

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

**TUESDAY, JUNE 2, 2015
8:30 A.M.**

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

TIME	#	TOPIC	PRESENTER	PAGE
8:30	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: May 19, 2015, Regular Meeting May 19, 2015, Closed Session		1
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9:00	9	TAX MATTERS	MR. LARRY WARREN	
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AGENDA ITEM 2:

APPROVAL OF MINUTES:

May 19, 2015, Regular Meeting

May 19, 2015, Closed Session

DRAFT**MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 19, 2015**

The Watauga County Board of Commissioners held a regular meeting, as scheduled, on Tuesday, May 19, 2015, at 5:30 P.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

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

Chairman Hodges called the meeting to order at 5:30 P.M.

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

APPROVAL OF MINUTES

Chairman Hodges called for additions and/or corrections to the April 7, 2015, regular meeting and closed session minutes.

Vice-Chairman Blust, seconded by Commissioner Yates, moved to approve the April 14, 2015, special meeting minutes as presented.

VOTE: Aye-5
Nay-0

Vice-Chairman Blust, seconded by Commissioner Yates, moved to approve the April 14, 2015, special meeting closed session minutes as presented.

VOTE: Aye-5
Nay-0

Vice-Chairman Blust, seconded by Commissioner Yates, moved to approve the May 5, 2015, regular meeting minutes as presented.

VOTE: Aye-5
Nay-0

Vice-Chairman Blust, seconded by Commissioner Yates, moved to approve the May 5, 2015, closed session minutes as presented.

VOTE: Aye-5
Nay-0

Vice-Chairman Blust, seconded by Commissioner Yates, moved to approve the May 11, 2015, special meeting minutes as presented.

VOTE: Aye-5
Nay-0

Vice-Chairman Blust, seconded by Commissioner Yates, moved to approve the May 12, 2015, special meeting minutes as presented.

VOTE: Aye-5
Nay-0

APPROVAL OF AGENDA

Chairman Hodges called for additions and/or corrections to the May 19, 2015, agenda.

County Manager Geouque requested to add possible action after closed session.

Commissioner Kennedy, seconded by Vice-Chairman Blust, moved to approve the May 19, 2015, agenda as amended.

VOTE: Aye-5
Nay-0

HIGH COUNTRY WORKFORCE DEVELOPMENT AGREEMENT, RESOLUTION, AND UPDATE

Mr. Adrian Tait, Director of High Country Workforce Development, presented a brief update on High Country Workforce Development (WDB) and a proposed resolution supporting an updated agreement between the County and WDB. The revisions reflected changes and suggestions made by HCCOG Attorney, Jeff Hedrick, and Workforce staff. Finalized documents included (agreement to create a consortium and corresponding resolutions) are required to be approved by July 1, 2015, to meet State deadlines. County Attorney Eggers stated that the agreement was appropriate.

Commissioner Kennedy, seconded by Commissioner Yates, moved to approve the consortium agreement and adopt the resolution to join the workforce development consortium.

VOTE: Aye-5
Nay-0

HARDIN PARK BUILDING PROJECT ADDITIONAL FUNDING REQUEST

Ms. Ly Marze, Watauga County School Board Finance Director, will request additional funding in the amount of \$107,730 for the Hardin Park grease trap project. The Board previously approved \$200,000 for the project. The lowest bid received was in the amount of \$307,730 including construction, architect, and permit fees.

Commissioner Kennedy, seconded by Vice-Chairman Blust, moved to approve the additional \$107,730 in funding from the Schools Capital Project Fund for the Hardin Park grease trap project.

VOTE: Aye-5
Nay-0

PUBLIC HEARING TO ALLOW CITIZEN COMMENT ON THE FY 2016 PROPOSED BUDGET

A public hearing was held to allow citizen comment on the Manager's Recommended Budget for Fiscal Year 2016.

The following changes were made to the FY 2016 Manager's Recommended Budget due to recent budget work sessions:

- Remove 3% from BCC COLA \$ (1,222)
- Increase Children's Council \$ 1,500
- Increase W.A.M.Y. Community Action \$ 2,500
- Increase Miscellaneous Revenue \$ 2,778

Chairman Hodges declared the public hearing open at 5:41 P.M. to allow citizen comment on the Proposed Budget for FY 2016.

The following individuals addressed the Board, speaking on behalf of their organization, regarding the recommended budget:

Ms. Melissa Selby representing Community Care Clinic
 Ms. Marcie Ounbey representing OASIS
 Ms. Emma Gummerson representing Mountain Alliance
 Ms. Julie Mullis representing Mountain Alliance
 Ms. Marisa Cornell representing Watauga County Drug Treatment Court
 District Attorney Seth Banks representing Watauga County Drug Treatment Court
 Dr. Murray Hawkinson representing Watauga County Drug Treatment Court
 Ms. Debbie Wellborn representing Appalachian Senior Programs
 Ms. Tina Krause representing Hospitality House and WeCAN
 Ms. Monica Caruso representing Watauga County Library
 Mr. Bobby Snead representing Appalachian Theatre
 Ms. Karen Sabo representing Appalachian Theatre
 Dr. Michael McKee representing Appalachian Theatre

Being no further public comments, Chairman Hodges declared the public hearing closed at 6:15 P.M.

No action was taken regarding the proposed budget.

PROJECT ON AGING PROPOSED ALLOCATION OF PROJECTED FY 2016 HOME & COMMUNITY CARE BLOCK GRANT (H&CCBG) FUNDS

Ms. Angie Boitnotte, Project on Aging Director, requested Board action to accept the projected allocation of \$251,379 in Home and Community Care Block Grant (H&CCBG) funds for FY 2016. The required local match is \$27,931 and is present in the Project on Aging's FY 2016 requested budget. Ms. Boitnotte stated that the H&CCBG Committee recommended the funds be allocated as follows:

H&CCBG Service	H&CCBG Allocation	Local Match
In-Home Aide	\$116,819	\$12,980
Congregate Meals	\$43,442	\$4,827
Home Delivered Meals	\$78,320	\$8,702
Transportation	\$12,798	\$1,422
Totals	\$251,379	\$27,931

Commissioner Kennedy, seconded by Vice-Chairman Blust, moved to accept the projected allocation in the amount of \$251,379 in Home and Community Care Block Grant funds for FY 2016 and to approve the local match in the amount of \$27,931.

VOTE: Aye-5
Nay-0

COMMUNICATIONS AND EMERGENCY SERVICES EMERGENCY POLICE DISPATCH SOFTWARE PURCHASE REQUEST

Mr. Jeff Virginia, Communications and Emergency Services Director, presented a request for the purchase of Emergency Police Dispatch (EPD) protocols software. The ProQa Paramount Emergency Police Dispatch Protocols software is \$61,339 with an annual maintenance cost of \$4,704. All expenses associated with the EPD software are one hundred percent (100%) reimbursable through 911 funds.

The new software is similar to Emergency Medical Dispatch (EMD) and Emergency Fire Dispatch (EFD) software currently used by the County's Communications Department. Both of these software programs provide a fundamental role in the ability of the dispatch center to respond to perceived medical and fire emergencies. With proper training, program administration, supervision, and medical direction, these programs can accurately query the caller, select an appropriate method of response, provide pertinent information to responders and give appropriate aid and direction for patients through the caller. EPD would provide the same benefits as EMD and EFD. The Sheriff has endorsed the Communications Department purchase

of the EPD software. This new software will continue the County's pursuit to provide a consistent and high quality level of service to the citizens and visitors of the County.

Commissioner Yates, seconded by Commissioner Kennedy, moved to purchase the ProQa Paramount Emergency Police Dispatch Protocols software in the amount of \$61,339 with an annual maintenance amount of \$4,704.

VOTE: Aye-5
Nay-0

SMOKY MOUNTAIN CENTER QUARTERLY REPORT

Ms. Margaret Pierce, Finance Director, presented the Smoky Mountain Center Quarterly Financial Report as required by Statute. The report was presented for information only and, therefore, no action was required.

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. Proposed Property & Liability Insurance and Workers Compensation Renewals Request

County Manager Geouque presented renewal rates for property and liability insurance and workers compensation. The rate for property and liability is \$190,049 or a \$6,880 decrease, and the rate for workers compensation is \$276,672 or a 1.09% decrease. Based on prior years claims experience staff recommended continuing the property deductible at \$5,000.

Commissioner Yates, seconded by Vice-Chairman Blust, moved to accept the renewals for property and liability insurance and workers compensation from the North Carolina Association of County Commissioners (NCACC), in the amount of \$190,049 and \$276,672 respectively.

VOTE: Aye-5
Nay-0

B. Proposed Resolution in Support of NC House Bill 875 Restrict Municipal Eminent Domain

County Manager Geouque presented a proposed resolution in support of North Carolina House 875 restricting municipal eminent domain in Watauga and Ashe counties.

Chairman Hodges read the proposed resolution aloud.

Vice-Chairman Blust, seconded by Commissioner Yates, moved to adopt the proposed resolution as presented. After discussion the following vote was taken:

VOTE: Aye-4(Hodges, Blust, Welch, Yates)
Nay-1(Kennedy)

C. Watauga Medics Proposed Contract Revision – First Ratifying Vote of Additional Revision

County Manager Geouque presented an additional correction to the amended Ambulance Franchise Agreement with Watauga Medics. The subsidy amount did not reflect the \$12,000 reduction due to the change in Medicaid rates. The new base subsidy will be \$951,885.84. Staff has incorporated the change into the document enclosed.

North Carolina General Statute 153A-46 requires grants, renewals, extensions, or amendments of any franchise to be passed at two regular meetings of the Board of Commissioners before it may be officially adopted. Due to the additional change this will be considered a first reading.

Commissioner Kennedy, seconded by Commissioner Yates, moved to approve the proposed Ambulance Franchise Agreement with Watauga Medics contingent upon a second ratifying vote at the June 2, 2015 Board meeting.

VOTE: Aye-5
Nay-0

D. Boards and Commissions

County Manager Geouque stated that, biannually, a Jury Commission is empanelled for a two-year term. Of the three member panel, one member is appointed by the Board of Commissioners. The term of Mr. Ted Hagaman expires June 30, 2015. The new term for the appointment will be July 1, 2015, through June 30, 2017. Mr. Hagaman is no longer available to serve.

Chairman Hodges read Mr. Hagaman's resignation letter. Clerk of Court Diane Deal has suggested Mr. Jerry Dotson for consideration. Mr. Dotson is willing to serve if so appointed.

Commissioner Yates, seconded by Vice-Chairman Blust, moved to waive the second reading and appoint Mr. Jerry Dotson to serve on the Jury Commission from July 1, 2015, until June 30, 2017.

VOTE: Aye-5
Nay-0

E. Announcements

County Manager Geouque announced the following:

- The Trustees of Caldwell Community College & Technical Institute invites the Board of Commissioners to attend their meeting on Wednesday, May 20, 2015, at 6:00 P.M. at the Watauga Instructional Facility on Hwy 105 Bypass, Boone NC, in Room 112. The County Manager stated that this was an informal get together where no County business would be conducted.

- The Military Officers Association of America's (MOAA) 7th Annual Memorial Day Program will be held at Boone Mall on Monday, May 25, 2015, with the ceremony commencing at 10:30 A.M.

PUBLIC COMMENT

Ms. Pilar Fota, Town of Boone Cultural Resources Director, thanked the Board for working with the Town on rerouting the upcoming Independence Day Parade which eliminated conflicts with other previously scheduled events.

Ms. Trudy Moss reiterated her position that a disc golf course not be located in the neighborhood near the Law Enforcement Center and asked the Board to notify her if Mr. Rosenfeld's request came up for consideration again.

Mr. Don Ball stated that he was against a disc golf course being placed in his neighborhood (near the Law Enforcement Center).

Ms. Joanna Easter thanked the Board for adopting the resolution in support of House Bill 875.

Ms. Deborah Greene expressed dissatisfaction for not being placed on the agenda to speak for the resolution supporting House Bill 875. Ms. Greene asked to be placed on a future agenda to address the Board prior to the Town of Boone requesting eminent domain outside of their jurisdiction upon the adoption of House Bill 875.

Mr. Frank Packard thanked the Board for adopting the resolution in support of House Bill 875 and requested the Board call a public hearing if the Bill was approved and the Town of Boone requested permission to enforce eminent domain on property within the County but outside of their jurisdiction.

CLOSED SESSION

At 6:59 P.M., Commissioner Kennedy, seconded by Vice-Chairman Blust, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3).

VOTE: Aye-5
Nay-0

Commissioner Kennedy, seconded by Commissioner Yates, moved to resume the open meeting at 7:28 P.M.

VOTE: Aye-5
Nay-0

POSSIBLE ACTION AFTER CLOSED SESSION

There was no action after closed session; however, discussion was held regarding procedures for requests to be placed on the agenda.

ADJOURN

Commissioner Welch, seconded by Vice-Chairman Blust, moved to adjourn the meeting at 7:43 P.M.

VOTE: Aye-5
Nay-0

Jimmy Hodges, Chairman

ATTEST:

Anita J. Fogle, Clerk to the Board

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AGENDA ITEM 3:

APPROVAL OF THE JUNE 2, 2015, AGENDA

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AGENDA ITEM 4:

PROPOSED PROCLAMATION DECLARING JUNE 15, 2015 AS ELDER ABUSE AWARENESS DAY

MANAGER’S COMMENTS:

Governor McCrory has proclaimed May 8th through June 22nd, 2015 as “Vulnerable and Elder Abuse Awareness Month” in North Carolina. Ms. Laura Jane Ward, High Country Area Agency on Aging-Ombudsman, will present the proclamation to declare June 15, 2015 as Elder Abuse Awareness Day.

Board action is requested to adopt the proclamation as presented.



MEMORANDUM

TO: Deron Geouque, County Manager

FROM: Betsy Richards, Watauga DSS-Adult Services Supervisor

Laura Jane Ward, High Country Area Agency on Aging-Ombudsman

Angie Boitnotte, Watauga Project on Aging-Director

DATE: May 20, 2015

SUBJECT: Request for Board of Commissioners' Recognition of Vulnerable Adult and Elder Abuse Awareness Day 2015

Attached, please find the proposed Watauga County Proclamation for Vulnerable Adult and Elder Abuse Awareness Day 2015 and Vulnerable Adult and Elder Abuse Awareness Month 2015 from Governor McCrory. Governor McCrory has proclaimed May 10, 2015 through June 21, 2015 as Vulnerable and Elder Abuse Awareness Month in North Carolina. This timeframe ties the awareness period to both the Mother's Day and Father's Day holidays, in the hopes of reinforcing the spirit of respecting and valuing, not just parents, but all elders.

Abuse, neglect, and exploitation of vulnerable adults and elderly here in North Carolina continues to be a growing problem. National statistics show that for every one report that is made there are as many as twenty three that are not. Awareness and reporting need to be at the forefront of all of our minds as leaders of the aging community and the community at large. Reports are made not only by doctors and other professionals but by family members and concerned citizens in our communities. Anyone who suspects that a vulnerable or older adult is in need of protection is required by North Carolina General Statute (GS 108A-102) to report this information to the department of social services in the county where the adult resides.

We all have the responsibility to support the safety, welfare, and dignity of North Carolina's vulnerable and older adults. We urge all citizens to work together to help protect adults from abuse, neglect, and exploitation. It is imperative that North Carolinians refuse to tolerate the indignity of Elder Abuse.

Thank you for your consideration.

Enclosures

STATE OF NORTH CAROLINA

DRAFT

COUNTY OF WATAUGA

**WORLD ELDER ABUSE AWARENESS DAY
JUNE 15, 2015
A PROCLAMATION**

WHEREAS, Watauga County’s seniors deserve to live safely with dignity, and as independently as possible, with the supports they need; and

WHEREAS, Elder abuse is most often defined as any act that harms a senior or jeopardizes his or her health or welfare. Victims of this crime come from all walks of life and does not discriminate among social, racial, ethnic, or religious backgrounds; and

WHEREAS, Eliminating abuse to older persons is each community’s responsibility; the County of Watauga is concerned about the risk to our older residents who suffer from neglect or are victims of financial, emotional or physical abuse; and

WHEREAS, All of our residents should watch for signs of abuse such as physical trauma, withdrawal, depression, anxiety, fear of family members, friends or caregivers; and

WHEREAS, Watauga County joins North Carolina, this nation, and the world in recognizing World Elder Abuse Awareness Day.

NOW, THEREFORE, BE IT PROCLAIMED that the Watauga Board of Commissioners and the people of our great county, do hereby proclaim June 15, 2015 as Elder Abuse Awareness Day and encourage everyone to commit to build safer communities for our vulnerable adult and elderly residents.

ADOPTED this the 2nd day of June, 2015.



Jimmy Hodges, Chairman
Watauga County Board of Commissioners

ATTEST:

Anita J. Fogle, Clerk to the Board



State of North Carolina

PAT McCRORY

GOVERNOR

VULNERABLE AND ELDER ABUSE AWARENESS MONTH

2015

BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

A PROCLAMATION

WHEREAS, North Carolina joins the world in recognizing World Elder Abuse Awareness Day every June 15th; and

WHEREAS, national and international research reveals that abuse, neglect and exploitation of vulnerable and older adults are grossly underreported; and

WHEREAS, North Carolina's vulnerable and older adults of all social, economic, racial and ethnic backgrounds may be targets of abuse, neglect or exploitation, which can occur in families, long-term care settings and communities; and

WHEREAS, the State of North Carolina enacted the nation's first elder abuse law in 1973, aimed at protecting older adults and vulnerable adults age 18 to 59 with disabilities, and increasingly recognizes the need for a comprehensive system of protection for vulnerable and older adults; and

WHEREAS, protecting North Carolina's vulnerable and older adults is a community responsibility and all citizens are charged under State law to report suspected abuse, neglect or exploitation to their local county department of social services; and

WHEREAS, in fiscal year 2013, over 21,000 reports of abuse, neglect or exploitation of vulnerable and older adults were made to North Carolina's 100 county departments of social services; and

WHEREAS, the Division of Aging and Adult Services partners with county departments of social services to offer a statewide Adult Protective Services Program with area agencies on aging to increase awareness about elder abuse through its Long-Term Care Ombudsman Program, and with the State Attorney General's Office and others to assist victims of telemarketing scams and other forms of consumer fraud; and

WHEREAS, today, 59 of North Carolina's 100 counties are projected to have more people age 60 and over than age 17 and younger, and one in five North Carolinians are age 60 and older; and

WHEREAS, Mother's and Father's Days are national holidays intended to honor, respect, and promote the dignity and well-being of our parents;

NOW, THEREFORE, I, PAT McCRORY, Governor of the State of North Carolina, do hereby proclaim May 8 – June 22, 2015, as “**VULNERABLE AND ELDER ABUSE AWARENESS MONTH**” in North Carolina, and commend its observance to all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in Raleigh this eleventh day of May in the year of our Lord two thousand and fifteen, and of the Independence of the United States of America the two hundred and thirty-ninth.



Pat McCrory
 PAT McCRORY
 Governor

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AGENDA ITEM 5:

GREEN VALLEY PARK ASSISTANCE REQUEST

MANAGER'S COMMENTS:

Mr. Eric Woolridge, working on behalf of High Country Pathways regarding the Pine Run Road and Green Valley Park river accesses, will request County assistance in helping to reduce the construction cost of the paved walking loop at the Green Valley Park. High Country Pathways is requesting the use of County forces to haul the gravel to the Green Valley Park.

Should the Board wish to assist High Country Pathways, staff would work the project into the existing schedule. The new ambulance base is the main priority for County forces at this time.

Staff seeks direction from the Board.

MEMO

To: Watauga County Board of Commissioners
Deron Geouque, County Manager

From: Eric Woolridge, AICP
Principal, Destination by Design Planning

Date: May 13, 2015

Re: County assistance to haul gravel to Green Valley Park

Destination by Design (DbD) is working on behalf of High Country Pathways, Inc., the nonprofit organization fiscally responsible for managing a \$75,000 Recreation Trails Program grant to improve river access on the New River at Pine Run Road and Green Valley Park.

All financial assistance for these projects includes:

- \$75,000 – Recreation Trails Program Grant
- \$15,000 – Green Valley Park
- \$ 3,750 – High Country Pathways, Inc.
- \$36,000 – Watauga County TDA
- \$30,000 – NC Wildlife Resource (In-kind Construction of Pine Run Access)

Total: \$159,750.00

Request

In an effort to reduce costs for constructing the ¼ mile paved walking loop at Green Valley Park, High Country Pathways, Inc. requests that the county provide in-kind assistance by hauling gravel to the park. Grading contractors will be responsible for all trail construction. County assistance will include only the hauling of material.

Note: This request is from High Country Pathways, Inc. – the fiscal agent responsible for meeting the grant’s scope of work and budget. This is not a request of Green Valley Park. If this request would impact Green Valley’s maintenance allowance provided by the County, then we will respectfully decline assistance.

Attachments

1. Complete Construction Documents/ Engineering Plans



Destination by Design
 815 W. King St.
 Boone, NC 28607
 Ph: 828.386.1866



Project #: 2.11.14
 Drawn By: CAG
 Checked By: TKB
 Scale: 1" = 50'

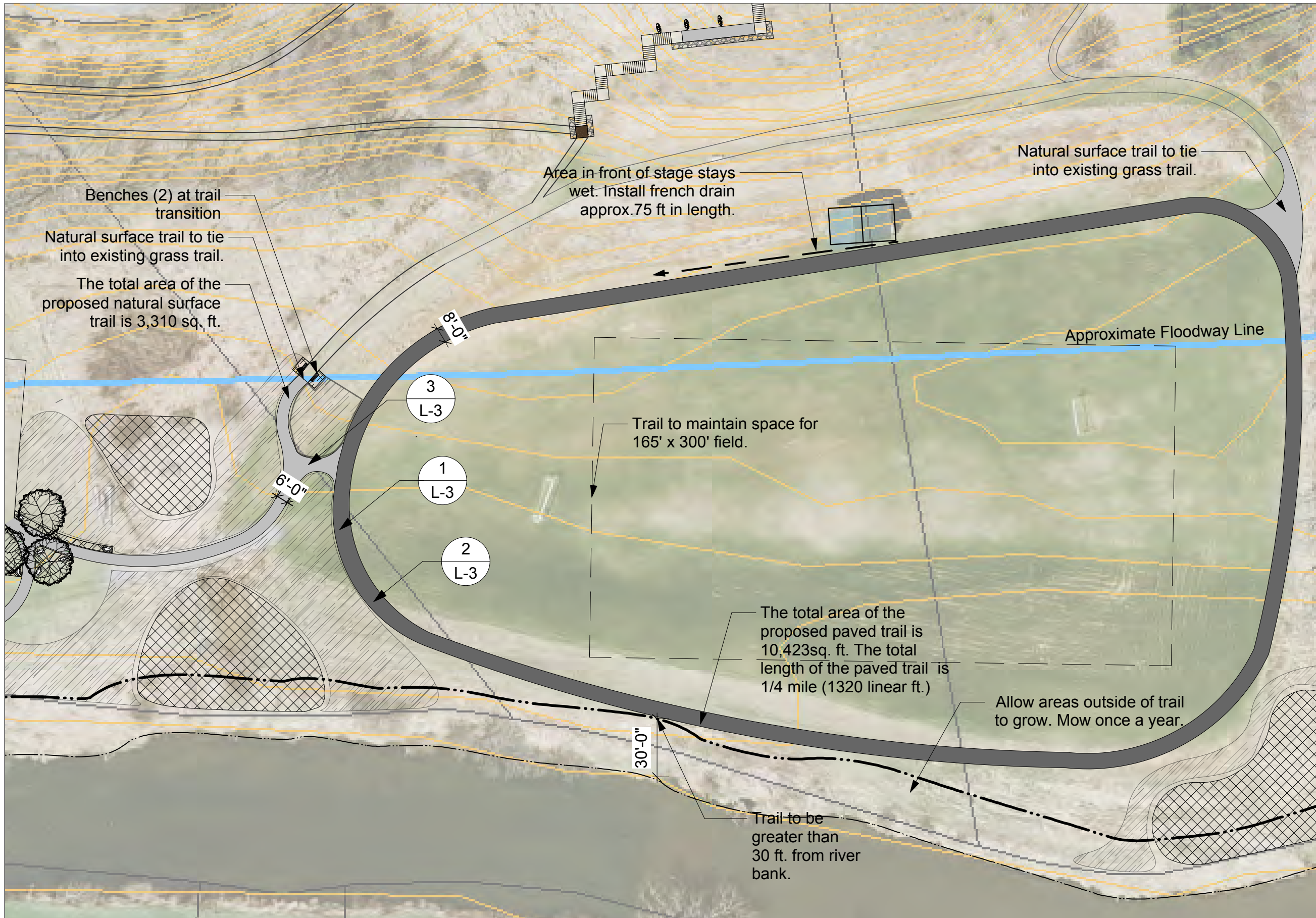
Issue	Date
One	04.02.15

Drawing Title:
 Conceptual Trail Design

Seal:
 Name: Teresa Buckwalter
 Profession: Landscape Architect
 License No.: 1702



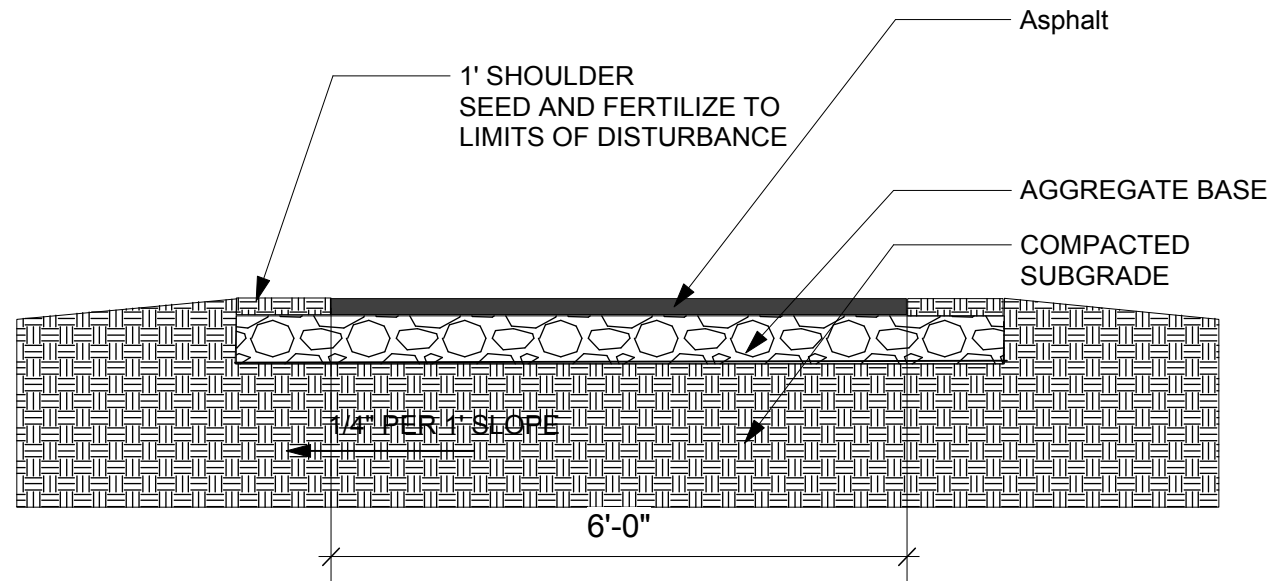
Drawing No.: L-2



Notes:
 1. Contractor to verify exact trail alignment with consultant on site.

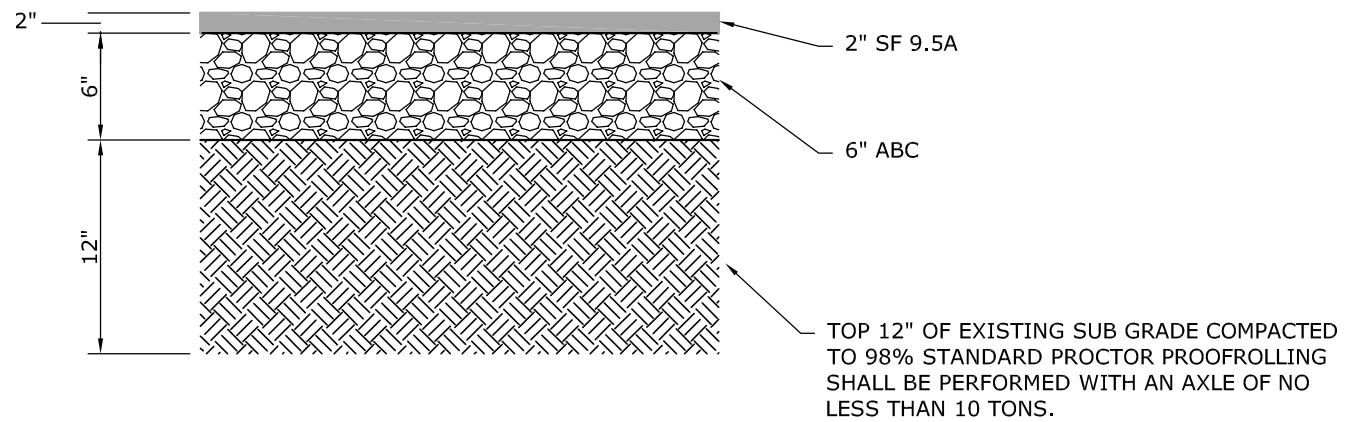
Legend:

	8' Paved Trail		Tree Landscape Area		Perennial Landscape Area
	6' Natural Surface Trail		Shrub Landscape Area		Riverbank Landscape Area



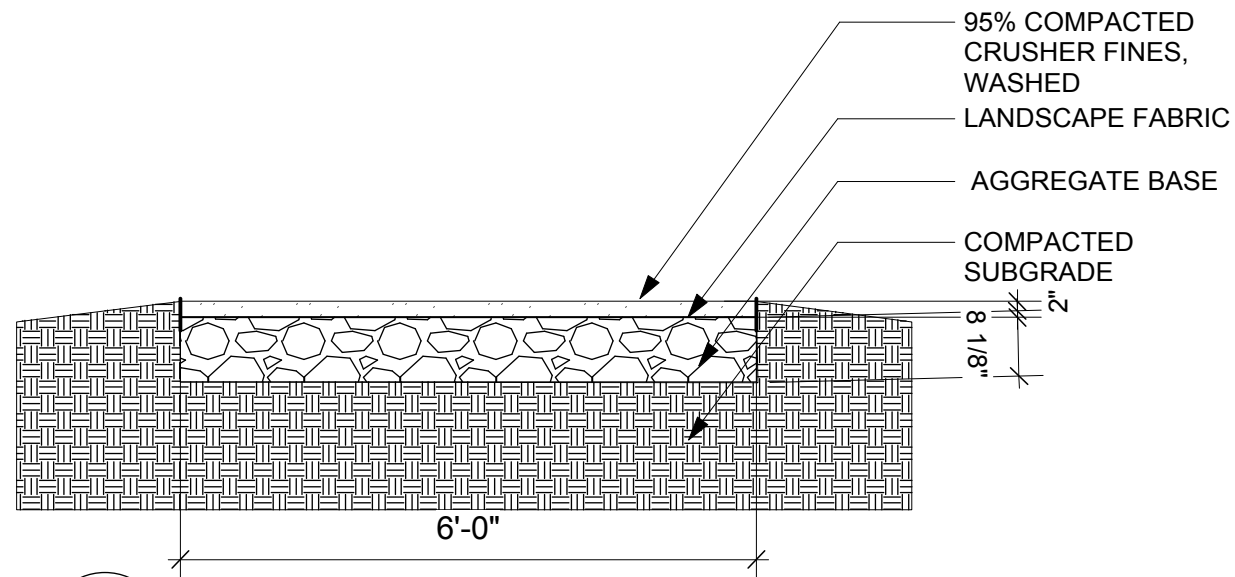
1. SOFT OR UNSTABLE AREAS OF SOIL SHOULD BE RE-COMPACTED OR REMOVED AND REPLACED WITH STABLE SOIL.
2. CONTRACTOR TO EXCAVATE TRAIL SO THAT STONE BASE AND PAVEMENT DO NOT CAUSE A CHANGE IN THE EXISTING GRADE

1 6' Wide Paved Loop Trail
 Scale: 1/2" = 1'-0"



GREENWAY STANDARD DUTY PAVING SPEC

NOT TO SCALE



2 6' CONNECTOR TRAILS
 1/2" = 1'-0"



Destination by Design

815 W. King St.
 Boone, NC 28607
 Ph: 828.386.1866

Project #: 2.11.14
 Drawn By: CAG
 Checked By: TKB
 Scale: Varies

Issue	Date
One	04.02.15
Two	04.21.15

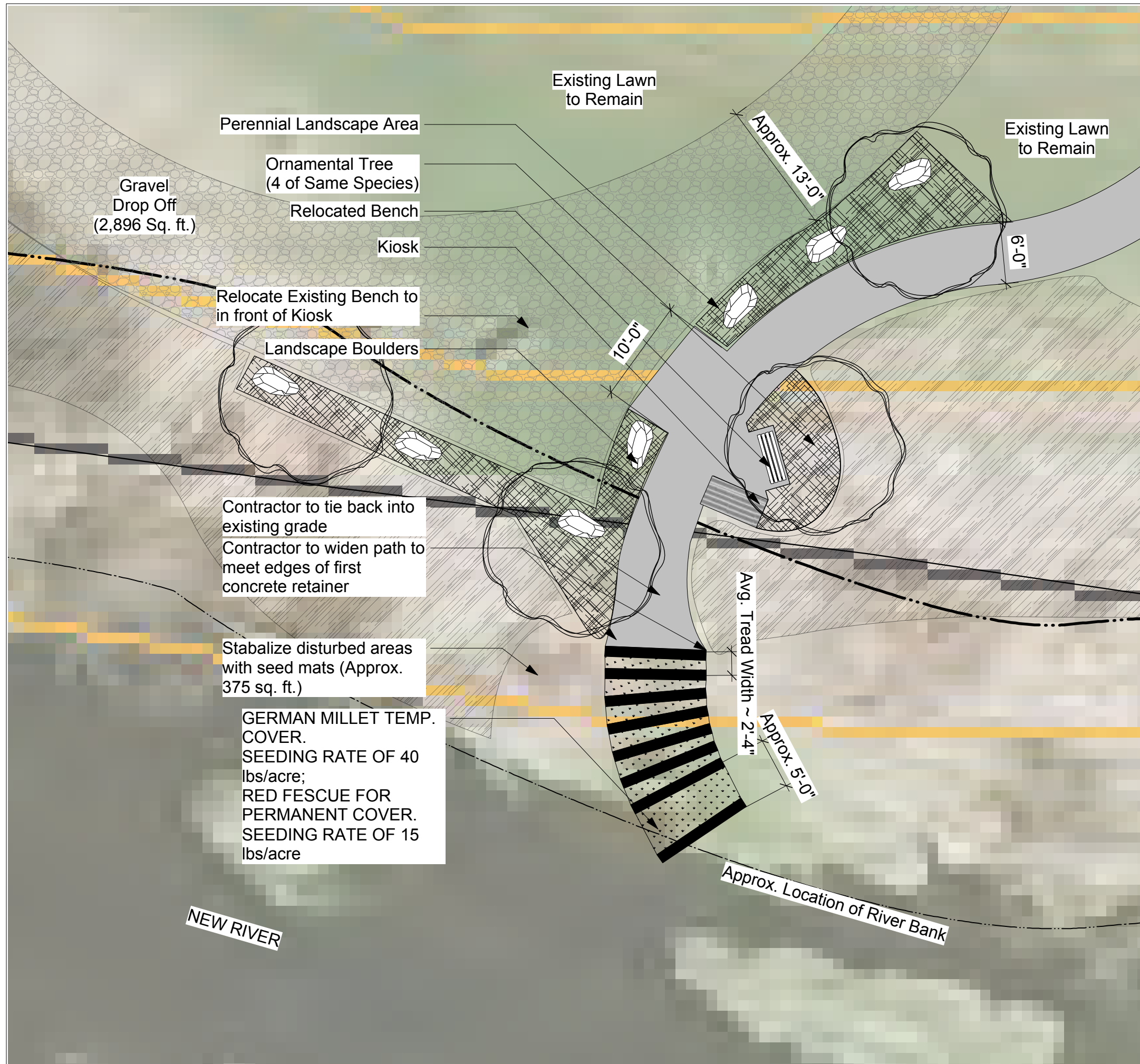
Drawing Title:

Trail Details

Seal:
 Name: Teresa Buckwalter
 Profession: Landscape Architect
 License No.: 1702



Drawing No.:



General Notes:

1. Contractor to cut existing wood ties and work proposed retainers into bank with minimal disturbance to river bank as possible for concrete river access.

060215 BCC Meeting
Green Valley Park
 3896 Big Hill Road
 (State Road 1347)
 Todd, NC 28684



Destination by Design
 815 W. King St.
 Boone, NC 28607
 Ph: 828.386.1866



Project #: 2.11.14
 Drawn By: CAG
 Checked By: TKB
 Scale: Varies

Issue	Date
One	04.02.15

Drawing Title:
 River Access (Plan View)

Seal:
 Name: Teresa Buckwalter
 Profession: Landscape Architect
 License No.: 1702



Drawing No.: L-4



Destination by Design

815 W. King St.
 Boone, NC 28607
 Ph: 828.386.1866

Project #: 2.11.14
 Drawn By: TKB, CAG
 Checked By: TKB
 Scale: Varies

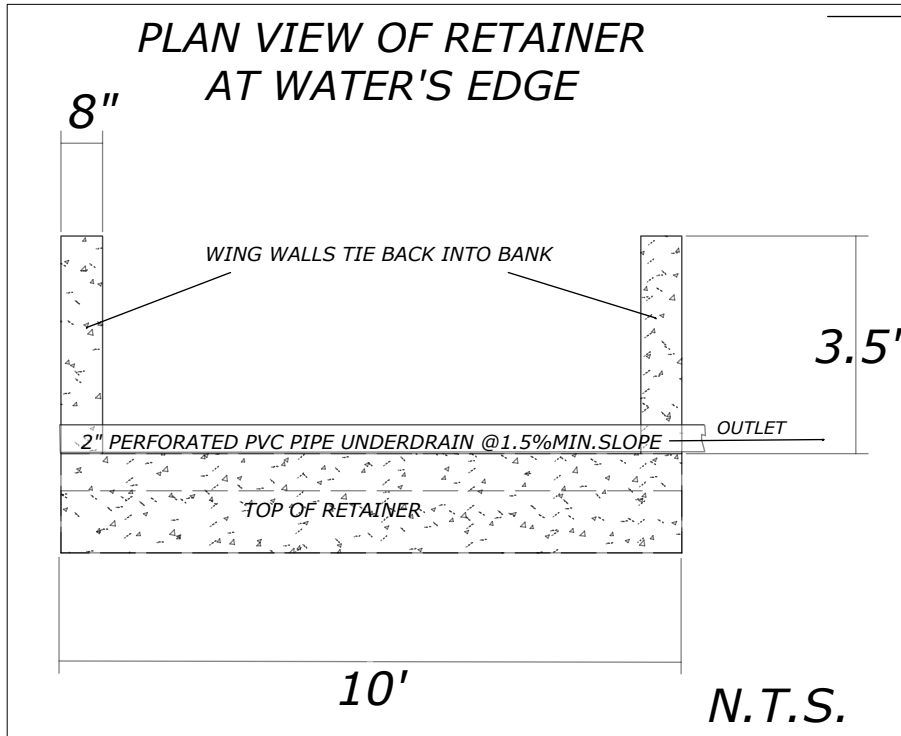
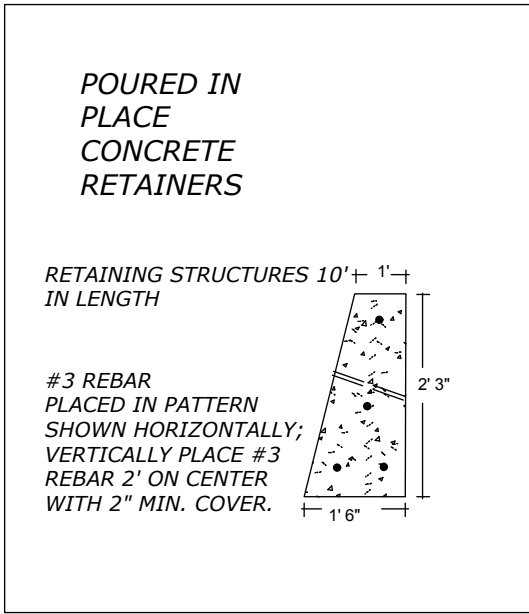
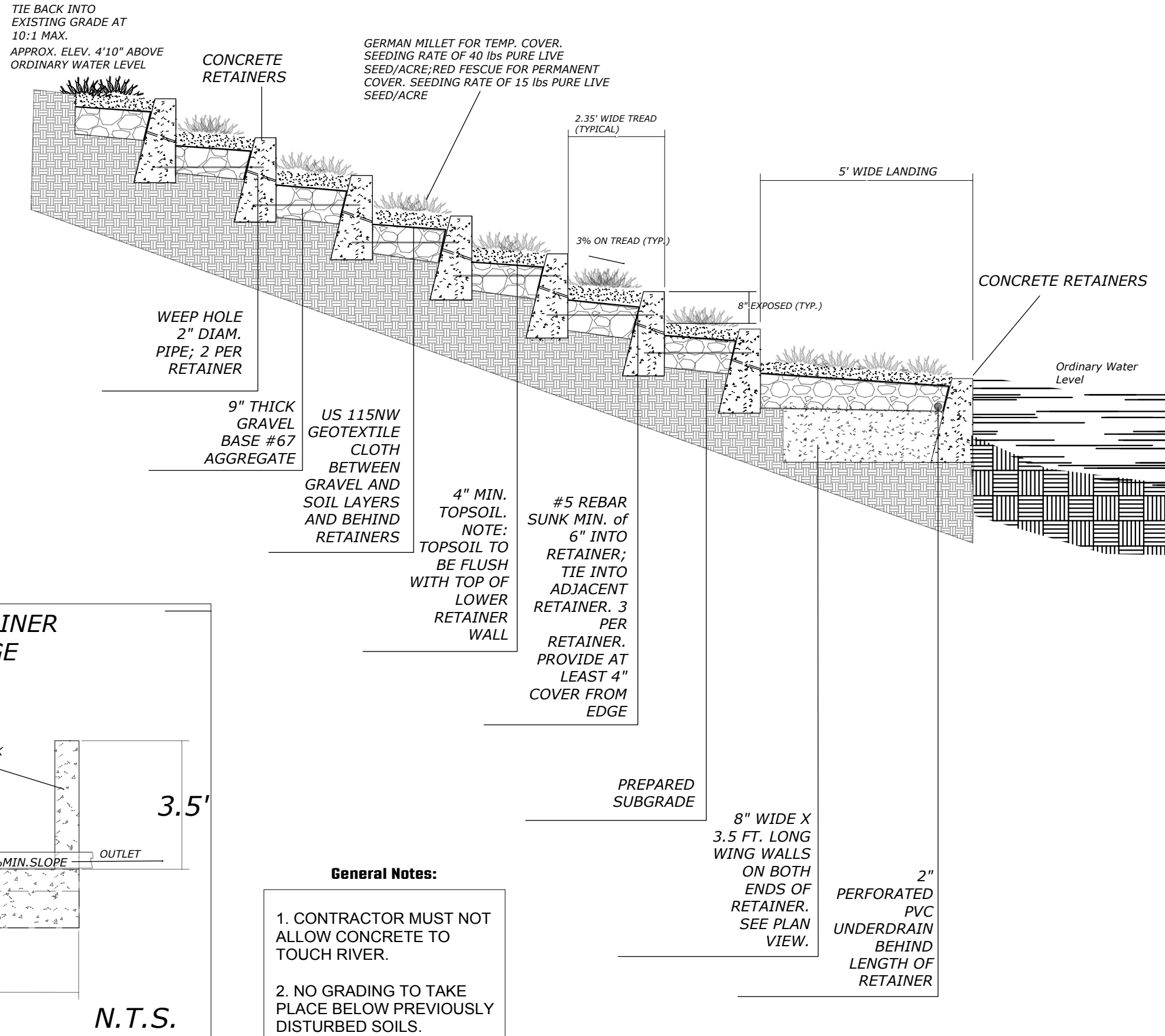
Issue	Date
One	04.02.15

Drawing Title:
 River Access (Details)

Seal:
 Name: Teresa Buckwalter
 Profession: Landscape Architect
 License No.: 1702



Drawing No.: L-5



- General Notes:**
1. CONTRACTOR MUST NOT ALLOW CONCRETE TO TOUCH RIVER.
 2. NO GRADING TO TAKE PLACE BELOW PREVIOUSLY DISTURBED SOILS.

1 RIVER ACCESS DETAIL NOT TO SCALE

AGENDA ITEM 6:

**JUVENILE CRIME PREVENTION COUNCIL (JCPC) FY 2016 CERTIFICATION,
MEMBERSHIP, AND COUNTY PLAN**

MANAGER'S COMMENTS:

Ms. Pan Adams-McCaslin will present the Juvenile Crime Prevention Council (JCPC) Certification and County Plan as well as the membership roster for FY 2016.

Board approval is requested for the certification and membership.



WATAUGA COUNTY

FINANCE OFFICE

814 West King St., Room 216 - Boone, NC 28607 - Phone (828) 265-8007 Fax (828) 265-8006

MEMORANDUM

TO: Deron Geouque, County Manager
FROM: Margaret Pierce, Finance Director
SUBJECT: JCPC Certification, Membership, and County Plan for 2015-16
DATE: May 27, 2015

Attached please find the annual Juvenile Crime Prevention Council Certification, membership recommendations, and County Plan for the coming fiscal year. Pan Adams-McCaslin, Committee Chairperson, will be available to answer any questions the Board may have.

Board approval is requested.

Juvenile Crime Prevention Council County Plan

Watauga County

**Fiscal Year 2013 to Fiscal Year 2016
Year 3 of 4**

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- II. Department of Juvenile Justice and Delinquency Prevention County Funding Allocation
- III. Juvenile Crime Prevention Council Organization
- IV. County Risk and Needs Assessment Summary
- V. Research-Based Programs Summary
- VI. Juvenile Crime Prevention Council Action Plan
- VII. County Juvenile Crime Prevention Council Request for Proposals
- VIII. Funding Decisions Summary

Attachment:

Juvenile Crime Prevention Council Funded Program Descriptions

I.

Executive Summary

The Watauga County Juvenile Crime Prevention Council (JCPC), in fulfillment of the duties and responsibilities as set forth in the General Statutes of the State of North Carolina, has completed the activities required to develop this County Plan for FY 2015-2016.

The JCPC has identified the issues and factors which have an influence and impact upon delinquent youth, at-risk youth, and their families in Watauga County. Further, the JCPC has identified the strategies and services most likely to reduce/prevent delinquent behavior.

Priorities for Funding: Through a risk & needs assessment and a resource assessment, the JCPC has determined that the following services are needed to reduce/prevent delinquency in Watauga County.

1. Parent/Family Skill Building
2. Interpersonal Skill Building
3. Mediation
4. Restitution/Community Service
5. Group Home
6. Temporary Shelter Care
7. Tutoring/Academic Enhancement
8. Homebase Counseling Services for Undocumented & Underinsured Population

Monitoring and Evaluation: Each program funded in the past year by the JCPC has been monitored. The monitoring results and program outcomes evaluations were considered in making funding allocation decisions. The JCPC continues to conduct implementation monitoring of its action plan and its funded programs on a quarterly basis.

Funding Recommendations: Having published a Request for Proposals for these needed services for a minimum of thirty (30) days, the JCPC has screened the submitted proposals and has determined which proposals best meet the advertised needed services. As required by statute, the JCPC recommends allocation of the NC Department of Juvenile Justice and Delinquency Prevention (NC DJJDP) Funds to the following Programs in the amounts specified below for FY 2015-2016 (See JCPC Funding Allocations page) :

- | | |
|--------------------------|----------|
| 1. Juvenile Mediation | \$11,400 |
| 2. Project Challenge | \$38,000 |
| 3. Crossnore School | \$16,065 |
| 4. Youth Resource Center | \$45,455 |

(Please see Attachment for descriptions of the programs recommended for funding)

The JCPC further recommends that the following amount be allocated from the NC DJJDP funds for the administrative costs of the Council for FY 2015-2016:

\$250

The JCPC members want to express our gratitude to the Watauga County Commissioners for your financial support and concern for the at-risk youth and their families who live in our county.

Respectfully Submitted,

Pan Adams-McCaslin
Chair, Watauga County Juvenile Crime Prevention Council

May 27, 2015

JCPC PROGRAMS

1. **Mediation and Restorative Justice Center** – The Juvenile Mediation Program provides mediation services to juveniles to resolve problems such as 1) truancy, 2) school fights, rumors and other person crimes, 3) vandalism, theft, and other property crimes, 4) undisciplined behavior, and 5) family conflict and disruption. The program also accepts referrals for dispute resolution skill-building classes to teach conflict resolution, communication and other skills.
2. **Project Challenge** – provides a dispositional option to juvenile court allowing participants to repay or give back to their community. Project Challenge provides participants the opportunity to fulfill their obligation to the courts by completing community service, and provides victims repayment of monetary loss. The mission of Project Challenge is to help youth become confident, productive members of their community through the offering of their time and talents and through challenging recreational activities.
3. **Crossnore School** – provides a temporary shelter in a residential education setting to include 24-hour care and supervision of juveniles by Resident Counselors and Case Management services provided by Case Managers while addressing the issues which resulted in the juvenile being placed at The Crossnore School. Counseling services, access to medical attention at Crossnore Clinic and/or local doctor's office and educational opportunities at Crossnore Academy are also available, offered and provided through other funding sources.
4. **Western Youth Network, "WYN"** – WYN's Youth Resource Center Program is a Tutoring/Academic Enhancement Program for adjudicated and/or high-risk middle school youth. The program operates from 2:30 – 5:30pm, Monday – Friday throughout the school year and for five (5) weeks during the summer. WYN YRC staff provide daily transportation from participants' schools and to their homes each evening. The WYN YRC program also provides a Supplemental Service, mentoring, that matches a well-trained positive adult role model with participating youth for two hours per week for one calendar year.

