2013, Closed Session

**DRAFT****MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS  
TUESDAY, FEBRUARY 5, 2013**

The Watauga County Board of Commissioners held a regular meeting on Tuesday, February 5, 2013, at 8:30 A.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

**PRESENT:** Nathan Miller, Chairman  
David Blust, Vice-Chairman  
Billy Kennedy, Commissioner  
John Welch, Commissioner  
Perry Yates, Commissioner  
Stacy Eggers, IV, County Attorney  
Deron Geouque, County Manager  
Anita J. Fogle, Clerk to the Board

Chairman Miller called the meeting to order at 8:34 A.M.

Vice-Chairman Blust opened the meeting with a prayer and Commissioner Yates led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Chairman Miller called for additions and/or corrections to the January 15, 2013, regular meeting and closed session minutes.

Commissioner Kennedy, seconded by Vice-Chairman Blust, moved to approve the January 15, 2013, regular meeting minutes as presented.

VOTE: Aye-5  
Nay-0

Commissioner Kennedy, seconded by Vice-Chairman Blust, moved to approve the January 15, 2013, closed session meeting minutes as presented.

VOTE: Aye-5  
Nay-0

**APPROVAL OF AGENDA**

Chairman Miller called for additions and/or corrections to the February 5, 2013, agenda.

County Manager Geouque requested to remove the library annual reports from this agenda as the original request was to present at the February 19, 2013.

County Manager Geouque stated that Ms. Lisa Doty would present the Project of the Year Award for Small Electricity Projects which was listed on the agenda under Miscellaneous Administrative Matters.

Commissioner Yates, seconded by Commissioner Welch, moved to approve the February 5, 2013, agenda as amended.

VOTE: Aye-5  
Nay-0

### **SHERIFF’S OFFICE VEHICLE BID REQUESTS**

County Manager Geouque stated that the Sheriff’s Office had received the following bids for four (4) new vehicles:

<b>Vendor</b>	<b>Vehicle Type</b>	<b>State Contract Price (per vehicle)</b>	<b>Local Price (per vehicle)</b>
Ross Chrysler	Dodge Charger V8 rear wheel drive/police package	\$22,854.00	\$23,900.00
Mack Brown	Chevrolet Caprice V6 rear wheel drive/police package	\$26,246.00	\$26,453.30
Boone Ford	Police Interceptor V6 police package/all-wheel drive	\$26,005.00	\$24,110.00

Boone Ford presented the lowest responsive bid for four all-wheel drive police interceptor sedans at a total of \$96,440 plus \$2,917.20 for taxes and tags for a total amount of \$99,357.20. Adequate funds are budgeted to cover the purchase cost of the vehicles. The County Manager stated that Captain Redmon would bring another bid for equipment and installation at a future meeting.

Commissioner Kennedy, seconded by Commissioner Yates, moved to accept the low bid from Boone Ford in the amount of \$96,440 plus \$2,917.20 for taxes and tags for a total purchase amount of \$99,357.20 for the four (4) Ford all-wheel drive police interceptor sedans.

VOTE: Aye-5  
Nay-0

### **OUR MOTHER’S GARDEN PROPOSAL**

Ms. Susan Tumbleston with Appalachian State University’s The Active Choice requested permission to construct a garden on County-owned land located between the Lois E. Harrill Senior Center and the Appalachian District Health Department. “Our Mother’s Garden” would include a walking track, fence, flower beds, raised vegetable gardens, horseshoe pit, other outdoor recreational options, and a natural play area for children.

Funding for the project was proposed to be generated from community donations including a \$500 donation from The Active Choice. Ms. Tumbleston requested the County protect the garden in all future changes to the property by including the garden in the design of any County infrastructure on that property. Additionally, if the County decided to sell the property, Ms. Tumbleston requested the County would provide notice as well as first refusal rights to purchase the property. Ms. Tumbleston suggested donations run through the Parks and Recreation budget.

Senior Center Director Tabitha Thomas stated that the Senior Center has already utilized the space by installing raised vegetable beds and a horseshoe pit. Ms. Thomas stated that the outdoor recreational space would be an asset to all seniors in the County.

County Manager Geouque stated that alternate locations were provided for the garden but the proposed site was preferred.

After lengthy discussion, Commissioner Yates, seconded by Commissioner Kennedy, moved to table consideration of the proposal to allow for Board members to view the proposed site.

### **PRESENTATION OF SMOKY MOUNTAIN CENTER'S ANNUAL AUDITED FINANCIAL REPORT**

Ms. Margaret Pierce, Finance Director, presented the Smoky Mountain Center Annual Audited Financial Statements as required by Statute and introduced Mr. Jason Ainsley, Smoky Mountain Center Assistant Finance Director, who gave a brief overview of the report.

Mr. Ainsley stated that Smoky Mountain Center had received a clean audit with no comments included in the Manager's letter.

The report was given for information only; therefore, no action was required.

Commissioner Kennedy, the Board's representative on the Smoky Mountain Center Board, stated that it was statutory for the County to provide mental health services which was done through Smoky Mountain Center which currently served as the Local Management Entity (LME) for fifteen (15) counties. The Smoky Mountain Center Board was currently comprised of thirty (30) members with a Board of Commissioners representative for each County under the LME.

Recent legislation proposed reducing LME's Boards to twenty-one (21) members with ten (10) seats requiring very specific qualifications. That would leave only eleven (11) for Board of Commissioners representatives and three (3) of the State's LME's serve more than ten (10) Counties. Watauga County could potentially lose representation on the Smoky Mountain Center Board.

After discussion and by consensus, the Board directed the County Manager to prepare a resolution requesting each county have representation on their LME's Board.

Commissioner Kennedy stated that he would forward a copy of a similar resolution by the Smoky Mountain Center Board to the County Manager.

## **HIGH COUNTRY COMMUNITY HEALTH REPORT**

Ms. Pam Rush, Nursing Supervisor with the Appalachian District Health Department, introduced Mr. Bryan Belcher and Ms. Alice Salthouse with High Country Community Health.

Ms. Salthouse and Mr. Belcher presented a brief history of the development of High Country Community Health (HCCH) which was a new federally funded Community Health Center for Watauga and Avery Counties. The Watauga branch was co-located within the Appalachian District Health Department's Boone location. The HCCH would be providing primary medical and dental care regardless of ability to pay. It was not a free clinic but would have a sliding fee scale for the uninsured, while accepting Medicaid, Medicare, and private insurances. The HCCH officially began seeing patients on Monday, January 21, 2013.

The report was given for information only; therefore, no action was required.

## **REQUEST TO RENAME THE WATAUGA COUNTY LIBRARY TO THE EVELYN SHOOK JOHNSON MEMORIAL LIBRARY**

Ms. Peggy Hartley proposed the Board rename the Watauga County Library to the Evelyn Shook Johnson Memorial Library in honor of the memory of Ms. Shook who was a librarian at the Watauga County Library for 36 years. Ms. Hartley shared that there has been a strong show of public support since the request had been placed on the agenda.

Ms. Audrey Hartley, Board member of both the Watauga County Library Board and the Appalachian Regional Library Board, stated that neither Board had met since the proposal had been made; however, she was personally supportive.

County Manager Geouque stated that historically, the County had not named facilities after individuals and thus did not have an official naming policy. The only County facility currently named after an individual was the Lois E. Harrill Senior Center. Ms. Harrill was the first Director of the Project on Aging and was killed in an automobile accident.

Chairman Miller tabled further discussion to allow the County Manager an opportunity to draft an official naming policy for County facilities prior to consideration of the proposal. Chairman Miller stated that, if renaming the facility was considered, he would like to hold a public hearing to allow for citizen comment prior to taking action as well.

## **PRESENTATION OF 2012 REGIONAL MITIGATION PLAN**

Mr. Steve Sudderth, Fire Marshal, will present the High Country Regional Mitigation Plan. FEMA requires the plan to be updated every five (5) years. In the past, the plan only covered Watauga County and its municipalities. However, a grant for a regional mitigation plan for Watauga, Ashe, Alleghany, and Wilkes was received. The plan is required to be adopted in order for the County to receive reimbursements from FEMA in the event a disaster is declared in the County.

The plan has been adopted by all of the Watauga County municipalities, North Carolina Emergency Management, and FEMA.

Commissioner Yates, seconded by Commissioner Kennedy, moved to accept the 2012 Regional Mitigation Plan as presented.

After realizing not all Commissioners had an opportunity to review the over three-hundred page Plan, Commissioner Yates withdrew his motion of acceptance.

Chairman Miller tabled consideration of the Plan until the February 19, 2013, meeting.

## **TAX MATTERS**

### ***A. Monthly Collections Report***

Tax Administrator Larry Warren presented the Tax Collections Report for the month of January 2013. This report was presented for information only and, therefore, no action was required.

### ***B. Refunds and Releases***

Mr. Warren presented the following Refunds and Releases for January 2013 for Board approval:

TO BE TYPED IN MINUTE BOOK

Vice-Chairman Blust, seconded by Commissioner Welch, moved to approve the Refunds and Releases Report for January 2013, as presented.

VOTE: Aye-5  
Nay-0

## **BUDGET AMENDMENTS**

Ms. Margaret Pierce, Finance Director, reviewed the following budget amendments:

Account #	Description	Debit	Credit
103300-359110	National Timber Receipts		\$19
105911-469801	WC Schools National Timber Funds	\$19	

The amendment recognized additional National Timber Receipts received. The funds were passed through the County to the Watauga County School System as required by law. The original budget amount was \$575. Since \$593.72 was received, this budget amendment was required.

Account #	Description	Debit	Credit
103300-343308	NC DOT Bike and Pedestrian Grant		\$600,000
104285-457003	Capital Outlay – Construction	\$600,000	

The amendment recognized a grant award accepted from the NC DOT for construction of a multi-use greenway underpass beneath Highway 421. There was no required County match.

Account #	Description	Debit	Credit
103300-343305	NC DOT Bike and Pedestrian Grant		\$375,000
104285-457001	Capital Outlay – Construction	\$375,000	

The amendment recognized a grant award accepted from the NC DOT for construction of a greenway trail near Mystery Hill and beneath Highway 321. There was no required County match.

Account #	Description	Debit	Credit
143585-323000	Title XX Day Care		\$9,682
145850-440900	Title XX Day Care Direct Services	\$9,682	
143531-323000	Administrative Reimbursements		\$174,973
145410-440002	Low Income Home Energy Assistance	\$68,208	
145480-438800	Crisis Intervention Payments	\$106,765	

The amendment recognized additional State and Federal allocations for direct services programs. These funds were passed through the County to citizens who qualified for assistance with day care costs and home heating costs.

Commissioner Yates, seconded by Commissioner Welch, moved to approve the budget amendments as presented by Ms. Pierce.

VOTE: Aye-5  
Nay-0

## **MISCELLANEOUS ADMINISTRATIVE MATTERS**

### ***A. Tentative Annual Retreat Agenda***

County Manager Geouque reviewed the draft agenda for the Annual Retreat scheduled for February 22 and 23 and encouraged Board members to contact him with any changes, additions, or questions.

### ***B. Project of the Year Award for Small Electricity Project***

Ms. Lisa Doty, Recycling Coordinator, stated that each year, the US EPA's Landfill Methane Outreach Program (LMOP) recognized the Partners for excellence in innovation and creativity, success in promoting landfill gas (LFG) energy, and achieving both environmental and economic benefits. These award-winning LFG energy projects and companies contribute to job creation and provide energy savings and green power generation. Ms. Doty accepted the Project of the Year Award for Small Electricity Projects on January 30, 2013, for the Watauga County Landfill Gas to Energy Project at the EPA's 16th Annual LMOP Conference and Project Expo in Baltimore, Maryland.

### ***C. Proposed Amendments to Appalachian Healthcare System, Inc., Bylaws***

County Manager Geouque stated that the Appalachian Regional Healthcare System (ARHS) had formally requested proposed amendments to their Bylaws. The changes were made to assure compliance with all applicable laws and regulations. ARHS wanted to more clearly define the



definition of their Board's "At-Large Trustee." The new definition would require the "At-Large Trustee" to be a resident of the primary service area in counties of North Carolina other than Watauga County. At all times, no less than two-thirds (2/3) of the members of the Board of Trustees shall be Watauga County Trustees.