II.

Watauga County 2015-2016

NC DPS, JCPC County Funding Allocation

Available Funds: \$ \$111,170 Local Match: \$ \$33,277 Rate: 30%

A **Program Agreement Form** for each program listed below is included as an attachment to the Community Prevention and Intervention Plan.

#	Program Provider	DJJDP Funding	LOCAL FUNDING			OTHER	Total	2015-2016 DJJDP Program Funding
			Local Cash County	Local Cash Other	Local In-Kind	State/Federal		
1	JCPC Administrative Funds	\$250					\$250	0%
2	Juvenile Mediation	\$11,400	\$3,420				\$14,820	23%
3	Project Challenge	\$38,000	\$11,400				\$49,400	23%
4	Crossnore School	\$16,065	\$4,820				\$20,885	23%
5	Youth Resource Center	\$45,455	\$13,637				\$59,092	23%
6							\$0	0%
7							\$0	0%
8							\$0	0%
9							\$0	0%
10							\$0	0%
	TOTALS:	\$111,170	\$33,277	\$0	\$0	\$0	\$144,447	23%
	Unallocated Funds	\$0						

The above plan was derived through a planning process by the Watauga County
 Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2015-2016.

 Chairperson, Juvenile Crime Prevention Council (Date)

 Chairperson, Board of County Commissioners (Date)

III.

Juvenile Crime Prevention Council Organization

	Name	Organization	Title
Chairperson	Pan Adams-McCaslin	Church of the Holy Cross	Youth Pastor
Vice-Chairperson	Paul Holden	Watauga County Schools	Student Services Director
Secretary			
Treasurer	Margaret Pierce	Watauga County	Finance Director
Assessment Committee Chairperson	Mechelle Miller	NCDJJ	Juvenile Court Counselor
Funding Committee Chairperson	Margaret Pierce	Watauga County	Finance Director

Number of members:

21

List meeting dates during the current fiscal year and identify the number of JCPC members in attendance for each.

Meeting Date	Number of Members in Attendance	Quorum Present? Yes/No
8-28-14	10	No
9-25-14	12	Yes
10-23-14	8	No
12-11-14	11	Yes
1-22-15	10	No
3-26-15	10	Yes
4-23-15	11	Yes
5-28-15		

IV.

SUMMARY REPORT OF THE WATAUGA COUNTY RISK AND NEEDS ASSESSMENT COMMITTEE

- I. Risk Assessment Summary
- II. Needs Assessment Summary
- III. Resource Assessment Summary
- IV. Summary of Gaps and Barriers in the Community Continuum
- V. Proposed Priority Services for Funding

Part I. Risk

The Risk and Needs Assessment Committee reviewed data gleaned from the Juvenile Risk Assessment instrument administered by Juvenile Court Counselors after juveniles are referred with a complaint alleging that a delinquent act has occurred and prior to adjudication of the juvenile. The Juvenile Risk Assessment is an instrument used to predict the likelihood of the juvenile being involved in future delinquent behavior. For some youth, some of the individual item ratings may be heavily dependent upon information reported by the juvenile or the parent(s). For these items (*represented by percentages which with a star next to them*), there is a likelihood of under-reporting the incidence of a particular behavior and the actual incidence may be higher than suggested by these figures. In those cases, the figure should be interpreted as a measure of the minimum level of occurrence.

General Observations

- The number of detention admissions has dropped steadily over the 5 year period to a low of 3 admissions in 2013-14 compared to a high of 24 in 2009-10.
- The number of short term out of school suspensions increased to a high of 296 in 2012-13, with a slight drop to 290 in 2012-13. There has been a change in administration and practices have changed for suspending students.
- The number of youth with medium and high needs has decreased. Medium needs reached a high of 62% in 2011-12 and in 2013-14 it is 36% comparable with the State. High needs reached a high of 36% in 2010-11 and in 2013-14 it is 5%, the same as the State percentage.

Watauga County Risk Factor Observations: FY 2013-2014

- R8 Relationship with Peers – Youth who lack pro social peers and associate with delinquent peers remains high over the 4 year period, from 73% in 2010-11, 73% in 2011-12, 72% in 2012-13 and 80% in 2013-14.
- R9 Parental Supervision – The number of parents willing but unable to supervise is higher than the state at 18% in 2013-14. Percentage for Watauga was 52%, 44%, 35% and 46% respectively over the 4 years. A good decline over the period, however it remains higher than the state at 21%

Part II. Needs

The Risk and Needs Assessment Committee also reviewed data gleaned from the Juvenile Needs Assessment instrument administered by Juvenile Court Counselors prior to court disposition of a juvenile. The Juvenile Needs Assessment is an instrument used to examine a youth's needs in the various domains of his life: The Individual Domain, The School Domain, The Peer Domain, and the Community Domain. This instrument was designed to detect service intervention needs as an aid in service planning. As with the Juvenile Risk Assessment, some of the individual item ratings may be heavily dependent upon information reported by the juvenile or the parent(s). For these items (*represented by percentages which with a star next to them*), there is a likelihood of under-reporting the incidence of a particular behavior and the actual incidence may be higher than suggested by these figures. In those cases, the figure should be interpreted as a measure of the minimum level of occurrence.

Watauga County Elevated Needs Observations: FY 2013-2014

- Y1 Peer Relationships – Youth rejected by positive peers remains high over the 4 year period and higher than the State percentage (13% in 2013-14). Percentages for Watauga County ranged from 19 to 25% over the 4 year period.
- Y2 School Behavior – Moderate school behavior problems ranged from 35 to 43% over the 4 year period, higher than the State at 24% in 2013-14.
- Y6 Abuse/Neglect History – Court youth who were abuse victims with support remains high over the four periods, ranging from 35 to 42%. State percentage in 2013-14 was 17%.
- Y8 Mental Health Needs – 92% of youth have some mental health problem in 2012-13. This is higher than the state percent at 68%. Suspect this is higher due to JJTC assessing all youth for mental health problems.
- F2 Family Supervision Skills – Families with marginal supervision skill over the past 4 years was 76% 71%, 73% and 79% compared to the State at 51%.
- F4 Family Substance Abuse – Family abuse of substances in 2013-14 was 21% of families and was as high as 31% in 2010-11. This is compared to the state average of 11%.
- F5 Family Criminality – The percentage of families who either have a family criminal history or have a family member on active court supervision/are gang involved ranged from 26% to 42% over the 4 year period. This has improved with 26% in 2013-14.

Part III. Summary of the Existing Community Resources

See attached Continuum of Services

Part IV. Summary of Gaps and Barriers in the Continuum of Services

Community Day Programming: An elementary day treatment is now open. Services are still needed for the middle school ages.

Transportation in the county is still a need to be able to access resources.

Parenting resources are needed including general parenting education, exposure to domestic violence and for teen parents.

Pro-social resources and after school activities are needed in the community and transportation is needed to be able to access such resources. A need for a Teen Center has been recommended for several years and was recommended in the gang assessment. County funding has not been available for same.

Language is seen as a barrier to using resources and additional Hispanic and language resources are needed including Hispanic parent and child support groups.

Additional services that are absent and needed include independent living programming and respite care according to the continuum of services.

Part V. Proposed Priority Services for Funding

The committee compared the services needed to address the elevated Juvenile Risk Factors and Juvenile Needs with services currently available in the community. Services which are currently available in the community and sufficient to meet the needs of court involved youth or those youth most at risk for court involvement are not considered as a priority for JCPC funding.

The JCPC proposes that the following services be approved as the funding priorities for FY 2015-2016:

- Mediation
- Community Service/Restitution
- Group Home
- Temporary Shelter Care
- Interpersonal Skill Building
- Parent Education & Skill Building
- Tutoring and Academic Enhancement
- Home-based Family Counseling specific to the undocumented and “underinsured” youth

Watauga County III. Continuum of Services - At a Glance

Instructions: Adjust arrows to cover target populations

- 1) JCPC funded
- 2) Available in Community
- 3) Needed - not available
- 4) Available-difficult to access
- 5) Services need to be expanded

Comprehensive Strategy

Prevention

Graduated Sanctions

Target Populations

Program Services & Structures Categories	Programs	Target Populations						
		All Youth	Youth at Greatest Risk	Pre-Adjudicated Youth	Delinquent- Level I/ Prot. Supervision	Delinquent- Level II Youth	Delinquent- Level III Youth	Post Release Youth
Structured Activities	WYN-Youth Resource Center		1	1	1	1	1	1
	WYN - After School		1	1	1	1	1	1
	Mountain Alliance		1	1	1	1	1	1
	WYN Mentoring		1	1	1	1	1	1
	Get Real		1	1	1	1	1	1
	Lighthouse Services(parenting,mentoring, tutoring)		1	1	1	1	1	1
	DARE		1	1	1	1	1	1
	Junior ROTC		1	1	1	1	1	1
	Boy Scouts/Girl Scouts		1	1	1	1	1	1
	4-H		1	1	1	1	1	1
	Civil Air Patrol		1	1	1	1	1	1
	Gang Prevention programming		1	1	1	1	1	1
	Church Youth Groups		1	1	1	1	1	1
	Fire Department Explorer program		1	1	1	1	1	1
	Upward Bound		1	1	1	1	1	1
	Parks and Recreation programming		1	1	1	1	1	1
	Teen Center/Rec Center		1	1	1	1	1	1
	Gear Up, schools-tutoring and mentoring		1	1	1	1	1	1
Drug prevention programs		1	1	1	1	1	1	
Parenting Programs-Love and Logic & STEP		1	1	1	1	1	1	
Triple P Parenting - WYN		1	1	1	1	1	1	
Parenting resources and support		1	1	1	1	1	1	
Restorative Services	Mediation		1	1	1	1	1	1
	Project Challenge		1	1	1	1	1	1
Community Day Programming	Structured Day Program for grades 6-12		1	1	1	1	1	1
	OSS/ISS Alternative setting		1	1	1	1	1	1
	Day Treatment (K-5)		4					
Assessment Services	Psychological Services		1	1	1	1	1	1
	Daymark Recovery Services and Other Private Providers, Youth Villages		1	1	1	1	1	1
			1	1	1	1	1	1
Clinical Treatment	Counseling Services -Mental Health & Private		1	1	1	1	1	1
	Substance Abuse Treatment-Mental Health		1	1	1	1	1	1
	Sex Offender Services - Barium Springs		1	1	1	1	1	1
	Adolescent DBT(Dialectical Behavioral Therapy)		1	1	1	1	1	1
	Parent Groups (Parents of kids in therapy) - psycho-educational		1	1	1	1	1	1
	Mentor Behavioral Healthcare Counseling		1	1	1	1	1	1
	Mental Health services for undocumented youth		1	1	1	1	1	1
	Pregnancy Care Management		1	1	1	1	1	1
	Eckerd Youth Alternatives - Level II		1	1	1	1	1	1
	Mobile Crisis		1	1	1	1	1	1
	ASC		1	1	1	1	1	1
	Intensive In Home Services		1	1	1	1	1	1
MST Multi Systemic Therapy		1	1	1	1	1	1	
Residential	Barium Springs		1	1	1	1	1	1
	Eckerd Youth Alternatives		1	1	1	1	1	1
	Independent Living program		1	1	1	1	1	1
	Inpatient Substance Abuse Program		4					
	Residential Sex Offender Treatment-Barium Springs		1	1	1	1	1	1
	Crossnore		1	1	1	1	1	1
	Grandfather Home		4					
	Respite Care		1	1	1	1	1	1
	Therapeutic Foster & Respite Care		1	1	1	1	1	1
WestCare Residential Service for Girls		4						

Watauga County

	JCPC Continuum of Services	Currently Funded JCPC Services	JJTC Continuum of Services	JJTC Services Currently Available
Structured Activities	Mentoring			
	Parent/Family Skills		Parent Education (Love and Logic)	Yes, available
	Interpersonal Skills			
	Experiential Skills			
	Tutoring/Academic Enhancement	Youth Resource Center		
	Vocational Skills			
Restorative Services	Mediation	Juvenile Mediation		
	Restitution/Community Service	Project Challenge	assumes JCPC as partner to fund community service	Project Challenge
	Teen Court			
Community Day Program	Structured Day			
Assessment	Psychological Assessment		Assessments/Psychologicals	Yes, available
Clinical Treatment	Counseling		Family/Individual Therapy, Multi-Family Group	Yes, available
	Home Based Family Counseling		Intensive In-Home, MST*	Yes, available
	Crisis Counseling		Crisis Counseling, Targeted Case Management	Yes, available
	Substance Abuse Treatment		Substance Abuse Treatment**	Yes, available
	Sex Offender Treatment		Sex Offender Treatment**	Yes, available
Residential Programs	Group Home	Crossnore School		
	Temporary Shelter Care	Crossnore School		
	Runaway Shelter			
	Specialized Foster Care		Therapeutic Foster Care	
	Temporary Foster Care			

* =Where available ** =May be provided through a partner like SAMHJJ Partnership or other JCPC funded program

V.

Watauga County		Research-Based Programs Summary					
JCPFC Funded Program Name	Program Type	Does program provide service(s) or is it a structure? <input type="checkbox"/> Service <input type="checkbox"/> Structure	Evidence of Research Base	SPEP			
				Primary/Service	Supplemental Service	SPEP Ratings Prevention/Intervention	
Juvenile Mediation-Victim Offender Mediation	Mediation	<input checked="" type="checkbox"/> Service <input type="checkbox"/> Structure	According to Dr. Mark Lipsey's meta-analysis of studies of interventions for juvenile offenders mediation is effective in reducing recidivism. A review of research studies show improvements in school attendance, school performance, family relationships, communication and reduced recidivism. Family Court Review, Vol. 43, No. 2, April 2005, Ohio Study, U.S. Dept. of Justice Study	Mediation			
Project Challenge	Restitution	<input checked="" type="checkbox"/> Service <input type="checkbox"/> Structure	According to Dr. Mark Lipsey's meta-analysis of studies of interventions for juvenile offenders restitution/community service is effective in reducing recidivism.	Restitution			
Youth Resource Center	Tutoring/Academic Enhancement	<input checked="" type="checkbox"/> Service <input type="checkbox"/> Structure	According to Dr. Mark Lipsey's meta-analysis of studies of interventions for juvenile offenders remedial academic programs are effective in reducing recidivism.	Remedial Academic Program			
Crossnore School	Temporary Shelter	<input checked="" type="checkbox"/> Service <input type="checkbox"/> Structure	According to Dr. Mark Lipsey's meta-analysis of studies of interventions for juvenile offenders behavioral contracting is effective in reducing recidivism. Also use the Sanctuary Model	Behavioral Contracting	Mixed Counseling		
YRC Summer Camp	Experiential Skills	<input checked="" type="checkbox"/> Service <input type="checkbox"/> Structure	According to Dr. Mark Lipsey's meta-analysis of studies of interventions for juvenile offenders challenge programs are effective in reducing recidivism.	Challenge Program			
Juvenile Mediation-Truancy and Other Mediation	Mediation	<input checked="" type="checkbox"/> Service <input type="checkbox"/> Structure	Family Court Review, Vol. 43, No. 2, April 2005, Ohio Study, U.S. Dept. of Justice Study				
		<input type="checkbox"/> Service <input type="checkbox"/> Structure					

VI.

No Longer Required

VII.

Watauga County Juvenile Crime Prevention Council Request for Proposals

\$111,170

Anticipated County Allocation

30%

Required Local Match Rate

January 25, 2015

Date Advertised

The Juvenile Crime Prevention Council (JCPC) has studied the risk factors and needs of Juvenile Court involved youth in this county and hereby publishes this Request for Proposals. The JCPC anticipates funds from the NC Department of Public Safety, Division of Administration, Community Programs section in the amount stated above to fund the program types specified below. Such programs will serve delinquent and at-risk youth for the state fiscal year 2013-2014 beginning on, or after, July 1, 2013. The use of these funds in this county requires a local match in the amount specified above.

The JCPC will consider proposals for the following needed programs:

Tutoring/Academic Enhancement	Mediation	Substance Abuse Assessment and Treatment
Interpersonal Skill Building	Restitution/Community Service	Temporary Shelter Care
Experiential Skill Building	Structured Day Program	Group Home
Parent Education and Skill Building		

Proposed program services should target the following risk factors for delinquency or repeat delinquency:

Prior Assaults
Known Use of Alcohol, Illegal Drugs
Relationship with Peers
Parental Supervision

Programs should address the following concerns as reported in the Needs Assessments for adjudicated youth:

Peer Domain:	Peer Relationships	
Individual Domain:	Substance Abuse	Abuse and Neglect History
	Mental Health Needs	
Family Domain:	Conflict in the Home	
	Family Supervision Skills	
School Domain:	School Behavior Problems	

Please see the Summary of Risk and Needs for further detail.

Applicants are being sought that are able to address items below:

1. Program services compatible with research that are shown to be effective with juvenile offenders.
2. Program services are outcome-based.
3. The program has an evaluation component.
4. Program services detect gang participation and divert individual

Local public agencies, 501(c)(3) non-profit corporations and local housing authorities are invited to submit applications to provide services addressing the above elements.

Pan Adams-McCaslin

at

828-963-5198

JCPC Chairperson or Designee

Telephone #

In order to apply for FY 2013-2014 JCPC funding, you must complete and submit your application online by accessing NC ALLIES. Please read and follow all instructions at the following link:

http://www.juvjus.state.nc.us/jcpc/forms_agreements.html

After submitting the application electronically, print and submit hard copies as indicated below. Private non-profits are also required to submit No Over Due Tax forms, Conflict of Interest Statements, and proof of 501(c)(3) status.

NOTE: For further information, or technical assistance about applying for JCPC funds in this county, contact, Linda Graney Area Consultant, at 828-250-3809.

Deadline for Application is: March 6, 2015 by 5:00 P.M.

Mail or deliver WATAUGA COUNTY FINANCE OFFICE
applications to: 814 WEST KING ST., SUITE 216
BOONE, NC 28607

Number of original copies to submit: 1

Telephone: 828-265-8007

Watauga County Juvenile Crime Prevention Council (JCPC) Request for Proposals

Watauga County JCPC requests proposals to serve delinquent and at risk youth, ages 6 – 17, from local non-profits, public agencies, and housing authorities. Approximately \$111,170 may be available from N.C. Dept. of Public Safety, Div. of Juvenile Justice for fiscal year July 1, 2015 - June 30, 2016. Agencies are needed to provide community-based programming designed to enhance protective factors and offer at least one of the following services:

- Parent/Family Skill Building (Structured Activities)
- Interpersonal Skill Building (Structured Activities)
- Mediation (Restorative Services)
- Restitution/Community Service (Restorative Services)
- Group Home (Residential Programs)
- Temporary Shelter Care (Residential Programs)
- Tutoring/Academic Enhancement (Structured Activities)
- Homebase Counseling Services for Undocumented & Underinsured Population (Community Day Programming)

In order to apply for JCPC funding, you must complete your application online by accessing NC ALLIES. Please read and follow all instructions at:

<https://www.ncdps.gov/Index2.cfm?a=000003,002476,002483,002482,002514> . New applicants should contact Pan Adams-McCaslin at panamc05@gmail.com or 828-963-5198. After submitting the application electronically, print and mail one hard copy to: Watauga County, 814 West King St, Suite 216, Boone, NC 28607. For further information contact Linda Graney, DPS Area Consultant: 828-296-4743 or Watauga County JCPC Chair Pan Adams-McCaslin.

Deadline for applications: Friday, March 6, 2015, 5:00 PM. **Mandatory New Program Orientation Training** date and location TBD.

MOUNTAIN TIMES
PUBLICATIONS
P.O. BOX 1815
BOONE NC 28607

ORDER CONFIRMATION

Salesperson: CHRISA WALTERS

Printed at 01/22/15 14:50 by cwalt

Acct #: 106000

Ad #: 1646065

Status: N

WATAUGA CO FINANCE
814 WEST KING STREET, SUITE 216
BOONE NC 28607

Start: 01/25/2015 Stop: 01/25/2015
Times Ord: 1 Times Run: ***
MSTD 1.00 X 8.68 Words: 214
Total MSTD 8.75
Class: N5010 PUBLIC NOTICES
Rate: LG1 Cost: 190.75
Affidavits: 1

Contact:
Phone: (828)265-8007
Fax#: (828)265-8006
Email: becky.ballew@watgov.org
Agency:

Ad Descrpt: WATAUGA JUVENILE LEGAL
Given by: BECKY BALLEW
Created: cwalt 01/22/15 14:44
Last Changed: cwalt 01/22/15 14:50

COMMENTS:
EProof 012215/cw

PUB ZONE ED TP START INS STOP SMTWTFS
HCWD A 97 S 01/25

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Becky Ballew
Name (print or type)

Becky Ballew
Name (signature)

(CONTINUED ON NEXT PAGE)

MOUNTAIN TIMES
PUBLICATIONS
P.O. BOX 1815
BOONE NC 28607

ORDER CONFIRMATION (CONTINUED)

Salesperson: CHRISA WALTERS

Printed at 01/22/15 14:50 by cwalt

Acct #: 106000

Ad #: 1646065

Status: N

**WATAUGA COUNTY JUVENILE CRIME PREVENTION COUNCIL (JCPC)
REQUEST FOR PROPOSALS**

Watauga County JCPC requests proposals to serve delinquent and at risk youth, ages 6-17, from local non-profits, public agencies, and housing authorities. Approximately \$111,170 may be available from N.C. Dept. of Public Safety, Div. of Juvenile Justice for fiscal year July 1, 2015 - June 30, 2016. Agencies are needed to provide community-based programming designed to enhance protective factors and offer at least one of the following services:

- Parent/Family Skill Building (Structured Activities)
- Interpersonal Skill Building (Structured Activities)
- Mediation (Restorative Services)
- Restitution/Community Service (Restorative Services)
- Group Home (Residential Programs)
- Temporary Shelter Care (Residential Programs)
- Tutoring/Academic Enhancement (Structured Activities)
- Homebase Counseling Services for Undocumented & Underinsured Population (Community Day Programming)

In order to apply for JCPC funding, you must complete your application online by accessing NC ALLIES. Please read and follow all instructions at: <https://www.ncdps.gov/index2.cfm?a=000003.002476.002483.002482.002514>. New applicants should contact Pan Adams-McCaslin at panamc05@gmail.com or 828-963-5198. After submitting the application electronically, print and mail one hard copy to: Watauga County, 814 West King St, Suite 216, Boone, NC 28607. For further information contact Linda Graney, DPS Area Consultant: 828-296-4743 or Watauga County JCPC Chair Pan Adams-McCaslin.

Deadline for applications: Friday, March 6, 2015, 5:00 PM. **Mandatory New Program Orientation Training** date and location TBD.

Distribution List for 2015-16 RFP	Name	Title
Watauga County Schools	Dr. Paul Holden	Student Service Director
Boone Police	Kat Brackenridge	Officer
Watauga County Sheriff's Office	Dee Dee Rominger	Detective
District Attorney's Office	Jennifer Matthews	ADA
Chief Court Counselor	Lisa Garland	Chief Counselor
Smoky Mtn Center, LME	Robin Winkler	LME Rep
Watauga County DSS	Jeffrey Lee	Social Worker
Watauga County DSS	Tom Hughes	Director
Watauga County DSS	Melanie Ellis	Social Worker
Watauga County	Margaret Pierce	Finance Director
Daymark	Murray Hawkinson	Daymark Recovery Services
Member of Faith Community	Pan Adams-McCaslin	Youth Pastor
Watauga County Commissioner/ASU	John Welch	County Commissioner
Teague Law Firm	Josh Teague	Attorney
District Court	Judge Hal Harrison	District Judge
NC Cooperative Extension	Karee Mackey	4-H
Watauga County Parks and Recreation	Stephen Poulos	Director, P&R
Mediation and Restorative Justice	Melissa Johnson	Director, MRJC
Western Youth Network	Jennifer Warren	Director, WYN
NC Courts	Mechelle Miller	Juvenile Court Counselor
Crossnore School	Amber Matthews	Intake
NCDPS	Linda Graney	Area Consultant
NCDJJ	Timothy Eller	
SMC	Veronica Timbers	
Mediation and Restorative Justice	Fawn Roark	
Project Challenge	Chris Renfro	
	Astrid Sosa	Spanish Interpreter
Watauga County	Becky Ballew	Finance
United Way	Email Box	
Project Challenge	Josh Johnson	
Western Youth Network	Heather Canipe	
Western Youth Network	Rachel Saylor	

VIII.

Juvenile Crime Prevention Council Funding Decisions Summary

Program Funded	Reason for Funding (Check all that apply)
Juvenile Mediation	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Other -Teaches and models conflict resolution skills <input checked="" type="checkbox"/> Other -Ability to address any subject matter of concern <input type="checkbox"/> Would increase funding to this service if funds were available
Project Challenge	<input checked="" type="checkbox"/> Meets funding priority <input type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input checked="" type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Other -Teaches and models social skills <input checked="" type="checkbox"/> Other -Teaches pride in community and giving <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
Crossnore School	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input type="checkbox"/> Would increase funding to this service if funds were available
Youth Resource Center	<input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Other -Teaches and models social and academic skills <input checked="" type="checkbox"/> Other -Provides the only option for afterschool care/supervision for middle school students <input checked="" type="checkbox"/> Would increase funding to this service if funds were available
	<input type="checkbox"/> Meets funding priority <input type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input type="checkbox"/> Would increase funding to this service if funds were available
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	<input type="checkbox"/> Meets funding priority <input type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input type="checkbox"/> Would increase funding to this service if funds were available

Juvenile Crime Prevention Council Funding Decisions Summary

	<input type="checkbox"/> Meets funding priority <input type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Other <input type="checkbox"/> Other <input type="checkbox"/> Would increase funding to this service if funds were available
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Program Not Funded	Reason for Not Funding (Check all that apply)
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
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	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of it's type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other



NC Department of Public Safety
Juvenile Crime Prevention Council Certification

Fiscal Year: 2015 -2016

County: Watauga Date: 5-26-15

CERTIFICATION STANDARDS

STANDARD #1 - Membership

- A. Have the members of the Juvenile Crime Prevention Council been appointed by county commissioners? yes
B. Is the membership list attached? yes
C. Are members appointed for two year terms and are those terms staggered? yes
D. Is membership reflective of social-economic and racial diversity of the community? yes
E. Does the membership of the Juvenile Crime Prevention Council reflect the required positions as provided by N.C.G.S. §143B-846? yes
If not, which positions are vacant and why?

STANDARD #2 - Organization

- A. Does the JCPC have written Bylaws? yes
B. Bylaws are [] attached or [X] on file (Select one.)
C. Bylaws contain Conflict of Interest section per JCPC policy and procedure. yes
D. Does the JCPC have written policies and procedures for funding and review? yes
E. These policies and procedures [] attached or [X] on file. (Select one.)
F. Does the JCPC have officers and are they elected annually? yes
JCPC has: [X] Chair; [X] Vice-Chair; [] Secretary; [X] Treasurer.

STANDARD #3 - Meetings

- A. JCPC meetings are considered open and public notice of meetings is provided. yes
B. Is a quorum defined as the majority of membership and required to be present in order to conduct business at JCPC meetings? yes
C. Does the JCPC meet bi-monthly at a minimum? yes
D. Are minutes taken at all official meetings? yes
E. Are minutes distributed prior to or during subsequent meetings? yes

STANDARD #4 - Planning

- A. Does the JCPC conduct an annual planning process which includes a needs assessment, monitoring of programs and funding allocation process? yes
B. Is this Annual Plan presented to the Board of County Commissioners and to DPS? yes
C. Is the Funding Plan approved by the full council and submitted to Commissioners for their approval? yes

STANDARD #5 - Public Awareness

- A. Does the JCPC communicate the availability of funds to all public and private non-profit agencies which serve children or their families and to other interested community members? (RFP, distribution list, and article attached) _____ yes
- B. Does the JCPC complete an annual needs assessment and make that information available to agencies which serve children or their families, and to interested community members? _____ yes

STANDARD #6 – No Overdue Tax Debt

- A. As recipient of the county DPS JCPC allocation, does the County certify that it has no overdue tax debts, as defined by N.C.G.S. §105-243.1, at the Federal, State, or local level? _____ yes

Briefly outline the plan for correcting any areas of standards non-compliance.

Having complied with the Standards as documented herein, the Juvenile Crime Prevention Council may use up to \$15,500 of its annual Juvenile Crime Prevention fund allocation to cover administrative and related costs of the council. *Form JCPC/OP 002 (b) JCPC Certification Budget Pages* detailing the expenditure budget must be attached to this certification.
The JCPC Certification must be received by June 30, 2015.

**JCPC Administrative Funds
SOURCES OF REVENUE**

DPS JCPC	
Only list requested funds for JCPC Administrative Budget.	
	250
Local	0
Other	0
Total	250

 JCPC Chairperson Date

 Chairman, Board of County Commissioners Date

 DPS Designated Official Date

Juvenile Crime Prevention Council Certification (cont'd)

Watauga

County

FY 2015 - 2016

Instructions: N.C.G.S. § 143B-846 specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

Specified Members	Name	Title	Designee	Race	Gender
1) School Superintendent or designee	Dr. Paul Holden	Student Ser. Dir.	<input checked="" type="checkbox"/>	W	M
2) Chief of Police	K. Brackenridge	Detective	<input checked="" type="checkbox"/>	W	F
3) Local Sheriff or designee	Dee Rominger	Captain	<input checked="" type="checkbox"/>	W	F
4) District Attorney or designee	Seth Banks	DA	<input type="checkbox"/>	W	M
5) Chief Court Counselor or designee	Lisa Garland	Chief Counselor	<input type="checkbox"/>	W	F
6) Director, AMH/DD/SA, or designee	Robin Winkler	Smoky Mt LME	<input checked="" type="checkbox"/>	W	F
7) Director DSS or designee	Melanie Ellis	Social Worker	<input checked="" type="checkbox"/>	W	F
8) County Manager or designee	Margaret Pierce	Finance Director	<input checked="" type="checkbox"/>	W	F
9) Substance Abuse Professional	Murray Hawkinson	Daymark Recovery Serv.	<input type="checkbox"/>	W	M
10) Member of Faith Community	Pan Adams-McCaslin	Youth Pastor	<input type="checkbox"/>	W	F
11) County Commissioner	John Welch	County Commissioner	<input type="checkbox"/>	W	M
12) Two Persons under age 18 (State Youth Council Representative, if available)	Corinne Giles	Student	<input type="checkbox"/>	W	F
	Matthew Hellenbrand	Student	<input type="checkbox"/>	W	M
13) Juvenile Defense Attorney	Josh Teague	Attorney	<input type="checkbox"/>	W	M
14) Chief District Judge or designee	Judge Harrison	District Judge	<input type="checkbox"/>	W	M
15) Member of Business Community	Elizabeth Herman	Vital Writer Services	<input type="checkbox"/>	W	F
16) Local Health Director or designee	Erica Mann	Nursing Supervisor	<input checked="" type="checkbox"/>	W	F
17) Rep. United Way/other non-profit	Dick Hearn	United Way	<input type="checkbox"/>	W	M
18) Representative/Parks and Rec.	Stephen Poulos	Director, P&R	<input type="checkbox"/>	W	M
19) County Commissioner appointee	Joan Hern	Guardian Ad Litem	<input type="checkbox"/>	W	F
20) County Commissioner appointee	Mechelle Miller	Court Counselor	<input type="checkbox"/>	W	F
21) County Commissioner appointee	Alicia Santos	Club 12	<input type="checkbox"/>		F
22) County Commissioner appointee	Raquel Cortez	Wat. Co Schools	<input type="checkbox"/>		F
23) County Commissioner appointee	Timothy Eller	Court Counselor	<input type="checkbox"/>	W	M
24) County Commissioner appointee	Melody Moss	NCWorks	<input type="checkbox"/>	W	F
25) County Commissioner appointee			<input type="checkbox"/>		

SECTION VII		JCPC Certification Budget Pages		
Program:		County Juvenile Crime Prevention Council		
Fiscal Year	2015-2016	Number of months		
		Cash	In-Kind	Total
I. Personnel Services				
120	Salaries & Wages			
180	Fringe Benefits			
190	Professional Services			
II. Supplies & Materials		\$50		\$50
210	Household & Cleaning			
220	Food & Provisions			
230	Education & Medical			
240	Construction & Repair			
250	Vehicle Supplies & Materials			
260	Office Supplies & Materials	\$50		\$50
280	Heating & Utility Supplies			
290	Other Supplies & Materials			
III. Current Obligations & Services		\$200		\$200
310	Travel & Transportation			
320	Communications			
330	Utilities			
340	Printing & Binding			
350	Repairs & Maintenance			
370	Advertising	\$200		\$200
380	Data Processing			
390	Other Services			
IV. Fixed Charges & Other Expenses				
410	Rental of Real Property			
430	Equipment Rental			
440	Services & Maint. Contracts			
450	Insurance & Bonding			
490	Other Fixed Charges			
V. Capital Outlay				
510	Office Furniture & Equipment			
530	Educational Equipment			
540	Motor Vehicle			
550	Other Equipment			
580	Buildings, Structures & Improv.			
Total		\$250		\$250

SECTION VII**JCPC Certification Budget Pages**Program: **County Juvenile Crime Prevention Council**

	Fiscal Year <u>2015-2016</u>		Number of months _____	
	Cash	In-Kind	Total	
I. Personnel Services				
120 Salaries & Wages	_____	_____	_____	
180 Fringe Benefits	_____	_____	_____	
190 Professional Services	_____	_____	_____	
II. Supplies & Materials	\$50		\$50	
210 Household & Cleaning	_____	_____	_____	
220 Food & Provisions	_____	_____	_____	
230 Education & Medical	_____	_____	_____	
240 Construction & Repair	_____	_____	_____	
250 Vehicle Supplies & Materials	_____	_____	_____	
260 Office Supplies & Materials	\$50	_____	\$50	
280 Heating & Utility Supplies	_____	_____	_____	
290 Other Supplies & Materials	_____	_____	_____	
III. Current Obligations & Services	\$200		\$200	
310 Travel & Transportation	_____	_____	_____	
320 Communications	_____	_____	_____	
330 Utilities	_____	_____	_____	
340 Printing & Binding	_____	_____	_____	
350 Repairs & Maintenance	_____	_____	_____	
370 Advertising	\$200	_____	\$200	
380 Data Processing	_____	_____	_____	
390 Other Services	_____	_____	_____	
IV. Fixed Charges & Other Expenses				
410 Rental of Real Property	_____	_____	_____	
430 Equipment Rental	_____	_____	_____	
440 Services & Maint. Contracts	_____	_____	_____	
450 Insurance & Bonding	_____	_____	_____	
490 Other Fixed Charges	_____	_____	_____	
V. Capital Outlay				
510 Office Furniture & Equipment	_____	_____	_____	
530 Educational Equipment	_____	_____	_____	
540 Motor Vehicle	_____	_____	_____	
550 Other Equipment	_____	_____	_____	
580 Buildings, Structures & Improv.	_____	_____	_____	
Total	\$250		\$250	

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AGENDA ITEM 7:

CONNECT NC BOND PROPOSAL INFORMATION

MANAGER'S COMMENTS:

Per Board direction and request, Ms. April Riddle, Western Regional Director for the Governor's Office, will present a summary of the Connect NC Bond Proposal and answer any questions the Commissioners may have.

The presentation is for information only; therefore no action is required.

Information on the CONNECT NC BOND INITIATIVE, currently pending in the General Assembly

- it has been 15 years since the last general obligation bond was authorized to improve public infrastructure, which has resulted in years of deferred investment; and
- our state's rapidly growing population presents critical infrastructure needs; and
- new school facilities and superior roads and bridges are long-term investments in the state's future that will support our growth and make North Carolina more attractive to businesses and residents; and
- no tax increases are necessary to finance the bonds given the ample debt service capacity within our existing revenue profile; and
- the bonds are well within current debt affordability as determined by the State Treasurer and the nonpartisan Debt Affordability Committee; and
- North Carolina has a long and successful history of judiciously using long-term financing to meet its infrastructure needs; and
- interest rates are at historical lows and it has never been less expensive to make long-term investments;



CONNECT NC

Investing in our future.

WESTERN REGION

Infrastructure Bond

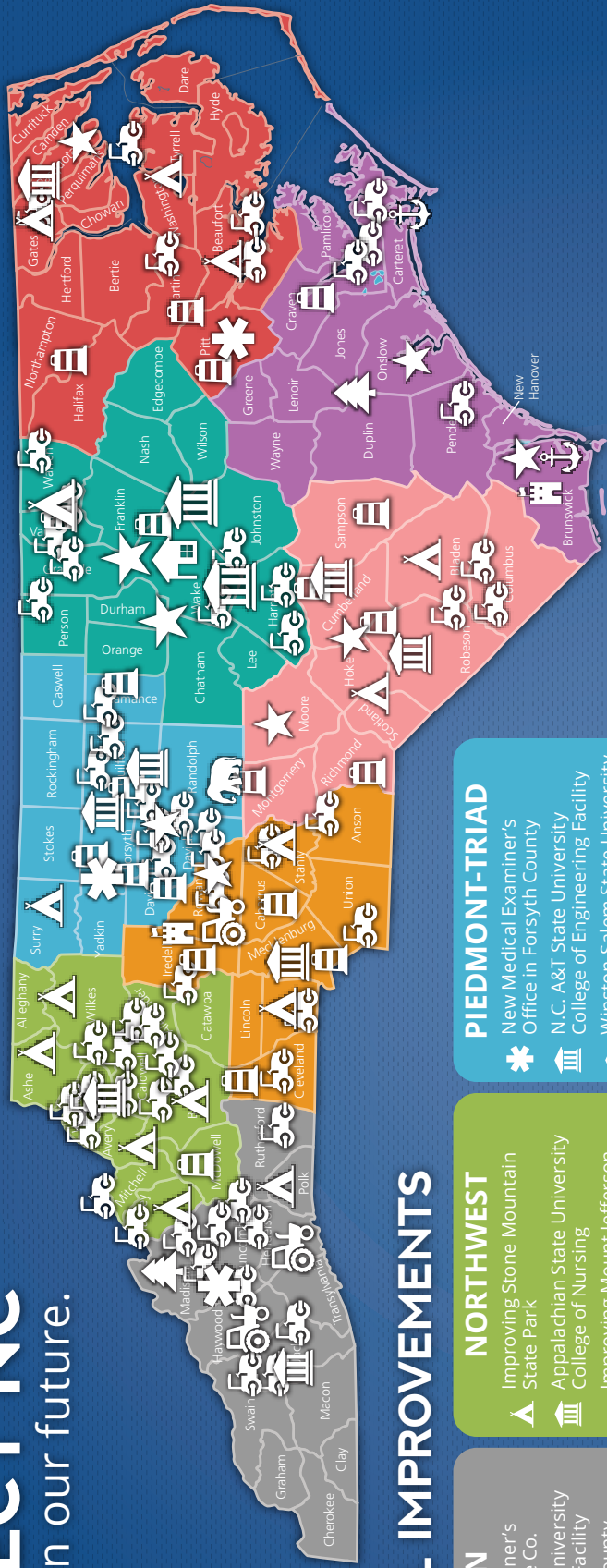
PROJECT	COUNTY	ESTIMATED COST
New Medical Examiner's Office in Buncombe Co.	Buncombe	\$12,976,000
Western Carolina University Science and STEM Facility	Jackson	\$114,932,235
Replace Madison County N.C. Forest Service Headquarters	Madison	\$1,000,000
Improving Chimney Rock State Park	Rutherford, Polk, Buncombe and Henderson	\$2,000,000
Improving Gorges State Park	Transylvania	\$3,341,000
Western N.C. Agricultural Center Site Improvements	Henderson	\$1,000,000
State Highway Patrol—Vehicle Paint Booths	Buncombe	\$796,000

Transportation Bond

Unpaved Secondary Roads Paving Projects		\$2,965,500
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CONNECT NC

Investing in our future.



REGIONAL IMPROVEMENTS

WESTERN

- New Medical Examiner's Office in Buncombe Co.
- Western Carolina University
- Replace Madison County
- N.C. Forest Headquarters
- Improving Chimney Rock State Park
- Western N.C. Agricultural Center Site Improvements

NORTHWEST

- Improving Stone Mountain State Park
- Appalachian State University College of Nursing
- Improving Mount Jefferson State Park
- Improving South Mountain State Park
- Improving Grandfather Mountain State Park
- Improving Mount Mitchell State Park
- U.S. 221

SOUTHWEST

- Improving Crowders Mountain State Park
- UNC Charlotte Science Building
- N.C. Transportation Museum
- Improving Morrow Mountain State Park
- State Highway Patrol Vehicle Paint Booth
- Improving Agricultural Research Stations
- U.S. 74
- U.S. 40/I-77
- George Liles Parkway
- Weddington Road/I-485 Interchange

SOUTH CENTRAL

- Convert Samarkand to Statewide Law Enforcement Center
- UNC Pembroke West Hall Renovations
- Fayetteville State University Lyons Science Building Renovations
- Fort Bragg Road Improvements
- Improving Lumber River State Park
- Improving Singletary Lake State Park
- N.C. 24/27
- U.S. 1
- All-American Freeway

SOUTHEAST

- Camp Lejeune Road Improvements
- Improving Wilmington National Guard Facilities
- Replace Duplin County N.C. Forest Service Headquarters
- USS Battleship North Carolina Visitor's Center
- Port of Morehead Infrastructure
- Port of Wilmington Infrastructure
- N.C. 43 Connector

PIEDMONT-TRIAD

- New Medical Examiner's Office in Forsyth County
- N.C. A&T State University College of Engineering Facility
- Winston-Salem State University Science Building
- Improving High Point National Guard Facilities
- Improving Pilot Mountain State Park
- Improving N.C. Zoo Exhibits
- Winston-Salem Beltway (I-74)
- N.C. 119
- Greensboro Road

NORTH CENTRAL

- Blount Street Rehabilitation Project
- N.C. Central University School of Business
- N.C. State University Engineering Building
- Improving Durham National Guard Facilities
- State Highway Patrol Training Academy
- Improving Kerr Lake State Recreation Area
- N.C. 54 (Hillsborough St.)
- U.S. 401

NORTHEAST

- New Medical Examiner's Office in Pitt County
- Hanger for Elizabeth City U.S. Coast Guard
- Improving Goose Creek State Park in Beaufort
- Improving Pettigrew State Park
- Improving Merchants Millpond State Park
- Elizabeth City State University Facility Repairs and Renovations
- Dickinson Avenue
- U.S. 17
- U.S. 158

Unpaved Secondary Roads Paving Projects
 Candidate Bond Projects (Statewide, Regional and Division)

*Note: This is a sample of projects in each region, not a complete list. Regions based on N.C. Department of Commerce Prosperity Zones

CONNECT NC

Investing in our future.

SOUTH CENTRAL REGION

Infrastructure Bond

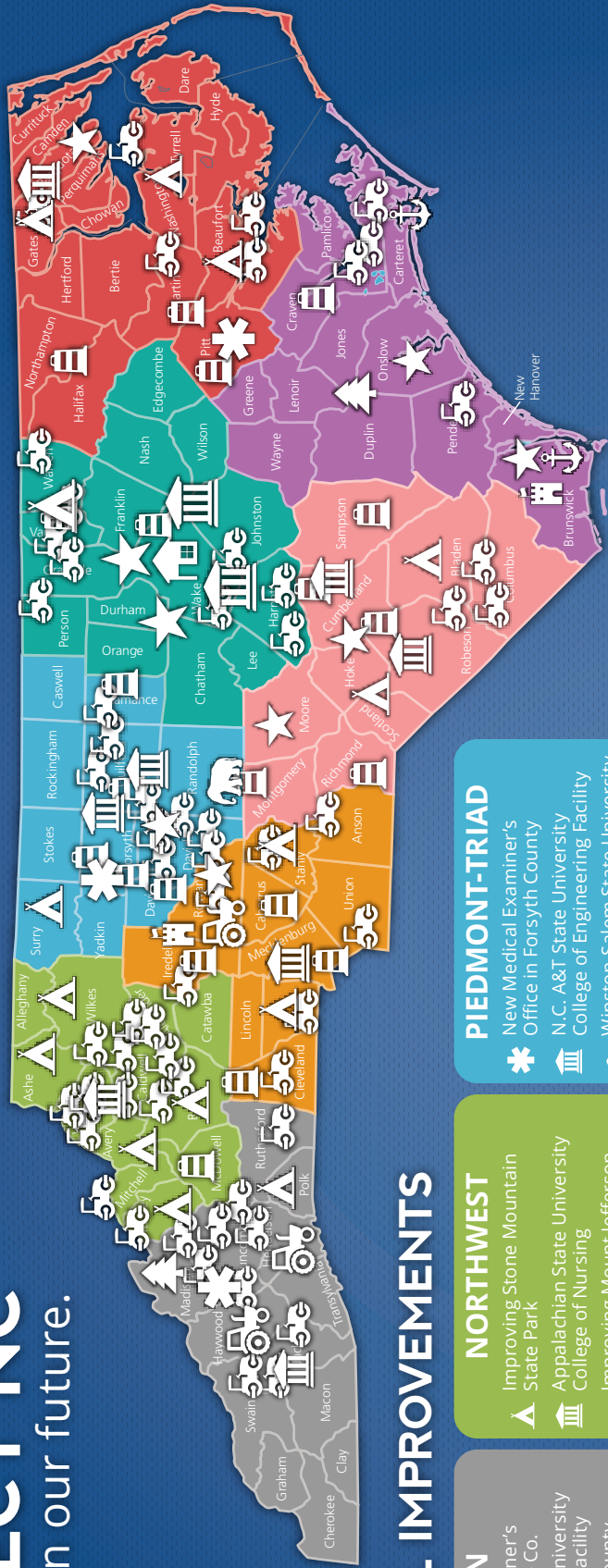
PROJECT	COUNTY	ESTIMATED COST
Improving Singletary Lake State Park	Bladen	\$767,000
Improving Lake Waccamaw State Park	Columbus	\$2,008,000
Fayetteville State University Lyons Science Bldg Renovation	Cumberland	\$10,616,000
Ft. Bragg/Camp Lejeune Road Improvements	Cumberland	\$11,000,000
Convert Samarkand to Statewide Law Enforcement Center	Moore	\$28,000,000
UNC Pembroke West Hall Renovations	Robeson	\$10,000,000
Improving Lumber River State Park	Scotland, Hoke, Robeson and Columbus	\$3,505,000

Transportation Bond

PROJECT	COUNTY	ESTIMATED COST
All-American Freeway	Cumberland	\$47,903,000
I-295	Cumberland and Robeson	\$54,500,000
N.C. 24/27	Montgomery	\$44,650,000
U.S. 1	Richmond	\$16,800,000
N.C. 24	Sampson	\$34,204,000
Unpaved Secondary Roads Paving Projects		\$1,381,500

CONNECT NC

Investing in our future.