Chairman Miller, the Board of Commissioner representative on the Watauga Medical Center's Board of Trustees stated that the change was in part due to the recent purchase of Cannon Memorial Hospital which was located in Avery County and would therefore allow Avery County representation on the ARHS Board.

Commissioner Kennedy, seconded by Commissioner Yates, moved to approve the amended Bylaws of the Appalachian Regional Healthcare System as presented.

VOTE: Aye-5  
Nay-0

***D. Request for an Appointment to the Appalachian Theater Board of Trustees***

County Manager Geouque stated that the County had received a request from the Appalachian Theater of the High Country to join in an effort to renovate, restore, preserve, operate, program, and the manage the Appalachian Theater. The Bylaws of the organization provide for the County to designate a representative to serve as an ex-officio member of their Board of Trustees. The organization held meetings at the Jones House every fourth Wednesday of each month at 8:00 A.M.

Commissioner Yates, seconded by Commissioner Welch, moved to appoint Commissioner Kennedy, who had expressed interest in serving, as the Board of Commissioner representative and ex-officio member of the Appalachian Theater Board of Trustees.

VOTE: Aye-5  
Nay-0

***E. Boards & Commissions***

County Manager Geouque stated that two terms on the Watauga County Tourism Development Authority (WCTDA) were set to expire at the end of February 2013. Mr. Gray was willing to continue to serve if so appointed. Mr. Rob Holton, Mr. David Barker, and Ms. Victoria Smith had each expressed interest in serving as well.

The above were first readings and, therefore, no action was required at this time.

County Manager Geouque stated that the Watauga Medical Center Board of Trustees had recommended Mrs. Kim Miller for appointment and Mr. Keith Tester and Ms. Jan Winkler for reappointment as Board Trustees. Each of their terms would be effective January 1, 2013, through December 31, 2015. This was the first reading of Mrs. Miller's nomination and a second reading of Mr. Tester and Ms. Winkler's nominations.

Commissioner Yates, seconded by Commission Welch, moved to waive the second reading for Mrs. Kim Miller's nomination and appoint Mrs. Kim Miller and reappoint Mr. Keith Tester, and Ms. Jan Winkler to the Watauga Medical Center Board of Trustees with each of their terms to expire December 31, 2015.

VOTE: Aye-5  
Nay-0

County Manager Geouque stated that the term of Watauga County Adult Care Home Community Advisory Committee (ACCAC) member, Ms. Glenda Hodges, expired January 17, 2013. The High Country Council of Governments' Regional Long Term Care Ombudsman, Ms. Julie Wiggins, nominated Ms. Hodges, who was willing to continue to serve, for reappointment.

Vice-Chairman Blust, seconded by Commissioner Yates, moved to reappoint Ms. Glenda Hodges to the Watauga County Adult Care Home Community Advisory Committee.

VOTE: Aye-5  
Nay-0

County Manager Geouque stated that each Commissioner appointed a representative to the Boone Rural Fire Protection Service District Board whose term would run concurrent with the term of the appointing Commissioner. Boone Rural Fire Service District Board members must own property and reside within that Fire Service District.

Commissioner Kennedy requested to table his appointment.

County Manager Geouque stated that each Commissioner nominated a representative to the Watauga County Planning Board whose term would run concurrent with the term of the appointing Commissioner. Planning Board members must live within the appointing Commissioners District and action must be taken by the entire Board of Commissioners to make these appointments.

Commissioner Kennedy and Commissioner Welch tabled their nominations.

#### ***F. Announcements***

County Manager Geouque announced the following:

- The UNC School of Government and the North Carolina Association of County Commissioners (NCACC) jointly hold a two-day orientation to county government in four locations across the state. The 2013 Essentials of County Government Course, which includes required ethics training, is for newly elected officials, veteran elected officials and managers.
- The Annual Pre-Budget Retreat will be held on February 22 (12:00 – 6:00 P.M.), and 23 (9:00 A.M. – 12:00 P.M.), 2013, in the Commissioners' Board Room.

- At their January meeting, the NCDOT approved the County’s request to designate a segment of NC 194 from Valle Crucis to Hade Smith Road Intersection in honor of Ed Yates. The County will participate in the cost of the signage in the amount of \$1,000.
- The Watauga County Board of Commissioners will hold a public hearing at 6:00 p.m. on Tuesday, February 19, 2013, in the Watauga County Administration Building located at 814 West King Street, Boone, North Carolina. The purpose of the hearing is to allow public comment on the reclassification of a portion of the South Fork New River watershed.
- An Intergovernmental Retreat is scheduled for Monday, March 4, 2013, from 5:00 to 7:00 P.M. Representatives from Watauga County; the Towns of Beech Mountain, Blowing Rock, Boone, and Seven Devils; and Appalachian State University may be in attendance. The Retreat will include a discussion of the High Country United Way Vision Council and will be held in the 5th Floor Lobby of the Appalachian Athletic Center on the campus of Appalachian State University, located at 425 Jack Branch Drive, Boone, North Carolina.

**PUBLIC COMMENT**

There was no public comment.

**CLOSED SESSION**

At 10:00 A.M., Commissioner Welch, seconded by Commissioner Yates, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3).

VOTE: Aye-5  
Nay-0

Chairman Miller, seconded by Commissioner Kennedy, moved to resume the open meeting at 10:31 A.M.

VOTE: Aye-5  
Nay-0

**ADJOURN**

Vice-Chairman Blust, seconded by Commissioner Welch, moved to adjourn the meeting at 10:31 A.M.

VOTE: Aye-5  
Nay-0

\_\_\_\_\_  
Nathan A. Miller, Chairman

ATTEST:

\_\_\_\_\_  
Anita J. Fogle, Clerk to the Board

**AGENDA ITEM 3:**

**APPROVAL OF THE FEBRUARY 19, 2013, AGENDA**

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**AGENDA ITEM 4:**

**SHERIFF'S OFFICE GRANT REQUEST**

**MANAGER'S COMMENTS:**

Captain Dee Dee Rominger will request permission from the Board to apply for a \$1,000 grant from the Boone Service League. The grant would be used to purchase protective equipment to be utilized by Captain Rominger in her self-defense classes.

Staff requests Board permission to apply for the grant.



# WATAUGA COUNTY SHERIFF'S OFFICE

184 HODGES GAP ROAD  
BOONE, NORTH CAROLINA 28607  
(828) 264-3761 • FAX (828) 263-5345

LEN D. HAGAMAN, JR.  
SHERIFF

## MEMORANDUM

TO: Deron Geouque  
County Manager

FROM: Dee Dee Rominger *DDR*  
Investigation Captain

RE: Boone Service League Grant

DATE: February 11, 2013

I am writing to request that I be placed on the agenda for the February 19, 2013 County Commissioner's Meeting to ask for permission to apply for a \$1000.00 grant from the Boone Service League. I have attached a copy of the information concerning the grant. At this time I have not filled out the grant due to the fact that once it is filled out it must be submitted electronically.

As you know I am very involved with our community. On numerous occasions I am asked to teach basic self-defense classes to teenage girls and women in our community. If allowed to apply for this grant I would be using the money to purchase hand protectors, head protectors, hand strike pads and foot strike pads to be used during these classes.

Thank you in advance for your consideration.

Cc: Sheriff Len D. Hagaman, Jr.



# BOONE SERVICE LEAGUE

A HEART FOR THE HIGH COUNTRY

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## Grant Application

Boone Service League, a community service organization of local women, is currently accepting applications from local non-profit organizations for the annual Boone Service League Grants. Application guidelines are listed below.

1. Grants shall be awarded only to non-profit organizations with a 501(c)(3) status and government agencies operating within the High Country and serving the High Country, including Watauga, Ashe, and Avery Counties. Non-profits with board members or presidents who are also BSL members may still apply.
2. The total amount of money available for grants this year is \$7,000.00. The number of awards will vary based on the amount of funds requested by applicants.
3. No award in excess of \$1,000.00 will be made to any single organization, in order to help as many organizations as possible. Monies granted must be used for a project or special program.
4. Any organization, regardless of being located in our 3 county area, applying must plan to use the funds WITHIN Watauga, Avery, and Ashe counties (i.e. not funding for a national organization or for travel/missions outside of the 3 counties).
5. Organizations applying for grant money must:
  - Complete the application below by midnight on Monday, March 25, 2013.
  - Submit one reference from someone outside of the organization. This may be a BSL member, as long as she is not a member of the applying organization.
  - Evidence of 501(c)(3) status must be available upon request.
6. Grant recipients will be notified by the first week of April.

You will receive a confirmation within 48 hours of the receipt of your application. If you do not receive a confirmation, please contact Kelli Haas, Grant Committee chairman, directly at [kh51845@yahoo.com](mailto:kh51845@yahoo.com). Furthermore, if you have other questions regarding the Boone Service League grant process for 2013, please contact Kelli Haas at [kh51845@yahoo.com](mailto:kh51845@yahoo.com).

Name of Organization: \_\_\_\_\_

## Meeting Times

Meetings are held at Deerfield Methodist Church in Boone, N.C. the first Tuesday of the month.

## Important Dates

- Spring Picture Packages

TBA





Address:  
.....

Contact Person Name:  
.....

Contact Person Phone Number:  
.....

Contact E-mail Address:  
.....

Reference Name:  
.....

Reference Phone Number:  
.....

Reference E-mail Address:  
.....

Mission of the Organization (limit 50 words):  
.....

Amount Requested (not to exceed \$1000):

\$

How will the money be used? (limit 1000 words)  
.....

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## AGENDA ITEM 5:

### PRESENTATION OF FY 2012 AUDIT REPORT

#### MANAGER'S COMMENTS:

Ms. Kathy Brown will present the Fiscal Year 2012 County audit. The County had another successful year due to the dedication, diligence, and efficiency of County staff and the strong support received by the Commissioners. Below are some of the highlights:

- ❖ The total assets of the County exceeded its liabilities at the close of the fiscal year by \$114,159,071, an increase of \$3,352,145.
- ❖ The County's unassigned fund balance for the general fund was \$13,483,680 at the end of the year, representing 28.54% of total General Fund expenditures net of the refinancing loan payoffs of \$60,251,201. The state average in 2011 was 26.27% for counties our population in NC. This is an increase of 1,603,324 in unassigned fund balance from the previous year. The additional categories of fund balance (restricted, assigned and committed) consist of \$713,485 assigned fund balance and restricted fund balance of \$3,096,698 in the general fund.
- ❖ Although the Board approved general fund balance appropriations of \$8,150,103 a net deduction of only \$4,532,887 was realized due to revenues in excess of budget estimates and expenditures less than budgeted amounts. Within this reduction to general fund balance is the \$4,139,370 transferred to the Capital Projects Fund for the debt service plan. Expenditure savings came from continued conservative budgeting, limited capital purchases and delayed rehiring for positions which became open during the fiscal year.
- ❖ The collection rate for property taxes remained steady at 97.71% which was an increase from last year's 97.21%. We are still well above the statewide average of 96.96% in 2011.
- ❖ **Outstanding debt principal decreased by \$9,066,035.** Total outstanding debt principal at June 30, 2012 is \$63,605,549. Watauga County's legal debt limit is \$704,668,390 so the County is well below the state limits.
- ❖ No material weaknesses were found in our accounting systems or internal controls.

The audit is presented for your information only and, therefore, no action is required.

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**AGENDA ITEM 6:****REVISED AUDIT CONTRACT FOR FY 2012****MANAGER'S COMMENTS:**

Ms. Margaret Pierce will present a revised contract for audit services for FY 2012 with Bryce Holder, CPA, PA, in which the Local Government Commission (LGC) is requiring the date of services to be changed since the County's audit was delayed by the tardiness of AppalCART. In addition, the LGC is requesting the County respond in thirty (30) days as to how the County will ensure the audit for next year is submitted by October 31, 2013. The County has been working with AppalCART to make the necessary changes to ensure their financial information is completed in a timely manner and does not delay the presentation of the County's audit.

Board approval is required to change the date of service in order for payment to be released for services rendered by Bryce Holder, CPA, PA.

**AMENDED**

LGC-205 (Rev. 2012)

**CONTRACT TO AUDIT ACCOUNTS**  
Of WATAUGA COUNTY

Governmental Unit

On this 29TH day of JANUARY, 2013, BRYCE HOLDER CPA, PA

Auditor

PO BO X 1908 BOONE NC 28607

Mailing Address

\_\_\_\_\_, hereinafter referred to as

the Auditor, and COUNTY COMMISSIONERS of WATAUGA COUNTY, hereinafter referred

Governing Board

Governmental Unit

to as the Governmental Unit, agree as follows:

1. The Auditor shall audit all statements and disclosures required by generally accepted accounting principles and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit for the period beginning JULY 1, 2011, and ending JUNE 30, 2012. The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion will be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate discretely presented component units, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).
2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with generally accepted auditing standards. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB Circular A-133 and the State Single Audit Implementation Act, the auditor shall perform a Single Audit. This audit and all associated workpapers may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the LGC. If the audit and/or workpapers are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners.
3. This contract contemplates an unqualified opinion being rendered. If financial statements are not prepared in accordance with generally accepted accounting principles (GAAP), or the statements fail to include all disclosures required by GAAP, please provide an explanation for that departure from GAAP in an attachment.
4. This contract contemplates an unqualified opinion being rendered. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, July 2007 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of their most recent peer review report regardless of the date of the prior peer review report to the Governmental Unit and the Secretary of the Local Government Commission prior to the execution of the audit contract. (See Item 22) If the audit firm received a peer review rating other than pass, the auditor shall not contract with any Local Government Units without first contacting the Secretary of the Local Government Commission for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards*, the Auditor shall provide an explanation as to why in an attachment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to the SLGFD within four months of fiscal year end. Audit report is due on: JANUARY 31, 2013. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay must be submitted to the Secretary of the Local Government Commission for approval.
7. It is agreed that generally accepted auditing standards include a review of the Governmental Unit's systems of internal control and accounting as the systems relate to accountability of funds, adherence to budget requirements, and adherence to law requirements. In addition, the Auditor will make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his findings, together with his recommendations for improvement. That written report must include all matters defined as "significant deficiencies and material weaknesses" in AU 325 of the *AICPA Professional Standards*. The Auditor shall file a copy of that report with the Secretary of the Local Government Commission.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the Local Government Commission. This includes annual or special audits, agreed upon procedures related to Internal Control, bookkeeping or other assistance necessary to prepare the Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit until the invoice has been approved by the Secretary of the Local Government Commission. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] The process for invoice approval has changed. All invoices for Audit work must be submitted by email in PDF format to the Secretary of the Local Government Commission for approval. The invoices must be emailed to: [lgc.invoices@nctreasurer.com](mailto:lgc.invoices@nctreasurer.com)

Email Subject line should read "unit name – invoice. The PDF invoice marked approved with approval date will be returned by email to the Auditor for them to present to the Local Government Unit for payment. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

9. In consideration of the satisfactory performance of the provisions of this agreement, the Governmental Unit shall pay to the Auditor, upon approval by the Secretary of the Local Government Commission, the following fee, which includes any cost the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (Federal and State grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts:

Year-end bookkeeping assistance – [*For audits subject to Government Auditing Standards, this is limited to bookkeeping services permitted by revised Independence Standards*] N/A

Audit AT OUR STADARD GOVERNMENTAL BILLING RATES NOT TO EXCEED 42,400. INTERIM BILLINGS WILL BE MADE

Preparation of the annual financial statements AT OUR STANDARD GOVERNMENTAL BILLING RATES NOT TO EXCEED \$3000

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) auditors may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees above. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee. The 75% cap for interim invoice approval for this audit contract is \$ \_\_\_\_\_

10. The auditor working with a local governmental unit that has outstanding revenue bonds will include in the notes to the audited financial statements, whether or not required by the revenue bond documents, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the auditor should be aware that any other bond compliance statements or additional reports required in the authorizing bond documents need to be submitted to the Local Government Commission simultaneously with the local government's audited financial statements unless otherwise specified in the bond documents.
11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include but not be limited to the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the governmental unit and all of its component units prepared in accordance with generally accepted accounting principles, (c) supplementary information requested by the client or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board as soon as practical after the close of the accounting period.
12. If the audit firm is required by the NC CPA Board or the Secretary of the Local Government Commission to have a pre-issuance review of their audit work, there must be a statement added to the engagement letter specifying the pre-issuance review including a statement that the Unit of Government will not be billed for the pre-issuance review. The pre-issuance review must be performed prior to the completed Audit being submitted to the Local Government Commission. The pre-issuance report must accompany the audit report upon submission to the Local Government Commission.
13. The Auditor shall electronically submit the report of audit to the Local Government Commission when (or prior to) submitting the invoice for services rendered. The report of audit, as filed with the Secretary of the Local Government Commission, becomes a matter of public record for inspection and review in the offices of the Secretary by any interested parties. Any subsequent revisions to these reports must be sent to the Secretary of the Local Government Commission. These audited financial statements are used in the preparation of Official Statements for debt offerings (the auditors' opinion is not included), by municipal bond rating services, to fulfill secondary market disclosure requirements of the Securities and Exchange Commission, and other lawful purposes of the government, without subsequent consent of the auditor. If it is determined by the Local Government Commission that corrections need to be made to the unit's financial statements they should be provided within three days of notification unless, another time frame is agreed to by the Local Government Commission.

The Local Government Commission's process for submitting contracts, audit reports and Invoices are subject to change. Auditors should use the submission process in effect at the time of submission.

In addition, if the North Carolina Office of the State Auditor designates certain programs to be audited as major programs, a turnaround document and a representation letter addressed to the State Auditor shall be submitted to the Local Government Commission.

14. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the Local Government Commission, this agreement may be varied or changed to include the increased time and/or compensation as may be agreed upon by the Governing Board and the Auditor.
15. If an approved contract needs to be varied or changed for any reason, the change must be made in writing, signed and dated by all parties and pre-audited if the change includes a change in audit fee. This document and a written explanation of the change must be submitted by email in PDF format to the Secretary of the Local Government Commission for approval. The portal address to upload your amended contract and Letter of explanation documents is <http://nctreasurer.slgfd.leapfile.net> No change shall be effective unless approved by the Secretary of the Local Government Commission, the Governing Board, and the Auditor.

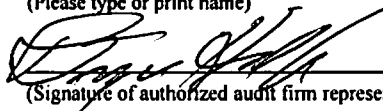
- 16. Whenever the Auditor uses an engagement letter with the client, Item 17 is to be completed by referencing the engagement letter and attaching a copy of the engagement letter to the contract to incorporate the engagement letter into the contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract will control. Engagement letter terms are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 22 of this contract. Engagement letters containing indemnification clauses will not be approved by the Local Government Commission.
- 17. Special provisions should be limited. Please list any special provisions in an attachment.
- 18. A separate contract should not be made for each division to be audited or report to be submitted. A separate contract must be executed for each component unit which is a local government and for which a separate audit report is issued.
- 19. The contract must be executed, pre-audited, physically signed by all parties and submitted in PDF format including unit and auditor signatures to the Secretary of the Local Government Commission. The current portal address to upload your contractual documents is <http://nctreasurer.slgfd.leapfile.net> Electronic signatures are not accepted at this time. Included with this contract are instructions to submit contracts and invoices for approval as of March 5, 2012. These instructions are subject to change. Please check the NC Treasurer's web site at [www.nctreasurer.com](http://www.nctreasurer.com) for the most recent instructions.
- 20. The contract is not valid until it is approved by the Local Government Commission. The staff of the Local Government Commission shall notify the unit and auditor of contract approval by email. The audit should not be started before the contract is approved.
- 21. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the Local Government Commission.
- 22. All of the above paragraphs are understood and shall apply to this agreement, except the following numbered paragraphs shall be deleted: (See Item 16.)
- 23. All communications regarding Audit contract requests for modification or official approvals will be sent to the email Addresses provided in the following areas.

**Audit Firm Signature:**

Firm BRYCE HOLDER CPA PA

By BRYCE HOLDER

(Please type or print name)

  
(Signature of authorized audit firm representative)

Email Address of Audit Firm:

bryce@bryceholdercpa.com

Date 1/29/13

**Unit Signatures:**

By NATHAN MILLER

(Please type or print name and title)

(Signature of Mayor/Chairperson of governing board)

Date \_\_\_\_\_

Date Governing Body Approved Audit Contract - G.S. 159-34(a)

**Unit Signatures (continued):**

By \_\_\_\_\_  
(Chair of Audit Committee- please type or print name)

N/A

(Signature of Audit Committee Chairperson)

Date \_\_\_\_\_  
(If unit has no audit committee, this section should be marked "N/A.")

This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act. Additionally, the following date is the date this audit contract was approved by the governing body.

MARGARET PIERCE

Governmental Unit Finance Officer (Please type or print name)

(Signature)

Email Address of Finance Officer

margaret.pierce@watgov.org

Date \_\_\_\_\_  
(Preaudit Certificate must be dated.)

**AGENDA ITEM 7:**

**PRESENTATION OF THE WATAUGA COUNTY PUBLIC LIBRARY ANNUAL REPORT**

**MANAGER'S COMMENTS:**

Ms. Monica Caruso, County Librarian, will present the Watauga County Public Library Annual Report as included.

The report is for information only; therefore, no action is required.



# Watauga Libraries... a Source of Pride!



# Important Five-Year Plan Accomplishments

- One-on-one computer classes
- Job search/career development workshops
- Small business workshops/Quickbooks
- VITA- tax preparation assistance
- Summer Reading Program  
Book Clubs/Watauga Reads

# In Watauga County – population 51,079

## There were 20,173 cardholders in fiscal year 2011-2012



# The library had a total of 169,937 visitors



# 271,612 items were borrowed!



# One-on-one Computer Classes

223 appointments taken! Customers learned about Word, Excel, Email, Face book and more!

Skills are helpful in gaining employment.

37,403 adult computer log-ins!

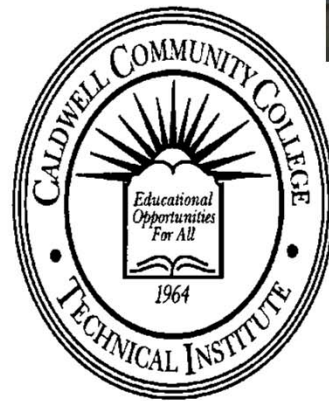


# The library co-sponsored Small Business Workshops with Caldwell Community College's Small Business Institute ...

71 total attended!

Workshops included....

- How To Start A Business
- How To Write An Effective Business Plan
- Market Research
- QuickBooks



# VITA – Volunteers for Income Tax Assistance (IRS, ASU & ARL!)

- 12 volunteers prepared returns for 138 locals.  
Refunds/credits = \$158,819







**Summer Reading - Snake Program, 2012**  
**23 programs offered with 1289 total attending at the**  
**Main Library and Branch**

**In 2012, 853 total children and young adults registered in our annual summer reading program! Over many summers if children are not reading , they can lose a year or more of reading development. Research has found that this can be more profound for low income and/or students living in rural areas.**

# 935 adult and children's programs with attendance totaling 13,447



Reading & Rolling in partnership with library, 2012  
14 volunteers delivered books to 65 elementary students in  
the county--4 deliveries to each child, 10 books each time---  
that's 2600 books, plenty of summer reading!



# Meeting Room Use...

by outside agencies 355 times  
(attendance = 6,735 )



# A tribute in memory of Evelyn...who gave so much of herself to the community!



**AGENDA ITEM 8:**

**PRESENTATION OF THE APPALACHIAN REGIONAL LIBRARY, INC., ANNUAL REPORT**

**MANAGER'S COMMENTS:**

Ms. Molly Westmoreland, Regional Director, will present the Appalachian Regional Library, Inc., Annual Report as included.