REGIONAL IMPROVEMENTS

WESTERN

- New Medical Examiner's Office in Buncombe Co.
- Western Carolina University
- Replace Madison County
- N.C. Forest Headquarters
- Improving Chimney Rock State Park
- Western N.C. Agricultural Center Site Improvements

NORTHWEST

- Improving Stone Mountain State Park
- Appalachian State University College of Nursing
- Improving Mount Jefferson State Park
- Improving South Mountain State Park
- Improving Grandfather Mountain State Park
- Improving Mount Mitchell State Park
- U.S. 221

PIEDMONT-TRIAD

- New Medical Examiner's Office in Forsyth County
- N.C. A&T State University College of Engineering Facility
- Winston-Salem State University Science Building
- Improving High Point National Guard Facilities
- Improving Pilot Mountain State Park
- Improving N.C. Zoo Exhibits
- Winston-Salem Beltway (I-74)
- N.C. 119
- I-40 Greensboro Road

SOUTHWEST

- Improving Crowders Mountain State Park
- UNC Charlotte Science Building
- N.C. Transportation Museum
- Improving Morrow Mountain State Park
- State Highway Patrol Vehicle Paint Booth
- Improving Agricultural Research Stations
- U.S. 74
- I-40/I-77
- George Liles Parkway
- Weddington Road/I-485 Interchange

SOUTH CENTRAL

- Convert Samarkand to Statewide Law Enforcement Center
- UNC Pembroke West Hall Renovations
- Fayetteville State University Lyons Science Building Renovations
- Fort Bragg Road Improvements
- Improving Lumber River State Park
- Improving Singletary Lake State Park
- N.C. 24/27
- U.S. 1
- I-295
- N.C. 24
- All-American Freeway

SOUTHEAST

- Camp Lejeune Road Improvements
- Improving Wilmington National Guard Facilities
- Replace Duplin County N.C. Forest Service Headquarters
- USS Battleship North Carolina Visitor's Center
- Port of Morehead Infrastructure
- Port of Wilmington Infrastructure
- N.C. 43 Connector

NORTH CENTRAL

- Blount Street Rehabilitation Project
- N.C. Central University School of Business
- N.C. State University Engineering Building
- Improving Durham National Guard Facilities
- State Highway Patrol Training Academy
- Improving Kerr Lake State Recreation Area
- N.C. 54 (Hillsborough St.)
- U.S. 401

NORTHEAST

- New Medical Examiner's Office in Pitt County
- Hanger for Elizabeth City U.S. Coast Guard
- Improving Goose Creek State Park in Beaufort
- Improving Pettigrew State Park
- Improving Merchants Millpond State Park
- Elizabeth City State University Facility Repairs and Renovations
- Dickinson Avenue
- U.S. 17
- U.S. 158

Unpaved Secondary Roads Paving Projects
 Candidate Bond Projects (Statewide, Regional and Division)

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CONNECT NC

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SOUTHEAST REGION

Infrastructure Bond

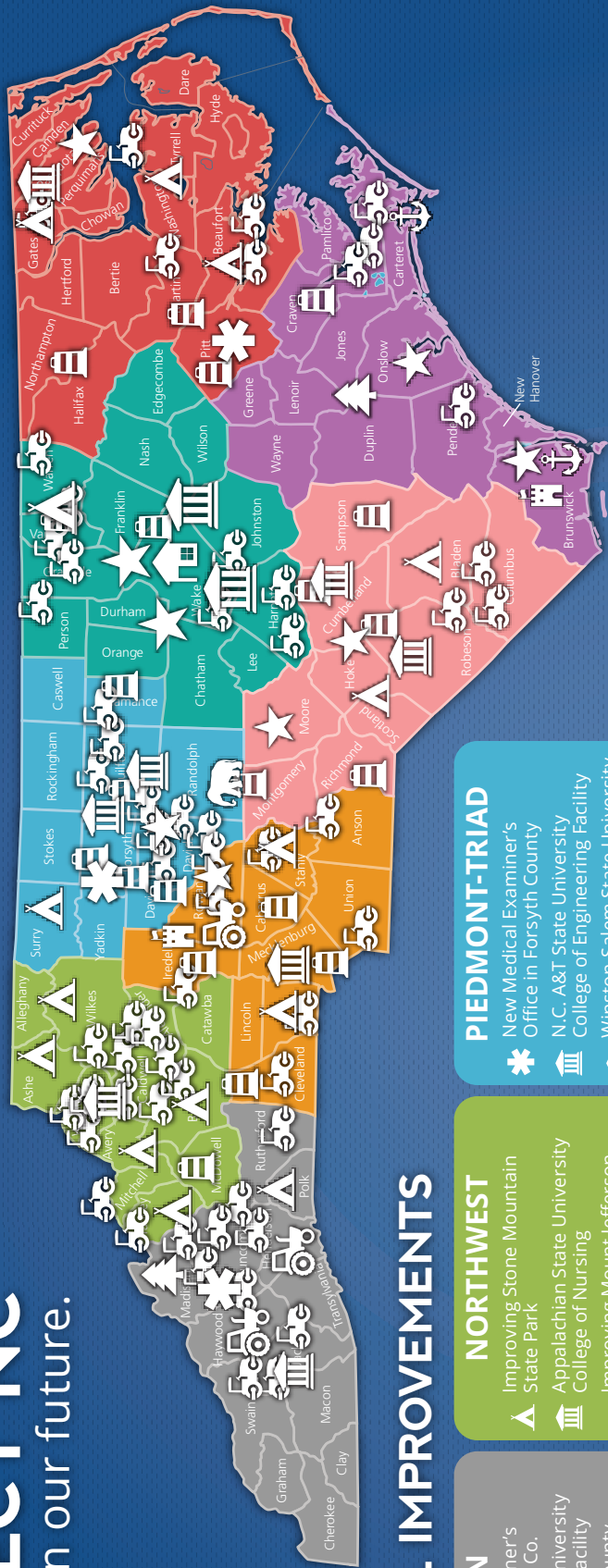
PROJECT	COUNTY	ESTIMATED COST
Brunswick Town Ft. Anderson Historic Site— Shoreline Protection Measures	Brunswick	\$3,500,000
Port of Morehead Infrastructure	Carteret	\$125,000,000
Cherry Point Marine Corps Air Station Security Fence	Craven	\$11,200,000
Fleet Readiness Center East Expansion	Craven	\$5,000,000
Replace Duplin County N.C. Forest Service Headquarters	Duplin	\$1,000,000
Replace Jones County N.C. Forest Service Headquarters	Jones	\$1,000,000
Caswell Developmental Center—Building Abatement and Demolition	Lenoir	\$1,231,000
Improving National Guard Armory in Wilmington	New Hanover	\$250,000
Port of Wilmington Infrastructure	New Hanover	\$75,000,000
U.S.S. Battleship North Carolina Visitor's Center	New Hanover	\$11,500,000
Camp LeJeune/Jacksonville Water Aquifer	Onslow	\$1,000,000
Hammocks Beach State Park Improvements	Onslow	\$1,500,000
New River Storm Water Treatment System	Onslow	\$2,500,000
Ft. Bragg/Camp Lejeune Road Improvements	Onslow	\$11,000,000
Cherry Hospital—Building Abatement and Demolition	Wayne	\$7,015,100

Transportation Bond

PROJECT	COUNTY	ESTIMATED COST
N.C. 43 Connector	Craven	\$11,375,000
Unpaved Secondary Roads Paving Projects		\$765,000

CONNECT NC

Investing in our future.



REGIONAL IMPROVEMENTS

WESTERN

- New Medical Examiner's Office in Buncombe Co.
- Western Carolina University
- Replace Madison County
- N.C. Forest Headquarters
- Improving Chimney Rock State Park
- Western N.C. Agricultural Center Site Improvements

NORTHWEST

- Improving Stone Mountain State Park
- Appalachian State University College of Nursing
- Improving Mount Jefferson State Park
- Improving South Mountain State Park
- Improving Grandfather Mountain State Park
- Improving Mount Mitchell State Park
- U.S. 221

PIEDMONT-TRIAD

- New Medical Examiner's Office in Forsyth County
- N.C. A&T State University College of Engineering Facility
- Winston-Salem State University Science Building
- Improving High Point National Guard Facilities
- Improving Pilot Mountain State Park
- Improving N.C. Zoo Exhibits
- Winston-Salem Beltway (I-74)
- N.C. 119
- Greensboro Road

SOUTHWEST

- Improving Crowders Mountain State Park
- UNC Charlotte Science Building
- N.C. Transportation Museum
- Improving Morrow Mountain State Park
- State Highway Patrol Vehicle Paint Booth
- Improving Agricultural Research Stations
- U.S. 74
- George Liles Parkway
- Weddington Road/I-485 Interchange

SOUTH CENTRAL

- Convert Samarkand to Statewide Law Enforcement Center
- UNC Pembroke West Hall Renovations
- Fayetteville State University Lyons Science Building Renovations
- Fort Bragg Road Improvements
- Improving Lumber River State Park
- Improving Singletary Lake State Park
- N.C. 24/27
- U.S. 1
- All-American Freeway

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SOUTHEAST

- Camp Lejeune Road Improvements
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- Port of Wilmington Infrastructure
- N.C. 43 Connector

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NORTHEAST

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NORTH CENTRAL REGION

Infrastructure Bond

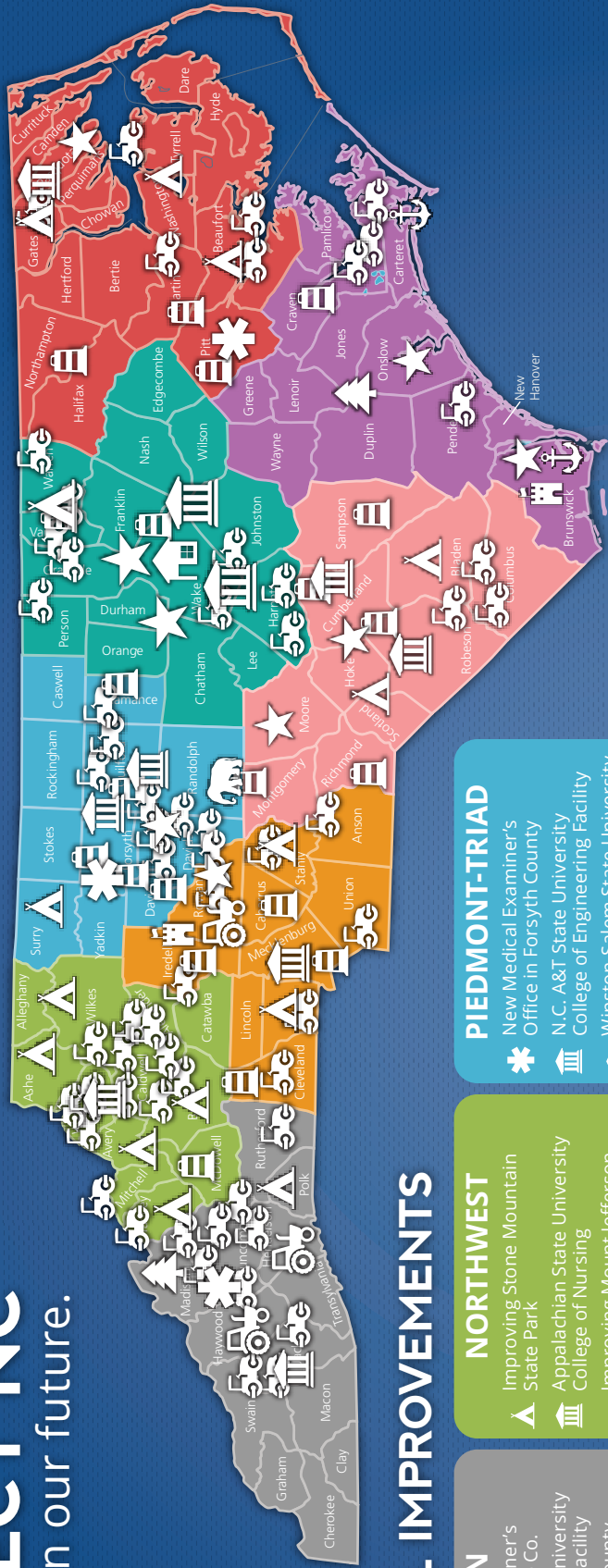
PROJECT	COUNTY	ESTIMATED COST
Improving Jordan Lake State Park	Chatham	\$4,000,000
Improving Durham National Guard Facility	Durham	\$250,000
N. C. Central University School of Business	Durham	\$34,000,000
Camp Butner Buffer Zones	Durham and Granville	\$500,000
John Umstead Hospital—Building Abatement and Demolition	Granville	\$601,000
Improving Raven Rock State Park	Harnett	\$1,500,000
Improving Kerr Lake State Park	Vance and Warren	\$5,000,000
Chilled Water Loop—Flow Meters at Buildings	Wake	\$380,000
Crime Lab—Replace Domestic Water Heater	Wake	\$151,000
Demolish Vacant Buildings—Old Heating Plant and McGee House	Wake	\$191,000
Eastern Data Center Replacement	Wake	\$31,100,000
N.C. State University Engineering Building	Wake	\$77,000,000
Halifax Mall—Install Drainage System	Wake	\$121,000
Joint Force Headquarters Heli-Pads	Wake	\$746,000
N.C. State Fair—Dorton Arena Roof and Renovation	Wake	\$3,000,000
New N.C. Department of Revenue— Exterior Waterproofing Repairs	Wake	\$50,000
Old N.C. Department of Revenue Building— ADA Improvements	Wake	\$52,000
State Bureau of Investigation— Garner Road Building Improvements 16 A & B Major Renovation	Wake	\$6,126,500
State Highway Patrol Training Academy	Wake	\$25,556,000
State Capitol Improvements	Wake	\$848,000
Steam Plant—Boiler III—Replace Heat Exchanger	Wake	\$90,000
Blount Street Rehabilitation Project	Wake	\$3,156,000
Improving Falls Lake State Park	Wake and Durham	\$1,053,000

Transportation Bond

PROJECT	COUNTY	ESTIMATED COST
N.C. 54 (Hillsborough St.)	Wake	\$26,630,000
U.S. 401	Wake and Franklin	\$35,054,000
Unpaved Secondary Roads Paving Projects		\$9,135,000

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REGIONAL IMPROVEMENTS

WESTERN

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SOUTHWEST

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- U.S. 74
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- George Liles Parkway
- Weddington Road/I-485 Interchange

SOUTH CENTRAL

- Convert Samarkand to Statewide Law Enforcement Center
- UNC Pembroke West Hall Renovations
- Fayetteville State University Lyons Science Building Renovations
- Fort Bragg Road Improvements
- Improving Lumber River State Park
- Improving Singletary Lake State Park
- N.C. 24/27
- U.S. 1
- All-American Freeway

SOUTHEAST

- Camp Lejeune Road Improvements
- Improving Wilmington National Guard Facilities
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- USS Battleship North Carolina Visitor's Center
- Port of Morehead Infrastructure
- Port of Wilmington Infrastructure
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PIEDMONT-TRIAD

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NORTHEAST

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NORTHWEST REGION

Infrastructure Bond

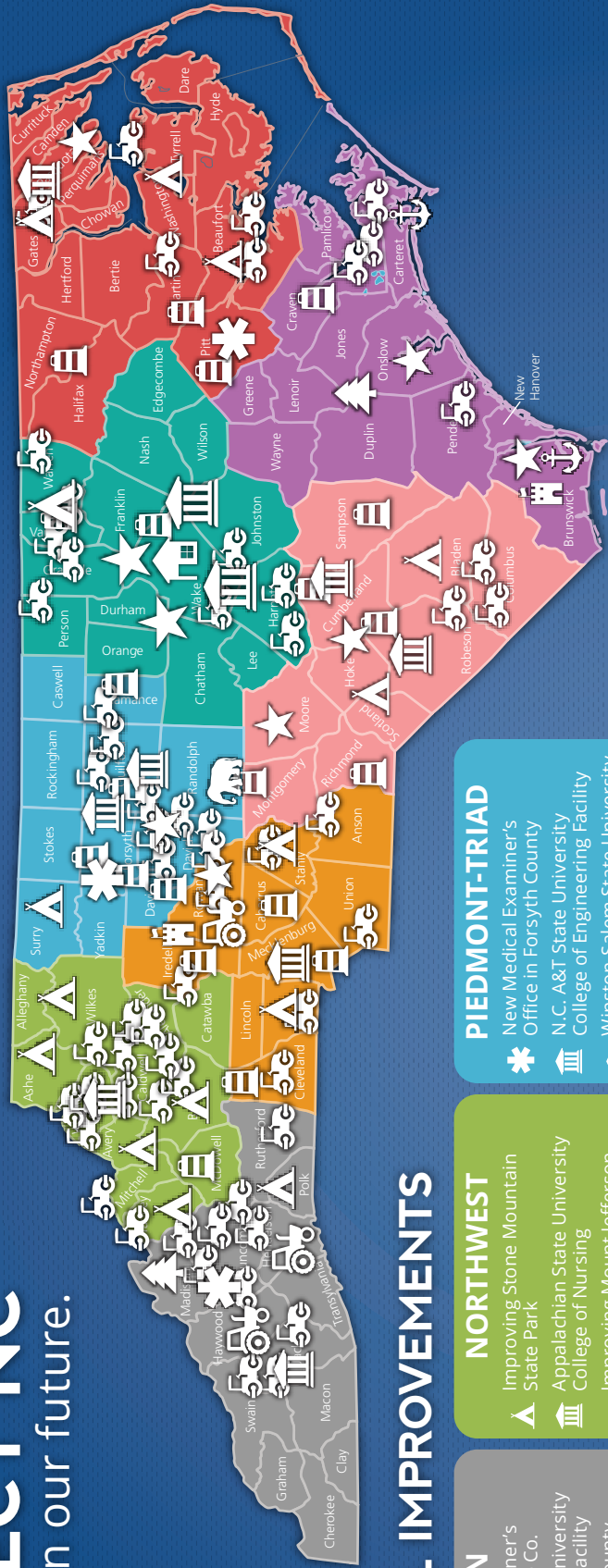
PROJECT	COUNTY	ESTIMATED COST
Improving Stone Mountain State Park	Alleghany and Wilkes	\$1,784,000
Improving Mount Jefferson State Park	Ashe	\$2,000,000
Improving Grandfather Mountain State Park	Avery, Watauga and Caldwell	\$2,002,000
New Broughton Hospital	Burke	\$3,750,000
Improving South Mountain State Park	Burke	\$3,000,000
State Highway Patrol—Vehicle Paint Booths	Catawba	\$796,000
Improving Lake James State Park	McDowell and Burke	\$4,028,000
Improving Yellow Mountain State Park	Mitchell and Avery	\$3,000,000
Appalachian State University College of Nursing and Health Sciences	Watauga	\$70,781,681
Improving Mount Mitchell State Park	Yancey	\$800,000

Transportation Bond

PROJECT	COUNTY	ESTIMATED COST
U.S. 221	McDowell	\$88,940,000
Unpaved Secondary Roads Paving Projects		\$29,520,000

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REGIONAL IMPROVEMENTS

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SOUTHEAST

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PIEDMONT-TRIAD REGION

Infrastructure Bond

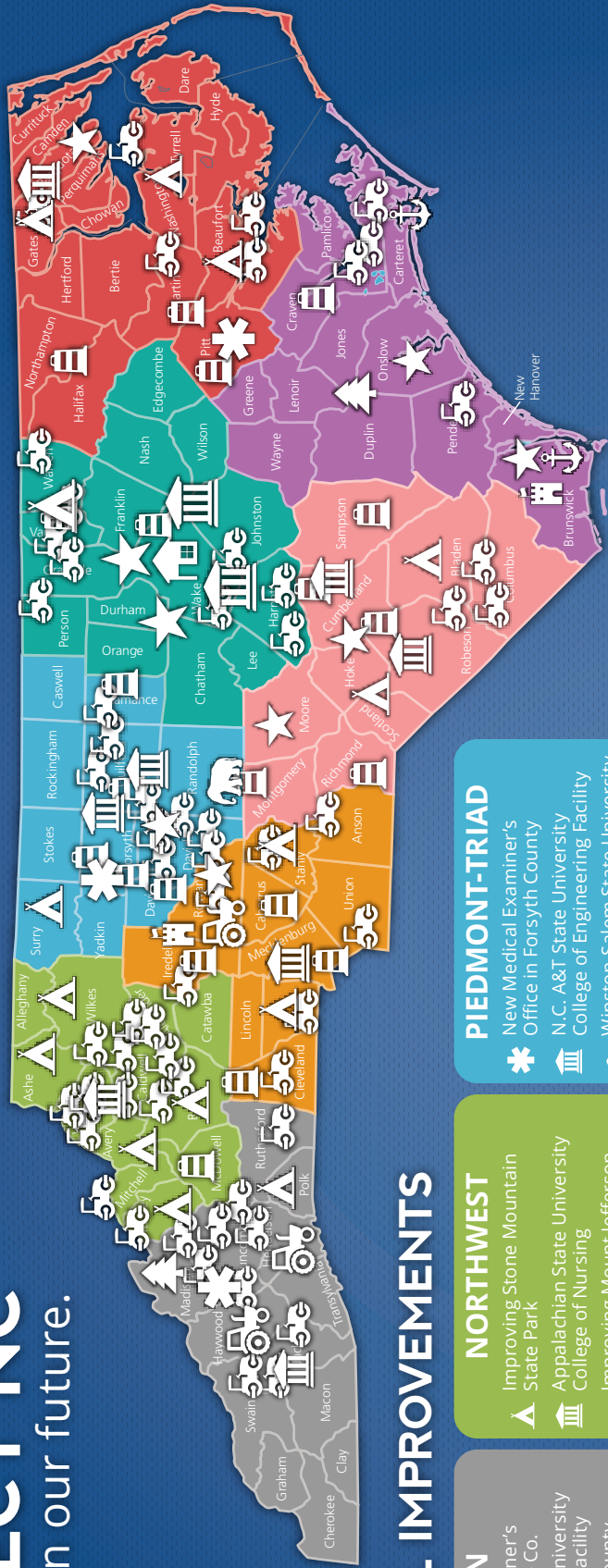
PROJECT	COUNTY	ESTIMATED COST
New Medical Examiner's Office in Forsyth County	Forsyth	\$12,976,000
Winston-Salem State University Sciences Building	Forsyth	\$53,853,400
N.C. A&T State University College of Engineering Facility	Guilford	\$99,155,300
Improving High Point National Guard State Highway Patrol—Vehicle Paint Booths	Guilford	\$625,000
Improving North Carolina Zoo Exhibits	Guilford	\$796,000
Improving Mayo River State Park	Randolph	\$45,000,000
Improving Hanging Rock State Park	Rockingham	\$1,000,000
Improving Pilot Mountain State Park	Stokes	\$2,800,000
	Surry and Yadkin	\$5,975,800

Transportation Bond

PROJECT	COUNTY	ESTIMATED COST
N.C. 119	Alamance	\$17,813,000
Winston-Salem Beltway (I-74)	Forsyth	\$448,100,000
Greensboro Road	Guilford	\$48,100,000
I-40	Forsyth and Davie	\$48,850,000
Unpaved Secondary Roads Paving Projects		\$4,302,000

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REGIONAL IMPROVEMENTS

WESTERN

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SOUTH CENTRAL

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- Improving Lumber River State Park
- Improving Singletary Lake State Park
- N.C. 24/27
- U.S. 1
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SOUTHEAST

- Camp Lejeune Road Improvements
- Improving Wilmington National Guard Facilities
- Replace Duplin County N.C. Forest Service Headquarters
- USS Battleship North Carolina Visitor's Center
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PIEDMONT-TRIAD

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NORTHEAST REGION

Infrastructure Bond

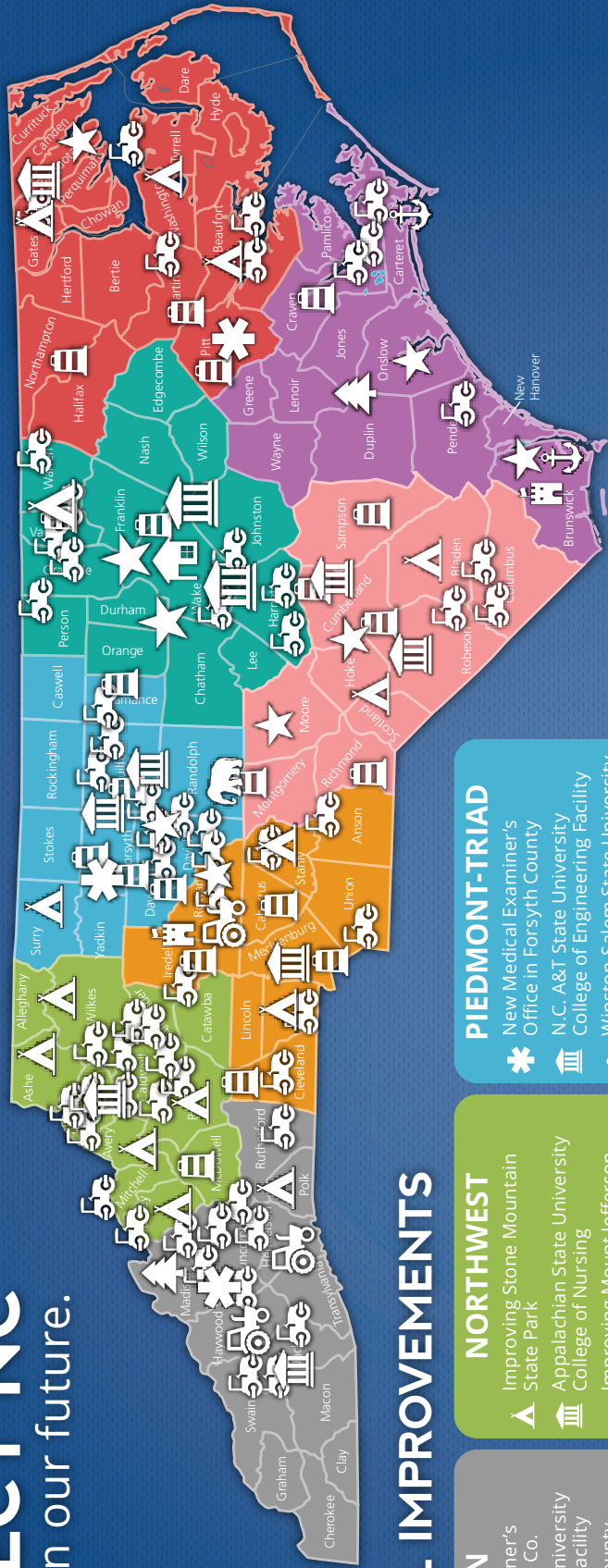
PROJECT	COUNTY	ESTIMATED COST
Improving Goose Creek State Park	Beaufort	\$1,970,000
Improving Dismal Swamp State Park	Camden	\$1,321,000
Improving Graveyard of the Atlantic Museum	Dare	\$3,500,000
Improving Merchants Millpond State Park	Gates	\$1,161,000
Improving Medoc Mountain State Park	Halifax	\$1,845,000
Hanger for Elizabeth City U.S. Coast Guard	Pasquotank	\$10,000,000
Elizabeth City State University Facility Repairs and Renovations	Pasquotank	\$4,000,000
New Medical Examiner's Office in Pitt County	Pitt	\$12,128,000
State Highway Patrol—Vehicle Paint Booths	Pitt	\$796,000
Improving Pettigrew State Park	Tyrrell and Washington	\$3,774,000

Transportation Bond

PROJECT	COUNTY	ESTIMATED COST
U.S. 17	Beaufort and Martin	\$72,100,000
U.S. 158	Northampton	\$15,505,000
Dickinson Avenue	Pitt	\$12,115,000
Unpaved Secondary Roads Paving Projects		\$1,125,000

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REGIONAL IMPROVEMENTS

WESTERN

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Infrastructure Bond

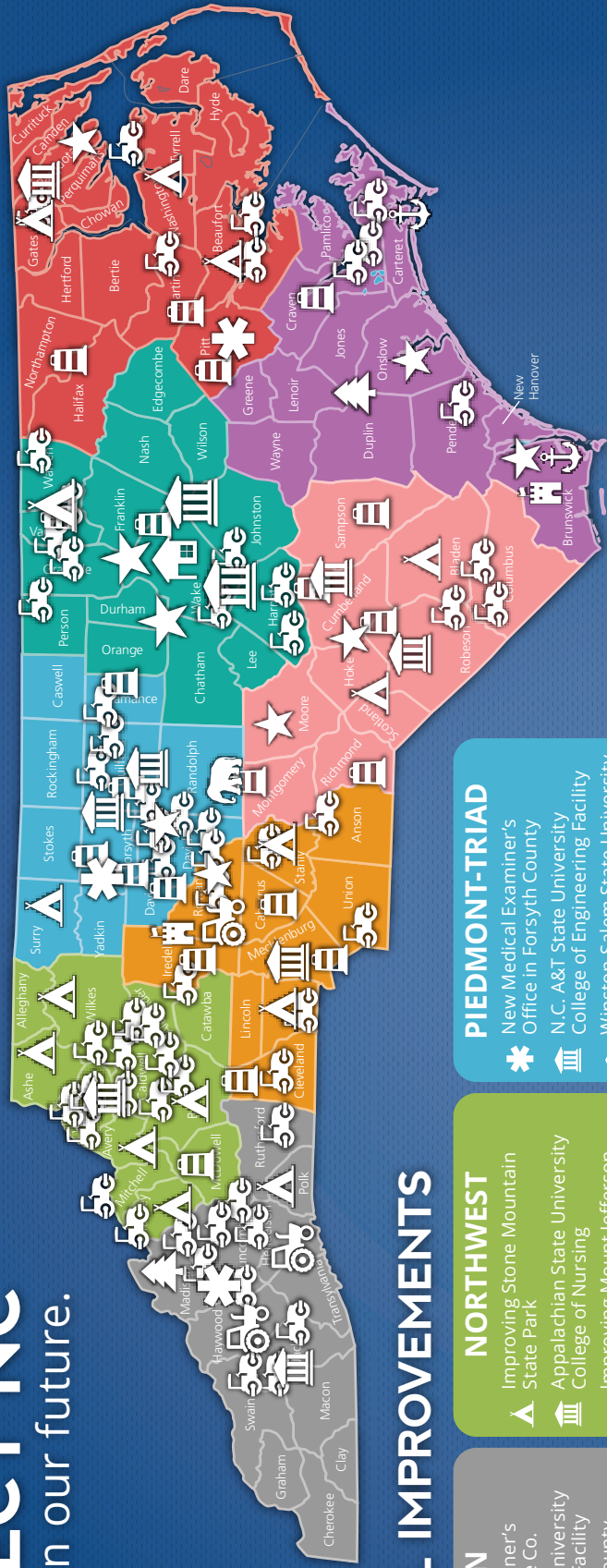
PROJECT	COUNTY	ESTIMATED COST
Improving Reed Gold Mine State Historic Site	Cabarrus	\$7,000,000
State Highway Patrol—Vehicle Paint Booths	Catawba and Rowan	\$796,000
Improving Crowders Mountain State Park	Gaston	\$1,000,000
Improving Lake Norman State Park	Iredell	\$3,076,000
UNC Charlotte Science Building	Mecklenburg	\$60,000,000
N.C. Transportation Museum	Rowan	\$15,000,000
Badin Warehouse Lot Expansion	Stanly	\$130,000
Improving Morrow Mountain State Park	Stanly	\$2,050,000

Transportation Bond

PROJECT	COUNTY	ESTIMATED COST
George Liles Parkway	Cabarrus	\$17,000,000
U.S. 74	Cleveland	\$92,050,000
I-40/I-77	Iredell	\$168,445,000
Weddington Road/I-485 Interchange	Mecklenburg	\$20,103,000
Unpaved Secondary Roads Paving Projects		\$1,656,000

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REGIONAL IMPROVEMENTS

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STATEWIDE AND VARIOUS REGIONS

Infrastructure Bond

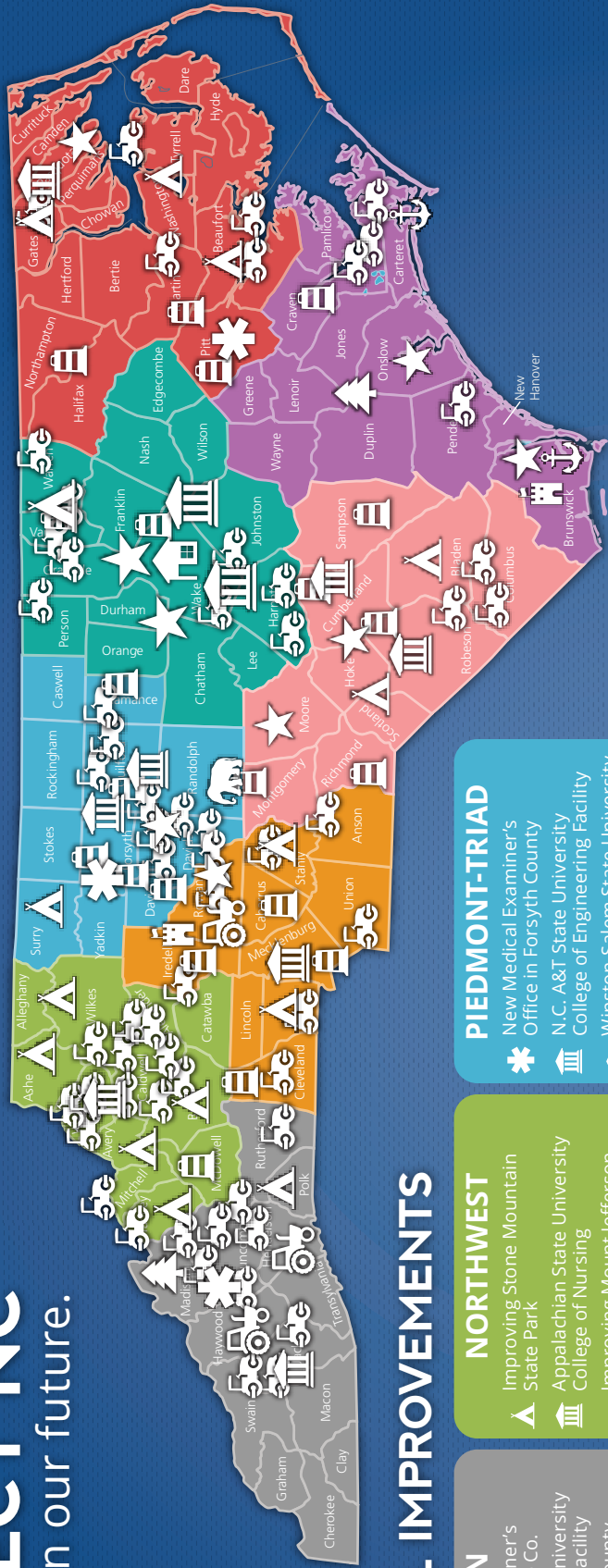
PROJECT	COUNTY	ESTIMATED COST
Infrastructure	Statewide	\$15,000,000
Non-highway Transportation Projects	Statewide	\$50,000,000
Statewide Building Mechanical and Electrical System Repairs	Statewide	\$24,000,000
Statewide Building Roof Repairs	Statewide	\$11,000,000
N.C. Community College Improvements	Statewide	\$200,000,000
Agricultural Chemical Handling Facilities at 11 Research Stations	Various	\$1,000,000
Enhance Bombing and EW Ranges	Various	\$15,000,000
N.C. National Guard Regional Armories (5)	Various	\$18,000,000
N.C. Department of Agriculture and Consumer Services Dam Repairs and Maintenance	Various	\$1,000,000
Readiness & Environmental Protection Integration	Various	\$12,000,000
Repairs at Four Veterinary Diagnostic Laboratory System Facilities	Various	\$1,000,000
Veterans Programs	Various	\$1,000,000
Rail Transportation	Various	\$50,000,000

Transportation Bond

Unpaved Secondary Roads Paving Projects \$50,000,000 (see regional breakdowns)

CONNECT NC

Investing in our future.



REGIONAL IMPROVEMENTS

WESTERN

- New Medical Examiner's Office in Buncombe Co.
- Western Carolina University
- Replace Madison County
- N.C. Forest Headquarters
- Improving Chimney Rock State Park
- Western N.C. Agricultural Center Site Improvements

NORTHWEST

- Improving Stone Mountain State Park
- Appalachian State University College of Nursing
- Improving Mount Jefferson State Park
- Improving South Mountain State Park
- Improving Grandfather Mountain State Park
- Improving Mount Mitchell State Park
- U.S. 221

SOUTHWEST

- Improving Crowders Mountain State Park
- UNC Charlotte Science Building
- N.C. Transportation Museum
- Improving Morrow Mountain State Park
- State Highway Patrol Vehicle Paint Booth
- Improving Agricultural Research Stations
- U.S. 74
- George Liles Parkway
- Weddington Road/I-485 Interchange

SOUTH CENTRAL

- Convert Samarkand to Statewide Law Enforcement Center
- UNC Pembroke West Hall Renovations
- Fayetteville State University Lyons Science Building Renovations
- Fort Bragg Road Improvements
- Improving Lumber River State Park
- Improving Singletary Lake State Park
- N.C. 24/27
- U.S. 1
- All-American Freeway

SOUTHEAST

- Camp Lejeune Road Improvements
- Improving Wilmington National Guard Facilities
- Replace Duplin County N.C. Forest Service Headquarters
- USS Battleship North Carolina Visitor's Center
- Port of Morehead Infrastructure
- Port of Wilmington Infrastructure
- N.C. 43 Connector

PIEDMONT-TRIAD

- New Medical Examiner's Office in Forsyth County
- N.C. A&T State University College of Engineering Facility
- Winston-Salem State University Science Building
- Improving High Point National Guard Facilities
- Improving Pilot Mountain State Park
- Improving N.C. Zoo Exhibits
- Winston-Salem Beltway (I-74)
- N.C. 119
- Greensboro Road

NORTH CENTRAL

- Blount Street Rehabilitation Project
- N.C. Central University School of Business
- N.C. State University Engineering Building
- Improving Durham National Guard Facilities
- State Highway Patrol Training Academy
- Improving Kerr Lake State Recreation Area
- N.C. 54 (Hillsborough St.)
- U.S. 401

NORTHEAST

- New Medical Examiner's Office in Pitt County
- Hanger for Elizabeth City U.S. Coast Guard
- Improving Goose Creek State Park in Beaufort
- Improving Pettigrew State Park
- Improving Merchants Millpond State Park
- Elizabeth City State University Facility Repairs and Renovations
- Dickinson Avenue
- U.S. 17
- U.S. 158

Unpaved Secondary Roads Paving Projects
 Candidate Bond Projects (Statewide, Regional and Division)

*Note: This is a sample of projects in each region, not a complete list. Regions based on N.C. Department of Commerce Prosperity Zones

AGENDA ITEM 8:

NEW RIVER ADVOCATES PRESENTATION

MANAGER'S COMMENTS:

Ms. Deborah Greene, New River Advocates, Inc. Board Member, will make a formal presentation regarding the Town of Boone's proposed raw water intake.



New River Advocates, Inc.

**Why
support HB 875?**

COUNTY COMMISSIONERS GET LAST WORD ON
CONDEMNATION OF PROPERTY OUTSIDE OF
MUNICIPAL JURISDICTION

May 19, 2015

Why do we need HB 875?

Boone Condemnation
Prime Example!

Intake- History -(2004 to 2009)

- 2004 - Boone commissioned water study
- 2005 - ASU, Boone and Watauga hold round table regional water intake discussions
 - ASU didn't need water; had enough to give Boone to meet need
 - Watauga wasn't prepared for a regional intake at that time
 - Boone didn't have time to wait on Watauga
 - No further discussion
- 2008 – Boone voters approved \$25 million bond for new intake
- 2008 – Boone contracted to purchase 10 acres of Cooper farm at Ashe/Watauga line
- 2009 - Boone closed on property
 - Boone promised seller they would build a subdivision access road

HB 875
A on

“Need”
for
Condemnation

WK Dickson's EA

*“It should be noted that when the Town’s 5 day maximum day demand (MDD) for the system reaches 2.40 MGD (80% of capacity), the N.C. Department for Environmental and Natural Resources Public Water Supply Section (NCDENT) **regulations** recommend that expansion planning be initiated.”*

The New River Project Brochure

- Boone's brochure distributed to encourage voting for \$25 million bond referendum to finance project in 2009
 - “Why does Boone **need** a new water intake facility?”
 - *“When a water system reaches 80 percent capacity, the N.C. Department of Environmental & Natural Resources recommends a plan for expansion. When the system reaches 90 percent, N.C. recommends expansion be under construction. If not underway, the state could impose a moratorium on new water hookups”*
 - *“Boone surpassed the 80 percent mark in 2006 and is projected to hit the 90 percent mark in 2009.”*

Boone & Engineer Quote

Sewage Treatment Rule

NRA 6-2-2015 – Exhibit 2-C & 2-D

- 15A NCAC 02T.0118 – Demonstration of Future Wastewater Treatment Capacities
 1. *“Prior to exceeding 80 percent of the **wastewater treatment systems’s** (based on the average flow of the last calendar year), the permittee must submit an approvable engineering evaluation of their future wastewater treatment ...”*
 2. *“Prior to exceeding 90% of the **wastewater treatment systems’s**, utilization, or disposal systems permitted hydraulic capacity (based on the last calendar year), the permittee must obtain all permits needed for the expansion of the wastewater treatment...”*

Boone Misleads Voters

- N.C. General Statute §143-355(1)

*“A unit of local government or large community water system shall submit a revised plan that specifies how the water system intends to address foreseeable future water needs when 80% of the water system’s available water supply based on calendar year **average daily demand** has been allocated to current or prospective water users or the seasonal demand exceeds 90%”*

- Nothing about under construction
- Nothing about moratorium on new water hookups

Boone's Proposed Raw Water Intake

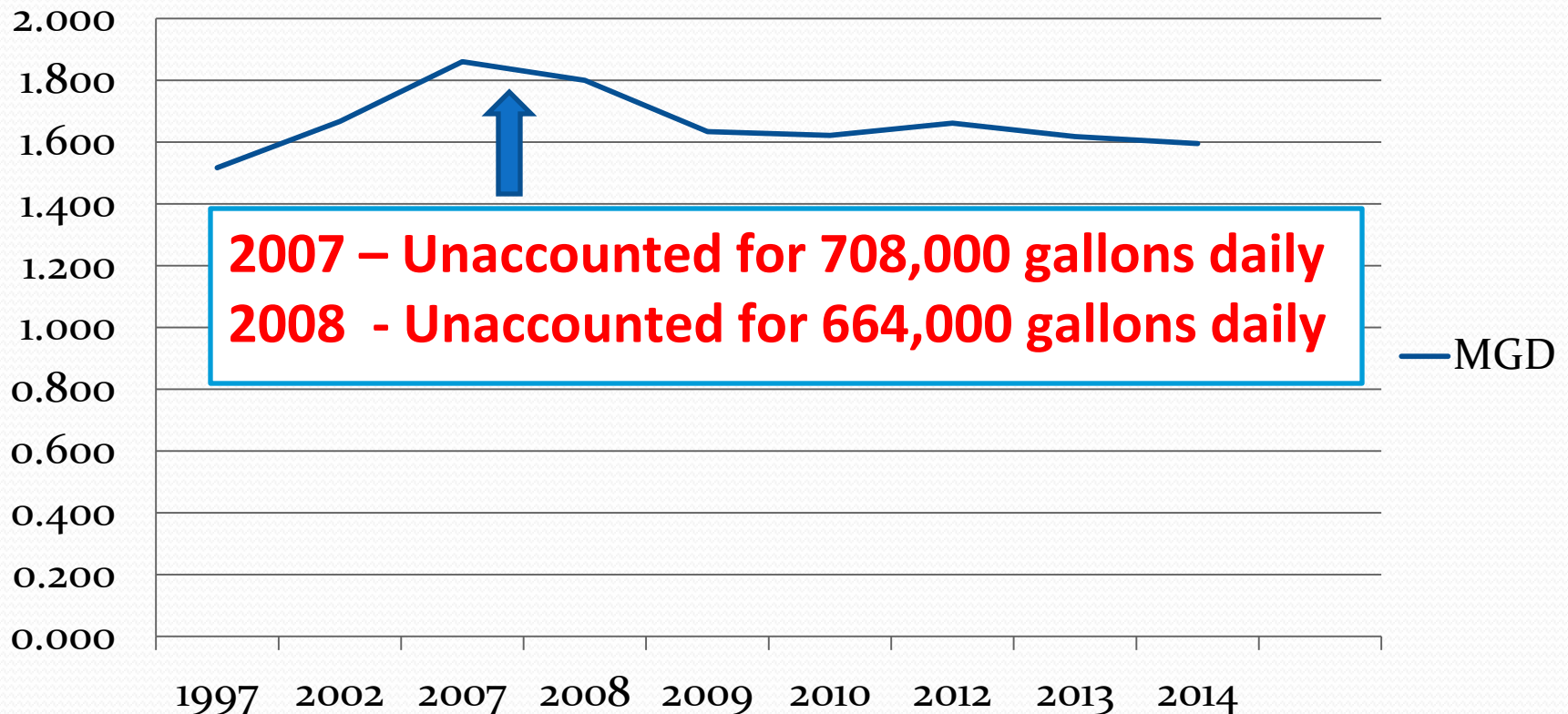
Chart of Historical Use

NRA 6-2-2015 – Exhibit 3

Year	* ADU mgd	% of Max Allowable	* MDU mgd	% of Max Allowable
2014	1.595	53.17%	2.027	67.57%
2013	1.618	53.93%	1.900	63.33%
2012	1.661	55.37%	2.094	69.83%
2011	1.589	52.97%	2.156	71.879%
2010	1.622	54.07%	2.218	73.93%
2009	1.634	54.47%	2.545	84.83%
2008	1.800	60.00%	2.300	76.67%
2007	1.860	62.00%	2.560	85.33%
2002	1.667	55.57%	2.021	67.37%
1997	1.517	50.57%	2.020	67.33%

Boone's Proposed Raw Water Intake- Graph of Historical Use

Average Daily Demand



Boone's Proposed Raw Water Intake – Use Summary

2014 Description	Amount	Avg Daily Use (mgd)	% Of Max Allowable
Residential	3,958	.394	
Commercial	757	.628	
Industrial	12	.045	
Institutional	110	.081	
Backwashing		.150	
Total	4,837	1.298	
Average Daily Use*		1.595	53.17%
Maximum Daily Use**		2.027	67.57%
Maximum Allowable		3.00	

**.297 unaccounted for!
297,000 gallons daily**

ASU Interconnect?

- According to 2014 Water Supply Plan
 - Boone has **wastewater interconnect** of .204 MGD average daily amount
 - No contract with ASU for water supply
 - Planning shows future decrease for water supply for Institutional User (ASU – type user)

HB 875 A on

“In The Public Interest”
for
Condemnation

RISE or NO RISE in FLOODWAY?

RISE

**WK Dickson makes CLOMR Application
With N.C. Dept. of Public Safety**

CLOMR – Conditional Letter of Map Revision

- Applied for when the proposed project will change flood insurance rate map
 - WIDENING OF FLOODWAY
 - INCREASE IN FLOOD LEVELS
 - CHANGES IN FLOODPLAIN

CLOMR – Conditional Letter of Map Revision

1/26/2012 -W.K. Dickson submitted FEMA CLOMR Application to NC Department of Public Safety, NC Emergency Management Division

Ashe Emergency Management Recommendation

- Email dated 2/13/2012
- From Patty Gambill (Ashe Emergency Management)
- To Pat Mitchell (Ashe County Manager)
- CC Zach Edwardson (Ashe Planning & Inspections)
- Re: CLOMR Review

Patti Gamble, Ashe Emergency Management Recommendation

- Five (5) Ashe County Property Owners will be adversely affected
 - By increased widths in the floodway area of the 100-year floodplain
 - The floodway is the area where NO development is allowed
 - 1-10' increase along 200' strip for 2 property owners
 - 1-45' increase along 300' strip for 3 property owners
 - A taking of property issue

Patti Gamble, Ashe Emergency Management Recommendation

- One (1) homeowner would be directly adversely affected by an increase in base flood elevation
- The base flood elevation levels in four areas ranging from .2 to a .5 foot increase
- The .5 foot increase would put one (1) homeowner out of compliance with our local ordinance requirement that the first living floor be elevated 4' above base flood elevation level
- When a CLOMR project is expected to impact property owners, the responsible party must notify each impacted property owner in writing

Patti Gamble, Ashe Emergency Management Recommendation

- No such correspondence in data submitted
- I would recommend Ashe not sign the form (MT-2) [CLOMR]
- Ashe should attach signed statement explaining
 - Adverse affects
 - Potential taking issue
 - Project does not meet the intent of our local ordinance

CLOMR – ASHE COUNTY HISTORY

- 3/30/2012 Ashe County sends letter to NC Emergency Management stating Ashe will not sign off on CLOMR
- 8/12/2012 NC Emergency Management asked Ashe County to reconsider due to access road
- 9/24/2012 Ashe County sends 2nd letter to NC Emergency Management stating Ashe will not sign off on CLOMR

CLOMOR - Ashe's Refusal Letter

“The Board is opposed to any section of the access road crossing Ashe County land, and is opposed to the idea they have to issue the floodplain permits for that construction.”

CLOMOR– Ashe’s Refusal Letter

- *“And, part of that road is in the political jurisdiction of Ashe County. Therefore, the Board of Commissioners will not sign the MT-2 form for the above referenced project (Boone Water Intake CLOMR).*
- *And are opposed to having any portion of the project located in our political jurisdiction.”*

CLOMOR– Termination

- *NC Department of Public Safety Terminates the Town of Boone's CLOMR Application*

NO RISE

**WK Dickson Issued No Rise Certification
to
Joe Furman,
Watauga County Planning & Inspections' Director**

No Rise - History

- On 10/10/2013, W.K. Dickson issued a No-Rise Certification Report to Watauga County Planning & Inspections Director, Joe Furman.
- On 10/23/2013, Watauga County Planning & Inspections employee, James Warren, issued a No-Rise Certificate & Floodplain Development Permit to W.K. Dickson

NC Emergency Management

- You do not apply for a CLOMR
- Have it denied
- And then issue a NO-RISE
- That is working around the system
- Furman could have said no to the no rise

NC Emergency Management

- If you cannot certify a no-rise, then you apply for a CLOMR.
- W.K. Dickson applied for a CLOMR for the Town of Boone through the NC Emergency Management (local FEMA)
- The CLOMR was not approved because Ashe County would not sign form MT-2, give their approval.
- NC Emergency Management (local FEMA) terminated Boone's application.

Furman's Statements- No Rise

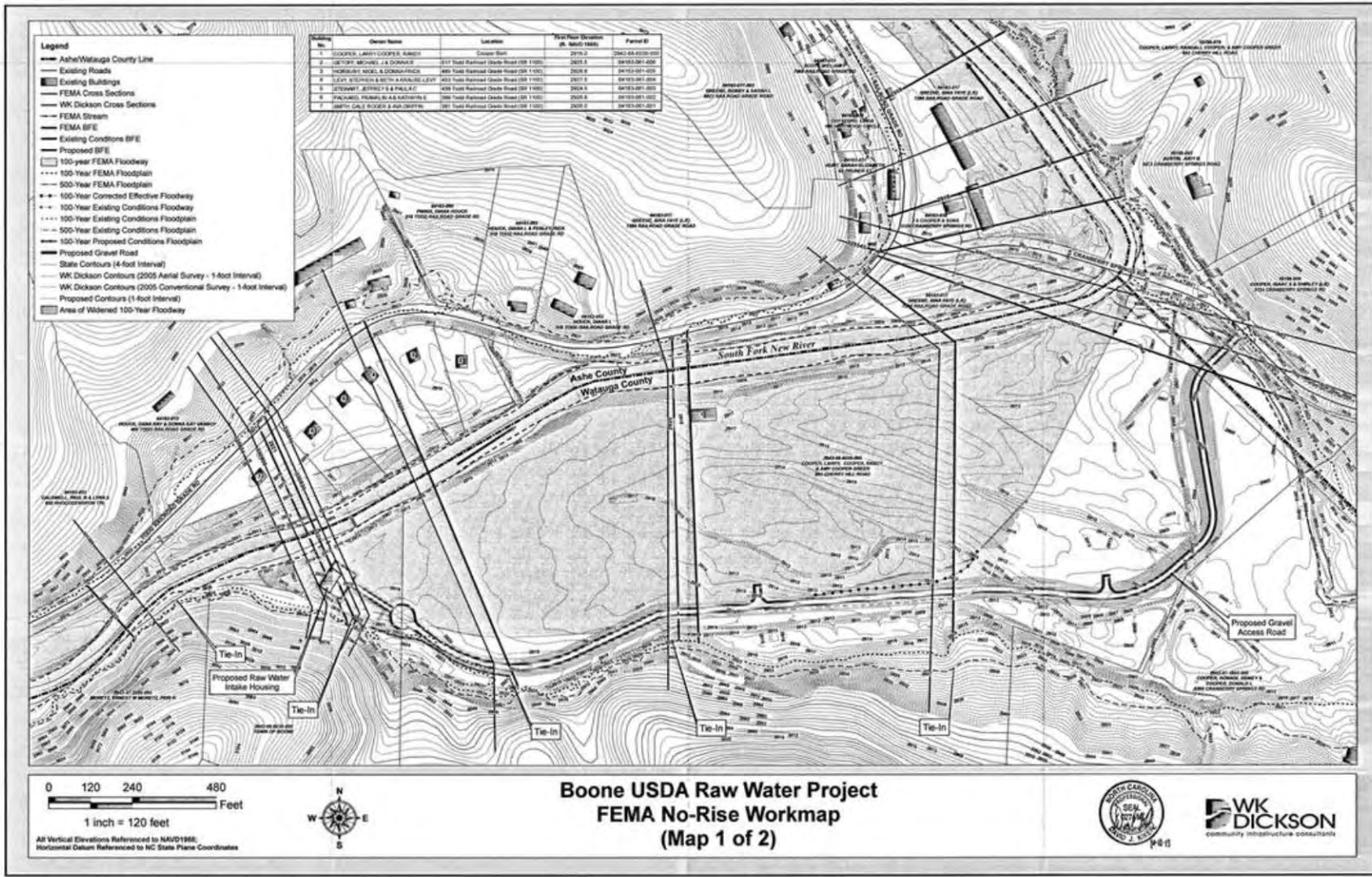
- We did not consult Watauga county commissioners because we don't need their approval
- We never have
- We didn't review the report
- We are not engineers
- We would have to hire an engineer
- We never have hired an engineer
- If it has an engineer's certification we accept it
- We knew FEMA had reviewed it
- Plans for access road changed in No-Rise Report

Furman's Involvement- Passive or Active?