The report is for information only; therefore, no action is required.

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# **Five-Year Plan 2010-14**

## **Progress Report**



# Provide downloadable media beginning in fiscal year 2011-2012.

- Implemented January 2012
- Purchased 551 e-books to date
- Total downloads by customers 5,756



# Offer training to the public in the use of new technologies, including downloadable media

- On demand training for e-books
- 1 on 1 tutoring for computer skills
- Classes on database searching



# Explore two grant possibilities per year for collections, technology, and programs

- FY 2011-2012 **\$84,875** LSTA grant to implement RFID Technology in Watauga County Library
- FY 2011-2012 **\$37,494** LSTA grant to participate in Statewide Library Card/Shared Catalog Project NC Cardinal



# Current Grant Projects

- FY 2012-2013 **\$61,011** LSTA grant to implement RFID Technology in Ashe County Library
- FY 2012-2013 **\$18,100** LSTA grant to serve facility-bound elders in Watauga County by providing e-readers and materials



# Plans for FY 2013-2014

- FY 2013-2014 **\$100,000** LSTA grant to implement RFID Technology in Wilkes County Library
- FY 2013-2014 **\$26,515** LSTA grant to perform community needs assessment and develop new 5-Year-Plan for 2014-2018



# Investigate Region-wide materials security system (RFID) and self checkout

- Self-checkout and security gates in use in Watauga
- Self-checkout and security gates installed in Ashe, go live by March
- Grant application in progress for Wilkes

# Staff In-Services

- Continuing to provide an annual regional in-service training for all staff.
- Continuing to provide annual in-service training by county.



# Other Goals

- Joined Statewide Library Card/Shared Catalog December 7, 2012
- Continued to promote services as a source of employment information and assistance
- Replaced ARL Main Server April 2012







**AGENDA ITEM 9:**

**PUBLIC HEARING TO ALLOW CITIZEN COMMENT ON THE RECLASSIFICATION OF A PORTION OF THE SOUTH FORK NEW RIVER WATERSHED**

**MANAGER'S COMMENTS:**

The North Carolina Environmental Management Commission reclassified a segment of the South Fork of the New River related to the Town of Boone's proposed water intake in July of 2012. The County is required to implement watershed protection rules for the newly classified segment by March 30, 2013. The County has had a watershed protection ordinance in place since 1994.

Mr. Furman is recommending the Board adopt an official map of the subject watershed, as well as ordinance text changes incorporating the new watershed and updates. The Planning Board has already reviewed and is recommending approval. Staff has published the notice of the hearing, mailed notices of the public hearing to affected property owners, and posted signs in the affected area.

After the public hearing, the Board will need to adopt the official map and text amendments and submit to the North Carolina Division of Water Quality.

Board action is required.

**Public Hearing Notice**  
**Watauga County Board of Commissioners**  
**Tuesday, February 19, 2013**  
**6:00 PM**

The Watauga County Board of Commissioners will hold a public hearing at 6:00 p.m. on Tuesday, February 19, 2013, in the Watauga County Administration Building located at 814 West King Street, Boone, North Carolina. The purpose of the hearing is to allow public comment on the reclassification of a portion of the South Fork New River watershed.

For information call (828) 265-8043.



North Carolina Department of Environment and Natural Resources

Division of Water Quality

Beverly Eaves Perdue  
Governor

Charles Wakild, P. E.  
Director

Dee Freeman  
Secretary

July 12, 2012

Joseph A. Furman  
Director  
Watauga County Planning & Inspections and Economic Development  
331 Queen Street, Suite A  
Boone, NC 28607

Dear Mr. Furman:

The Environmental Management Commission reclassified a segment of the South Fork New River in Ashe County and Watauga County from Class C to Class WS-IV (CA and PA). The reclassification became effective on July 3, 2012. (For additional details, see <http://portal.ncdenr.org/web/emc/january-12-2012>, Action Item 12-03.)

The Water Supply Watershed Protection Act (NCGS 143-214.5) requires that all local governments having land use jurisdiction within a water supply watershed adopt and implement land use ordinances that at least meet the minimum requirements of the state's water supply watershed protection rules. The statute requires local governments to adopt and implement the appropriate watershed protection ordinance and maps within 270 days after reclassification and notification of this action.

Since Watauga County is already implementing water supply watershed protection provisions for WS-IV waters within its jurisdiction, revisions to the county's ordinance may not be necessary. If revisions are needed, please submit the revised ordinance to this office for review and approval.

You will need to update your watershed map to reflect the reclassified WS-IV waters. Please let me know if you need assistance with this. Your revised map will need to be approved by DWQ. **Please take the following actions by March 30, 2013:**

1. Adopt and implement the appropriate watershed protection ordinance (if needed).
2. Submit to us a current copy of the county's watershed ordinance for our review and files.
- ③ Submit to us an updated 1:24,000 U.S.G.S. topographic map indicating your local government boundary and the location of the reclassified waters, including critical area and protected area boundaries within your jurisdiction.

1617 Mail Service Center, Raleigh, North Carolina 27699-1617  
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604  
Phone: 919-807-6300 | FAX: 919-807-6492  
Internet: [www.ncwaterquality.org](http://www.ncwaterquality.org)

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One  
North Carolina  
*Naturally*

Watauga County -- S. Fork New River Reclass  
Page 2

If you have any questions, please contact me at (919) 807-6370 or [julie.ventaloro@ncdenr.gov](mailto:julie.ventaloro@ncdenr.gov). Thank you in advance for your efforts to comply with the reclassification. We appreciate your help in working to protect our state's water quality.

Sincerely,

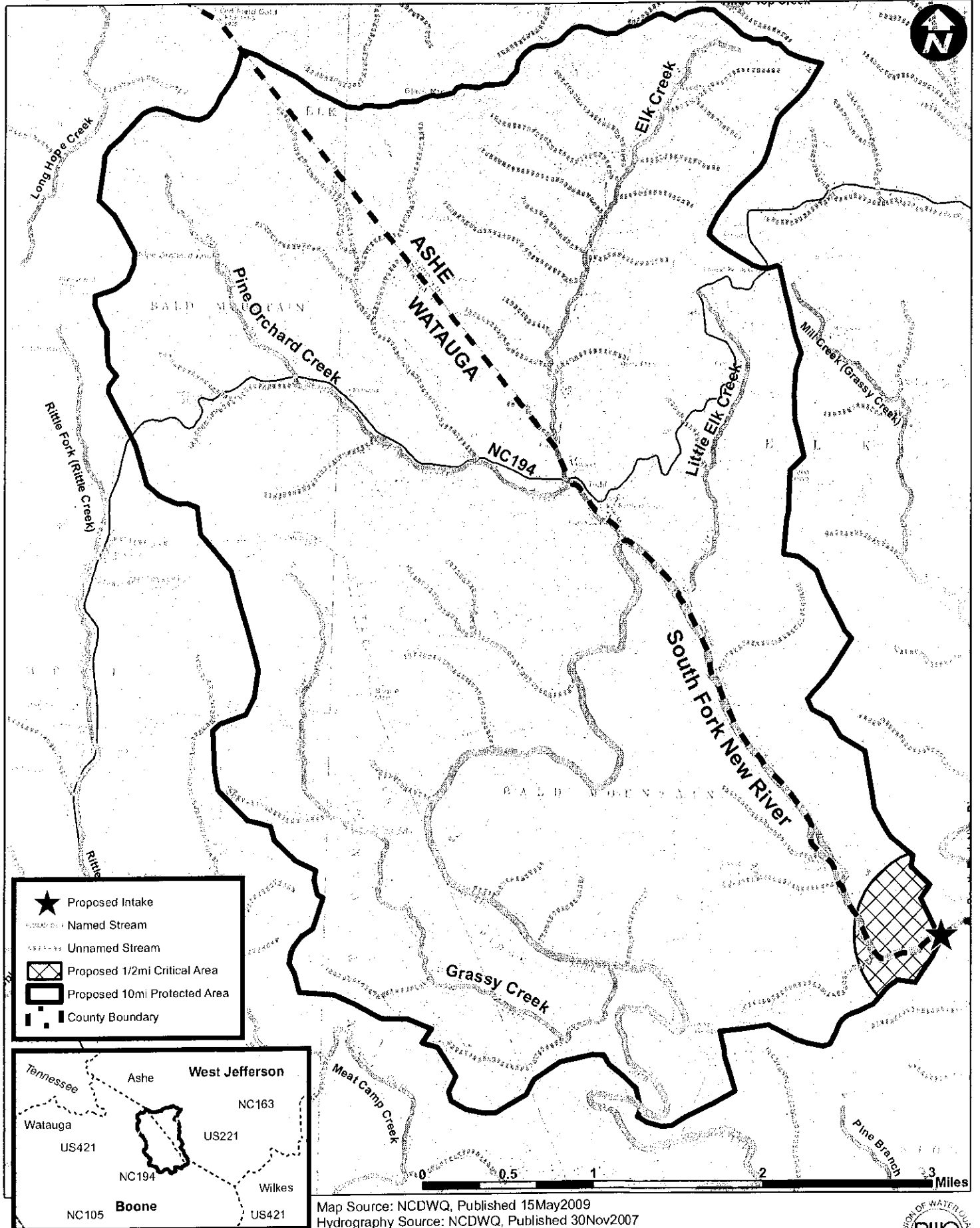


Julie Ventaloro  
Water Supply Watershed Program Coordinator

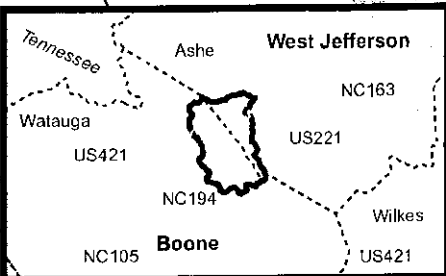
cc: Deron Geouque, Watauga County Manager, 814 West King St, Suite 205, Boone, NC 28607  
Corey Basinger, DWQ Winston-Salem Regional Office

# Proposed Water Supply Watershed (WS-IV): South Fork New River

021913 BCC Meeting  
 Watauga County  
 New River Basin, North Carolina



- ★ Proposed Intake
- Named Stream
- Unnamed Stream
- ▣ Proposed 1/2mi Critical Area
- ▭ Proposed 10mi Protected Area
- - - County Boundary



Map Source: NCDWQ, Published 15 May 2009  
 Hydrography Source: NCDWQ, Published 30 Nov 2007

This map is only as good as the data available when it was printed and is not intended to replace any rule, regulation or classification schedule.  
 North Carolina Division of Water Quality | <http://h2o.enr.state.nc.us> | 512 N. Salisbury St., Raleigh, NC 27604 (919)807-6300