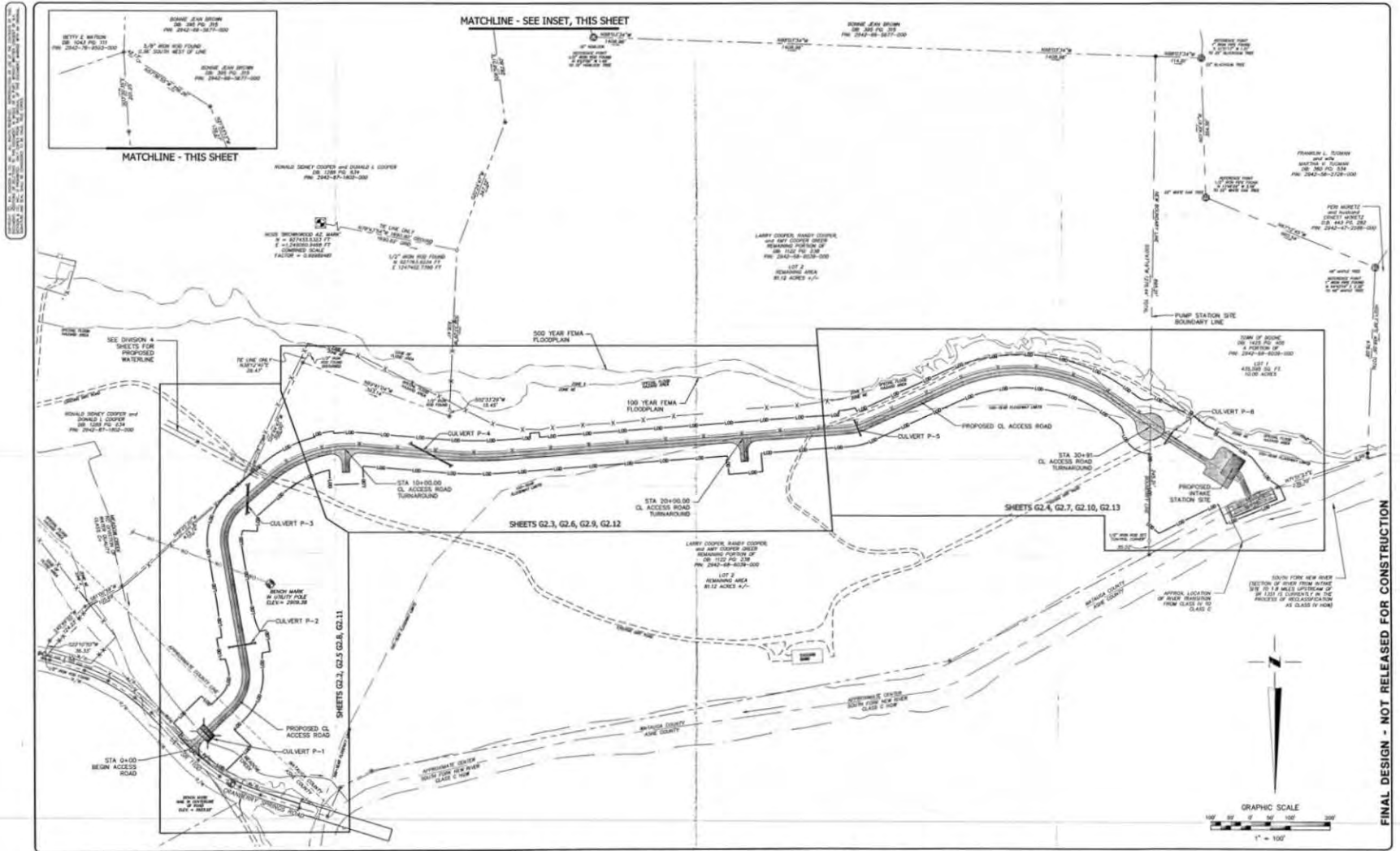
NRA 6-2-2015 – Exhibit 4.D

- Furman encouraged NO RISE application
- FEMA reviewed the CLOMR application, not the No-Rise Report
- WK Dickson claims to Furman – They cannot issue a No Rise
- No letter issued to affected property owners
- The NO-RISE and CLOMR reports identical
- Plans for the access road were identical

CLOMR & NO RISE- Access Road



CLOMR & NO RISE- Access Road



FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION

DATE	DESCRIPTION	BY

DICKSON
Community Infrastructure Solutions

401 4th STREET SW, SUITE 200
ROSELAND, NC 28668
N.C. LICENSE NO. L-00000000

Office Location: North Carolina
Design:
Record:

RELEASED FOR	DATE
CONSTRUCTION	
RECORD	



USDA RAW WATER PROJECT
FOR THE
TOWN OF BOONE
BOONE, NORTH CAROLINA

ACCESS ROAD & INTAKE SITE
OVERALL PLAN

G2.1
G2.11/4

Whose looking out for citizens of Watauga County?

- Ashe County Manager and Planning & Inspections communicated with Ashe Emergency Management Coordinator and Commissioners
- Watauga County Planning & Inspections does not communicate with Watauga Emergency Management, County Manager or County Commissioners **WHY?**









HB 875
A on

“Just Compensation”
for
Condemnation

Condemnation for Easements Transmission Lines & Access Road

- W.K. Dickson Environmental Reports
 - Transmission lines
 - 2.6 miles from intake along Brownwood Road to US Hwy 421
 - **Under existing pavement**
 - **Close to edge of pavement where necessary**
 - 6.1 miles along US Hwy 421
 - 0.7 miles south along Charlie Hollar Road
 - Crosses South Fork of New River five (5) times
 - Suspended over the New River or bored under the river
 - No trenching is ANTICIPATED
 - No direct impacts to the river ANTICIPATED

2015 Condemnation Rushed

- HB 875 Pending in the Senate
- Cooper's property to be appraised
5/22/2015 **NRA 6-2-2015 – Exhibit 5.A**
- Cooper's issue condemnation notice 7
days before appraiser to start appraisal
- Cooper's property to be condemned
6/14/2015 **NRA 6-2-2015 – Exhibit 5.B**
- What is Boone worried about?

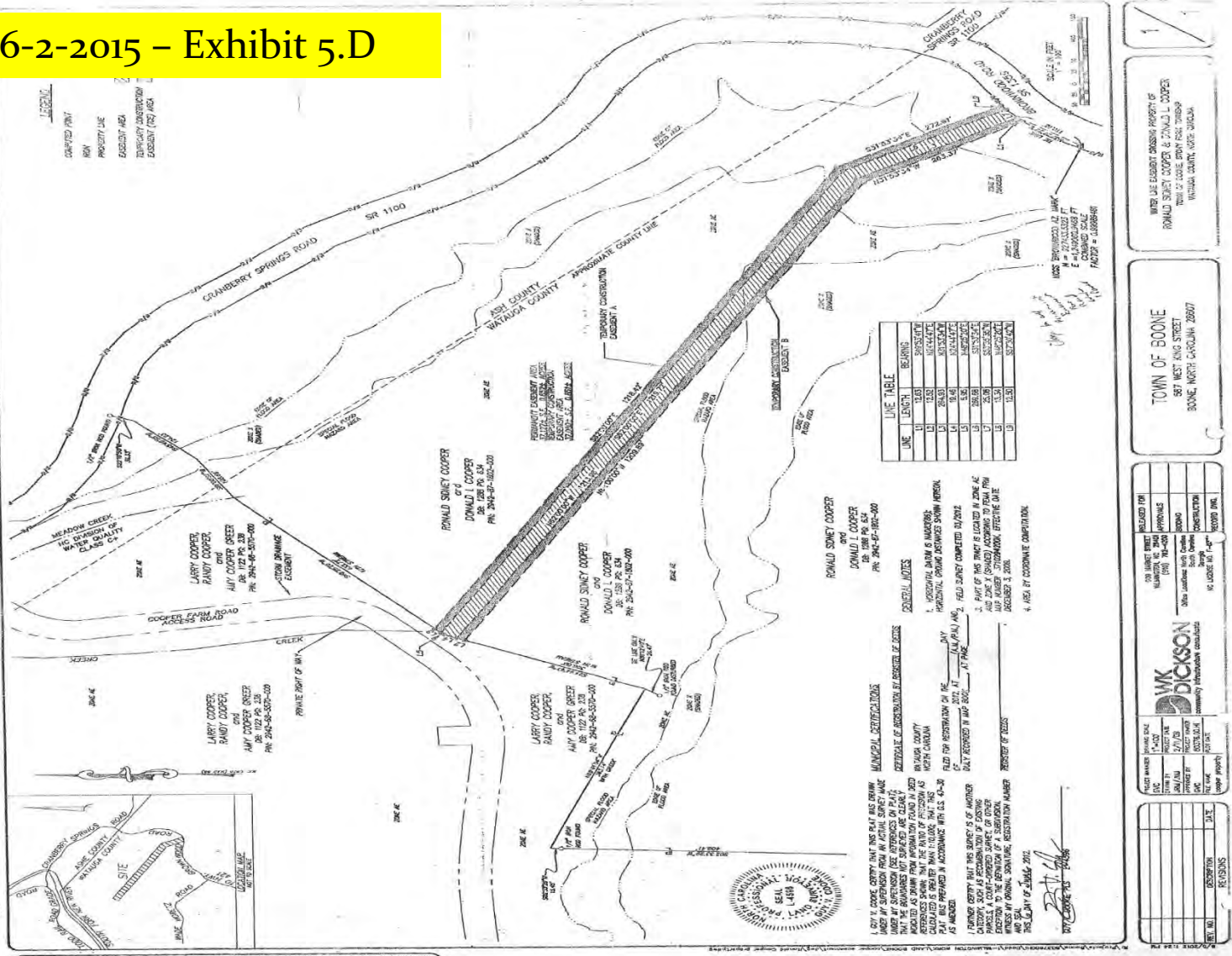
Cooper Offers - History

- 2012 – Boone asks for a 50' permanent easement for access road– 1.8 acres -Offer \$170,000 – Owner says, No Road
- 2012 – Boone asks for 25' permanent easement for transmission lines and 25' temporary construction easement – 1.8 acres -Offer \$85,000 – Owners says, No – Lack of Trust
- 2015 – Boone demands 50' permanent easement for road access and threatens condemnation – 1.8 acres -Offer \$23,000

2012 - 1st Offer \$170,000 ; 2nd Offer \$85,000

060215 BCC Meeting

NRA 6-2-2015 - Exhibit 5.D



THIS IS A LEGAL INSTRUMENT, PROPERTY OF
 RONALD SINEY COOPER & DONALD L. COOPER
 TRUST, 1102 PARK ROAD, BOONE, NC 28608
 WATAUGA COUNTY, NORTH CAROLINA

TOWN OF BOONE
 807 WEST KING STREET
 BOONE, NORTH CAROLINA 28607

FOR MARKET VALUE
 APPROVALS
 RECORDS
 TO BE KEPT IN THE OFFICE OF THE TOWN CLERK



DATE: 06/02/15
 TIME: 10:00 AM
 BY: [Signature]

REVISION DATE
 REVISIONS

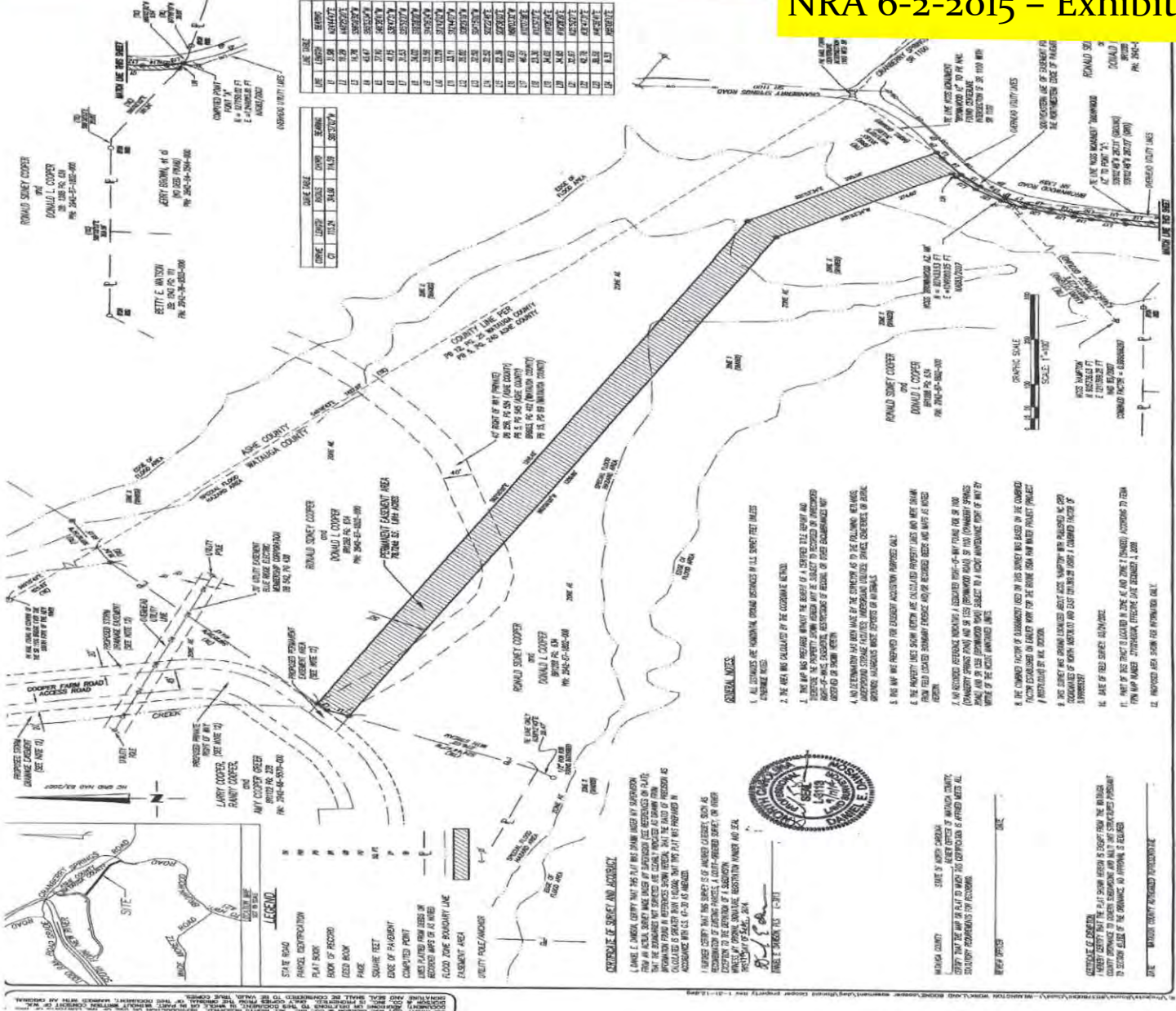
2015 – Arbitrary Offers

- One property owner offered \$20,900 for .041 acres = \$509,756 per acre **NRA 6-2-2015 – Exhibit 5.F**
- Coopers offered \$23,700 for 1.81 acres = \$13,094 per acre
 - Road is not a public interest; road is for private subdivision
 - Offer made prior to date appraisal scheduled - 5/22/2015
 - Existing easements (2) could accommodate water lines
 - New easement would result in 3 easements
 - Road would cause increased flooding
 - Road would cut farm in half
- In 2009, Boone paid \$85,000 per acre for property adjacent to Cooper Farm and land for second pumping station on Brownwood road

CONDEMNATION for SUBDIVISION ROAD

Boone condemns land to provide private sub-division road

NRA 6-2-2015 - Exhibit 5.C



TOWN OF BOONE
307 WEST KING STREET
BOONE, NORTH CAROLINA 28607

RELEASED FOR
BY NANCY L. DICKSON
DATE: 06/02/2015
BY: NANCY L. DICKSON
DATE: 06/02/2015

W.K. DICKSON
COMMUNITY DEVELOPMENT CONSULTANTS

NO.	DATE	DESCRIPTION	BY
1	06/02/2015	PREPARED FOR	NANCY L. DICKSON
2	06/02/2015	REVISIONS	NANCY L. DICKSON

Boone Condemns farmland to provide private sub-division road

- 2009 Deed to property came with 2 easements for ingress and egress to water intake
- Initial access road plans was by way of one of the 2 easements
 - Ashe confirmed flood impact of initial proposed road and denied access through Ashe county portion of property
 - Watauga did not examine flood impact
- Boone revised access road plans in September 2014
 - No Rise Certification and Watauga County Flood Plain Development Permit issued in 2013 based on old access road plans
 - New road construction plans have not been made public

Boone condemns farmland to provide private sub-division road

- Boone does not need 50' easement to build access road to intake; sub-division road requires 50' easement
- Boone could build access road to intake using a 25' easement
- Boone needs elevated road due to need to access intake 24/7 and history of flooding
- Elevated road will cause more flooding
- Farmland being condemned is on National Historical Registry

2009 & 2010 Environmental Assessment based on original road design

- What is impact to land on National Historical Registry now?
- What is impact to Archeological designated area now?
- What is flooding impact now?

Lets take a tour of Cooper Farm

Cooper Farm Tour

HB 875

A on

Municipal Power Grab

No water for Unregulated Growth

Area of Watauga County

- 2010 Environmental Assessment –
 - *“all areas receiving water from Boone would be required to adhere to development restrictions/guidelines at least as stringent as Boone’s”*
- 2014 Boone town council votes – no new water hookups outside of regulated jurisdiction of Boone
- Purpose of intake is to control growth and development in the rural Watauga County

Why does Boone have to fear?

If Boone's proposed raw water intake 12 miles outside of Boone's jurisdiction could stand on its own merit, then

1. Why does Boone have to spend hundreds of thousands of dollars to both Republican and Democrat lobbyists to lobby federal, State and local elected officials and agencies?
2. Why is Boone not transparent?
3. Why has Boone deceived the public?
4. Why does Boone fear the passage of HB 875?

HB 875

A on

Boone Bypasses Required
Step

What step does Boone bypass?

- Cooper Farm is on the Watauga County Farmland Preservation Program
- Cooper Farm condemnation subject to Article X of the Watauga County Farmland Preservation Program
 - Public Hearing by Watauga County Agricultural Advisory Board
 - Recommendation regarding condemnation to be considered from Watauga County Agricultural Advisory Board

HB 875



Support Protection of Private Property Rights

NEW RIVER ADVOCATES, INC. PRESENTATION TABLE OF CONTENTS –EXHIBITS

Exhibit Presentation – Powerpoint presentation in PDF.

Need?

Exhibit 1 – New River Advocates, Inc. Analysis Part I of Environmental Assessment

Exhibit 1.A – Excerpts from Environmental Assessment (analyzed in Exhibit 1)

Exhibit 2 – New River Advocates Analysis Part II of Environmental Assessment

Exhibit 2.A – Excerpts from Environmental Assessment (analyzed in Exhibit 2)

80 – 90 Rule

Exhibit 2.B – Town of Boone Newsletter re 80%/90% Rule

Exhibit 2.C – Email correspondence with NCDENR staff re 80%/90% Rule

Exhibit 2.D – 80%/90% NCDENR Rule for WASTEWATER TREATMENT

Exhibit 2.E – NCGS §143-355(l) Regarding Water Supply Plans

Exhibit 2.F – Legislative history of §143-355 (l)

Historical Water Use

Exhibit 3 – Town of Boone Chart of Historical Water Use

Exhibit 3.A – Graph of Historical Water Use by Town of Boone

Exhibit 3.B – 2014 Water Supply Plan Use Summary

In the Public Interest ? Flooding!

Exhibit 4 – Letter from New River Advocates, Inc. to Watauga County Commissioners re CLOMR/No Rise

Exhibit 4.A – Email from Patti Gamble (Ashe EM) to Pat Mitchell (Ashe County Manager)

Exhibit 4.B – Letter from Pat Mitchell (Ashe County Manager) to Steve Garrett (NC DPS/FEMA)

Exhibit 4.C – Letter from FEMA to WK Dickson Terminating CLOMR Application

Exhibit 4.D – WK Dickson phone notes with Joe Furman from NCDPS Public Record Request

Exhibit 4.E – FEMA Workmap – Proposed Access Road in CLOMR and No-Rise Application

Exhibit 4.F – WK Dickson Access Road and Overall Site Plan

Exhibit 4.G – WK Dickson Access Road Construction Plans

Just Compensation? Condemnation for A Sub-Division Road!

Exhibit 5 – Transmission Water Lines – Condemnation/Easements

Exhibit 5.A – April 22, 2015 Letter from Town of Boone to Coopers re Appraisal Date of May 22, 2015

Exhibit 5.B – May 14, 2015 Condemnation Notice of Proposed Condemnation June 14, 2015

Exhibit 5.C – Proposed Cooper Farm Easement - 2015

Exhibit 5.D – Proposed Cooper Farm Easement – 2009

Exhibit 5.E – 2009 Deed from Cooper (Not same Coopers) to Town of Boone for 10 acres

Exhibit 5.F – Another Offer Letter to another property owner on Brownwood

Exhibit 6 – National Historical Registry

Exhibit 7 – Watauga County Farmland Preservation Program Ordinance

Exhibit 7.A – Cooper Farm Accepted into Program

NEW RIVER ADVOCATES, INC.
‘Analysis and Opinion’
6-22-2010 Revised Environmental Assessment
for
Town of Boone’s Raw Water Intake
PART 1 – Pages i-ii and 1-3

Introduction

We recently released an ‘Analysis and Opinion’ of a portion of the 2009 Environmental Assessment (EA). Boone officials refer us to this document for answers to our questions regarding the proposed water intake. However, during a public records review of information in the Watauga County Planning & Inspection office, we found a revised June 22, 2010 copy of the Environmental Assessment which made the 2009 EA obsolete. The title page of the revised EA, refers to the 2009 EA as the “*Original (submitted for inter-agency/public review)*” and, refers to the 2010 revision as the “*Final (revised, with formal response to Original review comments)*”. However, the 2009 EA is the only Assessment that Boone officials have posted on their website and refer citizens to for answers. [Linked provided by Boone: http://www.townofboone.net/BOONE_water_intakeEA_WM16November09.pdf]

While it was not documented anywhere in the 2009 EA, the Assessment was required and was prepared by WK Dickson on behalf of the USDA, Rural Development for the Town of Boone’s Proposed Raw Water Intake. The Assessment was required by the National Environmental Policy Act (NEPA) and agency regulations. A cover letter to Watauga County Commissioner Jim Deal, dated 7/5/2014, states: “*As required by the National Environmental Policy Act and agency regulations, the Rural Utilities Service has prepared an Environmental Assessment (EA) and subsequent revised EA to evaluate the potential environmental effects and consequences of the proposed project.*” [Rural Utilities Service – USDA]

The letter also states: “*Copies of the Environmental Assessment (June 22, 2010) can be reviewed or obtained at.....and offered on line by the Town of Boone at www.townofboone.net.*” Again, the 2009 EA is available on line at the Town of Boone’s website and not the revision. However, Boone officials are still posting and referring us to the 2009 EA for answers four years after the 2010 revision was released.

‘Analysis & Opinion’

Executive Summary

1. WK Dickson cites 2008 data. **According to the 2008 Boone Water Supply Plan, the Maximum Day Demand was 2.30 MG (million gallons) and not 2.60 MGD (million gallons per day).** The Maximum Day Demand is the highest one-day demand (use) of water during the year and is measured in “**one-time million gallons**” and not “**million gallons per day**”.
2. The population was listed as 14,717 on the 2008 Boone Water Supply Plan and not 16,400 as cited by WK Dickson.
3. WK Dickson states the “*2030 average day demand (ADD) for planning purposes should be 4.25 MGD (6.8 MGD maximum day)*”. **Maximum Day Demand is not measured as MGD; it is measured as MG.** See 2008 Boone Water Supply Plan for measurements recorded under Maximum Day Demand.

4. WK Dickson states: “Standards for design of water treatment facilities recommend that the facilities be able to deliver the maximum (peak) day demand...therefore 6.8 MGD has been utilized for the Town’s future 2030 supply and treatment capacity.” SEE ITEM 1 BELOW FOR CONTRADICTION TO THIS STATEMENT.

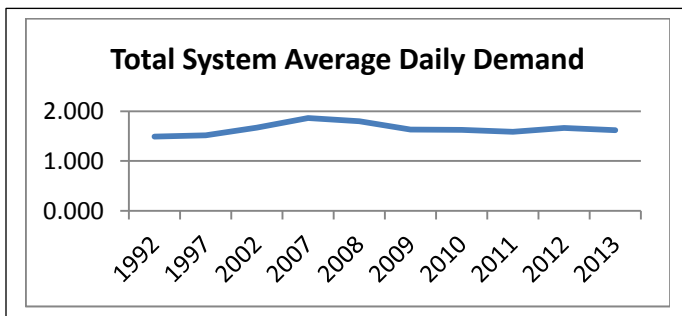
PURPOSE AND NEED OF PROJECT - Project Description

1. WK Dickson states that Boone “proposes to expand the treatment capacity of its existing water treatment plan from 3.0 million gallons per day (mgd) to 4.5 mgd...”
SEE ITEM 4 ABOVE. WK Dickson claims the Maximum Day Demand is 6.8 MGD. However, the treatment plant capacity is only being expanded to 4.5 mgd which is contrary to the recommended “standards for design of water treatment facilities”. This contradicts ITEM 4 ABOVE.
2. WK Dickson cites 2.6 **MGD** maximum day, it was actually 2.3 **MG** maximum day according to 2008 Boone Water Supply Plan.
3. WK Dickson cites 16, 400 population, it was actually 14, 717 according to 2008 Boone Water Supply Plan.
4. WK Dickson incorrectly uses **MGD** versus **MG** to describe maximum day demand, “(6.8 MGD maximum day)”.
5. New River Advocates prepared a graph of historical average daily demand using actual results reported by Boone on their annual water supply plans. According to 2007 and 2008 Boone Water Supply Plans, there were 708,000 gallons per day (2007) and 664,000 gallons per day (2008) “unaccounted for”. The Water Supply Plan for 2002 shows 38,000 gallons per day and the Plan for 2009 shows 356,000 gallons per day “unaccounted for”. The “unaccounted for” water use dropped by 308,000 gallons per day between 2008 and 2009. This is significant.

It is evident that a major leak or problem was repaired or corrected. The graph of actual historical use shows there was a problem in 2007 and 2008. We believe the Town of Boone documented this problem and WK Dickson did not disclose the problem as the adjustment for the problem would not support WK Dickson’s projections. **This is significant since the projected need is supports the claim that there is no other feasible alternative water source.**

Figure 5.1 Historical Data from Water Supply Plans Submitted to NCDENR

http://www.ncwater.org/Water_Supply_Planning/Local_Water_Supply_Plan/report.php?pwid=01-95-010



Graph and table prepared using data submitted to NCDENR

Year	Average Daily Demand (MGD)	Percent of 3 MGD Capacity
1992	1.490	49.67%
1997	1.517	50.57%
2002	1.667	55.57%
2007	1.860	62.00%
2008	1.800	60.00%
2009	1.634	54.47%
2010	1.622	54.07%
2011	1.589	52.97%
2012	1.661	55.37%
2013	1.618	53.93%

In Paragraph 5, WK Dickson states: ***“Each intake line will be equipped with a shut-off valve in the wetwell and a backwash line from the backwash pump to allow each line to be backwashed at 4 MGD, or twice the intake capacity.”*** Does this mean that 4 MGD will be withdrawn for consumption (and a lesser amount returned as discharge) and 4 MGD will be withdrawn for backwashing (and returned with silt) for a total of 8 MGD withdrawn and unknown amount returned? We believe this is the case.

Go to page 12, paragraph 3 where WK Dickson states: ***“A total of three (3) intake lines, each sized for up to 2 MGD, are proposed with two (2) fingers connected to each intake line. Capacity, however, will be limited to 4 MGD, based on the assumption that one intake line is to be maintained as a backup. The raw water pumps will not be sized for more than a total of 4MGD nor will they be operated at more than combined total of 4MGD.”***

Please note that WK Dickson admits the ***“intake lines”*** are sized for 2 MGD; but, claims the ***“raw water pumps” will not be sized” to exceed a total of 4 MGD.*** However, WK Dickson also states in paragraph 1 of page 12: ***“Three (3) raw water pumps (one of which will be used as a backup pump) rated at 2.0 MGD will be provided to convey the water...”*** If three (3) raw water pumps are ***“rated”*** at 2.0 MGD, then how ***“will they not be sized for more than a total of 4 MGD”***? A simple mathematical formula shows: (3 raw water pumps) X (2 MGD rating each) = 6 MGD total. [Rated value is defined as ***a value or quantity establishing the maximum amount that can be contained, accommodated, or handled”.***]

WK Dickson describes the new intake as a ***“6 MGD raw water intake”***:

<http://www.wkdickson.com/portfolio/raw-water-supply-treatment-plant-upgrades-boone-nc/>

“The Town of Boone’s raw water system has an existing capacity of 3.0 million gallons per day (MGD), but a Water Supply Master Plan conducted by WK Dickson has estimated the Town’s 50 year water needs at 11 MGD. To meet immediate demands, WK Dickson is providing planning, environmental assessment, permitting coordination, funding assistance, engineering design and construction administration for the expansion of the Town’s existing water treatment plant from 3.0 MGD to 4.5 MGD, construction of a new 6.0 MGD raw water intake, planning for Phase II Water Treatment Plant expansion or new plats, and construction of 12 miles of water transmission main. Our team of in-house funding experts has helped the Town secure over \$22 Million to make this project possible.”

Boone’s Mayor Andy Ball confirms the 6 MGD capacity to a reporter, Watauga Democrat, [New River Advocates: Boone intake misleading information](#): ***“During the Sept. 5 interview, Ball also confirmed the Boone water intake has the capability to take in 6 MGD, rather than the 4 MGD previously reported.”***

6. Table 1. Boone/ASU Consumptive Loss – 2007 shows ***“Consumptive Loss (MG)”***. That should actually be a consumptive gain. If you consume a total of 65 million gallons (58.660 + 6.34 = 65) and you treat waste water of 83.78 million gallons, then you have a consumptive gain of 18.78 million gallons (83.78 – 65 = 18.78). The calculations are gains and not losses with the exception of December 2007 which is a loss.

The waste water treated is greater than the consumption; not less than the consumption. **This table is of no value;** Boone is unable to identify well water consumption which accounts for the gain and masks the ability to determine actual consumptive loss. One of the commenters must have asked WK Dickson to show how much of the consumed water was lost or, how much of the consumed water was returned to the New River. **Obviously, they do not know and do not have the ability to make a determination of such.**

7. Please note that WK Dickson has cited 2007, 2008 and 2009 water supply data to this point in the EA. Why are they not using the most recent data? **We believe that the 2009 data would not support their projected needs for the**

Town of Boone or the claim that the South Fork of the New River in Todd, NC is the only feasible option. SEE FIGURE 5.1 ABOVE IN ITEM 5.

8. On page 3, Section 1.2.2, WK Dickson points out "*the Town's Unaccounted-for-Water in 2007 was 18 percent*". **This is incorrect.**

The average unaccounted-for-water for 2007 is 708,000 gallons per day and the total average daily demand for water is 1,860,000 gallons per day. A simple mathematical formula results in 38.06% [$708,000 \div 1,860,000 \times 100 = 38.06\%$]

And, WK Dickson fails to point out that the Town's Unaccounted-for-Water in 2008, the year they cite and use for projections, is 35.69% [$664,000 \div 1,800,000 \times 100 = 35.69\%$]. This is significant enough to require an adjustment to the average daily and maximum day demands prior to using them to make projections, as we will demonstrate in the upcoming Part II of our 'Analysis and Opinion' of the 2010 EA.

SEE ITEM 5 ABOVE

Town of Boone Water System Improvements – Environmental Assessment

EXECUTIVE SUMMARY

The Town of Boone (Town) currently operates a 3.0 million gallons per day (mgd) conventional water treatment plant under Water System ID No. NC0195010.

According to available 2008 data, the Town currently supplies an average daily demand (ADD) of 1.8 MGD (2.6 MGD maximum day - MDD) to a population of about 16,400. This population includes many university students that live off-campus and use Town water. This current system average day demand (ADD) is anticipated to grow by the year 2030 to 2.75 MGD. Assuming the potential for 0.5 MGD emergency allocation to the Town of Blowing Rock and 1.0 MGD of unallocated reserve for unincorporated areas of the County, its other municipalities, and industry, the future 2030 average day demand (ADD) for planning purposes should be 4.25 MGD (6.8 MGD maximum day). Standards for design of water treatment facilities recommend that the facilities be able to deliver the maximum (peak) day design in order to ensure a health or safety hazard are not created therefore 6.8 MGD has been utilized for the Town's future 2030 supply and treatment capacity.

S/B
MG

S/B MC - MDD

The consideration of potential water treatment plant improvements included evaluation of over twenty-seven alternatives. The water supply and treatment improvement options considered included seven sites along the Watauga River, Watauga Lake in Tennessee, the Yadkin River, lakes on Federal land, increasing the Town's existing Winkler Creek reservoir capacity, building a new reservoir, wells, interconnections with other utilities, as well as ten sites along the South Fork New River. Based on multiple parameters (e.g. flow volume, distance, accessibility, and cost) a new run of river raw water intake between Todd and Brownwood along the South Fork New River was selected.

A present worth analysis determined that, the combination of a new raw water intake and transmission system, high rating the existing WTP, and expanding the existing WTP is clearly the best option for the Town to address its projected water supply needs.

The proposed new raw water intake shall be located approximately 12 miles east of the Town of Boone, between Todd and Brownwood, in unincorporated Watauga County. The proposed infiltration gallery will be installed below the South Fork New River's existing channel in Watauga County. The transmission system improvements shall include the installation of approximately 12 miles of water transmission main, and two raw water pump stations. The proposed water transmission mains will be installed almost entirely within existing public road rights-of-way. The only portions of the transmission lines outside existing public rights of way are between the intake pump station and Brownwood Road.

To identify local, state and federal agency concerns regarding the environmental impacts of the proposed project an inter-agency pre-scoping meeting was held in Winston-Salem on 21 February, 2008. It was attended by members of the North Carolina Department of Environment and Natural Resources (NCDENR) Public Water Supply Section (PWSS), Division of Water Resources (DWR), Division of Water Quality (DWQ), and Wildlife Resources Commission (WRC); United States Department of Agriculture Rural Development (RD); the North Carolina Rural Economic Development Center (RC); and WK Dickson & Co., Inc. A public informational meeting was held by RD in the Town of Boone's Council Chambers on 27 May 2008. Numerous informal public educational meetings were held throughout the local community (e.g. Todd, Mountain House Resort, Boone Lions Club, South Fork Baptist Church, and the Broyhill Inn) during September and October 2008. The Boone Mayor and Town Council and the Ashe County Board of Commissioners held a joint public meeting at Westwood Elementary School in West Jefferson on 23 June 2009.

Town of Boone Water System Improvements – Environmental Assessment

Boone citizens overwhelmingly passed a formal bond referendum to fund the project in November 2008 by more than 2:1 (5,534 yes, 2,085 no). The original Environmental Assessment (16 November 2009) was made available for public and inter-agency (state and federal) review and comment. A Notice of Availability of the EA was published in the Watauga Democrat on 4, 7, and 9 December 2009 and in the Jefferson Post on 4 and 8 December 2009. The 30-day Public Comment period ended on 4 January 2010. Copies of the document were made available at Boone Town Hall, the Boone Public Utilities Department, on the Town of Boone's website, and at the USDA Rural Development Area Office in Jefferson, NC. Many comments and concerns were received during the public review period and are included in this revised Environmental Assessment. In response to comments received, corrections and additions have been made in the body of this revision. Some comments and concerns were addressed directly in the Summary/Response Memo (Section 6.0). To support the Environmental Assessment's conclusions, additional research has been completed and additional mitigation measures are proposed.

Aquatic resources were formally surveyed at all sites where direct impacts are anticipated. No federally protected species were located at any sites and no impacts to them are anticipated. A North Carolina Special Concern mussel population was located at the proposed intake site. To mitigate impacts to this aquatic resource, the population will be relocated to and integrated with a larger existing upstream population prior to construction. Archaeological resources were formally surveyed at all construction locations outside existing road and utility rights of way. No significant impacts to historically significant resources are anticipated. In order to maintain Brownwood's bucolic viewshed the intake pump station's exterior will be designed to resemble a typical barn. At the selected intake site, numerous design alternatives were evaluated. The selected alternative, an infiltration gallery, will not result in any permanent negative impacts to aesthetics, recreation, or stream flow.

Potential secondary and cumulative impacts to environmental resources resulting from the proposed water supply expansion are minimized by local ordinance language and will not be significant.

NEW RIVER ADVOCATES, INC.
'Analysis & Opinion'
6-22-2010 Revised Environmental
for
Town of Boone's Raw Water Intake
PART II – Pages 1 - 6

FAULTY JUSTIFICATION FOR INITIATION OF THE BOONE WATER INTAKE PROJECT-

The Town of Boone's engineers used inconsistent, conflicting and superseded data to conclude a need of an additional **4 million gallons of water per day**. Then, with this dubious determination of need, they concluded the only site that will provide this amount of water is on the South Fork of the New River, 27 river miles outside of Boone's corporate limits at the Watauga/Ashe County line.

We have been told repeatedly by the Town of Boone:

*"When a water system reaches 80% capacity, the N.C. Department of Environmental and Natural Resources recommends a plan for expansion. When the system reaches 90% capacity, N.C. recommends the expansion be under construction. If not underway the **state** could impose a moratorium on new water hookups."*¹

¹From • New River Project, Town of Boone Publication

And, we all have heard Boone's mantra:

*"Boone surpassed the 80% mark in 2006 and is projected to hit the 90% mark in 2009."*¹

¹From • New River Project, Town of Boone Publication

It is now 2014 and the State of North Carolina has not imposed any moratoriums on water hookups in Boone. Since the Town of Boone has continually claimed that 2006 was the year that triggered the initiation of planning for a new water supply, we expected to find the 2006 water use information in WK Dickson's Environmental Assessment for Boone's proposed new water intake. However, the information was missing. We attempted to access the Water Supply Plan the Town of Boone submitted to the NCDENR for 2006, it was missing. We also made a public record's request from the Town of Boone and were told the information did not exist. According to NCDENR, Boone was not required to submit a report for 2006. **This is significant since 2006 is declared the triggering year, the year the Town of Boone needed to start planning for a future water supply.** New River Advocates, Inc. decided to examine the Growth Section of WK Dickson's Environmental Assessment (pages 4-6 attached to our report for your reference) in detail.

WK Dickson, consulting engineers for the Town of Boone's proposed raw water intake project, states on page 9 of their 2009 Environmental Assessment and is repeated on page 6 of the 2010 Revised Environmental Assessment:

*"It should be noted that when the Town's **five day maximum day demand (MDD)** for the system reaches 2.40 MGD (80% of capacity), the North Carolina Department for Environmental and Natural Resources Public Water Supply Section (NCDENR) **regulations recommend** that expansion planning be initiated." [MGD – Million Gallons per Day]*

This statement is in stark contrast to the actual law, found at N.C. General Statute §143-355(l):

“A unit of local government or large community water system shall submit a revised plan that specifies how the water system intends to address foreseeable future water needs when eighty percent (80%) of the water system’s available water supply based on calendar year average daily demand has been allocated to current or prospective water users or the seasonal demand exceeds ninety percent (90%).”

Contrary to WK Dickson’s legal citation, the triggering factor is **Average Daily Demand** for water on a calendar year basis and has nothing to do with **Maximum Day Demand** for water. Please note that WK Dickson used the term recommended in their reference to a law: “NCDENR regulations recommend that expansion planning be initiated”. Laws do not make recommendations, they require action as is evidenced by the language in the law we cited above, “shall submit a revised plan...”.

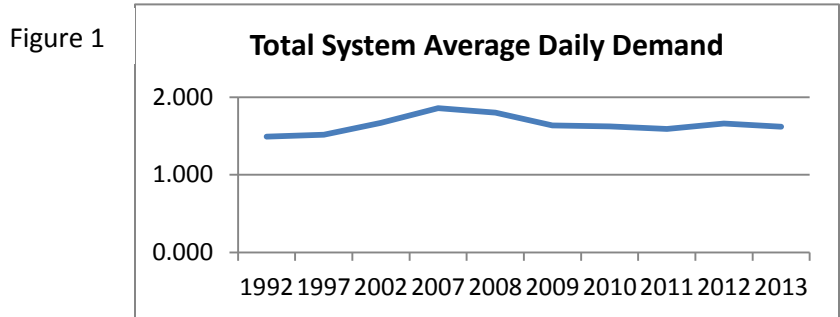
What is the Town of Boone’s actual situation with respect to required planning, construction and impending moratoriums?

The Town of Boone is allowed to draw up to 3 million gallons of water per day from their primary water intake on the South Fork of the New River (located in Town behind the Armory) and they have an additional **emergency** water supply on Winklers Creek with the capacity to draw another 1.6 million gallons of water per day. WK Dickson’s 2009 and Revised 2010 Environmental Assessment focuses on Boone’s primary water supply and we will do the same.

New River Advocates has reviewed the Water Supply Plans submitted by Boone to NCDENR from 1992 to 2013. The **Average Daily Demand** for water has never been close to 80% of capacity:

Year	Average Daily Demand (MGD)	Percent of 3 MGD Capacity
1992	1.490	49.67%
1997	1.517	50.57%
2002	1.667	55.57%
2007	1.860	62.00%
2008	1.800	60.00%
2009	1.634	54.47%
2010	1.622	54.07%
2011	1.589	52.97%
2012	1.661	55.37%
2013	1.618	53.93%

Following is a graph illustrating the historic trend from 1992 to 2013:



Remarkably, the 2013 *Average Daily Demand* for water is the same as that reported for 2003 by WK Dickson in Table 1 on page 8 of the Environmental Assessment (ten years earlier)! And, with the exception of 2007 and 2008, the preceding graph illustrates that Boone's *Average Daily Demand* for water has not changed over the past 20 years.

What caused this noticeable; but, slight increase in 2007 and 2008? We examined details in the 2007 and 2008 Water Supply Plans and found that there was an average of 700,000 gallons of water per day unaccounted for in 2007 and 664,000 gallons per day unaccounted for in 2008. The "*unaccounted for gallons per day*" decreased to 376,000 in 2009 and to 235,000 in 2010. We believe this unusual unaccounted for "loss of water" is the reason for the anomalous increase in *Average Daily Demand* for 2007 and 2008. Was there a water leak in 2007 and 2008? What measures does the Town of Boone have in place to identify, document and correct these situations? Why does WK Dickson not address this abnormality in their environmental assessment?

This is significant since WK Dickson used 2007 data in making projections (and possible backed into 2006 data) which formed the core arguments for a need for an immediate water supply with the capacity to supply an additional 4 million gallons of water per day.

Has the Town of Boone and WK Dickson misrepresented the need to initiate planning and construction?

New River Advocates was unable to find the regulatory citation used by WK Dickson and the Town of Boone. We examined the NCDENR regulations at title 15A of the N.C. Administrative Code in its entirety. The only 80%-90% rule provided was for "*wastewater capacity*" at 15A NCAC 02H .0118, titled, "**DEMONSTRATION OF FUTURE WASTEWATER TREATMENT CAPACITIES:**

- (1) "*Prior to exceeding 80 percent of the wastewater treatment system's permitted hydraulic capacity (based on the average flow of the last calendar year), the permittee must submit an approvable engineering evaluation of their future wastewater treatment, utilization, and disposal needs...*"
- (2) "*Prior to exceeding 90 percent of the wastewater treatment, utilization, or disposal systems permitted hydraulic capacity, (based on the last calendar year), the permittee must obtain all permits needed for the expansion of the wastewater treatment, utilization, or disposal system and, if construction is needed, submit approvable final plans..."*

We also found where a ***sewer line moratorium*** could be imposed under frequently asked questions at NCDENR's website; **but, we found nothing about water hookup moratoriums:**

"8. What is statutory Moratorium? *A sewer line moratorium may be imposed by two different scenarios. One involves implementation of 15A NCAC 2H .0223 (the "80/90%" rule) and the other involves implementing a statutory moratorium by G.S. 143-215.67."*

NOTE- there are two questions asked by NCDENR on each annual Water Supply Plan submitted to NCDENR:

- "*Did average daily water production exceed 80% of approved plan capacity for five consecutive days during the year?*"

- “Did average daily water production exceed 90% of approved plant capacity for five consecutive days during **the year?**”

We believe it is of great significance that the Town of Boone has answered **NO** to these questions each year. These questions are related to what WK Dickson claims is the *triggering factor*, “the five day maximum day demand”. The “the five day maximum demand” would be equal to the average of the 5 highest consecutive daily demands for water.

NOTE - if either of these questions is answered YES, NCDENR asks, “Was there any water conservation implemented?” These questions are related to conservation planning and are not related to required or recommended water supply expansion planning.

We decided to ask NCDENR’s, Linwood Peele, Division Water Resource Manager, about the 80%-90% rule. He referred our question to Vardry E. Austin, who replied by email as follows:

”Ms. Greene,
There are no Public Water Supply (PWS) regulations that require water systems to take action in response to an 80% or 90% capacity situation. However 15A NCAC 02T .0118 does require publicly owned treatment works to take action before receiving approval for sewer line extensions. There may be policy that PWS section has used or is using to recommend water systems take action at certain stages of their ability to meet current and future demands, but there is no rule requiring such action. Check with the PWS regional office serving your area of interest to see if such policy exists.
 Sincerely,
 Vardry E. Austin, P.E., BCEE, LEED Green Associate
 NCDENR - Division of Water Resources
 Water Supply Planning Branch

And, as recommended, we contacted NCDENR’s Tom Boyd, Regional Drinking Water Environmental Senior Specialist, about the 80%-90% rule and we found that our conclusions are corroborated:

1. NCDENR does not have an 80%-90% rule requiring revised water supply plans for water production. The only law is a state law found at N.C. General Statutes at §143-355(l).
2. NCDENR does not have an 80%-90% rule or policy recommending revised water supply plans for water production.
3. NCDENR does not have any rules, regulations, or laws that refer anywhere to a maximum day demand (MDD) in relation to water supply planning other than implementing conservation measures.
4. There is no provision for State of North Carolina to impose a moratorium on water hookups. (We were told by NCDENR that Boone uses a “self-imposed” moratorium.)

New River Advocates believes there has been a misrepresentation of the regulations in the Town of Boone’s proposal for the proposed raw water Intake project beginning in 2004. What we do not know is whether there was a misinterpretation of the law or whether there was a deliberate plan to deceive the public. Only the Town of Boone can answer this question.

INCONSISTENT AND CONFLICTING DATA AND INAPPROPRIATE DATA USED FOR PROJECTIONS-

As we continue to examine pages 8 and 9 of WK Dickson's 2009 Environmental Assessment and pages 4 through 6 of the 2010 Revised Assessment, we find inconsistent use of data and data years and conflicting data. We found the data years and related data used by WK Dickson were not consistent, were outdated and were superseded at the time of publication of the Environmental Assessment in November 2009 and the revised 2010 Assessment issued June 22, 2010. [We found a letter from Jim Mead, NCDENR dated January 8, 2010 in which Mr. Mead questioned the accuracy of the information provided in the 2009 Assessment. However, many of the corrections Mr. Mead suggested were not made in the 2010 revised Assessment.]

WK Dickson's Environmental Assessment Report also states on page 5 of revised Assessment (page 9 of 2009 Assessment), based on the MDD (*Maximum Day Demand*) for water versus the ADD (*Average Daily Demand*) for water:

"Assuming an ADD of 1.86 MGD in 2007 and the maximum MDD/ADD ratio from the past two years of approximately 1.38, the theoretical MDD for 2007 was 2.567 MG. Therefore, in 2006, the Town crossed NCDENR's recommended threshold for the initiation of expansion planning."
[MG – Million Gallons]

We have already refuted WK Dickson's claim that NCDENR recommends initiation of planning once the **"five day Maximum Day Demand"** for water reaches 80% of capacity. If we assume that WK Dickson misinterpreted NCDENR rules and was not aware of the actual legal requirement, the above statement is still flawed as we conclude in 1-4 below.

- 1. Why would the engineers use the highest one day demand (MDD) above instead of the "5-day Maximum Day Demand" which they assert is the legal benchmark?** WK Dickson projects the Maximum Day Demand for water for 2007 in the statement above and uses that projection to conclude Boone has crossed NCDENR's recommended threshold.