Watauga  
County  
Land Records



Legend

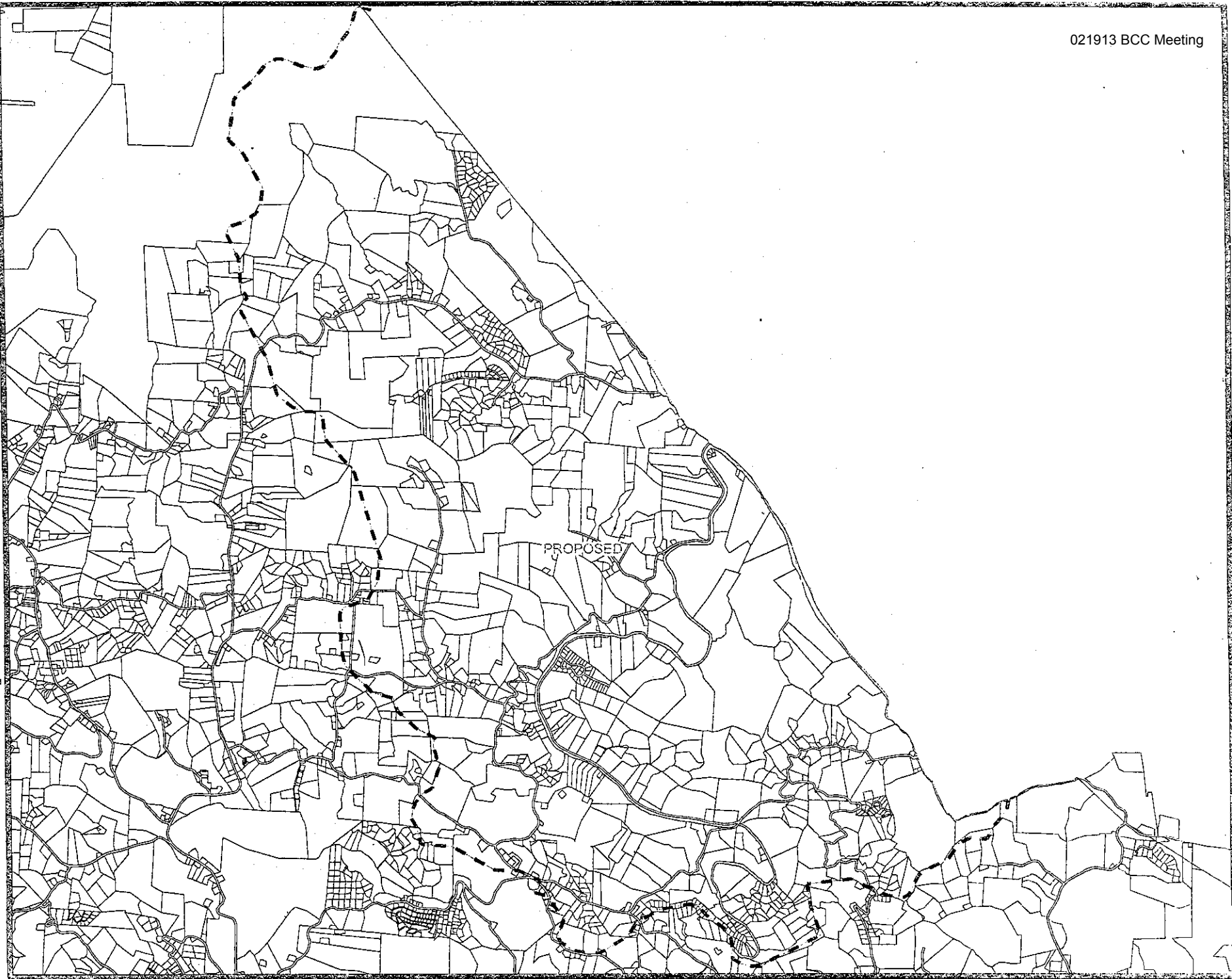
- Main
- NC Highway
- Watauga Parkway MPS
- County Border
- Waterbodies**
- Summit Creek
- Flat Top Branch
- Howard's Creek
- Howard's Creek Old at Mill
- Harris Branch
- Harris Branch Old at Mill
- Hawk Creek
- South Fork Hawk River
- Watauga Creek



Watauga County  
812 West King Street  
Boone, NC 28607  
www.wataugacounty.org  
Proposed Watershed.mxd

**Disclaimer**  
This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public property information sources should be consulted for verification of the information contained on this map. The County assumes no legal responsibility for the information contained on this map.

1 inch equals 4,274 feet



Watershed

Proposed Watershed (WS-IV)

8961 acres

1101 parcels

735 owners



Watauga  
County  
Land Records



Legend

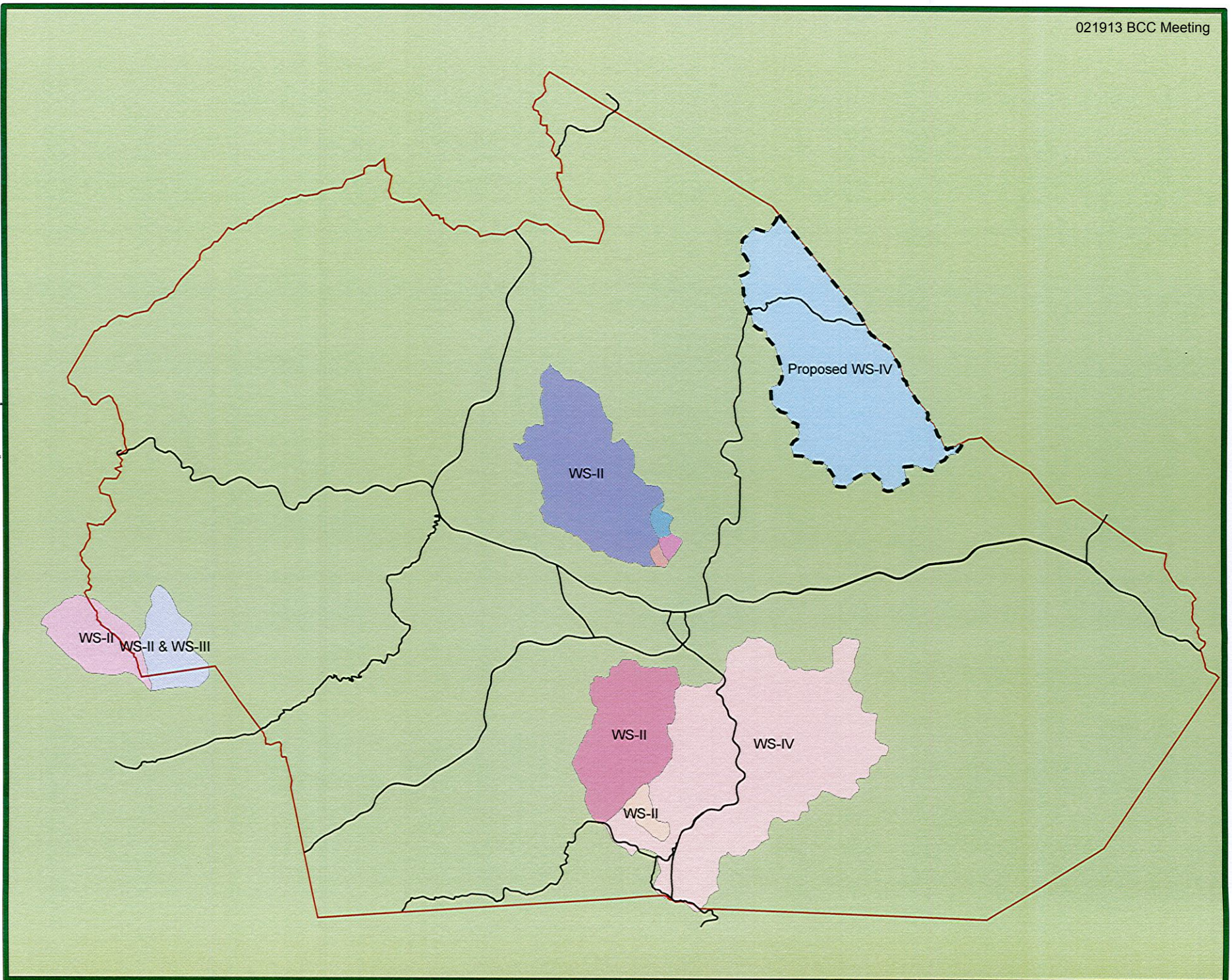
- Roads
- NC Highways
- Blueidge Parkway NPS
- County Border
- Watersheds**
- Buckeye Creek
- Flat Top Branch
- Howser's Creek
- Howser's Creek Critical Area
- Norris Branch
- Norris Branch Critical Area
- Pond Creek
- South Fork New River
- Watauga's Creek
- Proposed Water Supply WS



Watauga County  
 842 West King Street  
 Boone, NC 28607  
 www.wataugacounty.org  
 Printed: Feb 1, 2011  
 \\BWT\Prop\WSIV.mxd

Disclaimer:  
 This map is prepared for  
 the inventory of real  
 property found within this  
 jurisdiction, and is  
 compiled from recorded  
 deeds, plats, and other  
 public records and data.  
 Users of this map are  
 hereby notified that the  
 aforementioned public  
 primary information  
 sources should be  
 consulted for verification  
 of the information  
 contained on this map.  
 The County assumes no  
 legal responsibility for the  
 information contained on  
 this map.

1 inch equals 14,873 feet



Watauga Watersheds

Buckeye Creek  
Flat Top Branch  
Howard's Creek  
Howard's Creek Critical Area  
Norris Branch  
Norris Branch Critical Area  
Pond Creek  
South Fork New River  
Winkler's Creek

25171 acres

10654 parcels

7278 owners



## STAFF REPORT

# WATAUGA WATERSHED PROTECTION ORDINANCE

---

**DATE:** December 10, 2012

**APPLICANT:** Watauga County

**LOCATION:** Watauga County, North Carolina

**STAFF CONTACT:** John Spear, AICP

### BACKGROUND:

As a result of the Town of Boone's proposed water intake facility near Brownwood Road, the Environmental Management Commission (EMC) reclassified a segment of the South Fork New River in Ashe and Watauga County from Class C to Class WS-IV (CA and PA). The reclassification became effective on July 3, 2012. The North Carolina Watershed Protection Act (NCGS 143-214.5) requires all local governments having land use jurisdiction within a newly designated Water Supply Watershed to adopt and implement the State's minimum water supply watershed management requirements. The Statute provides a 270 day period following the EMC's reclassification for local governments to adopt or revise its Watershed Protection Map and Watershed Protection Ordinance.

### INTENT:

Because Watauga County is already implementing the State's water supply watershed protection rules, we are required to update our Watershed Protection Map to reflect the reclassified WS-IV waters and revise portions of our Watershed Protection Ordinance to reflect the new area classifications. Changes in the General Statutes have also necessitated changes to our Ordinance.

### PUBLIC HEARING AND NOTICE:

Prior to taking action on any proposed amendments, the board of commissioners must hold a duly advertised public hearing in accordance with NCGS §153A-323.

### PLANNING BOARD RECOMMENDATION:

The planning board will review and comment on whether the proposed amendment is consistent with the Citizens' Plan for Watauga via a written recommendation addressing plan consistency in accordance with NCGS§153A-344.

### COUNTY COMMISSIONERS ACTION:

Prior to adopting or rejecting any proposed amendment, the board of commissioners shall adopt a statement of plan consistency and explain why the board considers the action taken to be reasonable and in the public interest. The plan consistency statement is required by NCGS §153A-341. Commissioners may take one of the following actions:

- a. Approval of the application.
- b. Approval of a modified version of the application.
- c. Denial of the application.

### RELATION TO CITIZENS PLAN FOR WATAUGA:

The board of commissioners shall consider the plan consistency statement along with public comment and other relevant information before making a final determination.

**(E) In accordance with the provisions of N.C.G.S. 143-214.5, an applicant may average development density on up to two noncontiguous properties in order to achieve compliance with the watershed development standards set forth in this Section.**

Section 304. Buffer Areas Required.

(A) **A minimum one hundred (100) foot vegetative buffer is required for all new development activities under the 10%-70% provision; otherwise a** minimum thirty (30) foot vegetative buffer for development activities is required along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Desirable artificial streambank or shoreline stabilization is permitted.

Section 503. Changes and Amendments to the Watershed Protection Ordinance.

(B) No action shall be taken until the proposal has been submitted to the Planning Board for review and recommendations. If no recommendation has been received from the Planning Board within ~~forty five (45)~~ **thirty (30)** days after submission of the proposal to the Chairman of the Planning Board, the Board of Commissioners may proceed as though a favorable report had been received.

**SAMPLE STATEMENTS OF PLAN CONSISTENCY:**

**Planning Board**

*The planning board finds the proposed zoning amendments consistent with the following findings and recommendations of the Citizens' Plan for Watauga (Page 45):*

1. *"Phase 1 of the Citizen's Plan for Watauga identified "water availability" as a top issue for the community".*
2. *"The County should promote sound water and sewer intergovernmental cooperation, facilitating needed and feasible development of infrastructure and services in areas not currently served, and assume a leadership role in planning, policy making and strategic capital investments".*
3. *"Watauga County should make water conservation and protection of water resources a principal goal".*

**Board of Commissioners**

*The Board of Commissioners finds adoption of the recommended zoning amendments to be consistent with the findings and recommendations of the Citizens' Plan for Watauga. The commissioners hereby approve and adopt the amendments as reasonable and in the public interest because:*

1. *Protection of surface water resources is a crucial step in the provision of safe and adequate public drinking water supplies.*
2. *This is a mandatory local government requirement necessitated by provisions of the State Water Supply Watershed Rules.*

**PLANNING BOARD STATEMENT OF PLAN CONSISTENCY**  
**WATAUGA WATERSHED PROTECTION ORDINANCE**



**APPLICATION: # 6285**

In accordance with NCGS§153A-344, the Planning Board is required to advise and comment on whether a proposed ordinance amendment is consistent with the comprehensive plan and any other applicable long range county plans.

The following statement was adopted by the Planning Board on December 17, 2012 and is hereby presented to the Board of Commissioners.

*The Planning Board finds the proposed zoning amendments to be consistent with the following findings and recommendations from the Citizen's Plan for Watauga !:*

1. *"Phase 1 of the Citizen's Plan for Watauga identified "water availability" as a top issue for the community".*
2. *"The County should promote sound water and sewer intergovernmental cooperation, facilitating needed and feasible development of infrastructure and services in areas not currently served, and assume a leadership role in planning, policy making and strategic capital investments".*
3. *"Watauga County should make water conservation and protection of water resources a principal goal".*

*The Planning Board also wishes to acknowledge the fact that this is a mandatory local government requirement necessitated by provisions of the State Water Supply Watershed Rules.*

12/17/12  
 \_\_\_\_\_  
 Date

*Richard E. Mattar*  
 \_\_\_\_\_  
 Richard E. Mattar, Planning Board Chairman

1. Refer to Water and Sewer findings and recommendations in Section 5, beginning on page 45.

**AGENDA ITEM 10:**

**PRESENTATION OF THE 2012 REGIONAL MITIGATION REPORT**

**MANAGER’S COMMENTS:**

Mr. Steve Sudderth, Fire Marshal, will present the High Country Regional Mitigation Plan. FEMA requires the plan to be updated every five (5) years. In the past, the plan only covered Watauga County and its municipalities. However, a grant for a regional mitigation plan for Watauga, Ashe, Alleghany, and Wilkes was received. The plan is required to be adopted in order for the County to receive reimbursements from FEMA in the event a disaster is declared in the County.

The plan has been adopted by all of the Watauga County municipalities, North Carolina Emergency Management, and FEMA.

Board action is required to adopt the High Country Regional Mitigation Plan as presented.



# WATAUGA COUNTY

FIRE MARSHAL / EMERGENCY MANAGEMENT

184 HODGES GAP ROAD, BOX D  
BOONE, NORTH CAROLINA 28607



OFFICE (828) 264-4235 • FAX (828) 262-5725

## MEMORADUM

TO: Deron Geouque

FROM: Steve Sudderth, Fire Marshal/EM Coordinator

DATE: January 29, 2013

RE: High County Regional Mitigation Plan

Watauga County has participated in developing a mitigation plan since 2000 and it is required by FEMA to be updated every 5 years. This has been a county by county plan until this year. Watauga, Ashe, Alleghany and Wilkes Counties have received a grant for a regional mitigation plan. This plan has been approved by NC Emergency Management and FEMA and by all of the municipal governments in Watauga County. Our current local mitigation plan will be required to be updated in 2015 but with the new regional plan will replace it and be in place until 2017. The two main benefits to a mitigation plan are to be able to identify potential hazards and ways to address these hazards whether natural or manmade. Also participation is required by FEMA for reimbursement if a disaster is declared in Watauga County. There has been a public hearing held with no comments. The Basic plan on our local level has not changed and no additional hazards were identified or changes in the way these hazards will be addressed. I would like to request that Watauga County adopt the High Country Regional Mitigation Plan.

2012-11

**RESOLUTION NO. 2012-11**  
**TOWN OF BEECH MOUNTAIN**  
**ADOPTION OF WATAUGA COUNTY'S**  
**REGIONAL**  
**HAZARD MITIGATION PLAN**

**WHEREAS**, the citizens and property within Watauga County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to flood; high winds, hail, snow, ice, etc.; and

**WHEREAS**, the County desires to seek ways to mitigate the impact of identified hazard risks; and

**WHEREAS**, the county's of Ashe, Alleghany, Watauga and Wilkes have cooperated to form a multi-jurisdictional Regional Hazard Mitigation Plan; and

**WHEREAS**, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

**WHEREAS**, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

**WHEREAS**, the Regional Hazard Mitigation Committee has performed a comprehensive review and evaluation of each participating county's previously approved Hazard Mitigation Plan and has updated and combined the said plans as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

**WHEREAS**, it is the intent of the Town Council of Beech Mountain to fulfill this obligation in order that the region will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the region;



2012-11

NOW THEREFORE, be it resolved that the Town Council of Beech Mountain hereby:

1. Adopts the Regional Hazard Mitigation Plan; and
2. Vests the Town Planner for Beech Mountain with the responsibility, authority, and the means to:
  - (a) Inform all concerned parties of this action.
  - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
3. Appoints the Emergency Management Coordinator of Watauga County to assure that the Regional Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Board of Commissioners of Watauga County for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted on this day, December 11, 2012

By: Richard H. Owen  
Richard H. Owen, Mayor

Certified by: Jennifer Broderick  
Jennifer Broderick, Town Clerk

Date: 12-11-2012





## **RESOLUTION ADOPTING THE HIGH COUNTRY REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the citizens and property within the Town of Seven Devils are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience and certain areas i.e., flood hazard areas, are particularly vulnerable to flood hazard events; and

WHEREAS, the Town desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214---Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Watauga County Emergency Management Office and Seven Devils staff have performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated said plan as required under regulations of 44e CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and


WHEREAS, it is the intent of the Town Council of the Town of Seven Devils to fulfill this obligation in order that the Town will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the Town; and

WHEREAS, the Town of Seven Devils actively participated in the planning process of the High Country Regional Hazard Mitigation plan and has fulfilled all the requirements pertaining to jurisdictions participating in a multi-jurisdictional planning as established by FEMA;

NOW, therefore, be it resolved that the Town Council of the Town of Seven Devils hereby;

1. Adopts the High Country Regional Hazard Mitigation Plan; and
2. Separately adopts the sections of the plan that are specific to the Town of Seven Devils;
3. Vests the Town Manager with the responsibility, authority, and the means to:
  - (a) Inform all concerned parties of this action;
  - (b) Develop an addendum or annex to the High Country Regional Hazard Mitigation Plan as warranted by the unique situation of the Town;
  - (c) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain and other hazard areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and other hazard areas in order to prevent exacerbation of existing hazard impacts.
4. Appoints the Town Manager to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all state and federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Town of Seven Devils Town Council for consideration.
5. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan and the addendum and/or annex of the Town of Seven Devils to said Plan.

Adopted on this the 11<sup>th</sup> day of December 2012.

  
 \_\_\_\_\_  
 Larry Fontaine, Mayor

  
 \_\_\_\_\_  
 Sara Miller, Town Clerk



**RESOLUTION No. 2012-23**

**RESOLUTION TO ADOPT THE HIGH COUNTRY  
REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the citizens and property within Town of Blowing Rock are subject to the effects of natural hazards and man-made hazard events that pose threats to lives and cause damages to property, and with the knowledge and experience that certain areas, i.e., flood hazard areas, are particularly susceptible to flood hazard events; and

WHEREAS, the Town desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214-Senate Bill 300 effective July 1, 2001), states in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after November 1, 2004, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local government must develop an All-Hazards Mitigation Plan in order to receive future Hazard Mitigation Grant Program Fund; and

WHEREAS, it is the intent of the Board of Commissioners of the Town of Blowing Rock to fulfill this obligation in order that the Town will be eligible for state assistance in the event that a state of disaster is declared for a hazard event affecting the Town;

NOW, therefore, be it resolved that the Board of Commissioners of the Town of Blowing Rock hereby:

1. Adopts the High Country Regional Hazard Mitigation Plan; and
2. Vests the Town Manager with the responsibility, authority, and the means to:
  - (a) Inform all concerned parties of this action.
  - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with

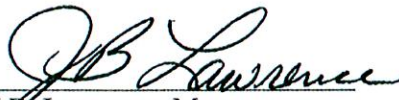
neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

(c) Adjust the boundaries of County and the municipal planning jurisdiction whenever a municipal annexation or extraterritorial jurisdiction revision results in a change whereby the municipality assumes or relinquishes the authority to adopt and enforce floodplain management regulations for a particular area in order that all Flood Hazard Boundary Maps (FHBMs) and Flood Insurance Rate Maps (FIRMs) accurately represent current planning jurisdiction boundaries. Provide notification of boundary revisions along with a map suitable for reproduction, clearly delineating municipal corporate limits and extraterritorial jurisdiction boundaries to all concerned parties.

3. Appoints the Town Manager to assure that the Hazard Mitigation Plan is reviewed annually and in greater detail at least once every five years to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Town of Blowing Rock Board of Commissioners for consideration.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted this the 11<sup>th</sup> day of December, 2012.

  
J.B. Lawrence, Mayor



ATTEST:   
Sharon H. Greene, Town Clerk

## RESOLUTION OF ADOPTION

### HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within the Town of Boone are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to flooding, high winds, snow and ice storms; and

WHEREAS, the County desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act"; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Town of Boone has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and


WHEREAS, it is the intent of the Boone Town Council to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, therefore, be it resolved that the Boone Town Council hereby:

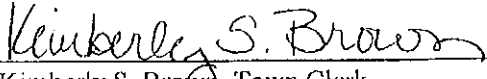
1. Adopts the Watauga County Hazard Mitigation Plan; and
2. Vests the Mayor with the responsibility, authority, and the means to:
  - (a) Inform all concerned parties of this action.

- (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
- 3. Appoints the Town Manager to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Boone Town Council for consideration.
- 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted the 15th day of January, 2013.

  
\_\_\_\_\_  
Loretta Clawson, Mayor

ATTEST:

  
\_\_\_\_\_  
Kimberly S. Brown, Town Clerk

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

**RESOLUTION OF ADOPTION OF THE  
WATAUGA COUNTY HAZARD MITIGATION PLAN**

**WHEREAS**, the citizens and property within Watauga County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to Winter Storms, flooding, high winds, earthquakes, wildfires; and

**WHEREAS**, the County desires to seek ways to mitigate the impact of identified hazard risks; and

**WHEREAS**, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act;" and

**WHEREAS**, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

**WHEREAS**, the Watauga County Emergency Management Office has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

**WHEREAS**, it is the intent of the Watauga County Board of Commissioners to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County.



**NOW, THEREFORE, BE IT RESOLVED** that the Watauga County Board of Commissioners of County hereby:

1. Adopts the County Hazard Mitigation Plan
2. Vests the Watauga County Emergency Management Office with the responsibility, authority, and the means to:
  - a. Inform all concerned parties of this action.
  - b. Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
3. Appoints the Watauga County Emergency Management Office to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Watauga County Board of Commissioners for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

**ADOPTED** on this the 6<sup>th</sup> day of March, 2012.

Nathan A. Miller, Chairman  
Watauga County Board of Commissioners

ATTEST:

  
Anita J. Fogle, Clerk to the Board

(SEAL)



**AGENDA ITEM 11:**

**RESOLUTION OPPOSING THE ADOPTION OF SUPPLEMENTARY STANDARDS FOR MULTI-FAMILY HOUSING IN THE TOWN OF BOONE**

**MANAGER'S COMMENTS:**

Per the Chairman's request, a resolution opposing the adoption of the supplementary standards for multi-family housing in the Town of Boone is attached. At present time, it is not clear if the Town of Boone will be considering these new standards at their Tuesday, February 19, 2013, meeting or the Thursday, February 21, 2013, meeting. The Chairman has requested the Town to hear the standards at the Thursday meeting in order to state his concerns and issues with the standards as currently presented.