The *"Maximum Day Demand"* is the highest recorded water use for one day out of the year. This figure is reported in the Water Supply Plan for the year, as well as, for each month

The *"5-day Maximum Day Demand"* is the average of the five highest consecutive daily demands for water for the year. This *"5-day Maximum Day Demand"* is not reported in the annual Water Supply Plans.

Obviously, we do know that the highest one day demand will result in a greater, exaggerated result than an average of the five (5) highest consecutive daily demands. Otherwise, WK Dickson will have to answer the question.

- 2. Why would the engineers use assumptions for 2007 to arrive at conclusions for 2006?**
The 2007 Water Supply Plans for the Town of Boone would have been available to WK Dickson at the time of publication (16 NOV, 2009) of their 2009 Environmental Assessment and (22 JUN 2010) of their revised 2010 Assessment. We do not understand why the word **"assuming"** was used above when referring to 2007. We also do not understand how assumptions made for the

year 2007 result in conclusions for the prior year 2006 (***“Therefore, in 2006...”***). And, most puzzling, why does the historical table, *“Table 2. Recent Demand Data”* not include data for 2006? **The data year 2006 is notably missing.**

As previously mentioned, according to NCDENR, Boone was not required to submit a Water Supply Plan for 2006. However, the Town of Boone may have maintained such plans in-house. We have not been able to verify the records provided in Table 2 except for the years reviewed by NCDENR and available on line. Where did WK Dickson get the information for Table 2? Did WK Dickson estimate the data for the years for which Water Supply Plans were not submitted to NCDENR? Why did WK Dickson not clearly cite their source? **This is significant because WK Dickson uses this information to make projections which form the entire basis for immediate initiation of planning and a need for a water supply with the capacity to provide an additional 4 million gallons per day.**

3. Why does WK Dickson project data for years in which it has the actual data?

WK Dickson projects the 2007 **Maximum Day Demand** for water in the statement above when the actual data was available. We also question why Table 2 shows **actual results** for 2007 and 2008 while Table 3 shows **projections** for the same years.

WK Dickson provides two tables on pages 4 and 5 of the revised 2010 Environmental Assessment. Table 2 is labeled *“Recent Daily Demand Data”* and is stated to provide *“historical demand data”*. Table 3 is labeled *“Maximum Day Demand Projections”*. Since the *Average Daily Demands* and the *Maximum Day Demands* are reported in the Water Supply Plans to NCDENR, there would be no need to estimate or project the *Average Daily Demand* or the *Maximum Day Demand*.

However, WK Dickson starts the table of projections with 2007 data. WK Dickson records the *Average Daily Demand* projection for 2007 as 1.86. This is not a projection. The number 1.86 was reported to NCDENR as the actual *Average Daily Demand* in Boone’s 2007 Water Supply Plan. WK Dickson also records 1.86 as the *Average Daily Demand* in their table of historical data. **Why did WK Dickson record the actual data for 2007 as both actual and projected?**

The 2008 Water Supply Plan (due April 2009) would have also been available before the Environmental Assessment was published (November 2009) or the revised Assessment was published (June 2010). However, according to their table of projections, WK Dickson has projected an *Average Daily Demand* of 1.9205 MGD for 2008. The actual *Average Daily Demand* reported by the Town of Boone was 1.80 MGD in the 2008 Water Supply Plan. WK Dickson also records 1.80 MGD in their table of historical water use. **Why did WK Dickson provide the actual data and then make a projection of the same data?**

4. Why did WK Dickson use 1.38 as a factor to project the 2007 Maximum Day Demand?

WK Dickson admits to using the *highest out of the last 2 years’ ratio of “Maximum Day Demand”*

to “Average Daily Demand” to derive a *projection factor of 1.38*. The question is why? Why not the lowest? Better yet, why not compute an average using the historical data available. According to the table 2, WK Dickson was using the 2007 ratio. We question the use of 2007 since it was one of the years with the unusually high 700,000 gallons of water per day that was unaccounted for. We believe WK Dickson should have documented their rationale.

Why were WK Dickson’s projections, made in 2009, so much greater than the actual future results?

We noted that WK Dickson’s projections for 2009 and 2010 were markedly elevated when compared with the actual data subsequently submitted to NCDENR for 2009 and 2010. WK Dickson projected an *Average Daily Demand* of 1.981 MGD for 2009; the actual outcome was 1.634 MGD. An even greater divergence was evident in WK Dickson’s projected *Average Daily Demand* of 2.0415 MGD for 2010; the actual outcome was 1.622 MGD. We believe inconsistent and conflicting data resulted in overstated projections.

This is significant since these projections are used to justify the conclusion that there is a need for an additional 4 million gallons of water per day.

Why does WK Dickson use the 2003 Average Daily Demand and the 2002 Population to make projections when more current figures were available?

WK Dickson states on page 8 of the Environmental Assessment:

“Using the 2003 Average Daily Demand and the 2002 water system user population, the total system average demand per capita is 82.6 gallons per capita per day (gpcd).”

The 2008 Water Supply Plan would have been available at the time of publication of the WK Dickson 2009 and 2010 Environmental Assessments. Also, WK Dickson used 2007 data in making other projections. Why did WK Dickson use 2007 data as the basis for some projections and 2003 and 2002 data for other projections? Why are they not consistent with the data years used for computing projections? And, why use 2002 population figures when the 2003 related population figures would be reported on the 2003 Water Supply Plan? Was there a 2003 Water Supply Plan? Or, did WK Dickson estimate 2003 using 2002 and then use the 2003 estimates to make future projections? We believe that if WK Dickson has a basis for this, then they should disclose it.

This is significant because WK Dickson is using these projections to support a need for an additional 4 million gallons of water per day.

Why not compare apples to apples? The annual Water Supply Plans submitted to NCDENR include a breakdown of the water used by consumer type, residential, commercial, industrial and institutional. The report also includes an average daily per capita *residential* use (the average gallons of water used by each person daily), the average daily water used by the residential consumer divided by the population. According to the 2009 Water Supply Plan, the average daily per capita residential use is 33 gallons per day. However, WK Dickson computed an **average daily per capita demand for the total water system** by dividing the **average daily water used by all consumer types by the residential population**.

WK Dickson states, using a total system per person demand of 82.6 *gallons per capita per day*,

*“Applying this to the 2030 projected water system user population, and using the average demand per capita shown above, we would **estimate** the 2030 Average Day Demand to be 2.75 MGD (33,336 x 82.6 gpcd).”*

We believe that both factors used above, the **population** and **average demand per capita**, are incorrect making the conclusion incorrect.

We find this is significant since this “estimate” is the entire basis for the proposed raw water intake on the South Fork of the New River, 27 river miles from the Town of Boone at the Ashe/Watauga County line.

1. **Why is the use of 82.6 gallons of water per capita per day incorrect?** We believe that each type of consumer (residential, commercial, industrial and institutional) should be analyzed and projected separately to arrive at the *projected total system demand*. However, WK Dickson derived an *average per capita demand for the total system* based on a *residential population* and then applied it to a *projected residential population* to arrive at a *projected total system demand*.

This is significant because the residential consumer population is not necessarily directly related to the other consumers as WK Dickson suggests. This is especially true in an area where commercial use serves a seasonal population, tourists and students residing on-campus that are not part of Boone’s residential population.

Appalachian State University has its own water supply for the campus. The Town of Boone supplies water primarily to the Town of Boone and students living off-campus in Boone. And, Boone serves approximately 350 water connections outside of their corporate limits, mainly in the extra-territorial jurisdiction area.

2. **Why is the population of 33,336 incorrect for a 2030 projection?** The Water Supply Plan submitted by the Town of Boone in 2002 shows a projected population of **20,483** for 2030. The same projected population is shown on the annual Water Supply Plans submitted for 2007, 2008, 2009, 2010, 2011, 2012 and 2013? WK Dickson does not justify the projected population of 33,336.

Since WK Dickson’s total system demand projection of 2.75 MGD for 2030 is incorrect, we examined the 2009 Water Supply Plan to see what the Town of Boone projected for 2030. We found that Boone showed 2.75 MGD as the projection for 2030. However, when asked *“What major water supply reports or studies were used for planning?”*, the response was, **“2004 W.K. Dickson Water System Analysis and Master Plan.”** [New River Advocates, Inc. has attempted to obtain a copy of this plan and have filed with mediation through the courts due to unreasonable costs of \$424 based on exact replication versus copy requested.]

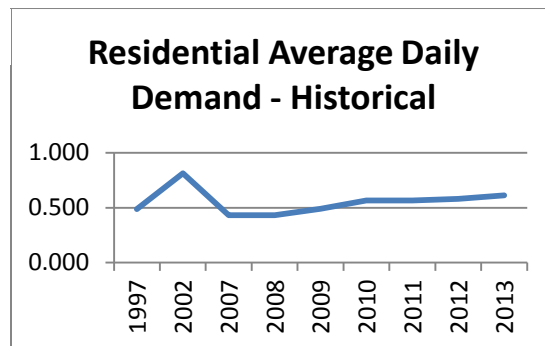
The 2.75 MGD projection attributed to WK Dickson is broken down in the 2009 Water Supply Plan by consumer type, residential, commercial, industrial and institutional. The 2009 Water Supply Plan shows the following **residential** projections for 2030: projected *residential demand* of 1.050 MGD, projected *population* of 20,483 and a *long-term 33 gallons per capita per day*. We should be able to multiply **20,483** by **33** to arrive at the residential demand. However, we get 675,939 (0.676 MGD) versus 1.050 MGD. Why? We could answer this question if we knew exactly what method was used to allocate WK Dickson's *total system demand projection* for 2030 of 2.75 MGD among the consumer types.

Why should we be able to multiply the **projected population** by the **long-term per capita demand** to arrive at the projected **residential average daily demand**? According to the Water Supply Plans, the **long-term per capita demand** is computed by dividing the **residential Average Daily Demand** by the **population**. From simple Algebra, we conclude that *residential average daily demand equals population multiplied by long-term per capita demand*.

We believe the best case scenario is that one or more of the projected components for computing the projected *residential demand* was reported incorrectly. The worst case scenario might be that the '*end justifies the means*', a predetermined result has been justified by the computation.

Following is a graph of the historical trend of **Residential Average Daily Demands** for water for years in which NCDENR has Water Supply Plans:

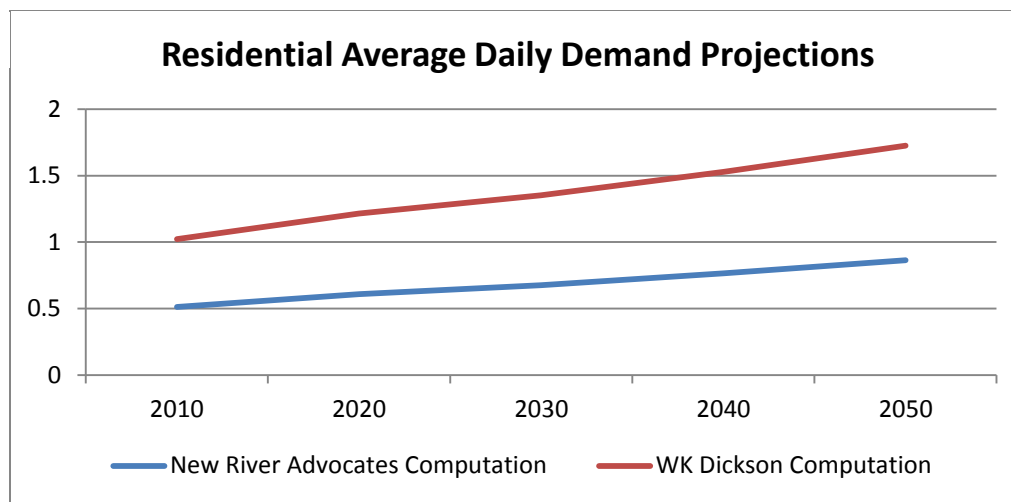
Figure 2



NOTE- There is a spike in 2002. What happened in 2002 with the residential use? Was there a major leak? If 2002 is removed, the *Residential Average Daily Demand* for water is slightly increasing.

Following is a graph of the *Residential Average Daily Demand* Projected for 2020, 2030, 2040 and 2050. The "blue line" or lower line is computed by New River Advocates by applying the population projections to the long-term 33 gallons per capita per day shown in Boone's 2009 Water Supply Plan. The "red line" or upper line represents the projections shown in the 2009 Water Supply Plan, noted as coming from the 2004 WK Dickson Water System Analysis and Master Plan.

Figure 3



New River Advocates' projections are more in line with the historical trend, slightly increasing. Also, please note that the actual 2010 *Residential Average Daily Demand* for water was reported as 0.565 MGD. New River Advocates' projected 0.511 MGD. However, the 2010 projection attributed to WK Dickson was 0.950 MGD.

IMPACT OF NOT CONSIDERING WATER CONSUMER PROJECTIONS BY CONSUMER TYPE-

As stated before, the Water Supply Plans submitted to NCDENR include a breakdown of the *Average Daily Demand* by consumer type (residential, commercial, industrial and institutional). WK Dickson does not provide an analysis of the growth by consumer type. Without such analysis, how does the Town of Boone or its engineers realistically estimate the **total system demand** for water for 2020, 2030, 2050 or 2060?

We believe WK Dickson inappropriately attempted to determine a future *total system demand* by relating a *total system per capita demand* to a *projected population of residential consumers*.

A closer look at the actual data shows that the **commercial consumer** uses far more water than the **residential user** per metered connection. In 2013 Boone shows 757 *metered commercial connections* using 0.710 MGD which represents an *Average Daily Demand* of 938 gallons of water per day per *commercial connection*. We believe an examination of the commercial user will include hotels which are related to tourism projections and not residential projections; and include swimming pools. Commercial users will also include restaurants which serve Boone's residential population, the county's residential population, tourists/visitors and the student population living on-campus (whose water is supplied by ASU).

As we have previously stated, we do not believe that the projection in the *residential Average Daily Demand* for water can be directly related to projections in the *commercial Average Daily Demand* for water. And, absent an analysis of the *commercial demand* for water by WK Dickson, the Town of Boone does not know what the *projected total system average daily demand* for water will be in 2020, 2030, 2040, 2050 or 2060.

Why didn't WK Dickson consider the Town of Boone's projected *commercial growth* separately? What is the breakdown of the *commercial consumers*? Which ones have the highest demand for water? What is the projected growth of these *commercial water supply consumers*?

What happens when a *residential population* and a *total system per capita demand* are used to project a *total system demand* with a dubious allocation of such demand among the different consumer types? On the next page are graphs that will visually illustrate what happens by comparing projections attributed to WK Dickson with the historical trend.

[THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY. THE GRAPHS ARE ON THE FOLLOWING PAGE FOR COMPARISON VIEWING.]

Figure 4

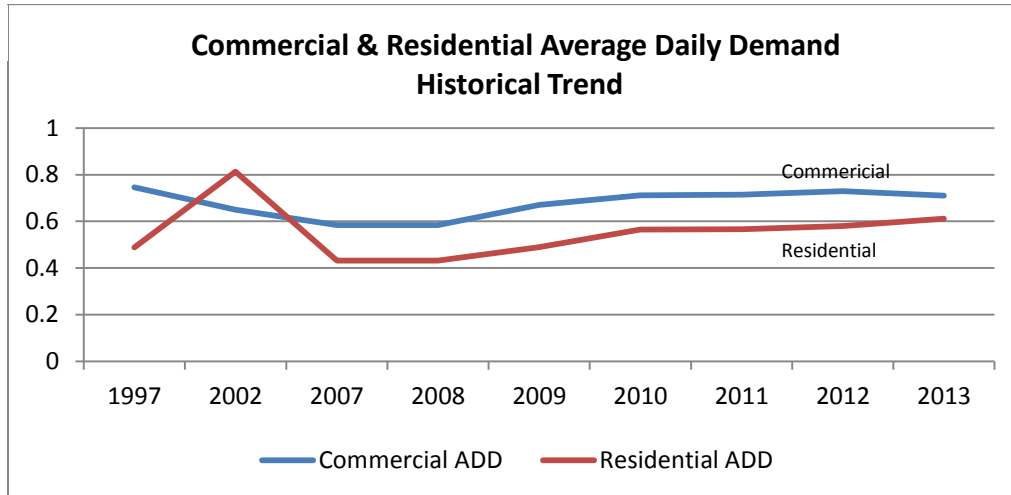
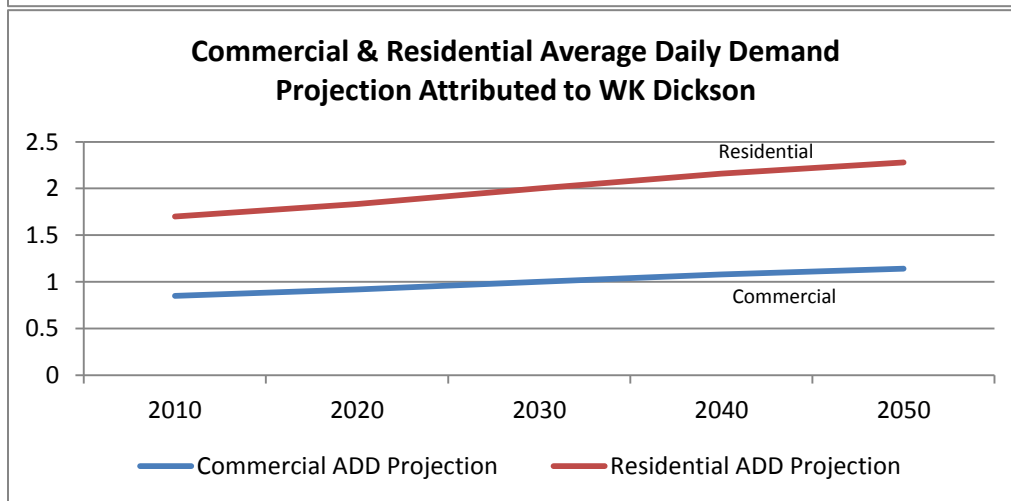


Figure 5



Please note that the **historical trend of water use** (see Figure 4) is quite different from the **projected trend of water use** (see Figure 5). The **historical trend** shows a trend of the **commercial demand** being greater than the **residential demand trend**. The **projected demand** shows the opposite, the “blue line” which represents the **Average Daily Demand** of the **Commercial User**, switches places with the “red line” which represents the **Average Daily Demand** of the **Residential User**, mysteriously the **residential demand** is now greater than the **commercial demand**.

And, while the historical graph shows a much narrower deviation between the two, the projected graph shows a widening of average daily demand trend between the two consumer types. We believe that applying the 82.6 gallons per capita per day (the total system demand per capita derived by WK Dickson) to the population (the pool of residential consumers) to arrive at a projected total system demand has resulted in not only an overstated total system demand for water, it has resulted in a dubious allocation among the consumer types which is obviously not anything like the historical trend. Whatever the allocation method, the 2010 actual average daily demand for water of 0.565 MGD is quite different from WK Dickson’s projections of 0.950 MGD! **This is significant because the water use projections for 2020, 2030, 2040 and 2050 were based on the same method used to project 2010.**

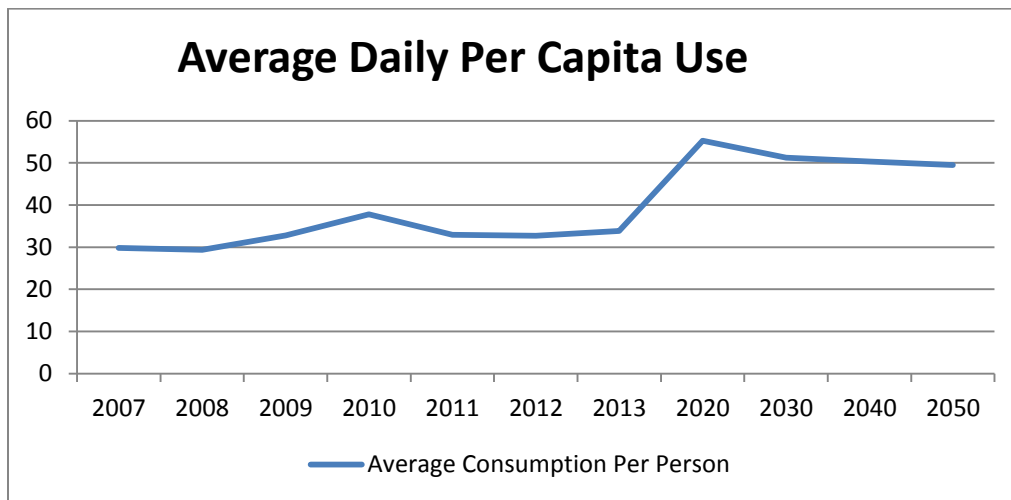
This is also significant because WK Dickson declares construction must begin immediately on page 9 of the Environmental Assessment,

“Based on the fact that the Town appears to be adding an additional 0.0605 MG of consumption per year and MDD/ADD ratio of 1.38, it is estimated that the Town needs to be under construction no later than the 2010 time frame.”

The best case scenario is there was an honest mistake made in the projections. The worst case scenario is projections were made to justify immediate construction.

The following chart shows how convoluted the projections are:

Figure 6



The average consumption per person rises sharply based on the residential projections attributed to WK Dickson. Please note the abnormal rise in 2010. Oddly, the population reported on the 2009 and 2010 Water Supply Plans were the same while consumption increased in 2010. This is an abnormality just as is the sharp rise caused by faulty projections. Did the Town of Boone err on the population figure supplied on the 2010 Water Supply Plan?

COMPOUNDING THE ERRONEOUS 2030 PROJECTION WITH A DUBIOUS CONTINGENCY FOR UNEXPECTED GROWTH-

We have demonstrated that we cannot rely on the 2030 projected *Average Daily Demand* of 2.75 million gallons per day computed by WK Dickson. And, the projection just grows worse. WK Dickson attempts to justify the total future demand of 7 million gallons per day (i.e. the combined capacities of current primary intake and the proposed new intake) with another flawed projection of 6.8 million gallons per day.

We will start with WK Dickson’s convoluted conclusion:

“The total 2030 demand is therefore projected to be [(2.75 for Boone) + (0.5 for Blowing Rock) + (1.0 unallocated reserve)] x (1.6 MDD/ADD ratio) = 6.8 MGD on a MDD basis”

We believe the 2.75 MGD projection for the 2030 Average Daily Demand is overstated and unreliable. Now we examine the other components of this dubious calculation.

WK Dickson states regarding the next component above “0.5 for Blowing Rock”,

“The Blowing Rock connection should be evaluated as a regular bulk purchase connection for an average daily demand of 0.5 MGD.”

Why do we take issue with the Blowing Rock component? The Town of Boone shows 0.00 MGD for “Future Water Sells” on the Water Supply Plans for 2009, 2010, 2011, 2012 and 2013. The Town of Boone does not have a contract with Blowing Rock for a regular *average daily demand* of 0.5 MGD. The Town of Boone has a connection with Blowing Rock to provide emergency water ONLY. And, there is no historical record of such emergency water ever being transmitted to Blowing Rock. An emergency water demand would affect *Maximum Day Demand* and not *Average Daily Demand*. We believe that this emergency contingency does not qualify as a bulk purchase and should be treated as an emergency service that could be served by Boone’s Winkler Creek resource. Also, this should be a 0.050 MG MDD (Maximum Day Demand) component and not a 0.50 MGD ADD (Average Daily Demand) component.

WK Dickson adds another component, the “1.0 unallocated reserve”,

“It is further recommended for this evaluation that a 1.0 MGD average daily demand unallocated reserve should be added to the 2030 projected demand to be used for unexpected growth, industry, and bulk purchases.”

This equates to a contingency error of 36%.

Why would WK Dickson add a contingency for the “unexpected” demand of 1.0 million gallons per day to a projection of 2.75 million gallons per day?

WK Dickson simply states “unexpected growth, industry and bulk purchases” without any justification for the demand without any analysis of how the 1.0 million gallons per day was derived. A contingency equal to 36% of your projected average daily demand is highly suspect and requires justification.

Please note that each of the 3 components above is labeled as an **Average Daily Demand** component by WK Dickson. We do not agree with that; but, this is what they have stated.

Did WK Dickson compute a 6.8 Average Daily Demand or a 6.8 Maximum Day Demand? This is the formula that WK Dickson used:

$$(2.75 \text{ MGD ADD} + 0.50 \text{ MGD ADD} + 1.0 \text{ MGD ADD}) \times 1.6 \text{ MDD/ADD}$$

Now, let’s solve the formula:

(2.75 MGD ADD + .050 MGD ADD + 1.0 MGD ADD) x 1.66 MG MDD/MGD ADD =			
4.25	MGD ADD	x	1.6
1.0	MGD ADD	=	6.8
		MGD ADD	MGD ADD
			= 6.8 MG MDD (Maximum Day Demand)

WK Dickson has derived a projected Maximum Day Demand for 2030. The Maximum Day Demand is the highest use for one day out of the year and is not measured in MGD (million gallons per day); it is measured as MG (million gallons).

WK Dickson claims the formula equates to 6.8 MGD (million gallons per day); it actually equates to 6.8 MG (million gallons) of water for one day, not daily. WK Dickson showed a projected *Average Daily Demand* of 4.25 MGD of water in their 2008 environmental scoping letter. NCDENR, during the environmental scoping period, recommended that WK Dickson justify the need for the additional 7.0 MGD capacity (the combined capacities of Boone's current intake and proposed intake) in the final assessment. **It appears they were merely attempting to justify it.**

Why did WK Dickson apply the 1.6 factor? We do not know. According to Table 3 on page 6 of WK Dickson's 2009 projections, they used a factor of 1.38 to compute the *Maximum Day Demands* for 2008, 2009 and 2010. WK Dickson claims the 1.38 represents a "*maximum MDD/ADD ratio from the past 2 years*". It is not clear; but, the highest MDD/ADD from Table 1, the historical data table for the last 2 years (2007 and 2008) is 1.38.

WK Dickson states regarding the historical Table 2 on page 4,

*"The average **Maximum Day Demand/Average Day Demand** ratio is 1.6 based on 2003 data. This is comparable to other water systems the size of Boone, and will be used for future projections."*

It appears, for whatever convoluted reason, WK Dickson decided to use the 1.38 MDD/ADD factor to project 2008, 2009 and 2010 and then decided to round the figure of 1.59 on Table 2 for 2003 and use 1.6 to project 2030. We do not believe there is any justification for the 1.6 factor. And, WK Dickson has somehow derived a 6.8 (MG) million gallons (not 6.8MGD), a projection representing the highest possible demand in one (1) day out of the year for 2030, in an effort to justify 7.0 million gallons per day.

And, we believe every component of the formula is either not justified or unreasonable. There is absolutely no justification for applying the 1.6 factor or any MDD/ADD factor to a contingency or an emergency allowance even to derive the highest Maximum Day Demand. [Please note that Jim Mead of NCDENR said in his letter of January 8, 2010, "It appears that the 1.6 Maximum Daily Demand to Average Daily Demand ratio (MDD/ADD) does not accurately reflect the demand ratio. The ratio is based on 2003 values. However, the 2003 MDD value used is high due to a line break. It should be noted that the average of all MDD/Add ratios provided ...is 1.45 or 1.39 if using MDD values not affected by line breaks."]

[NOTE with regard to the 2009 Environmental Assessment- In Table 1, the actual historical data for 2007, WK Dickson shows a MDD/ADD ratio of 1.38. However, WK Dickson shows a MDD/ADD ratio of 2.38 in Table 2, the table of projections. Amazingly, the ADD is 1.86 on both tables and the MDD is 2.567 on both Tables. With that said, the MDD/ADD ratio should be 1.38 on both tables for 2007. Maybe this is just an error; and, hopefully it wasn't used to arrive at any average factors that were used to make projections. **Please note that George Santucci of the New River Conservancy pointed out the same error in the 2009 Assessment in a letter dated January 4, 2010. The error was corrected in the revised 2010 Assessment. Mr. Santucci said of the 2009 Assessment, "Our confidence is shaken when the engineering firm writing this document makes simple typographical errors."**]

CLOSING-

What is the bottom line? The method of projecting is flawed and the projections are unreliable. Best case scenario, it wasn't done on purpose. Worst case scenario, we, as well as the reviewing governmental agents, have been subjects to a plan to deceive the public. Only the Town of Boone and WK Dickson can tell us which it is; answer our questions and/or justify their projections. We certainly cannot make a determination of what the Town of Boone's future needs are from the information provided in the 2009 and revised 2010 Environmental Assessments. And, we question how the projections on the Water Supply Plans passed NCDENR vetting.

Why are these projections so important? The answer is on page 9 of the Environmental Assessment, at the last sentence below:

*"In a previous engineering report and study, the Town investigated over 27 different options to augment their existing water supply needs. This investigation included seven (7) sites along the Watauga River, Watauga Lake in Tennessee, the Yadkin River, lakes on Federal land, increasing the Town's existing Winkler's Creek reservoir capacity, building a new reservoir, wells, interconnections with other utilities, as well as, 10 sites along the South Fork of the New River. **As a result, all of the alternatives except for one were not determined to be feasible.**"*

Amazing! The projected needs could only be met at what Town of Boone officials have dubbed the **"sweet spot"**, the South Fork of the New River, 27 river miles from the corporate limits of Boone at the Watauga/Ashe County Line.

And, the governmental agencies that reviewed and 'rubber-stamped' the proposed project all did so with the understanding that Boone's engineers had demonstrated Boone's need for an additional 4 million gallons of water per day and this was the only spot that was feasible.

WK Dickson tells us of **"no significant impacts"** and impacts **"not anticipated"** in the same Environmental Assessment we analyze above. WK Dickson is proud to announce on their website that they were granted a *"Finding of No Significant Impact" (FONSI) for the Town of Boone's Raw Water Intake Project*. However, governmental agencies who reviewed WK Dickson's preliminary environmental scoping letter expressed many concerns and made suggestions during what is called the *"environmental scoping"* period. Of particular note is the statement: *"Avoidance of a South Fork of the New River intake should be fully evaluated. Alternative sharing and coordination with Appalachian State University (ASU) should be thoroughly evaluated as surplus water may be available closer to Boone."* The letters of concern may be found at the back of the 289-page document referred to as the 2009 Environmental Assessment at the following:

http://www.townofboone.net/BOONE_water_intakeEA_WM16November09.pdf

And, the annual Water Supply Plans for Boone may be accessed at:

http://www.ncwater.org/Water_Supply_Planning/Local_Water_Supply_Plan/report.php?pwid=01-95-010

New River Advocates, Inc. will not be issuing a “*Finding of No Significant Impact*” (FONSI). We can’t imagine that anyone would consider doing so after reading the 14-page comment letter submitted by the N.C. Wildlife Resource Commission (starts on page 98 of the Environmental Assessment) or after reading our analysis and opinion of the projections that were used to demonstrate the need for the proposed water intake.

What can you do? We encourage you to visit our website for more information, schematics and plans for the proposed intake at www.newriveradvocates.com. Become involved; write your federal, state and local government officials and permitting agencies. Keep informed; provide us with your contact information so we can keep you up to date.

New River Advocates’ mission is to protect the New River and its resources which are enjoyed by all. We believe every use of the River has an economic benefit and governmental officials should consider the adverse impacts of the proposed intake to the New River and to the recreational, fishing, fish propagation, fish consumption and agricultural resources it provides.

What should the Town of Boone do? The Town of Boone needs to determine their real future water needs. And, then Boone needs to revisit the 26 other options. Surely, they can find an alternative closer to Boone and with substantially less adverse impacts.

The Town of Boone has requested questions be submitted directly to them. There are plenty of questions presented in this report. We would appreciate answers and explanations.

Why? The New River is the oldest river in North America and the second oldest river in the world. The New River begins with two forks, the North Fork and the South Fork. The headwater of the South Fork is a spring in Blowing Rock. The headwaters of the North Fork are on Snake Mountain in Watauga County. The two forks meander north to Ashe County where they eventually converge to form the New River continuing north through Alleghany County through West Virginia and Virginia reaching the Kanawha River, then the Ohio River and finally the Gulf of Mexico. Consider the New River’s age, meager beginnings, growth as it flows northward, convergence of two forks and final destination. The New River deserves better consideration! The “*New*” cannot advocate for itself. We all are the New River’s advocates. Do we have to “*build the intake it to find out what will happen*”?

Water intakes are not healthy for the New River, or any river. An increase in treated wastewater pollutants comes with each water intake. The Town of Boone claims the treated wastewater is cleaner than the water first taken out of the river. We question, whether treated wastewater is good for the ecosystem or human consumption. The chemicals used to treat the water are discharged into the river along with pharmaceuticals (including hormones) which are not removed during the treatment process.

The proposed water intake adjoins the Cooper Farm which is on the National Historical Registry and in both the Ashe and Watauga County Farmland Preservation Programs.

The pump house will be constructed on top of an area identified as an archeological site of interest. Recreational uses, fish propagation, fish consumption and agricultural uses will be adversely affected.

The plans for the proposed intake call for excavation of an area that is 30' by 120' at a depth of 5' below the riverbed. The area is to be backfilled with gravel and stone to the riverbed level. To supposedly prevent the gravel and stone from washing away during flooding, 2' of rip-rap encased in gabion baskets will be placed atop the riverbed. Please note that the Town of Boone attempted to get a law passed by the N.C. General Assembly to specifically allow the Town of Boone to construct this type of submerged infiltration system. The attorney for Boone says it was done as a precaution. We believe this is the first time this type of system has been constructed in North Carolina. WK Dickson claims this type of structure will have the least impact and is most aesthetic. At the proposed location, the water has been measured, at its highest normal level, at 1.36'. The river is 110' wide at the proposed location. The maximum "*limit of disturbance*" is shown as encroaching a point almost midway the river. They are attempting to keep construction on the Watauga side of the river. However, water doesn't have a boundary; this intake will adversely impact Ashe County. NCDENR claims this type of intake increases the amount of water that can be taken in per second which is crucial in low water situations. Therefore, downstream flow will be impacted.

WK Dickson says the impact on flow downstream is insignificant. At what point does it become significant? It has already become significant upstream at Boone's current water intake. According to NCDENR, the New River is impaired from a point beginning at the location of Boone's current water intake and downstream to US Highway 421, at the Watauga County Industrial Park. This impairment has been caused by taking so much water out of the river that the river flow fell below the minimum flow levels time after time and has been exacerbated by the pollutants discharged with the treated wastewater downstream from the intake.

Unless a real need for an additional water supply is established unequivocally, and a river bottom intake is absolutely warranted, a new water intake project should not be constructed on the New River.

Boone's proposed water intake is not warranted on the New River!

New River Advocates, Inc.
Board of Directors
October 22, 2014

(Please note we have simply amended our September 8, 2014 Analysis and Opinion that was based on the 2009 Environmental Assessment. This amended Analysis and Opinion was prompted by the discovery the June 22, 2010 Revised Environmental Assessment found during a public records inspection at Watauga County. The Town of Boone continues to provide the 2009 Environmental Assessment on line as the final assessment despite the issuance of a revised 2010 Assessment.)

Town of Boone Water System Improvements – Environmental Assessment

1.0. PURPOSE AND NEED OF PROJECT

1.1. Project Description

The Town of Boone (Town), the county seat of Watauga County, North Carolina, proposes to expand the treatment capacity of its existing water treatment plant from 3.0 million gallons per day (mgd) to 4.5 mgd and construct: a new raw water intake on the South Fork New River, approximately 11.6 miles of new raw water transmission line, and two pump stations (Figure 1).

The Town currently supplies an average of 1.8 MGD (2.6 MGD maximum day) to a population of about 16,400. This population includes many university students that live off-campus and use Town water. This current system average day demand is anticipated to grow by the year 2030 to 2.75 MGD. Assuming the potential for 0.5 MGD for the Town of Blowing Rock's emergency use and 1.0 MGD of unallocated reserve, the future 2030 average day demand for planning purposes should be 4.25 MGD (6.8 MGD maximum day). Standards for design of water treatment facilities recommend that the facilities be able to deliver the maximum day design therefore we have utilized 6.8 MGD for our future 2030 supply and treatment capacity.

Boone's existing water treatment plant was constructed in 1983 and treats surface water via chemical addition, rapid mixing, coagulation, flocculation, sedimentation, filtration and disinfection. The entire necessary plant expansion is expected to be comprised of equipment addition and in-kind replacement in existing concrete basins or in the existing buildings. All plant expansion will be inside the existing fence-line. Based on preliminary evaluation, the proposed capacity expansion will include: rapid mixing, flocculation, filtration, chemical storage and feed, high service pumping, standby power, structural repairs, and electrical improvements.

The proposed raw water intake pump station (30 feet by 50 feet) will be constructed along the south bank of the South Fork New River approximately 0.5 mile upstream of the Cranberry Springs Road Bridge in Watauga County. It will pump raw water from the South Fork New River and be located at the bottom of an existing slope, at the edge of an existing agricultural field. To avoid viewshed impacts to the bucolic surroundings, the pump station's superstructure will be designed to look like a well-kept barn. The outside walls of the building will be split face block. The roof of the building will be a gable type. A large doorway will be provided to facilitate the removal of pumps and/or motors (Exhibit 1b and Figures 2a, 2b, and 2c).

A sand eductor and pump will be provided to allow sand to be removed from the wetwell back to the river. Each intake line will be equipped with a shut-off valve in the wetwell and a backwash line from the backwash pump to allow each line to be backwashed at 4 MGD, or twice the intake capacity. Backwashing will be able to be programmed to occur any time during the day or night, which will minimize or eliminate impacts to recreational use of the river (Figure 3).

An emergency generator will be provided that will power the entire facility. The generator will be hidden from view under the barn's roof and surrounded by a sound attenuating enclosure. The intake louver for the generator room and the generator exhaust will be located on the building's west side, away from the river and existing residences. Because there is mature hardwood forest on the slope west of the site, this design will minimize disturbances to the maximum extent practicable. An additional booster pump station will be located along Brownwood Road's western edge, 1,200 feet north of US 421, immediately north of an existing electrical substation.

+1.5 MGD
Net
+4.0
MGD
every
year
Shower
Kubler
in
2007
died
664,000
Gallons
consumed
per

14,717 per 2008 WSP / 2.3 per 2008 WSP
5/3 MGD FDDA / 5/3 MGD Net MGD

Town of Boone Water System Improvements – Environmental Assessment

The raw water intake will be an infiltration gallery (approximately 120 feet by 30 feet) that will be installed in the South Fork New River, approximately five feet below the existing channel elevation. The intake's proposed permitted capacity is 4.0 MGD. The infiltration gallery will be entirely in Watauga County, and have screened intakes that will be sized to keep intake velocities at the screen surface less than 0.5 feet per second. The screens will be backfilled with gravel under graded stone with large rocks sized and installed atop the gravel and stone to protect the intake. Because the channel will be returned to original slope and contour following construction, and the gallery will be underwater, permanent aesthetic and recreational impacts will not occur.

Transmission lines will convey raw water approximately 2.6 miles from the intake site, south along Brownwood Road (NC 1359) to the booster pump station. Throughout most of the Brownwood Road alignment the lines will be installed under existing pavement. Where necessary, they will be routed close to the existing edge of pavement. Lines will be entirely in the Brownwood Road right of way. Transmission lines will follow US 421 for approximately 6.1 miles, cross the South Fork New River immediately upstream of the existing bridge, and turn south along Charlie Hollar Road. They will follow Charlie Hollar Road for approximately 0.7 mile, cross the South Fork New River, and parallel an existing gravity sewer interceptor along a Town of Boone greenway trail for approximately 1.5 miles, before discharging into an existing raw water transmission line that serves the Town's existing water treatment plant. The raw water transmission alignment will cross the South Fork New River at three locations along the sewer right of way (five total crossings). All crossings of the South Fork New River will be under the river. No open trenching across the South Fork New River is anticipated.

Boone's wastewater treatment plant discharges tertiary treated wastewater upstream of the US 421 bridge, which is approximately 23 river-miles upstream of the proposed intake site. The Town's consumptive losses (the amount of raw water withdrawn vs. treated wastewater discharged) were calculated using the following methodology:

$$\text{Town of Boone Water Withdrawal} + \text{ASU Water Withdrawal*} - \text{Town of Boone WWTP Discharge} = \text{Consumptive Loss**}$$

*Because ASU wastewater is also treated at the Town's WWTP, their withdrawal was included in the calculation.

**Infiltration and inflow (I&I) is not included in the calculation.

Town of Boone Water System Improvements – Environmental Assessment

Table 1. Boone / ASU Consumptive Loss - 2007*

	Boone Total Water Treated for Month (MG)	ASU Total Water Treated for Month (MG)		Boone Total WW Treated for Month (MG)	Consumptive Loss (MG)	Precipitation** (inches)
January	58.660	6.34		83.78	-18.784	4.73
February	57.757	6.30		69.21	-5.153	2.37
March	57.818	6.51		75.99	-11.662	6.18
April	53.607	6.64		70.73	-10.480	2.82
May	53.895	5.15		61.25	-2.203	2.93
June	52.964	5.26		61.49	-3.267	5.15
July	55.097	5.75		66.23	-5.385	4.29
August	58.497	6.58		68.09	-3.009	3.84
September	59.345	7.25		70.15	-3.554	1.62
October	61,288	7.45		77.87	-9.130	7.86
November	56.435	5.66		64.00	-1.909	0.52
December	54.091	9.12		63.12	0.093	4.04
	679.45	78.01	757.47	831.91	-74.44	

*Data presented were provided by Boone Public Utilities Department and ASU

**Boone 1 SE [310982]

Based on the Town's 2009 Local Water Supply Plan (LWSP), it is estimated that between 250 and 300 of the Town's water customers are on septic tanks and between 225 and 275 customers that are connected to the wastewater collection system obtain their water from another source (e.g. wells and ASU). The majority of water supplied from other sources is drawn from the South Fork of the New River watershed (i.e. a marginal number of Boone WWTP customers draw their water the Watauga River watershed).

Consumptive losses in the South Fork of the New River are therefore minimal.

1.2. Purpose and Need of the Project

1.2.1 Health, Sanitation and Security

At this time, there are no concerns over health, sanitation, or security. However, if the Town fails to expand the capacity of their water system it will be forced to curtail growth.

1.2.2. System O & M

The Town's Unaccounted-for-Water in 2007 was 18 percent. In addition, the Town has a Water Conservation Program called "Every Drop Counts". This program's goal is to promote and educated the public about water conservation. The program includes:

- Residential Do-It-Yourself Conservation Audit Material
- Commercial Assessment Program
- Public Education Program including Community Events
- Elementary Education & Conservation Initiative
- Indoor and Outdoor Conservation Tips

Town of Boone Water System Improvements – Environmental Assessment

- Links to web sites with additional conservation information

1.2.3. Growth

Historical demand data is shown in Table 2 below. The average Maximum Day Demand / Average Day Demand ratio is 1.6 based on 2003 data. This is comparable to other water systems the size of Boone, and will be used for future projections.

Table 2. Recent Demand Data

Year	Water Demand (MGD)		MDD/ADD	Notes
	Average Day Demand (ADD)	Maximum Day Demand (MDD)		
1992	1.490	2.292	1.54	
1995	1.439	1.820	1.26	
1996	1.421	2.397	1.69	
1997	1.523	2.589	1.70	
1998	1.515	2.242	1.48	
1999	1.579	2.964 (2.052)	1.88	1
2000	1.677	2.129	1.27	
2001	1.690	2.275	1.35	
2002	1.667	2.021	1.21	
2003	1.618	2.579 (2.257)	1.59	2
2004	1.654	2.420 (2.200)	1.46	3 & 4
2005	1.775	2.37	1.34	5
2007	1.86	2.56	1.38	
2008	1.801	2.289	1.27	

Notes:

1. The 2.964 MGD was based on a break in August of 1999.
2. The 2.579 MGD was based on a break in October of 2003.
3. The 2.420 MGD was based on a break in January of 2004.
4. The ADD is based on the first 10 months of 2004.
5. Based on ten (10) months of data.

Using the 2003 Average Day Demand and the 2002 water system user population, the total system average demand per capita is 82.6 gallons per capita per day (gpcd). Applying this to the 2030 projected water system user population, and using the average demand per capita shown above, we would estimate the 2030 Average Day Demand (ADD) to be 2.75 MGD (33,336 population x 82.6 gpcd).

To ensure adequate supply at all times, Blowing Rock's emergency allocation was included as an average daily demand of 0.5 MGD

It is further recommended for this evaluation that a 1.0 MGD average daily demand unallocated reserve should be added to the 2030 projected demand to be used for unexpected growth, industry, and bulk purchase. The total 2030 demand is therefore projected to be [(2.75 for Boone) + (0.5 for Blowing Rock) + (1.0 unallocated reserve)] x (1.6 MDD/ADD ratio) = 6.8 MGD on a MDD basis. Therefore, the intakes, plant, and possibly the raw water transmission mains need to be increased to accommodate the long-term demands.

Town of Boone Water System Improvements – Environmental Assessment

The MDD/ADD ratio was based on 2003 data because it represents the worst case scenario encountered in the Water System Hydraulic Analysis and Master Plan (2004). The Master Plan formed the basis for the Town's water policy (Section 4.2.13) and "peak shaving" at their water treatment plant. Peak shaving is intended to level off peak demand during high use days (e.g. weekend tourism and ASU football games). The worst peaking factor in the five years prior to the Master Plan was 2003. The worst peaking factor in the ten years before the Master Plan was 1.88. The more conservative value (i.e. 1.6) was used. Similarly, the Town's historical data indicated a consumption rate of 82.6 gallons per capita per day (gpcd), which is significantly less than the 178.9 gpcd US Average Annual Daily Flow (AADF) or the 176.6 gpcd North Carolina AADF (USGS, 2000). Using 176.6 gpcd and the Town's 2030 population projection (33,336) the average daily demand (ADD) would be 5.9 MGD. Using a peaking factor of 1.6, the maximum daily demand (MDD) would be more than 9.4 MGD. Other sources also cited much larger ADDFs, including:

- The 8th ed. of the CERM cites a typical minimum AADF of 165 gpcd for planning purposes.
- To determine MDD, the 8th edition of the CERM recommends multiplying the AADF times a demand multiplier (M) or peaking factor.
- Recommended maximum day multipliers from the 8th edition of the CERM range from 1.5 to 1.8.
- The 5th edition of Water Supply by Alan Charles Twort et. al. cites M to be 1.25 to 2.95 in the US.
- The 2nd edition of Integrated Design and Operation of Water Treatment Facilities by Susumu Kawamura cites an AADF of 180 gpcd and M to be 1.5.
- The 2000 edition of the Standard Handbook of Environmental Science, Health and Ecology by Janet K. Kehr cites M to be 1.2 to 2.0.
- The 5th edition of Environmental Engineering by Joseph A. Salvato et. al. cites a survey of 647 utilities in 1970 serving populations of 10,000 or more with a mean M to 1.78 times the ADD, with a range of 1 to 5.22.

Little reserve capacity is available until these improvements can be made. From a conservative perspective, the Town's maximum daily demand (MDD) is approximately 2.579 MGD. From an aggressive perspective, the MDD is estimated at 2.2 MGD. Therefore, from a conservative perspective based on the last five years of average and maximum daily demand data, the current reserve capacity is $[(3.0 \text{ current MDD capacity}) - (2.579 \text{ MDD in 2003})] \div (1.6 \text{ MDD/ADD ratio}) = 0.26 \text{ MGD}$ on an ADD basis. At a total system average demand per capita of 82.6 gpcd and 2 people per household, enough reserve is available to support an additional 1,574 residential housing units and associated businesses. From an aggressive perspective, the current reserve capacity is $[(3.0 \text{ current MDD capacity}) - (2.275 \text{ MDD in 2004})] \div (1.6 \text{ MDD/ADD ratio}) = 0.45 \text{ MGD}$ on an ADD basis. At a total system average demand per capita of 82.6 gpcd in 2004 and 2 people per household, enough reserve is available to support an additional 2,724 residential housing units and associated businesses.

It should be noted that when the Town's five day maximum day demand for the system reaches 2.40 MGD (80% of capacity), the North Carolina Department of Environment and Natural Resources Public Water Supply Section (NCDENR) regulations recommend that expansion planning be initiated. Assuming an ADD of 1.86 MGD in 2007 and the maximum MDD/ADD ratio from the past two years of approximately 1.38, the theoretical MDD for 2007 was 2.567 MG.

Town of Boone Water System Improvements – Environmental Assessment

Table 3. Maximum Daily Demand Projections

Year	ADD (MGD)	MDD/ADD	Projected MDD (MGD)
2007	1.86	1.38	2.567
2008	1.9205	1.38	2.650***
2009	1.981	1.38	2.734***
2010	2.0415	1.38	2.817***

***Estimated.

Therefore, in 2006, the Town crossed NCDENR's recommended threshold for the initiation of expansion planning. Based on the fact that the Town appears to be adding an additional 0.0605 MG of consumption per year and an MDD/ADD ratio of 1.38, it is estimated that the Town needs to be under construction no later than the 2010 time frame.

The 7.0 MGD MDD was determined based on:

- Using the 2003 ADD & the 2002 water system user population, the total system average demand per capita was determined to be 82.6 gallons per capita per day (gpcd).
- Applying this to the 2030 projected water system user population and using the average demand per capita shown above, the 2030 ADD will be 2.75 MGD (33,336 population x 82.6 gpcd).
- The Blowing Rock connection was evaluated as a regular future bulk purchase for an ADD of 0.5 MGD.
- For planning purposes, a 1.0 MGD ADD unallocated reserve was added to the 2030 projected demand to be used for unexpected growth, industry, and bulk purchase.
- Excess capacity of 25% for large systems and 50% for small systems is considered by water system design literature to be industry standard (see the 8th edition of CERM, Michael R. Lindeburg, PE).
- The total 2030 demand is therefore projected to be [(2.75 for Boone) + (0.5 for Blowing Rock) + (1.0 unallocated reserve)] x (1.6 MDD/ADD ratio) = 6.8 MGD on a MDD basis.
- Excess capacity at 25% of 3.25 MGD would be 0.8125 MGD or at 50% of 3.25 MGD would be 1.625 MGD.
- The Ten State Standards recommend providing a reasonable surplus for anticipated growth.
- A Countywide Water Analysis commissioned by Watauga County in 2000 and completed by others presented an existing need in the three (3) main unserved corridors of the County of approximately 0.65 MGD ADD & 1.3 MGD MDD in the year 2000 (note their use of a peaking factor of 2).

2.0. ALTERNATIVES TO THE PROJECT ACTION

In a previous engineering report and study, the Town investigated over 27 different options to augment their existing water supply. This investigation included seven sites along the Watauga River and other sites adjacent to Watauga Lake in Tennessee, the Yadkin River, lakes on Federal land, as well as increasing the Town's existing Winkler's Creek reservoir capacity, building a new reservoir, wells, interconnections with other utilities, and ten sites along the South Fork New River. As a result, all of the alternatives except for one were not determined to be feasible. Eight of these alternatives are presented below.



The New River Project

Why does Boone need a new water intake facility?

As a municipality, the town of Boone has a responsibility to provide clean water to its citizens. In 2004, a study revealed that Boone is rapidly approaching maximum capacity from its existing water sources. In 2005, the Town began a water conservation program, asking people to voluntarily conserve water. Some of the details of that effort follow.

When a water system reaches 80 percent of capacity, the N.C. Department of Environment & Natural Resources recommends a plan for expansion. When the system reaches 90 percent capacity, N.C. recommends the expansion be under construction. If not underway, the state could impose a moratorium on new water hookups.

Boone surpassed the 80 percent mark in 2006 and is projected to hit the 90 percent mark in 2009.

The town of Boone has a Tier 1 rating.
That means N.C. says Boone has less than a 100 day supply of water.

From: **Deborah Greene** ip401k@bellsouth.net
Subject: Fw: 80%-90% Rule
Date: September 4, 2014 at 11:24 AM
To: Donald Nelson djnelson192@gmail.com, Marie Nelson anamcara@skybest.com, Donnie and Ronnie Cooper coachcoop1@aol.com

To all:

Answer in and as I said before, I called our regional Environmental Senior Specialists and he said no such regulations or recommendations. Also noted conversation in our analysis. Sometimes the least obvious is the most obvious!

Deborah Greene
Integrated Pensions Inc
PO Box 2766 NEW ADDRESS
Boone, NC 28607
(828) 308-1803 cell
(828) 268-5044 office
(866) 280-4338 NEW FAX

On Thursday, September 4, 2014 11:15 AM, "Austin, Vardry E" <vardry.austin@ncdenr.gov> wrote:

Answer
③

Ms. Greene,

There are no Public Water Supply (PWS) regulations that require water systems to take action in response to an 80% or 90% capacity situation. However 15A NCAC 02T .0118 does require publicly owned treatment works to take action before receiving approval for sewer line extensions. There may be policy that PWS section has used or is using to recommend water systems take action at certain stages of their ability to meet current and future demands, but there is no rule requiring such action. Check with the PWS regional office serving your area of interest to see if such policy exists.

Sincerely,

Vardry E. Austin, P.E., BCEE, LEED Green Associate
NCDENR - Division of Water Resources
Water Supply Planning Branch
1611 Mail Service Center
Raleigh, NC 27699-1611
Phone: 919-707-9002; Fax: 919-733-3558
E-mail: vardry.austin@ncdenr.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

Question Referred

②

From: Peele, Linwood
Sent: Thursday, September 04, 2014 10:11 AM
To: Austin, Vardry E
Subject: FW: 80%-90% Rule

Vardry,

Could you assist Ms. Greene with her question? She may be referring to the wastewater side...

Thanks,
Linwood

Linwood Peele, Supervisor
Water Supply Planning Branch
NCDENR - Division of Water Resources

phone: 919-707-9024 fax: 919-733-3558
email: linwood.peele@ncdenr.gov
www.ncwater.org

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

Question

①

From: Integrated Pensions Inc. [<mailto:ip401k@bellsouth.net>]
Sent: Thursday, September 04, 2014 8:36 AM
To: Peele, Linwood
Subject: 80%-90% Rule

I am looking for information on the NCDENR **regulations** with regard to the recommendation that water supply systems plan for expansion once the system reaches 80% of capacity and recommendation that water supply system expansion be under construction once it reaches 90% of capacity and the State's ability to impose a moratorium on new water hookup if construction is not underway.

Deborah Greene

From: **Deborah Greene** ip401k@bellsouth.net
 Subject: Fw: 80%-90% Rule
 Date: September 4, 2014 at 8:37 AM
 To: Donald Nelson djnelson192@gmail.com, Marie Nelson shamcara@skybest.com, Donnie and Ronnie Cooper coachcoop1@aol.com

To all:

Linwood Peele

I sent an email to the branch chief below based on the job description.

Water Supply Planning Branch Chief: Linwood Peele

This branch provides technical assistance and guidance to assist all units of local governments and large community water systems in the development and implementation of viable local water supply plans. To accomplish this staff administers and provides technical assistance with the following programs: Local Water Supply Plan Development, Review and Approval; Water Supply Assistance & Implementation of session law 2011-374; Water Shortage Response Planning; Water Efficiency and Conservation; Water Withdrawal & Transfer Registration; and Drought Monitoring and Management. The branch also provides staff support to the EMC for the certifications of large surface water transfers between basins.

Deborah Greene

Integrated Pensions Inc

PO Box 2766 NEW ADDRESS

Boone, NC 28607

(828) 308-1803 cell

(828) 268-5044 office

(866) 280-4338 NEW FAX

On Thursday, September 4, 2014 8:35 AM, Integrated Pensions Inc. <ip401k@bellsouth.net> wrote:

I am looking for information on the NCDENR regulations with regard to the recommendation that water supply systems plan for expansion once the system reaches 80% of capacity and recommendation that water supply system expansion be under construction once it reaches 90% of capacity and the State's ability to impose a moratorium on new water hookup if construction is not underway.

Deborah Greene

(828) 308-1803 cell



15A NCAC 02T.0118 DEMONSTRATION OF FUTURE WASTEWATER TREATMENT CAPACITIES

In order to insure that treatment, utilization, or disposal systems do not exceed their hydraulic treatment capacities, no permits for sewer line extensions shall be issued to wastewater treatment systems owned or operated by municipalities, counties, sanitary districts or public utilities unless they meet the following requirements:

- (1) Prior to exceeding 80 percent of the wastewater treatment system's permitted hydraulic capacity (based on the average flow of the last calendar year), the permittee must submit an approvable engineering evaluation of their future wastewater treatment, utilization, and disposal needs. This evaluation must outline specific plans for meeting future wastewater treatment, utilization, or disposal needs by either expansion of the existing system, elimination or reduction of extraneous flows, or water conservation and must include the source(s) of funding for the improvements. If expansion is not proposed or is proposed for a later date, a detailed justification must be made to the satisfaction of the Director that wastewater treatment needs will be met based on past growth records and future growth projections and, as appropriate, shall include conservation plans or other specific measures to achieve waste flow reductions.
- (2) Prior to exceeding 90 percent of the wastewater treatment, utilization, or disposal systems permitted hydraulic capacity, (based on the last calendar year), the permittee must obtain all permits needed for the expansion of the wastewater treatment, utilization, or disposal system and, if construction is needed, submit approvable final plans and specifications for expansion including a construction schedule. If expansion is not proposed or is proposed for a later date, a detailed justification must be made to the satisfaction of the Director that wastewater treatment needs will be met based on past growth records and future growth projections and, as appropriate, shall include conservation plans or other specific measures to achieve waste flow reductions.
- (3) The Director shall allow permits to be issued to facilities that are exceeding the 80 percent or 90 percent loading rates if the additional flow is not projected to result in the facility exceeding its permitted hydraulic capacity, the facility is in compliance with all other permit limitations and requirements, and it is demonstrated to the satisfaction of the Director that adequate progress is being made in developing the needed engineering evaluations or plans and specifications. In determining the adequacy of the progress, the Director shall consider the projected flows, the complexity and scope of the work to be completed and any projected environmental impacts.

*History Note: Authority G.S. 143-215.3;
Eff. September 1, 2006.*

80% / 90%
Wastewater Rule

§ 143-355 (l)

(l) Local Water Supply Plans. – Each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare a local water supply plan and submit it to the Department for approval. The Department shall provide technical assistance with the preparation of plans to units of local government and large community water systems upon request and to the extent that the Department has resources available to provide assistance. At a minimum, each unit of local government and large community water system shall include in local water supply plans all information that is readily available to it. Plans shall include present and projected population, industrial development, and water use within the service area; present and future water supplies; an estimate of the technical assistance that may be needed at the local level to address projected water needs; current and future water conservation and water reuse programs, including a plan for the reduction of long-term per capita demand for potable water; a description of how the local government or large community water system will respond to drought and other water shortage emergencies and continue to meet essential public water supply needs during the emergency; and any other related information as the Department may require in the preparation of a State water supply plan. A unit of local government or large community water system shall submit a revised plan that specifies how the water system intends to address foreseeable future water needs when eighty percent (80%) of the water system's available water supply based on calendar year average daily demand has been allocated to current or prospective water users or the seasonal demand exceeds ninety percent (90%). Local plans shall be revised to reflect changes in relevant data and projections at least once each five years unless the Department requests more frequent revisions. The revised plan shall include the current and anticipated reliance by the local government unit or large community water system on surface water transfers as defined by G.S. 143-215.22G. Local plans and revised plans shall be submitted to the Department once they have been approved by each unit of local government and large community water system that participated in the preparation of the plan.

From: <http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=143>

Updated July 9, 2012

LEGISLATIVE HISTORY OF NCGS 143-355(l)

SL2002-167

<http://www.ncga.state.nc.us/EnactedLegislation/SessionLaws/HTML/2001-2002/SL2002-167.html>

SL2003-387

<http://www.ncleg.net/Sessions/2003/Bills/House/PDF/H1062v5.pdf>

SL2008-143

<http://www.ncleg.net/sessions/2007/bills/house/html/h2499v6.html>

SL2010-150

<http://www.ncleg.net/Sessions/2009/Bills/House/PDF/H1747v4.pdf>

Year	* ADU mgd	% of Max Allowable	* MDU mgd	% of Max Allowable
2013	1.618	53.93%	1.900	63.33%
2012	1.661	55.37%	2.094	69.83%
2011	1.589	52.97%	2.156	71.879%
2010	1.622	54.07%	2.218	73.93%
2009	1.634	54.47%	2.545	84.83%
2008	1.800	60.00%	2.300	76.67%
2007	1.860	62.00%	2.560	85.33%
2002	1.667	55.57%	2.021	67.37%
1997	1.517	50.57%	2.020	67.33%

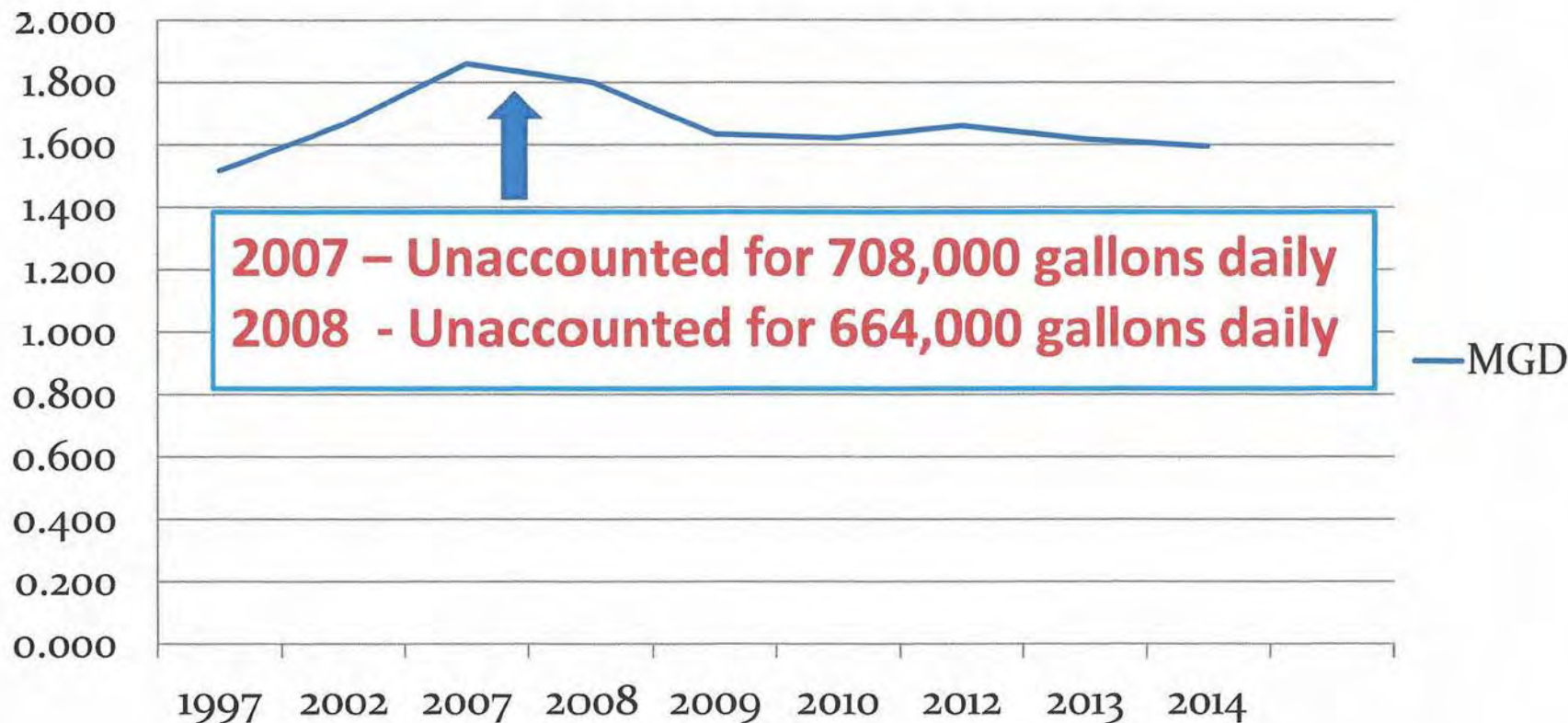
MGD = MILLION GALLONS PER DAY (measurement of water used)

ADU = AVERAGE DAILY USE (Average for the Year)

MDU = MAXIMUM DAILY USE (Highest consumption during 1 day out of the entire year)

Boone's Proposed Raw Water Intake- Graph of Historical Use

Average Daily Demand



NRA 6-2-2015 – Exhibit 3.B

Boone's Proposed Raw Water Intake – Use Summary

2014 Description	Amount	Avg Daily Use (mgd)	% Of Max Allowable
Residential	3,958	.394	
Commercial	757	.628	
Industrial	12	.045	
Institutional	110	.081	
Backwashing		.150	
Total	4,837	1.298	
Average Daily Use*		1.595	53.17%
Maximum Daily Use**		2.027	67.57%
Maximum Allowable		3.00	

.297 unaccounted for!
297,000 gallons daily



P.O. Box 44
Todd, N.C. 28684

Phone: (828) 308-1803
Fax: (866) 280-4338

August 22, 2014

Watauga County Manager
Watauga County Board of Commissioners

By Email

Re: No-Rise Certification and Floodplain Development Permit for the Town of Boone’s Proposed Raw Water Intake on the South Fork of the New River in Todd, N.C.

Commissioners David Blust, Billy Kennedy, Nathan Miller, John Welch and Perry Yates:

On August 18, 2014 a presentation was held at the Riverside Restaurant in Todd, N.C. where it was revealed, by New River Advocates, Inc., that Watauga Planning & Inspections issued a Floodplain Development Permit to the Town of Boone on October 23, 2013 for the construction of Boone’s Raw Water Intake project on the South Fork of the New River. New River Advocates, Inc., as many others, thought that the intake project was on hold pending a reapplication for a CLOMR from the Town of Boone. However, we discovered the Town of Boone, based on advice from Joe Furman, got W.K. Dickson to issue a No-Rise Certification which was accepted and approved by Joe Furman. The sequence of events is provided below.

2012 CLOMR (CONDITIONAL LETTER OF MAP REVISION) HISTORY

What is a CLOMR?

A Conditional Letter of Map Revision (CLOMR) is FEMA's **comment** on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA).

In January 2012, W.K. Dickson, engineers for the Town of Boone, submitted an application, for a Conditional Letter of Map Revision (CLOMR) to the local branch of FEMA (NC Emergency Management Division of the NC Department of Public Safety). FEMA terminated the application after Ashe County Commissioners refused to sign off on the required CLOMR Form MT-2 which would represents the Ashe County Commissioners’ agreement to the adverse effects the construction would cause to Ashe County property owners, expanded floodway, increased base flood level and changes to flood hazard areas. Ashe County sent a refusal letter on September 24, 2012 to FEMA. FEMA terminated the Town of Boone’s application because a signed MT-2 form from Ashe County was a regulatory requirement. The CLOMR application contained flood maps showing the expansion of floodways, changes in base flood levels, etc. (i.e. **a change in the flood map due to construction of the project**). Watauga County Planning & Inspections signed Form MT-2 for Watauga County. Joe Furman said that *he did not get approval of the Watauga County Commissioners because this is not something that requires their approval.*

2013 NO-RISE CERTIFICATION HISTORY

What is a No-Rise Certification?

It is an engineer’s certification stating the proposed development will not impact the pre-project base flood elevations, regulatory floodway elevations, or regulatory floodway widths. The certification should be obtained from the permittee and be signed and sealed by a professional engineer in accordance with State Licensing Board specifications. The engineering or “No-Rise / No-Impact” certification must be supported by technical data. The supporting technical data should be based upon the standard step-backwater hydraulic model utilized to develop the regulatory floodway shown on the community’s effective Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM) and the results tabulated in the community’s Flood Insurance Study (FIS).

The Town of Boone, found an ally in the Watauga County Planning & Inspections office with Joe Furman. During a public records investigation conducted by New River Advocates on August 14, 2014, Joe Furman stated that the Town of Boone got a No-Rise Certificate; *“something he has said they should have done in the beginning”*.

After failing to get a CLOMR from FEMA, W.K. Dickson sent a FEMA No-Rise Certification Report to Joe Furman on October 10, 2013. No-Rise Certifications are **not** reviewed by FEMA unless the local government makes such a request and pays the required fee. It is the responsibility of the local government (Watauga County in this case) to review and approve the certification.

The No-Rise Certification Report included the same flood maps submitted with the CLOMR and constructions plans for the proposed access road. Enclosed with the report was a cover letter dated October 10, 2013 from W.K. Dickson, claiming that FEMA had reviewed the CLOMR (an application showing a change in the flood map) and would have approved the application except that Ashe County’s signature was missing (apparently a minor insignificant detail to W.K. Dickson and the Town of Boone). This letter also claimed that the reason for the changes in the map were not due the project; they were caused by errors in FEMA’s models.

Joe Furman accepted the No-Rise Certification Report and issued a Floodplain Development Permit on October 23, 2013. And, when Joe was asked the following, here are his responses:

You told me that the Town of Boone had gotten a no-rise certificate. When I called FEMA they said, they don’t review the no-rise certifications? Answer: *That is correct.*

They said you review and approve the application? Answer: *That is correct.*

Did you get the Watauga County Commissioner’s approval before accepting this certification and issuing the permit? Answer: *No, that is not something that needs their approval.*

Did you review this report? Answer: *No, I am not an engineer. We would have had to hire an engineer and we have never done that, at least while I have been here. If it has an engineers’ seal on it, I accept it. I don’t understand those numbers.*

Did Ashe County get a no-rise certification? Answer: *I don’t know. I assume they did. I think they are trying to keep the construction of the project in Watauga County. I don’t know about Ashe County.*

Can I get a copy of the data on the enclosed disk? Answer: *I think this includes hydrologic numbers that you will not understand. I know I wouldn’t.* (Then he puts the disk in his computer and can’t open the files because they require a proprietary program to read the files, a program that he doesn’t have. Obviously, he hadn’t attempted to see what was on the disk.) How can they build a raised road from one end of the farm to the other, in a flood plain, and not have increased flooding? Answer: *They are not going to construct a raised road. They are going to dig down and fill in to the current grade.* (Actually, the drawings included in the report show an elevated road, 5’ to 10’. We do not think Joe Furman even opened the notebook.)

New River Advocates contacted FEMA. **FEMA said that you don’t apply for a No-Rise after you apply for a CLOMR.** FEMA said that applying for a CLOMR is for a revision in the flood map as result of changes in the floodplain due to the construction of the project. FEMA said that there may be circumstances where you file a No-Rise, have it denied and then have to file a CLOMR or file a No-Rise for review by FEMA; but, that is treated the same as a CLOMR. When we told FEMA that the letter included with the No-Rise said the changes were due to errors in FEMA modeling, **FEMA said it sounds like someone is working around the system and genuinely wished us luck.**

It costs \$4,400 to have FEMA review the No-Rise Certification. We recommend that Watauga County have the No-Rise Certification reviewed by FEMA. All the plans, maps and letters included in the No-Rise Certification are located on our website (and may also be found in Joe Furman’s office). We also recommend that Watauga County seek input from Watauga County’s Emergency Management Coordinator. Ashe County’s Emergency Management Coordinator, Parti Gamble, reviewed the CLOMR application and recommended that Ashe County not sign form MT-2 due the adverse effects the proposed project would have on Ashe County property owners. Please refer to the copy of the letter we sent to Ashe County Commissioners on August 20, 2014. (Copy sent to Watauga County Commissioners on August 21, 2014.)

We invite you to learn more about our organization. Please visit our website at www.newriveradvocates.org.

Respectfully submitted via email,

Deborah Greene,
Board of Directors
New River Advocates, Inc.

Cc: Ashe County Manager, Sam Yearick

Pat Mitchell

From: Patty Gambill
Sent: Monday, February 13, 2012 12:29 PM
To: Pat Mitchell
Cc: Zach Edwardson
Subject: clomr review

Zach brought me some technical information this morning on the Conditional Letter of Map Revision (CLOMR) request from the Town of Boone.

My review of the CLOMR data submitted indicates that:

1. Five Ashe County property owners will be adversely affected by increased widths in the floodway area of the 100-year floodplain. The floodway area is the area where no development is allowed. There are two different locations in Ashe where floodway area would be increased. The first area, that would affect two property owners, increases the floodway anywhere from one to 10 feet in width along a 200-foot strip of land. The second area, that would affect three property owners, increases the floodway anywhere from one to 45 feet in width along a 300-foot strip of land. The loss of use in these areas could present a takings issue – John Kilby is familiar with similar takings issues having recently represented a property owner along Conley Cheek Road who experienced a similar issue where the actual as-built project by NCDOT was not constructed to the degree presented in the Conditional Letter of Map Revision.
2. One homeowner would be directly affected adversely by an increase in base flood elevation (BFE). Some additional property owners could be impacted in the future by having to build slightly higher – I did not do a count on these – and some would benefit from not having to build quite as high where the BFE decreases in some areas. Although widening the floodway area as proposed above would decrease base flood elevation levels in some areas, it would result in an increase in base flood elevation levels in four areas ranging from a .2 to a .5 foot increase. The .5 foot increase would put one structure (and homeowner) out of compliance with our local ordinance requirement that the first living floor be elevated four feet above base flood elevation level.
3. Generally when a CLOMR project is expected to impact property owners, the responsible party for the project must notify each impacted property owner by written correspondence. I did not see any such correspondence in the data submitted.
4. Although the project is in Watauga County and will not require any official permits from Ashe County, it will impact Ashe County citizens, some adversely. I, therefore, would recommend not signing the form, but attaching a signed statement to the request explaining the adverse affects, potential takings issues, and that the project does not meet the intent of our local ordinance.

County of Ashe
150 Government Circle, Suite 2500
Jefferson, North Carolina 28640

County Manager
Dr. Patricia Mitchell, CEcD
Office 336-346-5501
pmitchell@ashecountygov.com

September 24, 2012

Steve Garrett, CFM
LOMC Manager
NC Department of Public Safety
Division of Emergency Management
4719 Mail Service Center
Raleigh NC 27699-4719

RE: Boone Water Intake / CLOMR

Dear Steve:

On March 30, 2012, I sent you a letter stating the position of the Ashe County Board of Commissioners regarding the Boone Water Intake. In that letter I stated that Ashe County has no jurisdiction to sign any permits related to the project and as the project was in another political jurisdiction, Ashe would not sign the MT-2 form for the above referenced project.

Recently, after several emails coming to my office and to the Board of Commissioners regarding concerns about the Water Intake project I had conversations with the Town of Boone, including conversations about the road that will be used as an access road to the project. The road's construction, though belonging to the original landowners, is being financed by Boone and a part of that road will cross Ashe County land. Due to the fact that it partially crosses Ashe, Ashe County will be the responsible party for issuing floodplain permits. In fact, those permit applications were submitted to our planning department last week. Additionally, we are opposed to the proposed floodway width increases that will occur as a result of this project.

After my conversations with Boone and based on this new understanding of the project, the Ashe County Board of Commissioners met last week to discuss the Water Intake. The Board is opposed to any section of the access road crossing Ashe County land, and is opposed to the idea they have to issue the floodplain permits for that construction. Commissioners have consistently told their constituents that Ashe has no authority over this project....and that appears now to not be the case. Until recently, we were unaware that Boone was paying to have the road constructed, that the Boone-financed road will also be the access road, and part of that road is in the political jurisdiction of Ashe County. Therefore, the Board of Commissioners will not sign the MT-2 form for the above referenced project and are opposed to having any portion of the project located in our political jurisdiction.

Please don't hesitate to contact me if you have questions.

Sincerely,



Dr. Patricia Mitchell, CEcD
County Manager

Cc: Representative Jonathan Jordan
Senator Dan Soucek



Federal Emergency Management Agency
Washington, DC 20472

North Carolina Floodplain Mapping Program
Cooperating Technical State



January 30, 2013

Mr. David J. Kiker, P.E.
W.K. Dickson & Co., Inc.
720 Corporate Center Drive
Raleigh, NC 27607

IN REPLY REFER TO:
Case Number: 12-04-2656R
Community Names: Ashe and Watauga Counties,
NC
Community Numbers: 370007 and 370251

316-DROP

Dear Mr. Kiker:

This responds to a request dated January 26, 2012, that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issue a conditional revision to the Flood Insurance Rate Map (FIRM) for the above referenced communities. The North Carolina Floodplain Mapping Program (NCFMP) reviewed your request in accordance with the FEMA Cooperating Technical Partners initiative. For more information on this initiative, we encourage you to visit the dedicated portion of the FEMA Flood Hazard Mapping website at http://www.fema.gov/plan/prevent/fhm/ctp_main.shtml or visit the NCFMP website at <http://www.ncfloodmaps.com>.

Review of the submitted data indicates that not all of the requested data was received from our previous letter dated August 21, 2012 before the FEMA deadline on November 19, 2012; therefore, this request was terminated. Any additional data submitted for this request will be treated as a new submittal and will be subject to all submittal/payment procedures, including the flat review and processing fee for requests of this type and will be assigned a new case number.

For general information about FEMA policy and the National Flood Insurance Program please visit FEMA's website at <http://www.fema.gov/business/nfip>. If you have specific questions regarding your request, please contact Mr. Steve Garrett, CPM, LOMC Manager, of the NCFMP at (919) 825-2316.

Sincerely,

John K. Dorman, Program Director
North Carolina Floodplain Mapping Program

cc: The Honorable Deron Geouque, County Manager, Watauga County
Dr. Patricia Mitchell, CEcD, County Manager, Ashe County
Mr. James Warren, Floodplain Administrator, Watauga County
Ms. Patty Gambill, Emergency Management Coordinator/Floodplain Administrator, Ashe County
Mr. Steve Garrett, CFM, LOMC Manager, North Carolina Floodplain Mapping Program

North Carolina MT-2 LOMC Depot, P.O. Box 300025, Raleigh, North Carolina 27622-0025

The North Carolina Floodplain Mapping Program, by agreement with the FEDERAL EMERGENCY MANAGEMENT AGENCY,
is a Cooperating Technical Partner for the National Flood Insurance Program

****NOTICE: North Carolina MT-2 LOMC Depot Address Change****

As of January 1, 2013, the address for the MT-2 LOMC depot for the State of North Carolina will change. MT-2 LOMC (CLOMR and LOMR) submittals within North Carolina, outside of Mecklenburg County, should be submitted to one of the following addresses:

Mailing Address

NC MT-2 LOMC Depot
4218 Mail Service Center
Raleigh, NC 27699-4218

Physical Address (Overnight Deliveries)

NC MT-2 LOMC Depot
Claude T. Bowers Military Center
4105 Reedy Creek Road
Raleigh, NC 27607-6410

MT-2 LOMC submittals may be sent to the new addresses at any time during the transition period prior to January 1, 2013.



TELEPHONE CONVERSATION RECORD

Subject: Notification Letters to Affected Property Owners

Date: 1/4 /12

Time: 5:00 pm

Job No:

Author: David Kiker, PE

Contacting: Joe Furman (828)265-8043 – (Watauga County Planning)

DETAILS OF CONVERSATION:

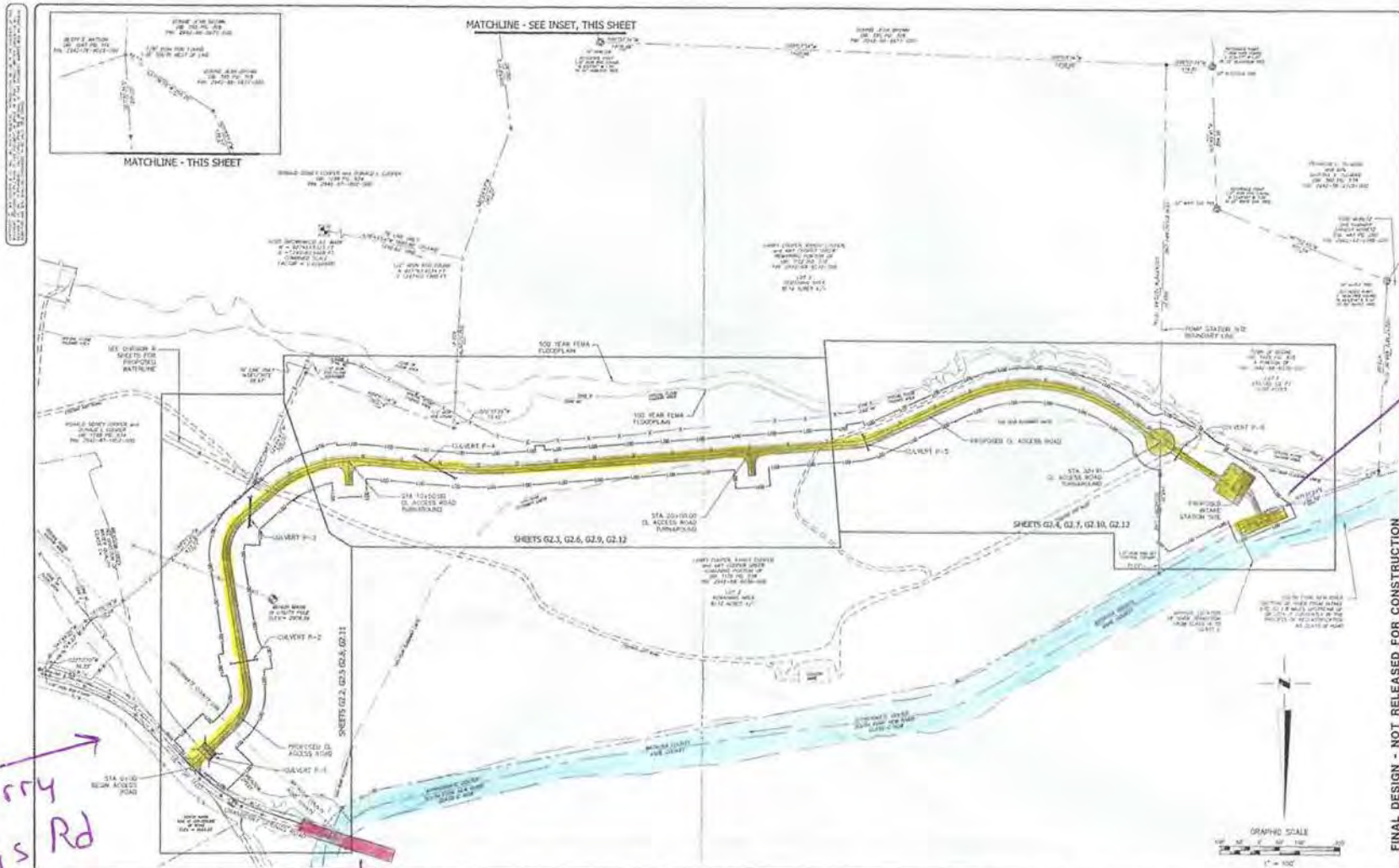
Joe called me back and asked if WK Dickson would be open to contacting the property owners prior to the County sending these out. I told him that I did not see a problem with this. Joe did not want the property owners thinking that Watauga County was behind this project.

Joe also asked why we did not submit for a no-rise certification. I told Joe that because we had floodway corrections to make that this ruled out a no-rise. We were required to correct the floodway as part of our analysis. Plus I told him that the relative amount of floodplain changes (1000+ feet of gravel road and pad for pump station) and reliance on a change in Manning's "n" values to get this to work is the reason we proposed a CLOMR. I told Joe that if we were to submit for a LOMR upfront then this could be followed with a no-rise. I told Joe that I would revisit this approach with a phone call to FEMA. Joe said that the no-rise would be more straight forward and would clearly show the project is not causing impacts.

I told Joe that I would call him as soon as I hear back from FEMA. Joe is holding off on providing the community acknowledgement letter until we talk with FEMA.

Actions/Recommendations:

Distribution: file



Intake

Cranberry Springs Rd

Ashe County

Bridge

— Road
 — River

NO. 20	DATE	BY	CHKD.

WK DICKSON
 civil engineering & construction

400 W. STREET 106 SUITE 200
 WILSON, NC 27157
 (919) 241-1111
 www.wkdickson.com

RELAYED FOR: SAC
 APPROVED: [Signature]
 DATE: 06/02/15



USDA RAW WATER PROJECT
 FOR THE
 TOWN OF BOONE
 BOONE, NORTH CAROLINA

ACCESS ROAD & INTAKE SITE
 OVERALL PLAN

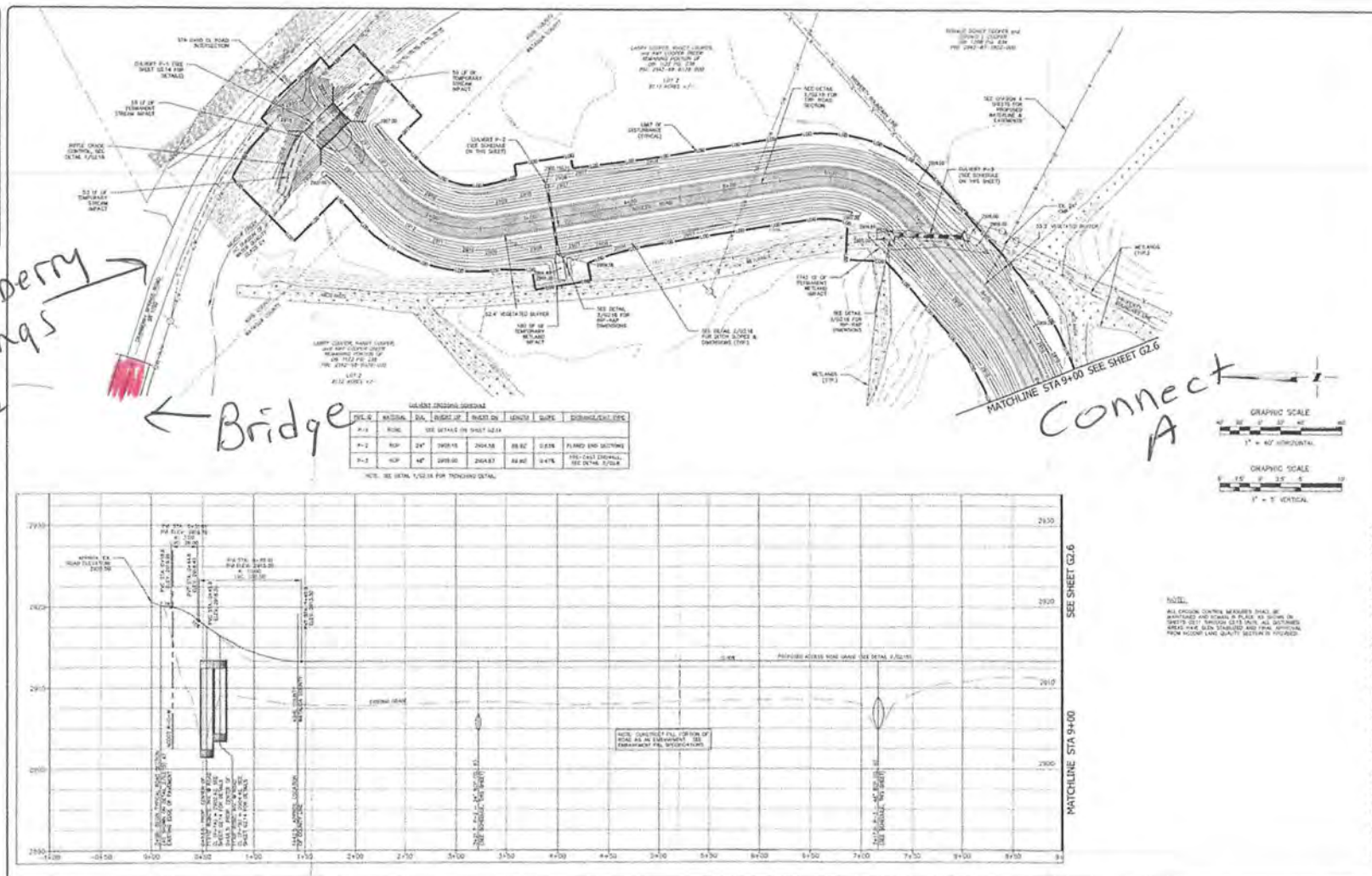
G2.1
 G2.17

FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION

Cranberry Springs Rd

← Bridge

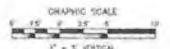
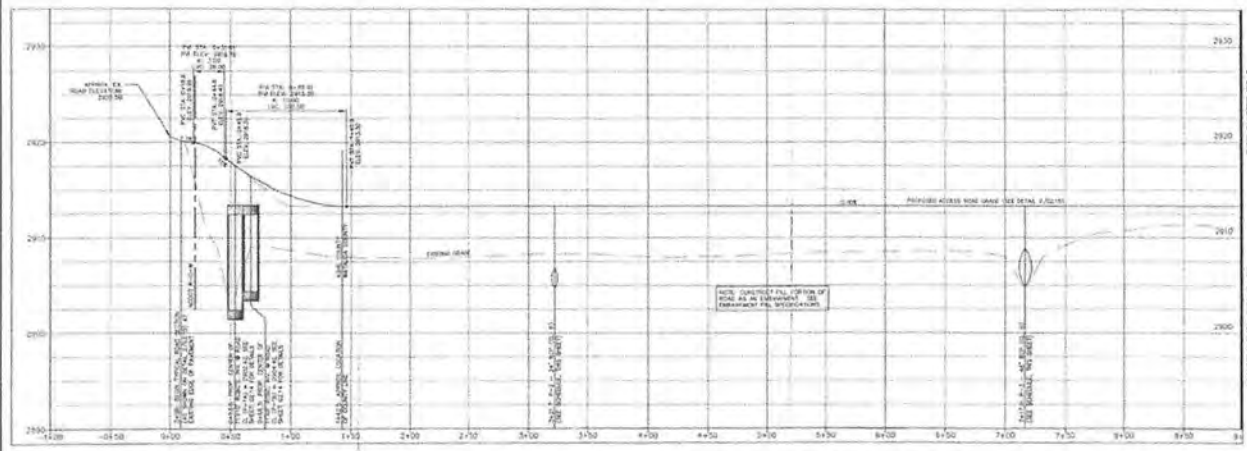
Connect A



VALUENT ENGINEERING SERVICES

LINE #	NATIONAL	STA.	RIGHT OF WAY	WIDTH ON	SHAPE	SPURVEINCL. (FC)	
P-1	R/W	247'	208'10"	208'38"	88.82'	0.8%	PLANNED END SECTION
P-2	R/W	467'	208'00"	208'87"	88.80'	0.47%	SEE DETAIL SHEET

NOTE: SEE DETAIL 1/2"=1' FOR TYPICAL DETAIL.



NOTE:
ALL ELEVATIONS SHOWN ARE MEASUREMENTS FROM THE DATUM OF THE SHEET. ALL DISTANCES SHOWN ARE MEASUREMENTS FROM THE POINT OF BEGINNING TO THE POINT OF INTEREST.

FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION

REV. NO.	DESCRIPTION	DATE

WK DICKSON
 PROFESSIONAL ENGINEERS

101 8th STREET SW, SUITE 200
 WASHINGTON, DC 20004
 PHONE: 202-462-1100
 FAX: 202-462-1101
 WWW: WKDICKSON.COM

Office Location: South Carolina
 State: South Carolina

PROJECT NO. 15-001
 SHEET NO. G2.5 OF 2
 DATE: 06/02/15

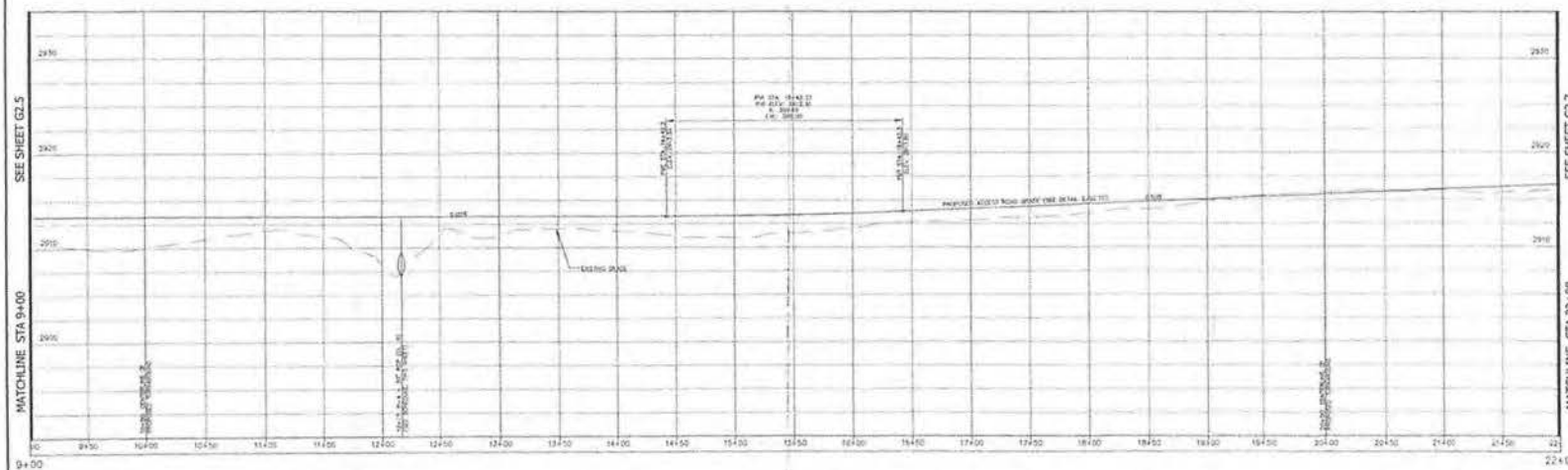
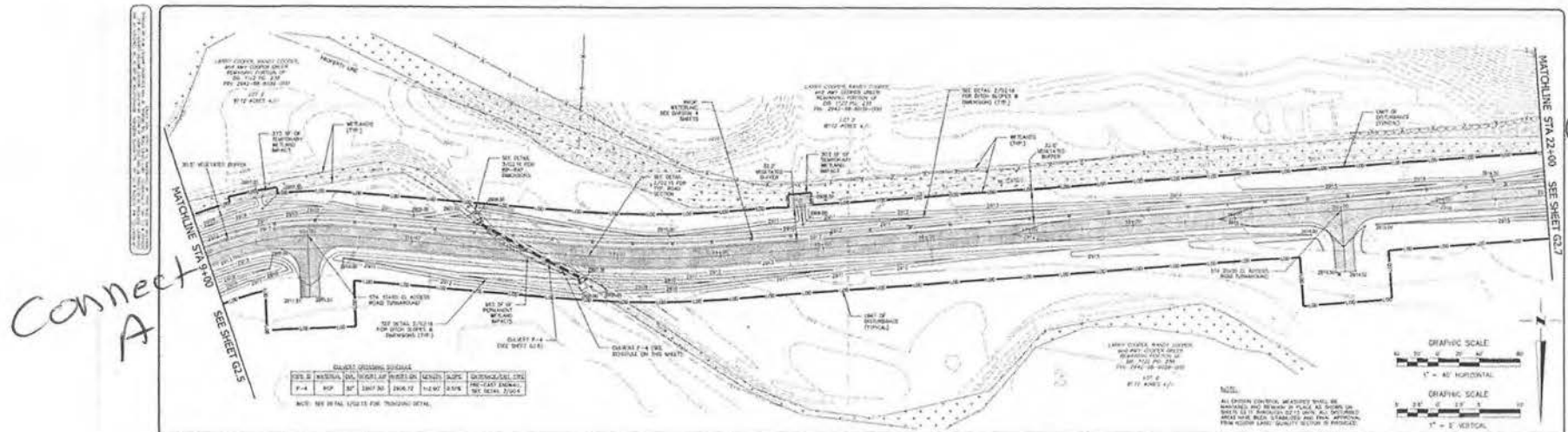
DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 DRAWN BY: [Signature]
 IN CHARGE: [Signature]



USDA RAW WATER PROJECT
 FOR THE
 TOWN OF BOONE
 BOONE, NORTH CAROLINA

ACCESS ROAD & INTAKE SITE
 GRADING & DRAINAGE PLAN
 STA. 0+00 TO 9+00

G2.5
 G2.17



NO. 101	DESCRIPTION	DATE

WIK DICKSON
 Consulting Engineers & Architects
 417 W. BENTLEY BLVD. SUITE 200
 BOONE, NC 28606
 PHONE: 828.261.1111
 FAX: 828.261.1112
 WWW: WIKDICKSON.COM

DATE: _____
 CHECKED BY: _____
 DESIGNED BY: _____
 DRAWN BY: _____
 IN CHARGE: _____



USDA RAW WATER PROJECT
 FOR THE
 TOWN OF BOONE
 BOONE, NORTH CAROLINA

ACCESS ROAD & INTAKE SITE
 GRADING & DRAINAGE PLAN
 STA. 9+00 TO 22+00

G2.6
 G2.17

Connect B

Connect A

FINAL DESIGN - NOT RELEASED FOR CONSTRUCTION



Condemnation for Easements Transmission Lines & Access Road

- W.K. Dickson Environmental Reports
 - Transmission lines
 - 2.6 miles from intake along Brownwood Road to US Hwy 421
 - **Under existing pavement**
 - **Close to edge of pavement where necessary**
 - 6.1 miles along US Hwy 421
 - 0.7 miles south along Charlie Hollar Road
 - Crosses South Fork of New River five (5) times
 - Suspended over the New River or bored under the river
 - No trenching is ANTICIPATED
 - No direct impacts to the river ANTICIPATED



*Town of Boone
Department of Public Works*

April 22, 2015

***Via Certified Mail, Return Receipt Requested
and First Class Mail***

Mr. I.S. Cooper
Mr. Ronald Cooper
Mr. Donald Cooper
3124 Cranberry Springs Rd & 2850 Cranberry Springs Road
Fleetwood, NC 28626 Fleetwood, NC 28626

RE: Town of Boone Raw Water Line and Intake Project;
Your Property, Parcel ID 2942-87-1802-000

Dear Sirs:

As you know, the Town of Boone is constructing a new water intake project, as a result of which a new water line will be installed along Brownwood Road in Watauga County.

Each property owner along the water line route is entitled to receive just and fair compensation for the utility easement on his or her property. The Town of Boone has retained an experienced, certified real estate appraiser, Michael Sweeting, who has made extensive study in the area where your property is located. In order to appraise your property and estimate just compensation, Mr. Sweeting requires access to your property.

North Carolina General Statute §40A-11 authorizes Mr. Sweeting, as the Town's agent, to enter upon your property (but not in your house or other structures) in order to make his appraisal, and provides that such entry may not be considered a trespass or taking. As required by the statute, this is to give you 30 days' notice that Mr. Sweeting will be entering upon your property to conduct his appraisal. Unless you call Mr. Sweeting at (828) 295-4357 to make alternative arrangements, he will be inspecting your property on May 22, 2015.

I thank you for your consideration regarding this matter.

With Kindest Regards,

Ricky L. Miller
Director, Department of Public Works

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 14, 2015

← Before Appraisal
Date

TO Property Owner(s):

I.S. Cooper
3124 CRANBERRY SPRINGS RD
FLEETWOOD, NC 28626

Ronald Sidney Cooper
Donald Lee Cooper
2850 CRANBERRY SPRINGS RD
FLEETWOOD, NC 2862

NOTICE OF CONDEMNATION

This is official NOTICE OF CONDEMNATION under Chapter 40A-40 of the North Carolina General Statutes that the Town of Boone, a North Carolina municipal corporation (hereinafter, “the Town”), intends to institute an action to condemn property described below in which you have or claim an interest.

The purposes for which the property is being condemned are to protect and provide for the public health through the provision of an adequate and sound public water supply and distribution system, a public enterprise of the Town, and to construct, install, repair, maintain, and/or improve such supply and system to meet future needs for water of Town residents and water customers. Specifically, the Town intends to condemn the property in question in order to construct, install, maintain, repair and improve as necessary a water line from a new water intake facility to the Town’s water distribution system.

The property to be taken is a permanent easement over, under, and across approximately 1.81 acres, for the purpose of installing, inspecting, operating, maintaining, repairing and reconstructing water lines and such pipes, manholes, fittings, fixtures and other accessories (collectively, “the facilities”), as from time to time may be required, together with full right of access to and egress from said easement.