Staff seeks direction from the Board.

**RESOLUTION OPPOSING THE ADOPTION OF SUPPLEMENTARY STANDARDS  
FOR MULTI-FAMILY HOUSING IN THE TOWN OF BOONE**

**WHEREAS**, the Watauga County Board of Commissioners is committed to ensuring that Watauga County is a vibrant community with ample opportunities for its citizens to work and live within the County; and

**WHEREAS**, the Town of Boone has enacted zoning regulations governing growth and development of business and housing within the corporate limits of the Town of Boone and within the Extra-Territorial Jurisdiction surrounding the Town of Boone; and

**WHEREAS**, the Town of Boone has proposed the adoption of Supplementary Standards for Multi-Family Housing Development to be codified as Section 175 of its Unified Development Ordinance; and

**WHEREAS**, the Town of Boone has a stated goal of encouraging affordable housing within the Town of Boone and believes the cost of housing is too expensive within the Town of Boone; and

**WHEREAS**, the Supplementary Standards for Multi-Housing Development proposed in the Town of Boone will cause a drastic increase in the costs incurred to construct or operate a multi-family housing unit, especially for small builders and property owners seeking to build duplexes, or three or four unit projects; and

**WHEREAS**, the recommendations for adoption of these Supplementary Standards for Multi-Family Housing Development were made by the Town Of Boone Affordable Housing Task Force, but will seriously increase the cost of housing and cost of living within the Town of Boone; and

**WHEREAS**, the Supplementary Standards for Multi-Housing Development will result in urban sprawl and increased highway congestion; and

**WHEREAS**, the supply of available housing will be outpaced by demand resulting in higher, rather than lower, rents within the Town of Boone and Watauga County; and

**WHEREAS**, Appalachian State University is a vital part of Watauga County, and the proposed regulations would effectively prohibit students from being able to reside off-campus or in close proximity to the University; and

**WHEREAS**, multi-family housing units traditionally result in lower rents for those seeking more affordable housing than the purchase or rental of a single family home; and

**WHEREAS**, many of the citizens within the Town of Boone and Watauga County are unable to afford to rent or purchase a single-family home within the corporate limits of the Town of Boone; and

**WHEREAS**, Watauga County currently has under contract the old Watauga High School Property for the sum of \$18,948,000.00; and

**WHEREAS**, the old Watauga High School Property is located within the Town of Boone and would be affected by these proposed regulations; and

**WHEREAS**, if the Town of Boone were to pass these proposed regulations it would most likely result in the purchaser terminating his contract with Watauga County; and

**WHEREAS**, the enactment of these regulations and the loss of the contract to sell the old Watauga High School Property would cost the citizens and taxpayers of Watauga County at least several million dollars; and

**WHEREAS**, the failure to complete the sale of the old Watauga High School Property would result in future lost tax revenues for both Watauga County and the Town of Boone; and

**WHEREAS**, the proposed regulations by the Town of Boone would make it harder for our children and grandchildren to be able to afford to live and work in Watauga County; and

**WHEREAS**, the proposed regulations from the Town of Boone Affordable Housing Task Force will have the opposite effect of encouraging affordable housing within our community; and

**WHEREAS**, the proposed regulations from the Town of Boone Affordable Housing Task Force are ill-conceived and will result in detrimental effects upon the Town of Boone, the citizens and residents of its extraterritorial jurisdiction, and the citizens and taxpayers of Watauga County.

**NOW THEREFORE, BE IT RESOLVED** by the Watauga County Board of Commissioners that the Watauga County Board of Commissioners are opposed to the enactment of the Supplementary Standards for Multi-Family Housing Development within the Town of Boone and its Extra-territorial jurisdiction for the reasons set forth above; and

**BE IT FURTHER RESOLVED** that the Watauga County Board of Commissioners calls upon the Town of Boone to encourage opportunities for our citizens, children, college students, and others to be able to afford to live within the Town of Boone and its Extra-Territorial Jurisdiction; and

**BE IT FURTHER RESOLVED** that the Watauga County Board of Commissioners formally requests the Town of Boone to vote against the proposed regulations.

**ADOPTED** this the 19<sup>th</sup> day of February, 2013.

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Nathan A. Miller, Chairman

ATTEST:

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Anita J. Fogle, Clerk to the Board



# County of Watauga

Administration Building, Suite 205 • 814 West King Street • Boone, North Carolina 28607

**BOARD OF COMMISSIONERS**

Nathan A. Miller, Chairman  
David Blust, Vice-Chairman  
Billy Kennedy  
John Welch  
Perry Yates

Telephone 828-265-8000  
TDD 1-800-735-2962  
Voice 1-800-735-8262

**COUNTY MANAGER**  
Deron T. Geouque

**COUNTY ATTORNEY**  
Stacy C. Eggers, IV

February 12, 2013

The Honorable Loretta Clawson and Members of the Town Council  
Town of Boone  
567 West King Street  
Boone, NC 28607

Dear Mayor Clawson and Members of the Town Council:

As you are aware, on Tuesday, February 11, 2013, the Boone Area Planning Commission voted to approve a recommendation to the Town Council to amend the current Unified Development Ordinance (UDO). The amendment would require new multi-family developments to provide for family oriented design and layout and to encourage a broader range of housing. The County commends the Town on working on the difficult issue of affordable housing; however, the current proposed amendment would not have the desired affect the Town is hoping for.

As one of the largest property owners in the Town, the County requests consideration of the following factors before the adoption of the proposed UDO changes to Section 175.

1. While the intent of the proposed change is to provide for a family oriented design and layout as well as encourage a broader range of housing choices, the proposed change may have the unintentional consequence of increasing housing costs.  
BY:
  - a. More expensive to build due to designated larger master suite space, required storage space, increased livability space, building height restrictions, and garages.
  - b. The lower density requirements could cause an increase in sales or rental costs.
2. The Town cannot create a market by regulation, which is essentially what the proposed change is trying to accomplish.
3. The Town has alternatives to the proposed change with the use of the many incentives available to promote affordable housing such as:
  - a. Waiver of Development Review and Meter Installation Fees for Affordable Housing Projects.
  - b. Waiver of Townwide Development Impact Fees for Affordable Housing Units.

- c. Relaxed Parking Standards for Affordable Housing.
- d. Utilities Assistance Program for Low-Income Residents.
- e. Establish an Affordable Housing Fund.

These are just a few of the options available to the Town.

4. The specific impact to the County and its citizens based on the proposed change would effectively terminate the current offer on the old high school for \$18,948,000 and limit the potential of future offers.
5. The budgetary impact to the Town and County would be substantial. Without the sale, no property taxes or sales taxes would be recognized and the property would continue to remain vacant with no one receiving any benefits.
6. With the bedroom and bathroom requirements and occupancy limits the proposal will likely have the effect of ending new student housing developments in the Town's jurisdiction. While it is desirable to have a range of multi-family housing options to include market rate and workforce housing, ending student housing developments will not accomplish this goal.
7. Student housing is an essential component of the \$18,948,000 offer and any future offers could be substantially less due to the newly imposed restrictions.
8. The old high school site has been identified as a suitable site for a mixed use development with student housing, commercial and retail spaces.
9. The proposed amendment change would be more acceptable to the County as regards specifically to the old high school site if under subsection (b) the word "building" were changed to "project."

It is the County's belief the proposed amendment, as currently written, does not accomplish the goal of the Town to create affordable housing. This view was echoed by the members of the Planning Commission where they agreed that the proposal needed "tweaks." The Town has the ability to utilize incentives to promote affordable housing. The property owner or builder should not have to shoulder all of the expenses related to providing affordable housing. The County encourages the Town to seek input not only from the Affordable Housing Task Force but the Town's Planning Board and staff, the County's Community Housing Trust, property owners, and builders on suggestions and solutions to the affordable housing issue.

Please listen to those that spoke at the Quarterly Public Hearing, Affordable Housing Task Force members, Planning Commission members, and the general public who all voiced concerns about the current language of the proposed amendment and the need for modification. Adopting the proposed amendment as presented would not serve the best interest of the citizens of our community.

The County would respectfully request that the Town hear the proposed UDO amendment with regards to multi-family and affordable housing at the Thursday, February 21, 2013, meeting and not the Tuesday, February 19, 2013, meeting. The County Commissioners meeting is scheduled for Tuesday, February 19, 2013, and I wish to attend the meeting in which the Town will consider this amendment. In addition, I would request permission to address the Town Board with concerns the County has over the proposed amendment change.

Should you have any questions or require additional information, please feel free to contact the County Manager or me. The County looks forward to partnering with the Town to provide a workable solution to the issue of affordable housing.

Thank you for your assistance with this important matter.

Sincerely,



Nathan Miller, Chairman  
Watauga County Board of Commissioners

cc: Mr. Greg Young, Town Manager, Town of Boone  
High Country Press  
Watauga Democrat

## **AGENDA ITEM 12:**

### **MISCELLANEOUS ADMINISTRATIVE MATTERS**

#### ***A. Boards & Commissions***

#### **MANAGER'S COMMENTS:**

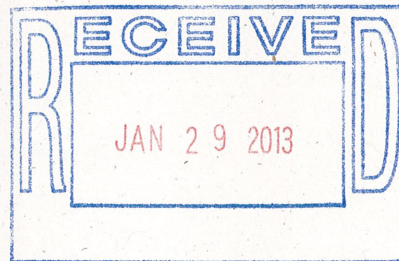
Two terms on the Watauga County Tourism Development Authority (WCTDA) are set to expire at the end of February 2013. Mr. Gray is willing to continue to serve if so appointed. Mr. Rob Holton, Mr. David Barker, and Ms. Victoria Smith have also expressed interest in serving.

This is the second reading on the above; therefore, action may be taken if so desired.

Each Commissioner appoints a representative to the Boone Rural Fire Protection Service District Board whose term will run concurrent with the term of the appointing Commissioner. Boone Rural Fire Service District Board members must own property and reside within that Fire Service District.

Each Commissioner nominates a representative to the Watauga County Planning Board whose term will run concurrent with the term of the appointing Commissioner. Planning Board members must live within the appointing Commissioners District and action must be taken by the entire Board of Commissioners to make these appointments.





**MEMORANDUM**

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TO: Deron Geouque, Watauga County Manager  
Board of Commissioners

FROM: Wright Tilley, Executive Director - Watauga County TDA  
Matt Vincent, Chairman – Watauga County TDA Board

RE: TDA Board Applications

DATE: 1/29/13

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The attached two applications for board seats on the Watauga County District U Tourism Development Authority were submitted directly to the TDA office.

Tony Gray is currently serving on the TDA board and would like to be considered for re-appointment. Rob Holton previously served on the TDA board. Both are eligible for board consideration.

You may also receive some other applications that will be directly submitted to the County for consideration.

Volunteer Application  
Watauga County Boards And Commissions

If you are a Watauga County resident, at least 18 years old, and willing to volunteer your time and expertise to your community, please complete the application below and click on Print Form.

Please sign and mail or fax to:

Watauga County Commissioners' Office  
814 West King Street, Suite 205  
Boone, NC 28607  
Phone: (828) 265-8000  
Fax: (828) 264-3230

Name: TONY GRAY  
Home Address: 524 HARRISON ROAD  
City: Zip: BOONE, 28607

Telephone: (H) 828-264-9123 (W) N/A (Fax) N/A

Email: GRAYAI@BELLSOUTH.NET

Place of Employment: APPALACHIAN STATE UNIVERSITY

Job Title: DIRECTOR OF CONFERENCES AND INSTITUTES

In Order To Assure County wide Representation Please Indicate Your Township Of Residence:

- Bald Mountain
- New River
- Beaver Dam
- Blue Ridge X
- Elk
- Stony Fork
- Brushy Fork
- Meat Camp
- Blowing Rock
- North Fork
- Watauga
- Cove Creek
- Shawneehaw
- Laurel Creek
- Boone

In addition, Please Indicate If You Live In One Of The Following Areas:

- Foscoe-Grandfather Community
- Howards Creek Watershed
- South Fork New River Watershed
- Valle Crucis Historic District
- Winklers Creek Watershed
- Extraterritorial Area

We Ask Your Help In Assuring Diversity Of Membership By Age, Gender, And Race, By Answering The Following Questions:

Gender Ethnic Background

African American  
Caucasian X  
Native American  
Hispanic  
Other

Male X  
Female

Please List (In Order Of Preference) The Boards/Commissions On Which You Would Be Willing To Serve.