Other than while the facilities are under actual construction, maintenance, repair or improvement, the property owners shall have the right to use the easement area provided such use is not inconsistent with and does not interfere with the Town’s use of the easement area as described above. Prohibited uses of the easement by the property owner include, but are not limited to, the following: the erection of a shed, building, structure or other permanent obstruction within the easement; the planting of trees within the easement; and the construction or installation of culverts or other utility lines (including but not limited to, electric, gas, telephone, cable, or water lines) in a manner that

obstructs access to the Town's facilities, except with the prior written approval of Town. Any utility lines currently existing within the easement area shall either remain where they are or shall be relocated at the expense of Town.

Following installation of the facilities, the property owner may continue to use, install, repair, improve and maintain driveways, grass, gardens, crops and/or landscaping in the easement area, and may place fill and other materials (including gravel, asphalt, and concrete pavement) over the easement for such purposes. The Town will restore and repair damage it may cause to the property owners' property while installing, repairing, improving or maintaining its facilities. The Town shall have the right, but not the obligation, to keep the easement clear at all times, and the right to remove from the permanent easement all trees and other obstructions of any kind, and to go upon said easement whenever necessary for the purpose of removing the same.

The aforesaid permanent easement to be taken is located on a portion of the parcel acquired by the property owners and described in that instrument recorded at Book of Records 1288, Page 634 of the Watauga County Registry of Deeds, identified for tax purposes by the Watauga County Tax Administrator by Parcel Identification Number 2942-87-1802-000, and is more fully described in the attached description labeled "Exhibit A" and incorporated by reference herein, and is shown on the attached exhibit plat attached as Exhibit "B" to this notice and incorporated by reference herein. The shaded area in the attached Exhibit B represents the portion of the parcel to be taken. The amount estimated by the Town to be just compensation for the property to be condemned is \$23,700, based upon an estimate provided by a certified North Carolina appraiser.

The Town intends to file the action in condemnation to acquire this property on or about thirty days from the date of this notice, or June 14, 2015. However, unforeseen circumstances may delay or preclude the institution of the condemnation action and the exercise of possession of the property. You are advised that you have the right to commence an action for injunctive relief and you have the right to answer the complaint after it has been filed. You are advised to consult with an attorney regarding your rights.

Sincerely,



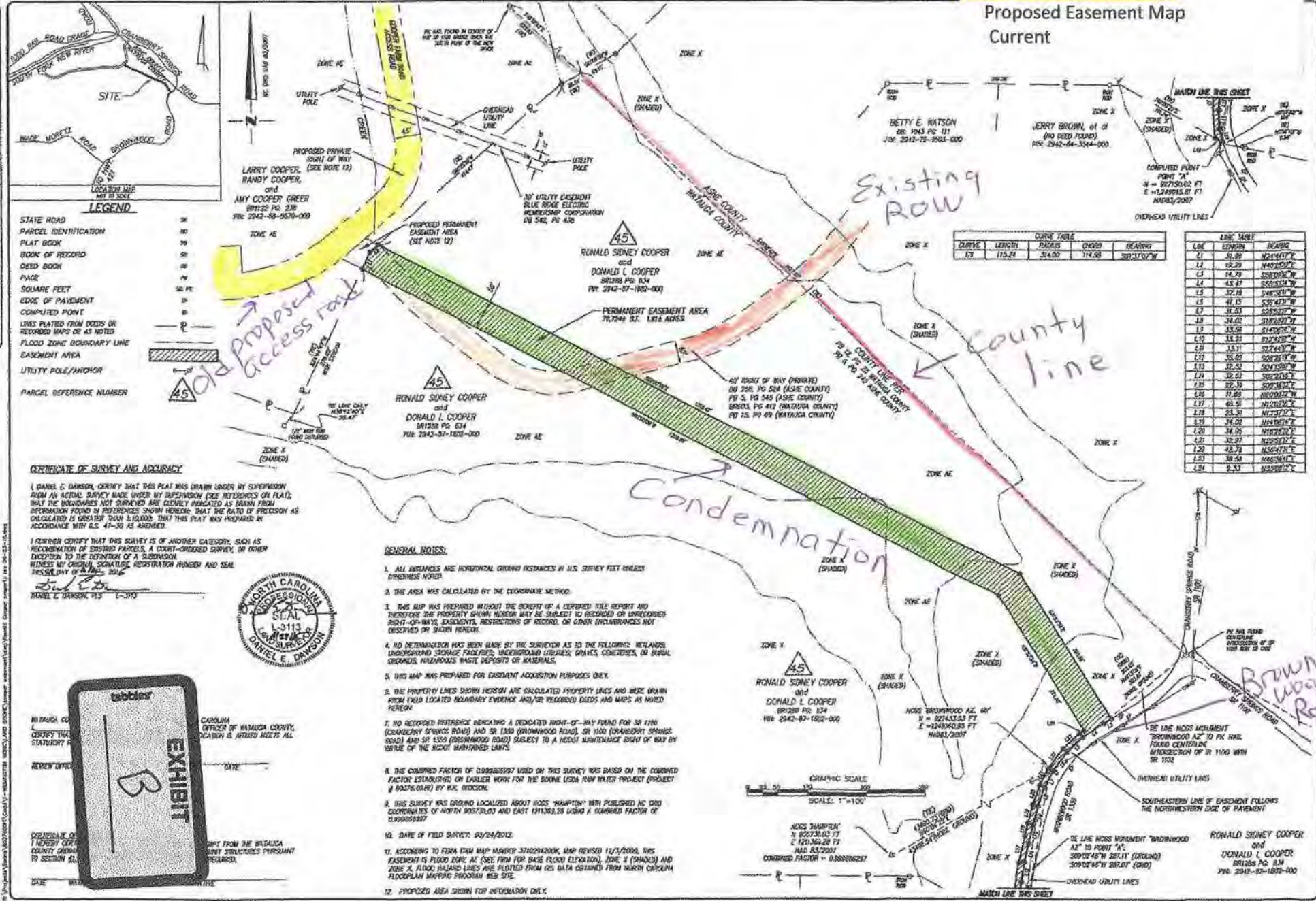
Allison M. Meade, Esq.
Town Attorney, Town of Boone
P.O. Box 292, Boone, NC 28607
(828) 865-5555 ameade@meade-law.com

EXHIBIT A
Permanent Easement Acquisition

Being located in Stony Fork Township, Watauga County, North Carolina and more accurately described as follows: commencing at a concrete monument found along the western side of Brownwood Road (S.R. 1359) said monument being North Carolina Geodetic Survey monument 'Brownwood AZ MK' which has North Carolina grid coordinates (NAD 1983/2007) of North: 927433.5323 and East: 1249060.9468 and a scale factor of 0.999866297, thence the following course and distance; S 09° 40' 36" W 278.07' to a point at the western edge of pavement of Brownwood Road, said point being in the southern line of the Ronald Sidney Cooper and Donald L. Cooper tract (Book of Record 1288, Page 634) and the northern line of the Jerry Brown, et al tract, Parcel Identification Number 2942-84-3544-000 said point being the point of beginning, thence from said point of beginning N 60° 03' 32" W 11.69' to a point, thence with a curve to the right having a radius of 314.00' an arc length of 115.24' and a chord of N 01° 37' 07" E 114.59' to a point, thence N 12° 07' 56" E 46.51' to a point, thence N 13° 37' 37" E 23.30' to a point, thence N 14° 06' 24" E 34.02' to a point, thence N 18° 28' 20" E 34.95' to a point, thence N 25° 52' 27" E 32.97' to a point, thence N 36° 47' 31" E 42.78' to a point, thence N 46° 36' 41" E 38.58' to a point, thence N 55° 08' 12" E 9.33' to a point, thence N 31° 53' 34" W 274.60' to a point, thence N 62° 00' 00" W 1209.89' to a point in the common property line of Ronald Sidney Cooper and Donald L. Cooper, (Book of Record 1288, Page 634) and Larry Cooper, Randy Cooper, and Amy Cooper Greer, (Book of Record 1122, Page 238), thence along said property line N 24° 44' 47" E 31.98' to a point, thence N 48° 25' 20" E 19.29' to a point, thence leaving said property line S 62° 00' 00" E 1218.42' to a point, thence S 31° 53' 34" E 295.56' to a point at the northwestern edge of pavement of Brownwood Road, thence along and with said edge of pavement the following thirteen calls: S 58° 09' 52" W 14.78, S 55° 33' 34" W 43.47, S 46° 36' 41" W 37.10', S 36° 47' 31" W 41.15', S 25° 52' 27" W 31.53', S 18° 28' 20" W 34.02', S 14° 06' 24" W 33.56', S 12° 42' 02" W 33.29', S 12° 44' 07" W 33.11', S 08° 29' 19" W 35.02', S 04° 15' 00" W 32.52', S 02° 22' 46" E 32.52', and S 09° 36' 03" E 22.39 to a point, said point being the point and place of beginning, containing 1.81 acres more or less as shown on a map prepared by WK Dickson entitled "Easement Crossing Property of Ronald Sidney Cooper & Donald L. Cooper", dated April 29, 2015.

The above described permanent easement is of a portion of the parcel owned by Ronald Sidney Cooper and Donald L. Cooper, Parcel Identification Number 2942-87-1802-000 and recorded in Book of Record 1288, Page 634 in Watauga County Register of Deeds office, Watauga County, North Carolina.

Proposed Easement Map
Current



CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
67	112.24	354.00	714.98 S89°37'07"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	31.89	N45°10'17"E
L2	62.29	N45°10'17"E
L3	14.79	S50°10'32"W
L4	43.47	S50°10'32"W
L5	37.18	S50°10'32"W
L6	41.15	S50°10'32"W
L7	31.53	S50°10'32"W
L8	34.02	S14°52'17"W
L9	33.56	S14°52'17"W
L10	33.20	S14°52'17"W
L11	33.17	S14°52'17"W
L12	35.42	S28°18'14"W
L13	35.42	S28°18'14"W
L14	32.01	S28°18'14"W
L15	32.39	S28°18'14"W
L16	31.89	N00°00'00"E
L17	46.91	N73°02'30"E
L18	34.30	N73°02'30"E
L19	34.02	N73°02'30"E
L20	34.95	N73°02'30"E
L21	32.97	N65°07'12"E
L22	42.78	N65°07'12"E
L23	38.58	N65°07'12"E
L24	9.33	N65°07'12"E

CERTIFICATE OF SURVEY AND ACCURACY

I, DANIEL E. DAVISON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN AERIAL SURVEY MADE UNDER MY SUPERVISION (SEE REFERENCES ON PLAT); THAT THE BOUNDARIES NOT SHOWN ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES SHOWN HEREON; THAT THE RATE OF PRECISION AS CALCULATED IS GREATER THAN 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 41-7-30 AS AMENDED.

I FURTHER CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS RECONSTRUCTION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER DISCRETION TO THE DEFINITION OF A SUBSTANTIAL WITNESS BY ORIGINAL SURVEYING REGISTRATION NUMBER AND SEAL THIS DAY OF 11/11/2015.

Daniel E. Davison
DANIEL E. DAVISON, P.E. L-1193

- GENERAL NOTES:**
1. ALL DIMENSIONS ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
 2. THE AREA WAS CALCULATED BY THE COORDINATE METHOD.
 3. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THEREFORE THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO UNRECORDED RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS OF RECORD, OR OTHER ENCUMBRANCES NOT SHOWN HEREON.
 4. NO DETERMINATION HAS BEEN MADE BY THE SURVEYOR AS TO THE FOLLOWING: WETLANDS, UNDERGROUND STORAGE FACILITIES, UNDERGROUND UTILITIES, GRAVES, CONCRETES, OR BURIALS; HAZARDOUS WASTE DEPOSITS OF MATERIALS.
 5. THIS MAP WAS PREPARED FOR EASEMENT ACQUISITION PURPOSES ONLY.
 6. THE PROPERTY LINES SHOWN HEREON ARE CALCULATED PROPERTY LINES AND WERE DRAWN FROM FIELD LOCATED BOUNDARY EVIDENCE AND/OR RECORDED DEEDS AND MAPS AS NOTED HEREON.
 7. NO RECORDED REFERENCE INDICATING A DEDICATED RIGHT-OF-WAY FOUND FOR SR 1120 (CHANDLER SPRINGS ROAD) AND SR 1359 (BROWNWOOD ROAD), SR 1120 (CHANDLER SPRINGS ROAD) AND SR 1359 (BROWNWOOD ROAD) SUBJECT TO A RIGHT MAINTENANCE RIGHT OF WAY BY VIRTUE OF THE RIGHT MAINTENANCE LIMITS.
 8. THE CURVED FACTOR OF 0.00000027 USED ON THIS SURVEY WAS BASED ON THE CURVED FACTOR ESTABLISHED ON EARLIER WORK FOR THE BOONE LEAD WASH WATER PROJECT (PROJECT # 00076.0049) BY R.E. DICKSON.
 9. THIS SURVEY WAS DRAWN LOCALIZED ABOUT NAD 83 "NAD83" WITH PUBLISHED NC GRID COORDINATES OF NORTH 200730.00 AND EAST 1211263.00 USING A CURVED FACTOR OF 0.00000027.
 10. DATE OF FIELD SURVEY: 04/24/2015
 11. ACCORDING TO FERN FIRM MAP NUMBER 370228300K, MAP REVISED 12/3/2006, THIS EASEMENT IS FLOOD ZONE AE (SEE FIRM FOR BASE FLOOD ELEVATION), ZONE X (SHADED) AND ZONE X-A FLOOD HAZARD LINES ARE PLOTTED FROM GCM DATA OBTAINED FROM NORTH CAROLINA FLOODPLAIN MAPPING PROGRAM WEB SITE.
 12. PROPOSED AREA SHOWN FOR INFORMATION ONLY.



REV. NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	04/24/15
2	REVISED PER COMMENTS	05/27/15
3	REVISED PER COMMENTS	06/25/15
4	REVISED PER COMMENTS	07/20/15
5	REVISED PER COMMENTS	08/10/15
6	REVISED PER COMMENTS	08/20/15
7	REVISED PER COMMENTS	09/10/15
8	REVISED PER COMMENTS	09/20/15
9	REVISED PER COMMENTS	10/10/15
10	REVISED PER COMMENTS	10/20/15
11	REVISED PER COMMENTS	11/10/15
12	REVISED PER COMMENTS	11/20/15
13	REVISED PER COMMENTS	12/10/15
14	REVISED PER COMMENTS	12/20/15
15	REVISED PER COMMENTS	01/10/16
16	REVISED PER COMMENTS	01/20/16
17	REVISED PER COMMENTS	02/10/16
18	REVISED PER COMMENTS	02/20/16
19	REVISED PER COMMENTS	03/10/16
20	REVISED PER COMMENTS	03/20/16
21	REVISED PER COMMENTS	04/10/16
22	REVISED PER COMMENTS	04/20/16
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DICKSON
community infrastructure consultants

308 MARKET STREET
WELLSVILLE, NC 28683
(704) 762-4200

Office Locations: North Carolina, South Carolina, Georgia

NE LICENSE NO. Y-0374

TOWN OF BOONE
567 WEST KING STREET
BOONE, NORTH CAROLINA 28607

RELEASED FOR APPROVALS
ISSUED
CONSTRUCTION
RECORD Dwg.

EASEMENT CROSSING PROPERTY OF
RONALD SIDNEY COOPER & DONALD L. COOPER
TOWN OF BOONE, STORY FORK TOWNSHIP
WATAUGA COUNTY, NORTH CAROLINA

1/19



This document has been prepared without benefit of title examination.

The preparer of this document is not the disbursing agent and therefore is not required to file IRS Form 1099-S.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 603, Page 412, and Book 1122, Page 238, Watauga County Registry.

A map showing the above described property is recorded in Plat Book ____, Page ____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

See Exhibit A attached hereto and incorporated herein by reference.

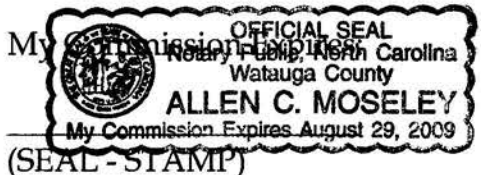
IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

[Handwritten Signature] (SEAL)
Randall G. Cooper
[Handwritten Signature] (SEAL)
Debra Minton Cooper

STATE OF NORTH CAROLINA

COUNTY OF Watauga

I, Allen C. Moseley, Notary Public of the County and State aforesaid, certify that Randall G. Cooper and wife, Debra Minton Cooper, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 18 day of February, 2009.



[Handwritten Signature]
Notary Public



Larry N. Cooper (SEAL)
Larry N. Cooper

Patsy Bare Cooper (SEAL)
Patsy Bare Cooper

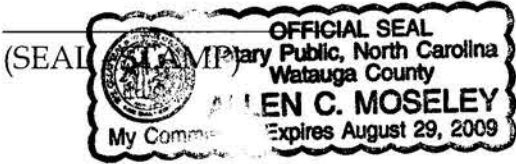
STATE OF NORTH CAROLINA

COUNTY OF Watauga

I, Allen C. Moseley, Notary Public of the County and State aforesaid, certify that Larry N. Cooper and wife, Patsy Bare Cooper, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 18 day of February, 2009.

My Commission Expires:

Allen C. Moseley
Notary Public





Amy Cooper Greer (SEAL)
Amy Cooper Greer

James Robert Greer (SEAL)
James Robert Greer

STATE OF NORTH CAROLINA

COUNTY OF Watauga

I, Allen C. Moseley, Notary Public of the County and State aforesaid, certify that Amy Cooper Greer and wife, James Robert Greer, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 18 day of February, 2009.

My Commission Expires:

Allen C. Moseley
Notary Public

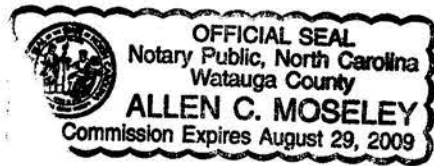
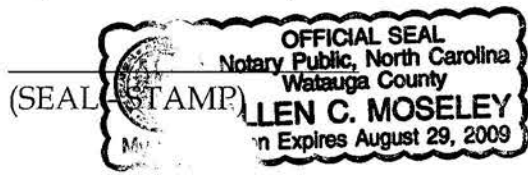


EXHIBIT A



Being 10.00 acres of land located in Stony Fork Township, Watauga County, North Carolina, being a portion of a tract now or formerly own by Larry Cooper, Randy Cooper, and Amy Cooper Greer, as recorded in Deed Book 1122 Page 238, Watauga County Registry, referred as Tax Parcel Number 2942-68-6039-000 by the Watauga County Tax Office and more particularly described as follows:

Beginning at NCGS Monument 'Brownwood Azimuth Mark' having NC State Plane Coordinates of N = 927,433.5323 Feet and E = 1,249,060.9468 Feet,

THENCE, westerly North 78 degrees 43 minutes 54 seconds West for 1,690.80 feet to a 1/2" Iron Rod Found, Said Iron Rod being South 2 degrees 33 minutes 29 seconds West 408.41 feet from a 1/2" Iron Rod Found;

THENCE, with the common property line of Ronald Sidney Cooper and Donald L Cooper as found in Deed Book 1288 Page 634 the following three courses;

1. South 20 degrees 24 minutes 47 seconds West for 347.32 feet to a point;
2. South 06 degrees 58 minutes 51 seconds East for 282.80 feet to a point;
3. South 03 degrees 30 minutes 35 seconds East for 201.25 feet to a point;

THENCE, with the common property line of Bonnie Jean Brown as found in Deed Book 359 Page 315 the following three courses;

1. North 57 degrees 36 minutes 55 seconds West for 256.26 feet to a point;
2. North 21 degrees 53 minutes 13 seconds West for 139.27 feet to a 15" Hemlock Tree;
3. North 88 degrees 03 minutes 34 seconds West for 1,408.96 feet to a 1/2" Iron Rod Set;

the POINT OF BEGINNING

THENCE, continuing North 88 degrees 03 minutes 34 seconds West along said line, a distance of 114.81 feet to a 22" Blackgum Tree which is South 21 degrees 21 minutes 17 seconds West 1.21 feet from a 1" Iron Pipe Found and shown as a reference on Plat Book 15 Page 69;

THENCE, with the common property line of Franklin L. Tugman and wife Martha V. Tugman as found in Deed Book 360 Page 534 the following two courses;

1. North 01 degrees 49 minutes 41 seconds West for 354.56 feet to a 22" White Oak Tree which is North 13 degrees 48 minutes 29 seconds East 3.59 feet from a 1/2" Iron Pipe Found and shown as a reference on Plat Book 15 Page 69;
2. North 67 degrees 12 minutes 45 seconds West for 460.54 feet to a 48" Maple Tree which is North 44 degrees 43 minutes 14 seconds 2.32 feet from a 1" Iron Pipe Found and shown as a reference on Plat Book 15 Page 69;

THENCE, with the common property line of Peri Moretz and husband Ernest Moretz as found in Deed Book 443 Page 292, northerly North 02 degrees 17 minutes 38 seconds East for 478.08 feet to a 1/2" Iron Rod Set;

THENCE, continuing North 02 degrees 17 minutes 38 seconds East for 9.98 feet to a point on the southern bank of the South Fork of the New River;

THENCE, with the southern bank of the South Fork of the New River the following two courses;

1. North 71 degrees 01 minutes 23 seconds East for 239.70 feet to a point;
2. North 61 degrees 44 minutes 31 seconds East for 365.56 feet to a point;

THENCE, leaving the bank of the aforementioned river, and with a new property line the following five courses;

1. South 00 degrees 47 minutes 19 seconds West for 35.02 feet to a 1/2" Iron Rod Set;
2. South 00 degrees 47 minutes 19 seconds West for 245.21 feet to a 1/2" Iron Rod Set in the northern edge of a private right of way of a cul-de-sac having a radius of 50 feet;
3. South 00 degrees 47 minutes 19 seconds West for 50.00 feet to a point in the center of the cul-de-sac;
4. South 00 degrees 47 minutes 19 seconds West for 50.00 feet to a 1/2" Iron Rod Set in the southern edge of a private right of way of a cul-de-sac having a radius of 50 feet;
5. South 00 degrees 47 minutes 19 seconds West for 895.21 feet to a 1/2" Iron Rod Set;

the POINT OF BEGINNING, containing 10.000 acres {435,595 square feet} of land; subject to any/all rights-of ways, easements and any/all other encumbrances, recorded or unrecorded; subject property being the same as shown on a plat of survey prepared by W.K. Dickson & Co. Inc., entitled "Town of Boone Raw Water Pump Station Site", Project Number 80376.00.HI, dated February 13, 2009.

Bearings are relative to NC Grid North (NAD 83)



There is also conveyed herewith a perpetual, non-exclusive right-of-way and easement 45 feet in width for purposes of ingress, egress and regress to the 10.00 acre parcel described above, and for the purpose of installing and thereafter maintaining, repairing and replacing underground utilities. Said 45 foot right-of-way and easement is more fully described as follows:

Being a strip of land located in Stony Fork Township, Watauga County and being 45 feet wide and approximately 2,958.20 feet long and being a portion of a tract of land located mostly in Stony Fork Township, Watauga County, North Carolina, and being a portion of a tract now or formerly owned by Larry Cooper, Randy Cooper, and Amy Cooper Greer, as recorded in Deed Book 1122 Page 238, Watauga County Registry, referred as Tax Parcel Number 2942-68-6039-000 by the Watauga County Tax Office and more particularly described as follows:

Beginning at NCGS Monument 'Brownwood Azimuth Mark' having NC State Plane Coordinates of N = 927,433.5323 Feet and E = 1,249,060.9468 Feet,
Thence, North 31 degrees 31 minutes 47 seconds for 1,879.28 feet to an unmarked point in the center of Cranberry Springs Road, said point having NC State Plane Coordinates of N = 929,035.3714 Feet and E = 1,248,078.1979 Feet,
THENCE, along the centerline of a proposed 45 foot wide private right of way, southwesterly South 45 degrees 46 minutes 02 seconds West for 16.00 feet to a point in the centerline of the aforementioned right of way, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;
THENCE continuing South 45 degrees 46 minutes 02 seconds West along said centerline, a distance of 145.12 feet, more or less, to the intersection of the centerline with the Ashe and Watauga County Boundary Line, to a point;
said point being the POINT OF BEGINNING;
THENCE continuing South 45 degrees 46 minutes 02 seconds West along said line, a distance of 18.46 feet to a point of curvature, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;
THENCE southerly, along the arc of a tangent curve to the left, having a radius of 150.00 feet, a central angle of 55 degrees 05 minutes 22 seconds an arc length of 144.22 feet and a chord bearing and distance of South 18 degrees 13 minutes 21 seconds West for 138.73 feet to a point, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;
THENCE, southerly South 09 degrees 19 minutes 20 seconds East for 289.02 feet to a point of curvature; said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;
THENCE southerly, along the arc of a tangent curve to the right, having a radius of 150.00 feet, a central angle of 58 degrees 01 minutes 04 seconds an arc length of 151.89 feet and a chord bearing and distance of South 19 degrees 41 minutes 12 seconds West for 145.48 feet to a point, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;
THENCE, southwesterly South 48 degrees 41 minutes 44 seconds West for 34.59 feet to a point of curvature, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline; said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;
THENCE westerly, along the arc of a tangent curve to the right, having a radius of 300.00 feet, a central angle of 42 degrees 31 minutes 51 seconds an arc length of



222.69 feet and a chord bearing and distance of South 69 degrees 57 minutes 39 seconds West for 217.61 feet to a point, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE continuing westerly along said curve having a radius of 300.00 feet a central angle of 03 degrees 30 minutes 45 seconds, an arc length of 18.39 feet, and a chord bearing and distance North 87 degrees 01 minutes 03 seconds West for 18.39 feet to a point;

THENCE, westerly North 85 degrees 15 minutes 41 seconds West for 54.48 feet to a point, said point being the centerline of a cul-de-sac having a radius of 50 feet;

THENCE continuing North 85 degrees 15 minutes 41 seconds West along said line, a distance of 179.27 feet to a point of curvature; said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE westerly, along the arc of a tangent curve to the left, having a radius of 1,000.00 feet, a central angle of 10 degrees 28 minutes 53 seconds an arc length of 182.94 feet and a chord bearing and distance of South 89 degrees 29 minutes 52 seconds West for 182.68 feet to a point, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE, westerly South 84 degrees 15 minutes 25 seconds West for 572.61 feet to a point, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE continuing South 84 degrees 15 minutes 25 seconds West along said line, a distance of 35.20 feet to a point of curvature;

THENCE westerly, along the arc of a tangent curve to the right, having a radius of 400.00 feet, a central angle of 05 degrees 03 minutes 36 seconds an arc length of 35.33 feet and a chord bearing and distance of South 86 degrees 47 minutes 13 seconds West for 35.31 feet to a point, said point being the center of a cul-de-sac having a radius of 50 feet;

THENCE continuing westerly along said curve having a radius of 400.00 feet a central angle of 05 degrees 03 minutes 36 seconds, an arc length of 35.33 feet, a chord bearing and distance North 88 degrees 09 minutes 11 seconds West for 35.31 feet to a point;

THENCE, westerly North 85 degrees 37 minutes 23 seconds West for 80.13 feet to a point of curvature; said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE westerly, along the arc of a tangent curve to the left, having a radius of 200.00 feet, a central angle of 29 degrees 28 minutes 38 seconds an arc length of 102.89 feet and a chord bearing and distance of South 79 degrees 38 minutes 18 seconds West for 101.76 feet to a point, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE, southwesterly South 64 degrees 53 minutes 59 seconds West for 255.92 feet to a point of curvature, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE westerly, along the arc of a tangent curve to the right, having a radius of 400.00 feet, a central angle of 62 degrees 15 minutes 09 seconds an arc length of 434.60 feet and a chord bearing and distance of North 83 degrees 58 minutes 27



seconds West for 413.54 feet to a point, said point having 1/2" Iron Rods set on each side of the right of way, 22.5 feet from the centerline, and being perpendicular to the aforementioned centerline;

THENCE, northwesterly North 52 degrees 50 minutes 52 seconds West for 110.24 feet to a point on a new boundary line, said point being the center of a cul-de-sac having a radius of 50 feet and being the end of the centerline of the proposed right of way; subject to any/all rights-of ways, easements and any/all other encumbrances, recorded or unrecorded; subject property being the same as shown on a plat of survey prepared by W.K. Dickson & Co. Inc., entitled "Town of Boone Raw Water Pump Station Site", Project Number 80376.00.HI, dated February 13, 2009.

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The right-of-way and easement described above is conveyed by Grantor to Grantee upon the following terms, benefits, and conditions:

1. In consideration for the conveyance of the right-of-way by Grantor to Grantee, Grantee shall be obligated to construct within the easement area a Watauga County Standard Subdivision Road. This obligation to construct a Watauga County Standard Subdivision Road shall run with the title to the property conveyed herein, and no building or buildings may be used or occupied on the property conveyed herein until said road is constructed. Grantee shall also be obligated to install at Grantee's sole expense underground utilities within the bounds of the easement area. This obligation shall also run with the title to the property conveyed herein, and no building or buildings may be used or occupied on the Property until said underground utilities are installed. Grantee's obligation to construct the underground utilities is subject to the terms and conditions set forth in paragraph 5, below.
2. Grantor further grants and conveys unto Grantee, its successors and assigns, a temporary construction easement 20 feet in width on each side of the 45 foot wide easement area described above to enable Grantee to construct the County Standard Subdivision Road and to install the underground utilities. This temporary construction easement shall terminate upon completion of the installation of the improvements, and Grantee shall restore and stabilize any and all areas disturbed within the temporary construction easement area.
3. Grantor's conveyance to Grantee is made upon the understanding and agreement of Grantor and Grantee that Grantee's intended use of the property conveyed herein is to construct a water intake building or buildings together with all related infrastructure in order to provide a supplemental water resource for the Town of Boone. As such, the easement conveyed herein shall include the right to install and maintain any underground improvements within the easement area as may be reasonably necessary in connection with Grantee's intended use. In addition, with respect to the Watauga County Subdivision Road to be installed by Grantee within the easement area, Grantee shall assume the responsibility for the maintenance of the road as well as the right to make maintenance decisions, with the understanding and agreement of Grantor and Grantee that the road upon completion shall be perpetually maintained to Watauga County Subdivision Standards.
4. The easement conveyed herein by Grantor to Grantee shall be a non-exclusive easement, and Grantor and their heirs, successors and assigns shall have the non-exclusive right to use the subdivision road and connect driveways or other roads to said road and install or connect with underground utility lines within the easement area. Provided, that Grantor and Grantee shall not unreasonably interfere with the others' use and enjoyment of the easement area, and the easement area shall remain open and unobstructed at all times.
5. It is the understanding and agreement of Grantor and Grantee that Grantee shall commence construction of the subdivision road and installation of the underground utilities within eight months after receiving the necessary permit or permits from the North Carolina Department of Environment and Natural Resources to proceed with its intended use as stated above, or within seven years from the date of the recordation of this deed, whichever event occurs



within seven years from the date of the recordation of this deed, whichever event occurs sooner. Further, once construction of the subdivision road and installation of the underground utilities has been commenced, said construction and installation shall be completed within nine months. Provided, that it is understood and agreed between Grantor and Grantee that in the event Grantee does not proceed with its intended use of the Property as set forth above, Grantee shall be obligated to construct the Watauga County Standard Subdivision Road but shall not be obligated to complete installation of the underground utilities. In the event Grantee elects not to proceed with its intended use of the Property, Grantee shall so notify Grantor in writing of its election not to proceed, and Grantee shall be obligated to proceed with construction of the Watauga County Standard Subdivision Road within nine months from the date of its notification to Grantor of its election not to proceed. Further, Grantee shall coordinate with Grantor the installation of the subdivision road with Grantor's installation of utilities.

6. It is the understanding and agreement of Grantor and Grantee that Grantor shall grant and convey to Grantee an additional easement from the 45 foot easement described above over and across Grantor's remaining property for purposes of ingress, egress and regress and to install and thereafter perpetually maintain, repair and replace underground utility lines. The location of this new easement has not yet been determined. The width of the new easement area to be located on Grantor's remaining property shall be 25 feet in width. The location identified and proposed by Grantee to Grantor shall be subject to Grantor's approval, which approval shall not be unreasonably withheld. If the agreed upon location of the easement leading from the 45 foot wide easement to Grantor's boundary line is such that the easement will not interfere with Grantor's development of their remaining property, said easement shall be granted with no additional consideration due to Grantor from Grantee. Provided, that in the event the agreed upon location of the easement area from the 45 foot wide easement to Grantor's boundary line is such that the easement area could reasonably interfere with Grantor's development of their remaining property, Grantee shall compensate Grantor for the easement area at a price equal to the acreage of the easement area multiplied by \$85,000.00 per acre.
7. Notwithstanding the understanding and agreement of Grantor and Grantee that all utilities, including electrical utilities, are to be installed underground within the bounds of the easement area conveyed herein and the additional easement area referenced in paragraph 6, above, Grantor agrees that in the event it is not reasonably practical or feasible to tie the electrical lines into the property conveyed herein to the easement area conveyed herein and the additional easement area described above, Grantor agrees to cooperate with Grantee in granting an additional easement as may be reasonably necessary to bring electrical utilities to the property conveyed herein. Should this become necessary, Grantor and Grantee shall mutually agree upon the location of the easement so as to not interfere with Grantor's development of their property. The determination as to whether Grantor shall be entitled to additional compensation for the granting of the electrical utility easement shall be based upon the same principals as set forth in paragraph 6, above.

Grantor does hereby reserve a right of first refusal to purchase from Grantee the property conveyed herein, in whole or in part, according to the following terms and conditions:



1. In the event Grantee is unable to use the property conveyed herein for its intended purpose as set forth herein, or in the event Grantee cannot obtain the proper permits for its intended use of the Property and Grantee desires to offer to sell the Property or any part thereof, or shall receive from a third party an offer to purchase the property or any part thereof, which Grantee desires to accept, before offering to sell the property to another party, or prior to accepting any such offer, Grantee shall send to Grantor notice of Grantee's intention to offer the property or to accept the offer which it has received as the case may be; and if within ten days of receipt of the notice, Grantor notifies Grantee of their intention to repurchase the property from Grantee upon the same terms as the offer received or upon such other terms as Grantee may stipulate, Grantee shall reconvey the property or portion thereof to Grantor on such terms. Should Grantor not exercise the right of first refusal by notification as described, Grantee shall be free, for a period of six months from the expiration of the ten day period, to sell or offer to sell the property or any part thereof to third parties on any terms, so long as they are not less favorable to Grantee than those set out in the notice to Grantor. The right of first refusal shall be personal to Grantor, or their survivors among them, and shall not be transferable or assignable, and shall not descend to Grantor's heirs.

G:\Linda\REALEST\LEGALS\cooper.easement.wpd



*Town of Boone
Department of Public Works*

April 27, 2015

[REDACTED]
Brownwood Road
Deep Gap, NC 28618

RE: Town of Boone Raw Water Line and Intake Project

Dear [REDACTED]

The Town of Boone is constructing a new water intake project, as a result of which a new water line will be installed along Brownwood Road in Watauga County. Our information indicates that you are the current owner of Tax Parcel Number 2942-86-7170 on Brownwood Road. In order to construct the new water line, the Town will be acquiring a permanent utility easement over a strip of your property approximately nine (9) feet wide along the road. This strip of property amounts to approximately 0.041 acres.

Each property owner along the water line route is entitled to receive just and fair compensation for the utility easement on his or her property. The Town of Boone has retained an experienced, licensed real estate appraiser who has made extensive study in the area where your property is located. The appraiser has completed an appraisal for your property and estimated just compensation in the amount of \$20,900. Accordingly, the Town of Boone wishes to offer you \$20,900 in exchange for your granting the permanent utility easement.

The Town of Boone would like very much to reach a settlement with you so that it can acquire the utility easement in a friendly and cooperative fashion for an amount of money that is fair to you. Accordingly, we hope that you will seriously consider this offer. Please respond within 14 days by calling one of the Town's property acquisition consultants to discuss this matter: Dean Bridges (704-472-6388) or Steve Whisnant (704-472-0485). In order to conclude a settlement with the Town, you will need to sign an easement agreement. Once the agreement is properly signed and recorded, you will receive a check from the Town of Boone for the agreed payment. In the event a settlement cannot be reached, the Town will have to acquire the utility easement through eminent domain by filing a condemnation proceeding.

I thank you for your consideration regarding this matter.

With Kindest Regards,

Ricky L. Miller
Director, Department of Public Works

A.S. Cooper Farm

From Wikipedia, the free encyclopedia

A.S. Cooper Farm is a historic farm complex and national historic district located near Brownwood, Ashe County, North Carolina. The district encompasses 13 contributing buildings, 2 contributing sites, and 1 contributing structure. They are located in three primary clusters on the farm. The A.S. Cooper, Sr. cluster includes the A.S. Cooper, Sr. House (c. 1890), spring house (c. 1890), tool shed / wood shed (c. 1890, c. 1925), chicken coop (c. 1939), granary (c. 1890), and garage (1934). The second cluster is the barn / milking parlor (1908, 1946, c. 1980), and silo (c. 1947) complex. The third cluster includes the Albert Sidney Cooper, Jr. House (1918), small shed (c. 1918), kitchen building, shed (c. 1940), spring house (c. 1880), and barn. Associated with the complex is the family cemetery and agricultural landscape.^[2]

It was listed on the National Register of Historic Places in 2001.^[1]

References

- "National Register Information System" (http://nrhp.focus.nps.gov/natreg/docs/All_Data.html). *National Register of Historic Places*. National Park Service. 2010-07-09.
- Sherry Joines Wyatt (March 2001). "A.S. Cooper Farm" (<http://www.hpo.ncdcr.gov/nr/AH0040.pdf>) (PDF). *National Register of Historic Places - Nomination and Inventory*. North Carolina State Historic Preservation Office. Retrieved 2014-08-01.

Retrieved from "http://en.wikipedia.org/w/index.php?title=A.S._Cooper_Farm&oldid=636654312"

Categories: Historic districts in North Carolina

Farms on the National Register of Historic Places in North Carolina | Houses completed in 1890

Houses in Ashe County, North Carolina

National Register of Historic Places in Ashe County, North Carolina

Western North Carolina Registered Historic Place stubs

A.S. Cooper Farm
 U.S. National Register of Historic Places
 U.S. Historic district



Location	Cranberry Springs Rd., approx. 0.2 miles SE of jct. with Todd RR Grade Rd. (3124 Cranberry Springs Rd.), Brownwood, North Carolina
Coordinates	36°16′33″N 81°32′56″W﻿ / ﻿36.27583°N 81.54889°W﻿ / 36.27583; -81.54889
Area	180 acres (73 ha)
Built	c. 1880
Built by	Cooper, A.S.
Architectural style	I-house
Governing body	Private
NRHP Reference #	01001028[1]
Added to NRHP	September 24, 2001

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**WATAUGA COUNTY
VOLUNTARY FARMLAND PRESERVATION
PROGRAM ORDINANCE**

**ARTICLE I
TITLE**

This program, adopted by the Board of Commissioners of Watauga County, North Carolina, shall be known as the **Watauga County Voluntary Farmland Preservation Program Ordinance**.

**ARTICLE II
AUTHORITY**

The articles and sections of this program ordinance are adopted pursuant to the authority conferred by N.C. General Statutes 106-735 through 106-743.

**ARTICLE III
PURPOSE**

The purpose of this program ordinance is to promote the health, safety, rural agricultural values, and general welfare of the county, and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of farming; increase protection from undesirable, non-farm development; and increase the protection of farms from nuisance suits and other negative impacts on properly managed farms.

**ARTICLE IV
JURISDICTION**

The jurisdiction of the Watauga County Voluntary Farmland Preservation Program Ordinance shall be the unincorporated areas of Watauga County.

**ARTICLE V
DEFINITIONS**

Advisory Board: The Watauga County Agricultural Advisory Board

Board of Commissioners: The Board of Commissioners of Watauga County, North Carolina

Chairman: Chairman of the Watauga County Agricultural Advisory Board

District: A voluntary agricultural district established under the terms and conditions of this program by the Board of Commissioners

ARTICLE VI
QUALIFICATIONS AND CERTIFICATION OF FARMLAND

Section 600. Requirements

In order for farmland to qualify for participation under the terms of this program, it shall meet the following requirements:

- (1) The farmland shall be real property;
- (2) The farmland shall be engaged in agriculture (as that word is defined in N.C.G.S. 106-581.1);
- (3) The property shall be certified by the Natural Resources Conservation Service of the United States Department of Agriculture, in consultation with the Cooperative Extension office, Watauga County Soil and Water District, and the Farm Service Agency, as being a farm on which at least two-thirds of the land is composed of soils that:
 - (a) are best suited for providing food, seed, fiber, forage, timber, and horticultural crops, including Christmas trees and ornamentals;
 - (b) have good soil qualities;
 - (c) are favorable for all major crops common to the county where the land is located;
 - (d) have a favorable growing season; and
 - (e) receive the available moisture needed to produce high yields for an average of eight out of ten years; or

Soils on which at least two-thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined in G.S. 105-277.2 (1, 2, 3) during each of the five previous years, measured from the date on which the determination must be made as to whether the land in question qualifies;

- (4) The property, if highly erodible land exists on the farm, is managed in accordance with the Natural Resources Conservation Service defined erosion control practices that are addressed to said highly erodible land; and

- (5) The property is the subject of a conservation agreement, as defined in G.S. 121-35, between the county and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable county watershed and subdivision regulations, or the regulations of any municipality which apply to the farm property. The property owner may voluntarily revoke this conservation agreement by submitting a written request to the board in accordance with Article VIII.

Section 601. Certification

The owner of the farm seeking to qualify his property for participation in the farmland preservation program ordinance shall submit written evidence that the property conforms with the requirements of Section 600 of this program. This written information shall be submitted to the Chairman of the Advisory Board or the designated staff person on forms provided by the board. The certification may be submitted at the same time the owner applies for inclusion in a district.

ARTICLE VII APPLICATION, APPROVAL AND APPEAL PROCEDURES FOR VOLUNTARY AGRICULTURAL DISTRICTS

Section 700. Creation of Voluntary Agricultural Districts

In order to implement the purposes stated in Article III, this program provides for the creation of voluntary agricultural districts which shall meet the following standards:

- (1) The district, when initially established, shall contain a minimum of 25 contiguous acres of qualified farmland, OR, two or more qualified farms which contain a minimum of 25 acres and are located within a mile of each other;
- (2) The landowner(s) requesting inclusion in the district shall execute an agreement with the county to sustain agriculture in the district in accordance with Section 600 (5) of this program. Said agreement shall be in a form which is reviewed and approved by the advisory board; and
- (3) For each district created under the terms of this program, one of the existing advisory board members shall be assigned to represent the district.

Section 701. Application to Participate

A landowner may apply to participate in the program by making application to the chairman of the advisory board or to a designated staff person. The application shall be on forms provided by the advisory board. The application to participate in a district may be filed with the certification of qualifying farmland.

Section 702. Approval Process

Upon review by the staff of the written certification and application submitted by the property owner, the board shall meet within 30 days if possible to approve or disapprove the application. The chairman shall notify the applicants by first class mail of said approval or disapproval of participation in the district.

Section 703. Appeal

If an application is denied by the Agricultural Advisory Board, the petitioner has 30 days to appeal the decision to the Watauga County Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final.

ARTICLE VIII
REVOCATION AND RENEWAL OF CONSERVATION AGREEMENTS

REVOCATION

By written notice to the board, a landowner of qualifying farmland may revoke the preservation agreement formulated pursuant to Section 600 (5) of this program, or the board may revoke same preservation agreement based on noncompliance by the landowner. Such revocation shall result in loss of qualifying farm status, and consequently, loss of eligibility to participate in a voluntary agricultural district and the benefits thereof. Revocation by a landowner of a preservation agreement and the resulting loss of qualifying farmland status for the purpose of participation in a voluntary agricultural district shall in no way affect the eligibility of the land to be taxed at its present use value as provided in N.C.G.S. 105-277.2 through N.C.G.S. 105-277.6. If a portion of a district is removed for any reason after being established by this program, the remaining qualified farms may remain in the program, provided they meet all other requirements except the minimum area requirements of Section 700 (1).

RENEWAL

Conservation Agreements shall be deemed automatically renewed for an additional term of 10 years, unless either the Advisory Board or the landowner gives written notice to the contrary no later than 30 days prior to the termination date.

The action above does not prevent anyone who is enrolled from withdrawing at a later date by written notice.

ARTICLE IX
AGRICULTURAL ADVISORY BOARD

Section 900. Creation

In accordance with N.C.G.S. 106-739, the Board of Commissioners hereby establishes an Agricultural Advisory Board to implement the provisions of this program ordinance.

Section 901. Appointments and Membership

The Agricultural Advisory Board shall consist of five members appointed by the Watauga County Board of Commissioners.

(1) Requirements

- (a) Each board member shall be a county resident and registered to vote in Watauga County.
- (b) Four of the five members shall be actively engaged in farming.
- (c) The four members actively engaged in farming shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Watauga Soil and Water Conservation District, the Cooperative Extension Service, the Farm Service Agency Committee and the Watauga County Farm Bureau, with an effort to have the broadest geographical representation possible. The fifth member shall have special interest, experience, or education in agriculture and/or rural land preservation.

- (2) Tenure. The members are to serve for terms of three years, except that the initial board is to consist of two appointee(s) for a term of one year, two appointees for terms of two years, and one appointee for a term of three years. Thereafter, all appointments are to be for terms of three years, with reappointments permitted. The terms for the initial board members will be determined by lottery.

- (3) Vacancies. Any vacancy on the Agricultural Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term following the same procedure as for the initial appointment.

- (4) Removal for Cause. Any member of the Agricultural Advisory Board may be removed for cause by the Board of Commissioners upon written charges and after a public hearing.

(5) Funding

- (a) *Compensation.* The per meeting compensation of the members of the board shall be fixed by the Board of Commissioners.
- (b) *Appropriations for performance of duties.* Funds shall be appropriated by the Board of Commissioners to the Agricultural Advisory Board to perform its duties. A budget request will be presented to the County Commissioners annually.

Section 902. Procedures

The Board shall adopt rules of procedure which are consistent with the enabling legislation and other applicable statutes.

- (1) Chairperson. The board shall elect a chairperson and vice-chairperson each year at its first meeting of the fiscal year. The chairperson shall preside over all regular or special meetings of the board. In the absence or disability of the chairperson, the vice-chairperson shall preside and shall have and exercise all the powers of the chairperson so absent or disabled. Additional officers may be elected as needed.
- (2) Jurisdiction and Procedures; Supplementary Rules. The jurisdiction and procedures of the board are set out in this article, except that the board may adopt supplementary rules of procedure not inconsistent with this article or with other provisions of law.
- (3) Board Year. The board shall use the county fiscal year as its meeting year.
- (4) Meetings. Meetings of the board, following such notice as required by this article, shall be held at the call of the chairperson and at such other times as the board in its rules of procedure may specify. A called meeting shall be held at least quarterly. A quorum shall consist of a majority of the members of the board.
- (5) Voting. The concurring vote of a majority of the members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official or agency, to decide in favor of an applicant, or to pass upon any other matter on which it is required to act under this article.
- (6) Records. The board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

- (7) Administrative Services. The Soil and Water Conservation District office shall serve the agricultural advisory board for recordkeeping, correspondence, application procedures under this article together with such other services the board needs to complete its duties.

Section 903. Duties

The Agricultural Advisory Board shall:

- (1) Review and approve applications for qualified farmland and voluntary agricultural districts.
- (2) Hold public hearings pursuant to Article X of this program.
- (3) Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy or activities within the county and that will affect agricultural districts.
- (4) Perform other related tasks or duties assigned by the Board of Commissioners.

ARTICLE X

PUBLIC HEARINGS ON CONDEMNATION OF FARMLAND

Section 1000. Purpose

Pursuant to N.C.G.S. 106-740, no state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a voluntary agricultural district until such agency or unit has requested the Agricultural Advisory Board to hold a public hearing on the proposed condemnation. The procedures for such hearings shall be as set forth below.

Section 1001. Procedures

- (1) Establish Public Hearing. Upon receipt of a request for a public hearing, the Agricultural Advisory Board shall have 30 days to set a date for a public hearing on the proposed condemnation pursuant to N.C.G.S. 106-740. No formal initiation of condemnation shall be initiated while the proposed condemnation is properly before the board within the time limitations set forth in this section.
- (2) Notice of Public Hearing. The board shall run a notice of the public hearing in a newspaper having general circulation in Watauga County at least 10 days prior to the date established for the hearing. The notice shall contain the date, time and place of the hearing and shall provide the name of the agency requesting the hearing and the purpose of the condemnation.

- (3) Public Hearing. The board shall conduct the public hearing and receive information and comments from the agency requesting the condemnation action and the citizens of Watauga County. Additionally, the board shall review the following:
- (a) Has the need for the project requiring the condemnation been satisfactorily shown by the agency requesting the action?
 - (b) Has a financial impact analysis been conducted by the agency seeking the action?
 - (c) Have alternatives been considered to the proposed action that are less disruptive to the agricultural activities and farmland base of the voluntary agricultural district within which the proposed action is to take place?

The board shall invite and allow input by the county Cooperative Extension agent, U.S.D.A. Natural Resources Conservationist, the Farm Service Agency, and may consult with any other individuals, agencies or organizations, public or private, necessary to the board's review of the proposed action.

- (4) Findings and Notification. Within 10 days after the public hearing, the board shall make a report containing its findings and recommendations regarding the proposed action. The report shall be conveyed to the decision-making body of the agency proposing acquisition and made available to the public for comment.

ARTICLE XI
LAND USE INCENTIVES TO VOLUNTARY
AGRICULTURAL DISTRICT FORMATION

Section 1100. Purpose

The purpose of this section is to help meet the needs of agriculture as an industry and prevent conflicts between voluntary agricultural district participants and non-farm landowners in proximity to districts.

Section 1101. Public Notification

- (1) The Advisory Board, in cooperation with the county, shall take measures as set forth below to provide notification to property owners, residents, and other interested persons in and adjacent to any designated agricultural district with a goal of informing all current and potential residents and property owners in and adjacent to an agricultural district, that farming and agricultural activities may take place in this district any time during the day or night.