- 1.WATAUGA COUNTY TOURISM DEVELOPMENT AUTHORITY ADVISORY BOARD
- 2.
- 3.

Volunteer Application  
Watauga County Boards And Commissions  
(Continued)

Please list any work, volunteer, and/or other experience you would like to have considered in the review of your application.

Work Experience:

1966 -1972           Assistant Basketball Coach Appalachian State University  
1972 - 2002         Director of Conferences and Institutes Appalachian State University  
1977-Present       Owner and Operator of High Country Nursery (Choose and Cut Tree Farm)

Volunteer Experience:

I regret that I am out of town while completing this application and do not have the exact dates of my volunteer service. I will be able to provide a complete list of service and dates after February 4, 2013 if necessary.

Boone Area Chamber of Commerce for 30 years  
Served on Board of Directors for 25 years, Served as President, Chairman of Tourism Development Committee for 15 years

High Country Host Member for 25 years, Board of Directors for 20 years, Served as Chairman of the Advertising and Promotions Committee for 18 years producing the High Country Area Guide Map and Directory

Boone Jaycees Member 10 years, Served as President one term and on the Leadership Team for 8 years, served as Chairman of several fund raising events.

Watauga County Heart Association Member 10-12 years, President and served as chairman of several fund raising events.

Association of Collegiate Conference and Events Directors International (national Professional Association) Member for 15 years, Served as Regional Director, Board Member, Committee Chairman and President

Other Experience:

Served on the Watauga County Tourism Development Commission Advisory Board serving as Vice Chairman since its inception.

Served on the Watauga County Recreation Commission

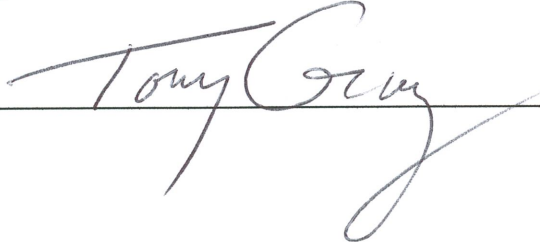
Have served as a Deacon and Elder of First Presbyterian Church of Boone

Have attended the Governors Conference on Travel and Tourism

Have served as a member of the Watauga County Economic Development Commission in the early years.

Other Comments:

I have served on the Watauga County Tourism Development Commission since its inception and would appreciate the opportunity to continue my service. We have a community that is very attractive as a Tourist Destination and I believe I have the experience and desire to work toward maintaining the beauty that the mountains afford all of us while promoting those resources to encourage potential visitors to come and enjoy what we all call home.

Signature: Tony Gray  Date: 1-24-13

Volunteer Application  
Watauga County Boards And Commissions

If you are a Watauga County resident, at least 18 years old, and willing to volunteer your time and expertise to your community, please complete the application below and click on Print Form. Please sign and mail or fax to:

Watauga County Commissioners' Office  
814 West King Street, Suite 205  
Boone, NC 28607  
Phone: (828) 265-8000  
Fax: (828) 264-3230

Name: Robert W. Holton

Home Address: 829 James Hayes Road

City: Deep Gap Zip: 28618

Telephone: (H) 828-264-3600 (W) 828-264-3644 (Fax) 828-264-3725

Email: holton400@gmail.com

Place of Employment: Holton Mountain Rentals

Job Title: Owner, Manager

In Order To Assure County wide Representation Please Indicate Your Township Of Residence:

- |                                      |                                    |                                    |
|--------------------------------------|------------------------------------|------------------------------------|
| <input type="radio"/> Bald Mountain  | <input type="radio"/> Stony Fork   | <input type="radio"/> Watauga      |
| <input type="radio"/> New River      | <input type="radio"/> Brushy Fork  | <input type="radio"/> Cove Creek   |
| <input type="radio"/> Beaver Dam     | <input type="radio"/> Meat Camp    | <input type="radio"/> Shawneehaw   |
| <input type="radio"/> Blue Ridge     | <input type="radio"/> Blowing Rock | <input type="radio"/> Laurel Creek |
| <input checked="" type="radio"/> Elk | <input type="radio"/> North Fork   | <input type="radio"/> Boone        |

In addition, Please Indicate If You Live In One Of The Following Areas:

- |  |  |
|--|--|
| <input type="radio"/> Foscoe-Grandfather Community   | <input type="radio"/> Valle Crucis Historic District |
| <input type="radio"/> Howards Creek Watershed        | <input type="radio"/> Winklers Creek Watershed       |
| <input type="radio"/> South Fork New River Watershed | <input type="radio"/> Extraterritorial Area          |

We Ask Your Help In Assuring Diversity Of Membership By Age, Gender, And Race, By Answering The Following Questions

- |                                       |  |
|---------------------------------------|--|
| Gender                                | Ethnic Background                          |
| <input checked="" type="radio"/> Male | <input type="radio"/> African American     |
| <input type="radio"/> Female          | <input checked="" type="radio"/> Caucasian |
|                                       | <input type="radio"/> Hispanic             |
|                                       | <input type="radio"/> Other                |
|                                       | <input type="radio"/> Native American      |

Please List (In Order Of Preference) The Boards/Commissions On Which You Would Be Willing To Serve.

1. Watauga County District U Tourism Development Authority
2.
3.

Volunteer Application  
Watauga County Boards And Commissions  
(Continued)

Please list any work, volunteer, and/or other experience you would like to have considered in the review of your application.

Work  
Experience:

My wife and I owned and operated Holton's a retail electronics store for 10 years.  
My wife and I own and operate Holton Management, Inc dba Holton Mountain Rentals a property management company. Have been in the property management business since 1980.

Volunteer  
Experience:

Have been involved and volunteered with numerous community, civic and other organizations since 1972 in the Watauga County area.  
Served on the Watauga County Economic Development Commission for 6 years.  
Served on the Watauga County District U Tourism Development Authority for 6 years.

Other  
Experience:

Eagle Scout  
Graduate of Appalachian State University

Other  
Comments:

I feel it is important to give back to your community. Watauga County has the potential to be one of the top tourism destinations in the eastern United States and I would like to be involved with helping make that happen. It is important to our local economy to create more tourism jobs of all types and to have visitors spend their money in Watauga County to generate more sales tax revenue.

Signature: 

Date: 1/28/13

January 21, 2012

Watauga County Board of Commissioners  
Nathan Miller, Chair

Dear Chairman Miller and the County Board of Commissioners,

Please let this letter serve as my request to have my name be nominated for a position as Board member on the TDA (Tourism Development Authority).

As editor of the Carolina Golf Journal and associate producer for the local radio show "High Country Now" (which airs Saturdays on WATA 1200am and WXIT 1450am) both entities serve as promotional tools to help encourage interest and tourism to the Watauga County area.

Being with the Carolina Golf Journal, I have first hand experience on how to encourage golfers and their families come to towns for golf and other family related activities throughout the Carolinas via the print and website media. Also, in the last two years, I took an active role in helping the Surry County Chamber of Commerce promote their *Fairways and Chardonnays* campaign through the Carolina Golf Journal.

As associate producer for "High Country Now" I am aware of how to use radio to advocate and support the large variety of activities that are going on in the High Country. The show promotes all of the events that go on in our small towns as well as App State, the farmer's markets, activities involving the Blue Ridge Parkway, ski resorts and just as importantly - events that involve our local businesses.

The goal in both positions is to encourage people to be excited about Watauga County so that they will "stay, eat, shop and play" and then go back home and tell everyone about the great time they had while here in our beloved mountain community.

Watauga County is a location for all seasons - whether for a weekend holiday or week-long vacation - Watauga County is IT!

Thank you for your consideration.

Sincerely,  
Victoria Smith  
306 Farm View Drive  
Vilas, NC 28692  
828-963-4253

**January 22, 2013**

**Watauga County Commissioners  
Boone, NC 28607  
Nathan Miller, Chair**

**Dear Sir**

**I am writing to express my interest in a position on the Watauga County Tourism Development Authority.**

**I am presently owner of the Blowing Rock Market, located on main Street in Blowing Rock and Watauga County. As an owner of a tourism dependent business, I have an understanding of the issues involving tourism in Watauga County. Also, the daily interaction with visitors to the market give me a better understanding of why they come here, where, they come from, and what they are looking for.**

**I also operated Boone's Country Cabin (vacation cabins) from 2006-2008, which gives me the understanding of the short term rental business in Watauga County.**

**In my prior career, I worked in marketing in the NASCAR industry. This afforded me the opportunity to see how other markets and venues were marketing their areas. West Virginia Department of Tourism was a client that we developed promotions for.**

**Thank you for your consideration.**

**David Barker  
Blowing Rock Market  
990 Main Street, Box 224  
Blowing Rock, NC 28605**



**BOARD OF DIRECTORS  
BOONE RURAL FIRE PROTECTION SERVICE DISTRICT**

**METHOD OF APPOINTMENT:** Each Commissioner nominates a person who resides and owns property in the Boone Rural Fire Service District. Terms are concurrent with the Commissioner of the District they represent.

**COMPENSATION:** None

**REGULAR MEETING TIME AND PLACE:** Second Thursday Following the Quarter  
7:00 P.M. @ Boone Fire Station #2

<b><u>MEMBERS</u></b>		<b><u>APPOINTED</u></b>	<b><u>TERM EXPIRES</u></b>
Tommy Critcher (Commissioner Yates)	District 1	01/15/13	December, 2016
Lee Stroupe (Commissioner Welch)	District 2	01/15/13	December, 2016
Jimmy Marsh (Commissioner Deal)	District 3	12/21/04	December, 2012
Weldon Critcher (Commissioner Blust)	District 4	02/01/11	December, 2014
Reggie Hassler (Commissioner Miller)	District 5	01/18/11	December, 2014

## WATAUGA COUNTY PLANNING BOARD

**METHOD OF APPOINTMENT:** Each County Commissioner makes a nomination from his/her district. Each nominee must be approved by the entire Board. Two at-large members shall be appointed by the entire Board. The terms of appointees representing districts shall be concurrent with the term of the County Commissioner elected to represent the district. The at-large appointees shall serve a term of four years.

**REGULAR MEETING TIME & PLACE:** 3<sup>rd</sup> Monday of Each Month @ at 6:00 P.M.  
Commissioners' Board Room  
Watauga County Administrative Building.

<b><u>PRESENT MEMBERS</u></b>		<b><u>APPOINTED</u></b>	<b><u>TERM EXPIRES</u></b>
Todd Castle (Commissioner Yates)	District 1	01/13	December 2016
Frank Gioscio (Commissioner Gable)	District 2	01/11	December 2012
Jim Fox (Commissioner Deal)	District 3	01/09 (reappointed)	December 2012
Jim West (Commissioner Blust)	District 4	01/11	December 2014
Patrick Morgan (Commissioner Miller)	District 5	01/11	December 2014
<b><u>AT-LARGE MEMBERS</u></b>			
Jamey Hodges		12/11	December 2014
Richard Mattar		01/10 (Reappointed)	December 2013

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**AGENDA ITEM 12:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

*B. Announcements*

**MANAGER'S COMMENTS:**

The Annual Pre-Budget Retreat will be held on February 22 (12:00 – 6:00 P.M.), and 23 (9:00 A.M. – 12:00 P.M.), 2013, in the Commissioners' Board Room.

An Intergovernmental Retreat is scheduled for Monday, March 4, 2013, from 5:00 P.M. to 7:00 P.M., on the 5<sup>th</sup> floor of the ASU Athletics Center, overlooking the stadium. The meeting will include a discussion of the High Country United Way Vision Council.

**AGENDA ITEM 13:**

**PUBLIC COMMENT**