- (a) Signs identifying approved agricultural districts shall be placed by the farmer upon the property and along the rights-of-way of major roads in a way calculated to reasonably notify the public and adjoining owners of the presence of the farm property.
- (b) Information identifying approved districts shall be provided to the Register of Deeds office, the Watauga Soil and Water Conservation District, the Cooperative Extension office, the Farm Service Agency, the Watauga County Planning and Inspections Department, and the Watauga County Tax Department.
- (c) The following notice shall be displayed in a prominent position in the office of the Register of Deeds and the public access area in the Watauga County Tax Department:

NOTICE TO REAL ESTATE PURCHASERS IN WATAUGA COUNTY
WATAUGA COUNTY AGRICULTURAL DISTRICTS

Watauga County has established agricultural districts to protect and preserve agricultural lands and activities. These districts have been developed and mapped to inform all purchasers of real property that certain agricultural activities, including but not limited to pesticide spraying, manure spreading, machinery and truck operations, livestock operations, sawing, and similar activities may take place in these districts any time during the day or night. Maps and/or information on the location and establishment of these districts can be obtained from the Cooperative Extension office, County Planning and Inspections Department, Natural Resources Conservation Service, the Farm Service Agency office, and the County Tax Department.

- (2) Limit of liability -- In no event shall the County or any of its officers, employees, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this ordinance.
- (3) No cause of action -- In no event shall any cause of action arise out of the failure of any person, including a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or voluntary agricultural district as defined in this ordinance.

Section 1102. Expenditure of County Funds for Non-Farm Uses

Prior to expending any monies which would convert land in a voluntary agricultural district to non-farm uses, the county or any other local unit of government shall submit to the Advisory Board detailed information showing that said governmental unit has considered alternatives. Such consideration shall include the criteria listed in Article X, Section 1001 (3), (a) through (c).

Section 1103. No Districts in Designated Growth Corridors

Agricultural districts will not be permitted in designated growth corridors, as delineated on the official county planning map without the approval of the Board of Commissioners. Districts located in growth corridors designated after the effective date of this program may remain, but shall not be expanded within the growth corridor area without the approval of the Board of Commissioners. Districts located in growth corridors designated after the effective date of this program may expand to include adjoining property purchased by a landowner presently participating in the Watauga County Voluntary Farmland Preservation Program Ordinance. The approval of the Board of Commissioners will be on a case by case basis.

Section 1104. Waiver of Water and Sewer Assessments

- (1) Purpose of Section. The purpose of this section is to help mitigate the financial impacts on farmers by some local and state capital investments unused by such farmers.
- (2) Procedure. The waiver procedure shall be as follows:
 - (a) Landowners belonging to voluntary agricultural districts shall not be assessed for, or required to connect to, water and/or sewer systems.
 - (b) Water and sewer assessments shall be held in abeyance, without interest, for farms inside a voluntary agricultural district, until improvements on such property are connected to the water or sewer system for which the assessment was made.
 - (c) When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.
 - (d) Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.
 - (e) Assessment procedures followed under G.S. 153A-185 et seq. shall conform to the terms of this article with respect to qualifying farms that entered into preservation agreements while such article was in effect.
 - (f) Nothing in this section is intended to diminish the authority of the county to hold assessments in abeyance under G.S. 153A-201.

ARTICLE XII
NORTH CAROLINA AGENCY NOTIFICATION

Section 1200. Consultation with N.C. Department of Agriculture and Other Agencies

The board may consult with the Cooperative Extension office, the Natural Resources Conservation Service office, the Farm Service Agency office, the N.C. Department of Agriculture, and any other such agency the board deems necessary to properly conduct its business.

Section 1201. Recording the Program Ordinance

An official copy of this program ordinance shall be recorded with the North Carolina Commissioner of Agriculture's office after adoption. At least once a year, the county shall submit a written report to the Commissioner of Agriculture, including the status, progress and activities of the county's farmland preservation program, and voluntary agricultural districting information regarding:

- (1) Number of landowners enrolled;
- (2) Number of acres applied;
- (3) Number of acres certified;
- (4) Number of acres denied; and
- (5) Date certified.

ARTICLE XIII
LEGAL PROVISIONS

Section 1300. Severability, Conflict with Other Ordinances and Statutes, and Amendments

- (1) Severability. If any article, section, subsection, clause, phrase or portion of this ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
- (2) Conflict with other ordinances and statutes. Whenever the provisions of this ordinance conflict with other ordinances of Watauga County, this ordinance shall govern. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this ordinance, the provisions of such statute shall govern.

- (3) Amendments. This ordinance may be amended from time to time after a public hearing, notice of which will be given in accordance with the Public Meeting Laws, GS 143-318.12, and in consultation with the Agricultural Advisory Board to the Board of Commissioners.

ARTICLE XIV
ENACTMENT

The Watauga County Board of Commissioners hereby adopts and enacts the preceding articles and sections of this ordinance.

ADOPTED this the 16th day of April, 2013.



Nathan A. Miller, Chairman
Watauga County Board of Commissioners

ATTEST:



Anita Fogle, Clerk to the Board



AS Cooper Farm – WCVFPF



Property Records

Owner Address Parcel ID Advanced Map Search

- Summary
- Profile
- Owner
- Sales
- Residential
- Commercial
- OBV
- Land
- Sketch
- Full Legal
- Agricultural
- Map
- Parcel Tree
- Values
- Comments

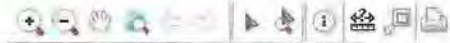
PARID: 2942871802000
WATAUGA & ASHE COUNTY

COOPER, I S LIFE ESTATE COOPER, SHIRLEY LIFE ESTATE
3269 CRANBERRY SPRINGS RD

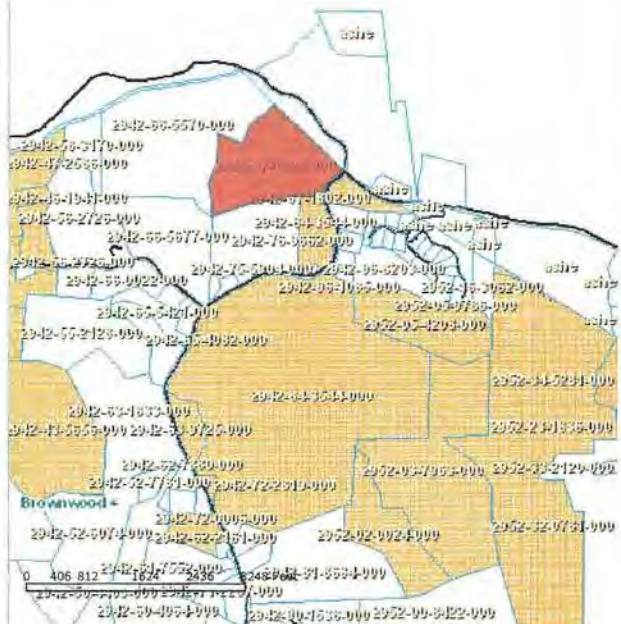
CURRENT RECORD

1 of 1

Return to Search Results



- Map Contents
- Parcel Selection
 - Parcel Map
 - Map Layers
 - Parcel Map
 - Schools
 - Communities
 - Parks
 - Sanitation
 - Highways
 - Blue Ridge Parkway
 - Roads
 - County Grid
 - Contours 5ft
 - Contours 20ft
 - Zoned Areas
 - Fire
 - Vote
 - Township
 - Census Blocks 2010
 - Protected Ridges
 - Protected Watershed
 - Flood Hazard
 - Farmland Preservation
 - PIN#
 - Aerial Orthophotogra
 - Parcel ID
 - County Border
 - Boone Layers



Buffer Search

Property Record Card

2942871802000	
Summary	▼
2942871802000	
ParID	2942871802000
Tax Year	2015
SITUS	3269 CRANBERRY SPRINGS RD
City, State, Zip	
NBHD	1408 - NEW RIVER/ASHE CO SOUTH
Map #	2942-87-1802-000
Appraisal Total	74700
Owner	COOPER, I S LIFE ESTATE
Mailing Address	3124 CRANBERRY SPRINGS RD
City, State, Zip	FLEETWOOD, NC 28626
Township	14
Jurisdiction	F10
Property Address	3269 CRANBERRY SPRINGS RD
Legal Desc 1	WATAUGA & ASHE COUNTY
Deeded Acres	48.5
Book	1288

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AGENDA ITEM 9:

TAX MATTERS

A. Monthly Collections Report

MANAGER'S COMMENTS:

Mr. Larry Warren, Tax Administrator, will present the Monthly Collections Report and be available for questions and discussion.

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

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AGENDA ITEM 9:

TAX MATTERS

B. Refunds and Releases

MANAGER'S COMMENTS:

Mr. Warren will present the Refunds and Releases Reports.

Board action is required to accept the Refunds and Releases Reports.

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AGENDA ITEM 10:**ADOPTION OF THE FISCAL YEAR 2016 BUDGET ORDINANCE****MANAGER'S COMMENTS:**

The Fiscal Year 2016 Budget Ordinance is presented for adoption. Below is a list of changes that were requested by the Board and which have been incorporated into the proposed budget:

General Fund

- | | | |
|--------------------------------------|------------|------------|
| • Remove 3% from BCC COLA | \$ (1,222) | |
| • Increase Children's Council | \$ 1,500 | |
| • Increase W.A.M.Y. Community Action | \$ 2,500 | |
| • Increase Miscellaneous Revenue | \$ 2,778 | Net Change |

Fire Districts

- | | | |
|---|--------------|------------|
| • Remove Boone Rural Fire District tax rate increase from five cents to six cents | \$ (146,402) | |
| • Decrease Boone Current Year tax revenues | \$ (146,402) | Net Change |

The Board may approve the proposed budget ordinance as presented, request changes, or schedule an additional work session. North Carolina General Statutes requires the budget be adopted by June 30th.

Board action is requested.

Budget Change Summary

General Fund

from 5-11-15	(1,222)	remove 3% from BCC cola
from 5-11-15	1,500	increase Children's Council from -0- to \$1,500
	2,500	increase WAMY from -0- to \$2,500 for 50th anniversary event
net change	2,778	increase miscellaneous revenue

Fire Districts

from 5-12-15	(146,402)	remove Boone Rural Fire District tax rate increase from 5 cents to 6 cents
net change	(146,402)	decrease Boone Current Year tax revenues

**STATE OF NORTH CAROLINA
COUNTY OF WATAUGA
BUDGET ORDINANCE
FISCAL YEAR 2015/16**

BE IT ORDAINED by the Board of Commissioners of Watauga County, North Carolina, meeting in regular session this 2nd day of June, 2015, that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations, are adopted:

<u>SEC. I</u>	<u>GENERAL FUND</u>	<u>AMOUNT</u>
<i>A. Revenues Anticipated:</i>	<u>SOURCE</u>	
<u>Taxes, Ad Valorem</u>	Taxes, FY 2015/16	\$26,908,992
	Taxes, Prior Years	\$450,000
	Tax Advertising and Interest	\$150,000
<u>Taxes, Other</u>	1% Local Option Sales Tax - 39	\$5,200,000
	1/2% Local Option Sales Tax - 40	\$2,500,000
	1/2% Local Option Sales Tax - 42	\$2,800,000
	Real Property Transfer Tax (Excise Stamps)	\$310,000
	ABC Bottle Tax	\$21,000
	Cable TV Franchise Tax	\$335,000
	Gross Receipts Tax - Vehicles	\$35,000
	Gross Receipts Tax - Heavy Equipment	\$2,500
<u>Intergovernmental Revenues</u>	Payments in Lieu of Taxes	\$20,000
	Court Facilities Fees	\$125,000
<u>Permits and Fees</u>	Gun Permits	\$3,500
	Serving Civil Summons	\$60,000
	Detention Center and Officers' Fees	\$20,000
	Inspection Fees	\$215,000
	Register of Deeds Fees	\$280,000
	Register of Deeds Fees-Supplemental 10% Fee	\$34,000
	Fire Inspection Fees	\$5,000
	Occupancy Tax Collections Fee	\$20,000
	Concealed Weapons Permits	\$38,000
	Concealed Weapons Fingerprints	\$3,000
<u>Investment Earnings</u>	Interest Earned on Investments	\$60,000
<u>Restricted Intergovernmental</u>	Emergency Management Grant	\$30,000
	Bulletproof Vests Grant	\$3,000
	Governor's Crime Commission Grant	\$14,916
	Spay and Neuter Grant	\$2,000
	Veterans Service Grant	\$0
	Soil and Water Conservation Grant	\$3,600
	Soil Technician Cost Share Program	\$22,000
	Juvenile Crime Prevention Council Grant	\$111,170
	Project on Aging	
	-In Home Services	\$11,500
	-Home and Community Care Block Grant	\$248,000
	-Medicaid Reimbursement and Fees	\$80,000
	-Donations	\$20,000
	-USDA	\$24,000
	-Self Supporting Classes	\$8,000
	-Contracted Instructor Classes	\$500
	NC Lottery and ADM Funds	\$614,000
	National Forest Service-Schools	\$575
<u>Functional Revenues</u>	Recreation Program Revenues	
	Facility Rentals	\$8,000
	Aquatics	\$85,000
	Athletics	\$110,000
	Special Populations	\$50,000
	Special Programs	\$54,000
	Senior Games	\$7,000
	Donations	\$900
	Sales and Services	
	TDA Financial Services	\$38,000
	Blowing Rock Communications Fee	\$171,187
	Town Tax Collection Fees	\$100,350
	NC DMV Fees	\$98,000
	Passport Fees/Photos	\$12,000
	Reimbursement for Prisoners	\$10,000
	Tag Office Notary Fees	\$28,000
	Sale of Fixed Assets	\$35,000
	Election Revenues	\$32,000
	Medical Fees-Inmates	\$3,000

**STATE OF NORTH CAROLINA
COUNTY OF WATAUGA
BUDGET ORDINANCE
FISCAL YEAR 2015/16**

Miscellaneous Revenues	
Other Miscellaneous Revenues	\$89,256
Rents	\$357,000
Inmate Sales Commissions	\$44,000
Sales Tax Hold Harmless - Medicaid Relief	\$925,000
911 Implementation/Addressing Fee	\$63,643
Sales Tax Agreements with Towns	\$1,335,000
Medical Director	\$12,000

Appropriations of Fund Balance	
Register of Deeds Enhancement Fund	\$129,395

Total Revenues - General Fund \$44,586,984

B. Expenditures Authorized

<u>General Government</u>	Governing Body	\$62,082
	Administration	\$343,235
	Finance	\$372,975
	Tax Administration	\$1,128,960
	Tax Revaluation	\$25,000
	License Plate Agency	\$182,533
	Legal Services	\$50,000
	Court Facilities	\$2,900
	Elections	\$329,590
	Register of Deeds	\$541,350
	General Administration	\$1,075,720
	Information Technology	\$803,795
	Total	\$4,918,140

<u>General Services</u>	Maintenance	\$1,166,720
	Public Buildings	
	-Courthouse	\$120,155
	-East Annex - Rock Building	\$33,035
	-Administration	\$24,550
	-EMS	\$1,000
	-Hannah	\$7,995
	-Old WHS	\$500
	- Health Department	\$57,555
	-Appalcart	\$5,530
	-Library	\$43,030
	-Old CCC&TI	\$3,330
	-Western Watauga Community Center	\$36,505
	-Parking Lots	\$2,255
	-West Annex	\$30,200
	-Human Services Center	\$89,455
	-Appalachian Enterprise Center	\$18,875
	-Law Enforcement Center	\$216,280
	-Recreation Administration Offices	\$3,100
	-Aquatics Center	\$149,900
	-Optimist/Maintenance Facility	\$31,320
	-Fields/Parks	\$74,540
	-Old Cove Creek School/Gym	\$16,965
	-Brookshire Road Park	\$19,050
	-Anne Marie Drive Fields	\$23,500
	-Brookshire Soccer Complex	\$13,735
	-Rocky Knob Park	\$24,400
	Total	\$2,213,480

<u>Public Safety</u>	Sheriff	\$3,575,110
	Detention Center	\$2,102,850
	Emergency Services	\$772,415
	Emergency Management/Fire Protection	\$1,375,865
	Planning and Inspections	\$621,260
	Medical Examiner	\$25,000
	Ambulance and Rescue Squads	\$1,191,700
	Animal Care and Control	\$152,665
	Forestry	\$44,711
	Total	\$9,861,576

<u>Economic and Physical Development</u>	Transportation	\$67,495
	Economic Development Commission	\$70,158
	Cooperative Extension Service	\$246,400
	Soil and Water Conservation	\$115,345
	Special Appropriations	\$424,148
	Total	\$923,546

<u>Human Services</u>	Public Health	\$585,228
	Mental Health	\$171,194
	Project on Aging	\$1,201,985
	Veteran's Service	\$106,255
	Total	\$2,064,662

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SEC. VI

RURAL FIRE SERVICE DISTRICT FUND

<i>A. Revenues Anticipated:</i>	<u>SOURCE</u>	<u>AMOUNT</u>
	Interest on Delinquent Taxes	\$5,725
	Prior Years-Boone Rural	\$22,000
	Prior Years-Foscoe Rural	\$1,500
	Prior Years-Shawneehaw Rural	\$150
	Prior Years-Beech Mtn Rural	\$75
	Ad Valorem Taxes 2015/16 - Boone Rural	\$732,011
	Ad Valorem Taxes 2015/16 - Foscoe Rural	\$68,007
	Ad Valorem Taxes 2015/16 - Shawneehaw Rural	\$5,825
	Ad Valorem Taxes 2015/16 - Cove Creek Rural	\$325
	Ad Valorem Taxes 2015/16 - Beech Mtn Rural	\$1,855
	Total Revenues - Rural Fire Service Districts Fund	<u>\$837,473</u>
<i>B. Expenditures Authorized:</i>		
	Boone Rural Fire Service District	\$759,011
	Foscoe Rural Fire Service District	\$70,082
	Shawneehaw Rural Fire Service District	\$6,075
	Cove Creek Rural Fire Service District	\$325
	Beech Mtn Rural Fire Service District	\$1,980
	Total Expenditures - Rural Fire Service Districts Fund	<u>\$837,473</u>

SEC. VII

FIRE TAX DISTRICTS FUND

<i>A. Revenues Anticipated:</i>	<u>SOURCE</u>	<u>AMOUNT</u>
	Interest on Delinquent Taxes	\$15,600
	Prior Year Taxes - Foscoe	\$7,000
	Ad Valorem Taxes 2015/16 Foscoe	\$524,260
	Prior Year Taxes - Fall Creek	\$300
	Ad Valorem Taxes 2015/16 Fall Creek	\$9,267
	Prior Year Taxes - Beaver Dam	\$3,500
	Ad Valorem Taxes 2015/16 Beaver Dam	\$102,762
	Prior Year Taxes-Stewart Simmons	\$3,000
	Ad Valorem Taxes 2015/16 Stewart Simmons	\$120,190
	Prior Year Taxes - Zionville	\$3,000
	Ad Valorem Taxes 2015/16 Zionville	\$110,585
	Prior Year Taxes - Cove Creek	\$9,000
	Ad Valorem Taxes 2015/16 Cove Creek	\$235,480
	Prior Year Taxes - Shawneehaw	\$2,500
	Ad Valorem Taxes 2015/16 Shawneehaw	\$93,443
	Prior Year Taxes - Meat Camp	\$6,000
	Ad Valorem Taxes 2015/16 Meat Camp	\$201,793
	Prior Year Taxes - Deep Gap	\$6,100
	Ad Valorem Taxes 2015/16 Deep Gap	\$189,013
	Prior Year Taxes - Todd	\$1,000
	Ad Valorem Taxes 2015/16 Todd	\$62,721
	Prior Year Taxes - Blowing Rock	\$13,000
	Ad Valorem Taxes 2015/16 Blowing Rock	\$457,998
	Prior Year Taxes - Meat Camp/Creston	\$750
	Ad Valorem Taxes 2015/16 Meat Camp/Creston	\$5,378
	Total Revenues - Fire Districts Fund	<u>\$2,183,640</u>
<i>B. Expenditures Authorized:</i>		
	Foscoe Fire District	\$533,260
	Fall Creek Fire Department	\$9,667
	Beaver Dam Fire Department	\$107,462
	Stewart Simmons Fire District	\$124,240
	Zionville Fire District	\$114,685
	Cove Creek	\$246,980
	Shawneehaw Fire District	\$96,443
	Meat Camp Fire Department	\$209,393
	Deep Gap Fire District	\$197,113
	Todd Fire District	\$64,021
	Blowing Rock Fire District	\$473,998
	Creston Fire Department	\$6,378
	Total Expenditures - Fire Districts Fund	<u>\$2,183,640</u>

SEC. VIII

OCCUPANCY TAX FUND

<i>A. Revenues Anticipated:</i>	<u>SOURCE</u>	<u>AMOUNT</u>
	Occupancy Tax	\$1,000,000
	Total Revenues - Occupancy Tax Fund	<u>\$1,000,000</u>
<i>B. Expenditures Authorized:</i>		
	Tax Collection Fees	\$20,000
	Watauga District U TDA	\$980,000
	Total Expenditures - Occupancy Tax Fund	<u>\$1,000,000</u>

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SEC. IX**DEBT SERVICE**

<i>A. Revenues Anticipated:</i>	<u>SOURCE</u>	<u>AMOUNT</u>
	Federal Interest Credit on QSCB Loan	\$34,425
	Transfer from General Fund	\$6,135,795
	Total Revenues - Debt Service Fund	<u>\$6,170,220</u>
<i>B. Expenditures Authorized:</i>		
	Debt Service-Education	\$5,493,321
	Debt Service-Other	\$676,899
	Total Expenditures - Debt Service Fund	<u>\$6,170,220</u>

SEC. X**SOLID WASTE ENTERPRISE FUND**

<i>A. Revenues Anticipated:</i>	<u>SOURCE</u>	<u>AMOUNT</u>
	Landfill/Greenbox User Fee Interest and Advertising	\$16,500
	Landfill Tipping Fees	\$1,400,000
	Solid Waste Fees	\$2,395,000
	Green Box Fees	\$8,000
	Tire Disposal Tax	\$58,000
	Solid Waste Disposal Tax	\$22,000
	White Goods Tax	\$14,500
	Hazardous Waste Building Grant	\$30,000
	NC Electronics Management Grant	\$3,500
	Dumpster Pickup	\$16,843
	Interest Earnings	\$5,000
	Miscellaneous Revenues	\$10,000
	Sale of Recycled Scrap	\$140,000
	Sale of Fixed Assets	\$35,000
	Fund Balance Appropriated	\$315,815
	Total Revenues - Solid Waste Enterprise Fund	<u>\$4,470,158</u>
<i>B. Expenditures Authorized:</i>		
	Sanitation Department	\$4,392,718
	Recycling	\$77,440
	Total Expenditures - Solid Waste Enterprise Fund	<u>\$4,470,158</u>

SEC. XI**FOSCOE FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Foscoe Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$927,720,823 and an established 98.36% collection rate, which does not exceed the collection rate experienced during the 2013/14 fiscal year.

SEC. XII**DEEP GAP FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Deep Gap Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$388,317,205 and a 97.35% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XIII**BOONE RURAL FIRE SERVICE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Boone Rural Fire Service District for this fiscal year 2015/16. This rate is based on a total base valuation of \$1,499,408,107 and a 97.64% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XIV**FOSCOE RURAL FIRE SERVICE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Foscoe Rural Fire Service District for this fiscal year 2015/16. This rate is based on total base valuation of \$137,609,732 and a 98.84% collection rate which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XV**COVE CREEK RURAL FIRE SERVICE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Cove Creek Rural Fire Service District for this fiscal year 2015/16. This rate is based on a total base valuation of \$648,300 and a 100% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XVI**SHAWNEEHAW RURAL FIRE SERVICE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Shawneehaw Rural Fire Service District for this fiscal year 2015/16. This rate is based on a total base valuation of \$11,898,160 and a 97.91% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

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SEC. XVII**BEECH MTN. RURAL FIRE SERVICE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Beech Mountain Rural Fire Service District for this fiscal year 2015/16. This rate is based on a total base valuation of \$3,714,625 and a 99.90% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XVIII**TODD FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.07 per \$100 at full valuation is hereby established as the official tax rate for the Todd Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$91,625,735 and a 97.79% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XIX**NORTHWEST WATAUGA FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the portion of Northwest Watauga Fire District serviced by Beaver Dam Fire Department for this fiscal year 2015/16. This rate is based on a total base valuation of \$212,230,478 and a 96.84% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the portion of Northwest Watauga Fire District serviced by Fall Creek Fire Department for this fiscal year 2015/16. This rate is based on a total base valuation of \$19,138,100 and a 96.84% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XX**BLOWING ROCK RURAL FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Blowing Rock Rural Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$934,784,600 and a 97.99% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XXI**SHAWNEEHAW FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Shawneehaw Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$191,697,322 and a 97.49% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XXII**ZIONVILLE FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Zionville Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$228,740,779 and a 96.69% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XXIII**COVE CREEK FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Cove Creek Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$487,889,155 and a 96.53% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XXIV**MEAT CAMP FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the portion of Meat Camp Fire District serviced by Meat Camp Fire Department for this fiscal year 2015/16. This rate is based on a total base valuation of \$421,235,335 and a 95.81% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the portion of Meat Camp Fire District serviced by Creston Fire Department for this fiscal year 2015/16. This rate is based on a total base valuation of \$12,624,050 and a 85.20% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XXV**STEWART SIMMONS FIRE DISTRICT TAX**

An ad valorem tax rate of \$0.05 per \$100 at full valuation is hereby established as the official tax rate for the Stewart Simmons Fire District for this fiscal year 2015/16. This rate is based on a total base valuation of \$244,736,910 and a 98.22% collection rate, which does not exceed the collection rate experienced in the 2013/14 fiscal year.

SEC. XXVI**COUNTY TAX RATE ESTABLISHED**

An ad valorem tax rate of \$0.313 per \$100 at full valuation is hereby established as the official tax rate for Watauga County for this fiscal year 2015/16. This rate is based on a total base valuation of \$8,831,147,356 and an estimated 97.35% collection rate, which does not exceed the collection rate experienced during the 2013/14 fiscal year.

SEC. XXVII**SOLID WASTE FEES ESTABLISHED**

Commercial and Other Non-Residential Tipping Fees - \$53.00 per ton (includes scrap metal and demolitions)

Waste amounts less than one ton will be charged a prorated fee of \$53.00 per ton

Solid Waste Fee (per residence County-wide) - \$80.00 per year

Brush/Stub tipping fee - \$42.00 per ton

Tire trailer rental - \$150.00 per trailer drop

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SEC. XXVIII**PLANNING, INSPECTIONS FEES ESTABLISHED**

Building Permit	\$.30 per square foot heated space \$.15 per square foot unheated space
Modular Home	\$300.00 plus \$.15 per square foot for basement
Mobile Home	\$75.00 single wide / \$100 double wide
Penalty for building without permit	Double building permit fees. May be subject to additional trip fees if necessary
Alteration Permit	\$75.00
Sign Permit	\$50.00 on premise / \$100.00 for billboard
Trip Fee	\$75.00
Grading permit	\$150.00 per acre or part thereof; Individual home site less than 1 acre exempt
Floodplain Development Permit	\$150.00
Compliance and Review (For all ordinances not specifically named in fee schedule)	\$40.00 per permit / \$100.00 per site plan \$300.00 appeals, conditional use permits, variances \$400.00 amendments
Subdivision Plat Fees/ Manufactured Home Park Fees	\$30.00 per lot or building as applicable
Wireless Communication Tower Site	\$750.00
Wireless Co-location Permit	\$150.00
Wind Energy Systems	\$150 small / \$750 large
Sexually Oriented Business Permit	\$1,000.00
Road Name Change	\$500.00
Administrative Fees for Refunds	\$30.00 plus \$75.00 per inspection done

SEC. XXIX**FIRE CODE FEES AND PENALTIES ESTABLISHED**

Special User Permits for Specific Times:	
Fireworks-Public Display	\$25.00
Tents and Air Structures (30 day maximum)	\$25.00
Temporary kiosks or Merchandising Displays	\$25.00
Insecticide fogging or fumigation	\$25.00
Explosive Materials:	
Blasting Permits:	
Annually (1 Year)	\$100.00
48 Hours	\$40.00
Special Assembly:	
Gun show, craft show, etc	\$25.00
Bowling Pin and Alley:	
Resurfacing and Refinishing	\$25.00
Any other Special Function Requiring Fire Prevention:	
Bureau inspection and Approval	\$25.00
Special Test, Inspections and Services:	
Fire Report Copies	\$2.00
Existing Systems Tests:	
Sprinkler Certification Test	\$25.00
Fire Alarm Testing	\$25.00
Standpipe Certification Test	\$25.00
Grease Removal Test	\$25.00
Fixed Fire Suppression Test	\$25.00
Day Care Inspection	\$25.00
Residential Custodial Care and Nursing Homes	\$25.00
Certification of Occupancy Inspections	\$25.00
Underground Storage Tanks:	
Removal (per tank)	\$30.00
New Installations (per tank)	\$50.00
Hydrant Installations:	
Private contractors only	\$30.00
New Sprinkler Systems:	
Per square foot	\$0.05
Sprinkler Renovations	\$50.00
Standpipes	\$30.00
New Alarm Systems	\$35.00
Alarm System Renovations	\$50.00
Fixed Fire Suppression Systems	\$35.00
Renovations to the Systems	\$25.00
Fire Marshall Fire Reports	\$5.00

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SEC. XXX

**SPECIAL AUTHORIZATION - COUNTY MANAGER AS
BUDGET OFFICER**

- A. The County Manager shall serve as Budget Officer and shall be authorized to reallocate departmental appropriations among the various objects of expenditure as he believes necessary.
- B. The County Manager shall be authorized to effect interdepartmental transfers, in the same fund, not to exceed 10% of the appropriated monies for the department whose allocation is reduced. Notation of all such transfers shall be made to the Board at the next regularly scheduled Board meeting.
- C. He may make interfund loans for a period of not more than 60 days.
- D. Interfund transfers established in the budget, may be accomplished without recourse to the Board.
- E. The County Manager (Budget Officer) shall be compensated \$4,414.22 salary on a bi-weekly basis for FY 2015/16.

SEC. XXXI

RESTRICTIONS - COUNTY MANAGER (BUDGET OFFICER)

- A. The interfund transfers of monies, except as noted in XXX (paragraphs C and D), shall be accomplished by Board authorization only.
- B. Salary increases shall be granted in accordance with the official pay plan of Watauga County, duly adopted by the Board of Commissioners.
- C. Utilization of appropriations established in the following funds may be accomplished only with the express approval of the Board:
 - 1. Debt Service Fund
 - 2. Capital Projects Fund
- D. The County Manager shall be authorized to reallocate contingency funds from the General Administration budget. Such transfers or expenditures shall be reported to the Board at its next regular meeting, and recorded in the minutes per NC General Statute 150-13(b)(3).

SEC. XXXII

UTILIZATION OF BUDGET AND BUDGET ORDINANCE

This Ordinance and the Budget Document shall be the basis of the financial plan for the Watauga County Government during the 2015/16 fiscal year. The Budget Officer shall administer the budget, and he shall insure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The accounting section shall establish records which are in accordance with the budget and this ordinance and the appropriate statutes of the State of North Carolina.

State derived reimbursement revenues are budgeted based on current State of North Carolina law. If these reimbursements are eliminated or otherwise altered, these alterations will be reflected by budget amendments at a later date.

Jimmy Hodges, Chairman

ATTEST:

Anita Fogle, Clerk to the Board

(SEAL)

AGENDA ITEM 11:**MISCELLANEOUS ADMINISTRATIVE MATTERS*****A. Watauga Medics Proposed Contract Revision – Second Ratifying Vote of Additional Revision*****MANAGER’S COMMENTS:**

Per discussion at the County’s Annual Retreat, enclosed is a copy of the changes to the current Franchise Agreement with Watauga Medics. The major change is to allow Watauga Medics to increase their rates to maximize Medicaid dollars. This change would result in a reduction in the County’s annual supplement and allow the savings to fund an ambulance study and the additional utility costs associated with the new ambulance station.

North Carolina General Statute 153A-46 requires grants, renewals, extensions, or amendments of any franchise to be passed at two regular meetings of the Board of Commissioners before it may be officially adopted.

At the last Board meeting, a change was made thus requiring the reading of the contract at the May 19, 2015 meeting. However, during the editing of the document, staff identified an additional change regarding the subsidy amount. The subsidy amount did not reflect the \$12,000 reduction due to the change in Medicaid rates. The new base subsidy will be \$951,885.84. Staff incorporated the change into the document enclosed.

This is the second reading and staff recommends approval of the contract for adoption.

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

AMBULANCE FRANCHISE AGREEMENT

THIS AMBULANCE FRANCHISE AGREEMENT (hereinafter "Agreement") is made and entered onto this the 1st day of July 2015 by and between **WATAUGA COUNTY**, a body politic, organized and existing under and by virtue of the laws of the State of North Carolina (hereinafter the "County"), and **WATAUGA MEDICS, INC.**, a North Carolina corporation, (hereinafter "Franchisee").

WHEREAS, effective October 4, 1999, the Watauga County Board of Commissioners, by authority contained in NC.G.S, 153A-250, adopted titled "Watauga County Ambulance Franchise Ordinance" (hereinafter the "Ordinance"); and

WHEREAS, County and Franchisee executed an Ambulance Franchise Agreement dated November 16, 2004, pursuant to the Watauga County Ambulance Franchise Ordinance, pursuant to the authority granted to the County by NCGS 153-250; and

WHEREAS, pursuant to said Ordinance, the County issued a Request For Proposal (hereinafter the "RFP") soliciting bids and specifying certain minimum conditions of any franchise to be issued pursuant thereto; and

WHEREAS, Craig J. Sullivan, on behalf of Watauga Medics, Inc., submitted a written bid entitled *Bid Proposal for Watauga County Ambulance Service* (hereinafter the "Bid") pursuant to said RFP; and

WHEREAS, the County, at its November 1, 2004, meeting resolved to accept the Bid Option 3-1 contained in said bid, to wit: that the bidder will provide service (as further specified below) with the County to provide an annual subsidy of as set forth below in monthly installment; and

WHEREAS, at the February 20, 2007, meeting of the Watauga County Board of County Commissioners, the County agreed to amend the agreement to clarify and restated the subsidy payment that were paid or are to be paid pursuant to the Agreement; and

WHEREAS, the parties have discussed an extension of the Agreement between the County and Franchisee in an effort to lock-in costs to the County and allow for the Franchisee to expand his operations to improve services in Watauga County.

NOW, THEREFORE, in consideration of the premises and the mutual benefits and obligations set forth below, the County and the Franchisee agree as follows:

1. The County does hereby grant unto Franchisee a non-exclusive franchise for the operation of an ambulance service for the provision of emergency and non-emergency medical transport services, in accordance with the Ordinance, the RFP, the bid and this Agreement for a period of seven years.
2. This franchise may not be sold, assigned or transferred nor may it in any way vest in any person, firm or corporation, other than the Franchisee and any such sale, transfer or assignment shall cause this franchise to terminate immediately, at the opinion of Watauga County.
3. Any change in legal or equitable ownership of Franchisee, its corporate shares, or any of its equipment shall immediately terminate the Franchise, at the option of Watauga County.
4. The initial term of the Franchise shall be from 12:00 A.M. on January 1, 2014, and through and including the 31st day of December, 2020. Either party, for any reason, may with or without cause terminate this agreement and the Franchise upon one hundred eighty (180) calendar days written notice to the other party, unless sooner terminated for reasons set forth in the Ordinance or by agreement of the parties hereto.
5. At the end of the aforesaid term, unless the parties agree otherwise in writing or either party has given notice of termination as aforesaid, the Franchise and all of the terms of this Agreement (subject to any amendments as may be entered into) shall be automatically renewed for continuing one-year terms.
6. The Franchise shall provide all personnel, vehicles, supplies and equipment to provide all emergency and non-emergency ambulance service necessary in all parts of Watauga County on a 24 hour per day, 7 day per week basis, at not less than an EMT-Paramedic level of service (except so long as an agreement for such acceptable to the County is in place, the Franchise may provide ambulance service to the Flat Springs area of Avery County in exchange for Avery County's providing pursuant to agreement with Franchise ambulance service to the Town of Beech Mountain in Watauga County. It is understood that each ambulance transport that occurs in Avery County as the result of the above agreement allows the franchisee to bill the patient and to bill the County an additional \$500.00) Each ambulance of the Franchisee shall be available to render assistance to all portions of Watauga County.
7. Franchisee shall keep two (2) two-wheel drive ambulances and two (2) four-wheel drive ambulances fully equipped, licensed and available for emergency and non-emergency service at all times, subject to routine maintenance down time. As of January 1, 2014, Franchisee shall keep three of the ambulances manned and

available on a 24 hour per day, 7 day per week basis and a third ambulance manned and available nine hours per day, Monday through Saturday, six (6) days per week. Not less than two (2) ambulances will be kept within the County at all times for services pursuant to this Agreement, one of which will be manned and the other of which will be manned or will have personnel on call for immediate service. Each ambulance necessary to meet the foregoing requirements shall have less than 50,000 miles on it at the time initially put in service by Franchisee. Franchisee will immediately notify the County in writing of any additions or the deletions to its inventory of operational ambulances.

8. The Franchisee shall maintain not less than two (2) bases, two of which will be provided by the County as set forth below. The Franchisee must bear all responsibility for finding other station(s) and the costs associated with acquiring, equipping, and maintaining such.
9. Franchisee's first base of operations will be located at the facilities owned by the County at 921 West King Street, Boone, North Carolina 28607, or such other location as may be provided by the County. The County will make available, at no charge to Franchisee, said the facilities currently located at 921 West King Street, Boone, North Carolina 28607, specifically consisting of 5,263 square feet, including a garage, offices, sleeping area and a training room. The County shall provide property and casualty hazard insurance for the structure at said location. The Franchisee must bear all utilities, maintenance, medical supplies, equipment and other necessary expenses associated with said facilities provided by the County. Franchisee's obligation to provide maintenance to the structure shall be limited to repairs of ordinary wear and tear to the reasonable satisfaction of the County. Franchisee's two propane heaters and the lift located in the bay area of the building shall remain the property of Franchisee, so long as Franchisee repairs any damage to the building caused by their removal.
10. The County will provide a second base of operations, **upon completion**, on the western end of the County to be located at 193 US Hwy 321 North, Vilas, North Carolina 28607 with similar arrangement as above.
11. The Franchisee shall maintain a second base to be located at 133 Longvue Dr., Boone, North Carolina and the Franchisee shall be solely responsible for providing all things necessary for operation of the service at the second base, including but not limited to the building, utilities, maintenance, medical supplies, equipment and necessary operational expenses associated with the facilities.
12. Each ambulance used by Franchisee must be in compliance with all applicable Federal, State, and local laws relating to personnel, health, safety, equipment, vehicle design, and sanitation. Franchisee shall keep the County provided with a copy of the current State certification for each ambulance owned or operated by Franchisee.

13. The Franchisee shall be responsible for all future capital purchase and all operational, including (but not limited to) salaries, employee benefits and expenses, insurance, mobile operational costs, and all other fees, expenses, and charges necessary to remain in compliance with the County's ordinance and the franchise granted to the Franchisee.
14. The Franchisee shall provide the County with a list of all of its equipment which is in service, on not less than an annual basis, and the Franchisee shall assure that all of its equipment in use will be removed from service once it becomes obsolete or needs to be replaced due to normal wear and tear.
15. Each ambulance of Franchisee shall be equipped with an eight (8) channel VHF radio. Frequencies shall be assigned by the Communications Center designated by the County. Franchisee shall relay all ambulance movements to the Communications Center designated by the County, via two-way radio.
16. The Franchisee shall assure that its EMS personnel have access to operational Franchisee issued pagers, or other communication devices along with accurate phone lists are on file to notify said personnel if the regular squads of the Franchisee are unable to handle the volume of calls that may come in from time to time.
17. The Franchisee shall at all times meet the following performance standards:
 - a. The average response time for an ambulance, calculated on a Monthly basis, shall not exceed ten minutes.
 - b. Franchisee shall place no required ambulance in service for initial operation that has more than 50,000 miles.
18. The Franchisee shall not allow any paramedic to practice in Watauga County until he or she has passed an oral examination given by a panel approved by ~~of~~ the Medical Director along with any other reasonable standards as set forth by the Medical Director. It will be the responsibility of the County to coordinate with the Franchisee to ensure a qualified Medical Director remains active in the system.
19. The Franchisee shall enter into and assure the existence of mutual aid agreements with ambulance services in counties adjoining Watauga County to provide assistance in the event of disaster or other special need, said agreements to be at the sole expense of the Franchisee. Additionally, the Franchisee shall implement and keep in place a Reserve Program, creating a County-wide manpower bank to be available in the event of a disaster or other special need. All training will be open to Reserves and any other individuals with NC Basic EMT Certification, or

higher, who also meet Franchisees other reasonably developed standards. The Franchisee shall make all reasonable efforts to provide "ride time" to said reserves, to keep their skills current.

20. Franchisee shall enter into mutual aid agreements to have and make available assistance of and to all volunteer rescue squads in the County when requested by the County, the Franchisee or the volunteer rescue squads.
21. The Franchisee shall make its resources available to Watauga County Emergency Management Office during its emergency activities, and during any declared State of Emergency shall work in conjunction with the Emergency Operations Center.
22. The Franchisee shall oversee a First Responder program, which the Franchisee will assist the local fire departments with the needs of the program. The Franchisee shall assist in the development and implementation of operating guidelines for the program, and shall restock the supplies (not to include capital equipment or any drugs such as epi pens) used in the services of the First Responder. Further, the Franchisee shall coordinate continuing education requests and other training for all First Responders, as appropriate. All of the foregoing shall be provided to the program and First Responders at no cost to the First Responders or their sponsoring agency or agencies, all with no additional cost to the County.
23. The Franchisee shall operate on a fee for services basis, and shall only issue the following charges (when incurred) at the following rates, which are hereby approved by the County:
 - a. Rates for BLS calls: \$300.00
 - b. Rates for ALS calls:

(non-emergency)	\$325.00
(Emergency)	\$415.00
ALS II:	\$550.00
 - c. Charge per mile: \$9.00
 - d. Waiting time per hour (after first hour) \$25.00
 - e. No transport calls:

A charge of \$50.00 is authorized for no transport calls when Franchisee responds to assist patients who just need assistance or patients who have initiated a 911 call and have changed their mind once Franchisee arrived. No charge under this subsection may be assessed when a 911 call is made by a bystander without the request of the injured party.

No other fees, expenses, or charges may be made without prior Resolution of the County's Board of Commissioners approving such.

24. The Franchisee shall be responsible for billing and collection of its fees, charges and expenses. The Franchisee must submit for payment from, third-party payers and accept assignment of Medicare and Medicaid Franchisee shall maintain accurate records of its charges and reimbursements from Medicare and other sources of all charges pursuant to the foregoing authorized increases, and shall compile and maintain such information in a form useful to the County, which information shall be shared from time to time with the County, as the County may desire.
25. Franchisee shall maintain all records required by Sect XII of the Ordinance and shall submit to the County by the 15th of the month following each quarter a data sheet containing all of the information specified in subsection f of said Section of the Ordinance. The Franchisee shall submit an annual report containing all of the information required by said Section and further specified by subsection g of said Section by the 15th day of the month following the last quarter of each year. The Franchisee shall maintain the aforesaid records in an organized fashion, and allow the County full access to said information as the County deems appropriate. By the 15th of May of each year, the Franchisee shall submit to the County manager a budget of how it intends to spend the County's funds in the upcoming fiscal year, and within ninety (90) days of the end of the Franchisee's fiscal year, the Franchisee shall furnish the County a full and complete certified audit of Franchisee's operations conducting by a CPA in accordance with generally accepted auditing standards of Franchises's operations, which shall include a fully-audited financial statement of the Franchisee. The Franchisee's fiscal year shall be from 1 January to 31 December of each year.
26. Each year, Franchisee shall provide the County a detailed explanation of its billing policies, sufficient to allow County to fully understand the billing methods and practices of the Franchisee.
27. Franchisee shall fully allow the County to inspect all records, premises and equipment of the Franchisee at any time in order to confirm and insure compliance with the ordinance and the franchise granted herein.
28. In providing ambulance service as described herein the Franchisee shall comply with all laws of the United States, the State of North Carolina and the County of Watauga, including rules and regulations promulgated by the Medical Care Commission and the NC Medical Board, and resolutions and ordinances of the Watauga County Board of Commissioners. Further, the Franchisee shall abide by all applicable US and North Carolina Labor laws, including, but not limited to, Occupational Safety and Health regulations, Fair Labor Standards Act and the Americans with Disabilities Act and regulations pursuant thereto. The County shall have the right to inspect all records pertaining to these labor laws and ensure

compliance by the Franchisee. The Franchisee shall maintain records on all employee training conducted pursuant to Occupational Safety and Health regulations and shall make these available to the County upon request

- 29. Franchisee shall maintain in place an escrow account, a surety bond, an irrevocable letter of credit, or other guarantee or undertaking satisfactory to the County attorney, in an amount equal to the amount of the contract subsidy applicable to any one hundred eighty (180) day period following the date such obligation may arise to assure payment to the County for any liability of the Franchisee to the County arising out of this Agreement, of the Ordinance, or of Franchisee's operation, and to pay for any substitute performance the County may cause to be provided upon Franchisees default in performance hereunder or under the Ordinance.
- 30. The Franchisee agrees and acknowledges that the above-referenced facilities of the County located at 921 West King Street, Boone, North Carolina are fully adequate facilities for the housing of their base operation at said location.
- 31. For the period of this agreement, the County shall prepay to Franchisee an annual subsidy in monthly installments as follows:

Jan. 1, 2014 - Dec. 31, 2014:	\$958,518.12 \$951,885.84 + CPI waived.
Jan. 1, 2015 - Dec. 31, 2015:	Previous Years amount+ CPI adjustment
Jan. 1, 2016 - Dec. 31, 2016:	Previous Years amount+ CPI adjustment
Jan. 1, 2017 - Dec. 31, 2017:	Previous Years amount+ CPI adjustment
Jan. 1, 2018 - Dec. 31, 2018:	Previous Years amount+ CPI adjustment
Jan. 1, 2019 - Dec. 31, 2019:	Previous Years amount+ CPI adjustment
Jan. 1, 2020 - Dec. 31, 2020:	Previous Years amount + CPI adjustment

(this amount to be adjusted by the CPI as explained below. Each year thereafter the previous year's amount will be adjusted as explained below:

On each January 1, commencing on January 1, 2015, the agreed-upon County subsidy shall be adjusted and revised as follows:

- a. 60 percent of the adjustment shall reflect the annual increase or decrease of the Consumer Price Index (CPI) South Urban Size C, as published by the US Department of Labor, Bureau of Labor Statistics.
- b. 20 percent of the adjustment shall reflect the annual increase or decrease of the CPI, Medical Care Services as published by the US Department of Labor, Bureau of Labor Statistics.
- c. 20 percent of the adjustment shall reflect the annual increase or decrease of

the CPI, Transportation, as published by the US Department of Labor, Bureau of Labor Statistics.

In the event the CPI components produce a negative adjustment, once totaled, the Subsidy amount will not be adjusted. In the event the CPI components produce a percentage greater than 6% the annual increase will be 6% plus one-half (50%) of the amount over 6% up to 10% (For Example, if the CPI escalator is computed at 7.4% the annual increase would be 6.7% or $6\% + .50 \times 1.4 = 6.7$). Any amount over 10% will not be considered for adjustment i.e. the maximum adjustment will be 8%. Or $6\% + .50 \times 4\% = 8\%$).

32. The County will calculate the adjustment based upon the most recent November annual report of Franchisee as compared to the report of the previous November. (For example, the January 1, 2015, adjustment will reflect the CPI changes between November 2013 and November 2014.)
33. Franchisee shall at all times during the existence of the Franchise, keep in full force and effect the insurance coverage as required by Section X of the Ordinance entitled "Insurance" and all insurance required by law, including liability insurance on its vehicles and workers' compensation coverage for its personnel. Franchisee shall provide proof of coverage to the County and to assure that each insurance policy contains provisions that assure that the County receives at least 90 days prior notice from each carrier of any lapses, cancellations, denials, changes or limitations in coverage. The County shall be shown as an additional insured on all of Franchisee's liability insurance.
34. The Franchisee shall indemnify and hold harmless the County and its officers and employees from and against all suits, actions, liability, claims, demands, judgments, recoveries or expenses, including court costs and attorney's fees, against or incurred by the County on account of or in any way connected with or arising from any claim of injury, loss or damage which arises out of or is in any manner connected with Franchisee's operations; including, but not limited to any claim or injury, loss or damage, suit, action, liability, claim, demand, judgment, recovery, or expense caused or alleged to be caused in whole or in part by any negligent act, omission, error, professional error, mistake, accident or other fault of the Franchisee, any subcontractor of the Franchisee, or an officer, employee or agent of the Franchisee.
35. Franchisee is to provide ambulance service as an independent contractor and neither Franchisee nor any of its personnel shall be an employee, agent or representative of the County in any way.
36. The Franchisee and its agents, contractors and subcontractors shall not discriminate on the basis of race, color, creed, national origin, ancestry, age, sex,

religion or disability in any policy or practice and Franchisee shall assure that any agreements or practices it enters into or engages in expressly provide for such nondiscrimination.

- 37. This Agreement is entered into pursuant to the RFP which Franchisee acknowledges; to the Ordinance and all amendments as may be made thereto, which Franchisee is and will remain familiar with and agrees to fully abide by; to the bid by Watauga Medics, Inc., and to the County's resolutions of November 1, 2004, accepting said bid. Except to the extent this Agreement imposes standards above the minimum standards specified in the Ordinance, in the event of any inconsistency among or between the foregoing, the Ordinance shall control and as between this Agreement and the RFP, the Bid, and the Resolution, this Agreement shall control, but all of the terms of the aforesaid documents not inconsistent with the other documents shall remain in and have full force and effect.
- 38. Should any portion of this Agreement be ruled or determined invalid, such invalidity shall not effect the enforceability of the remaining portions hereof. This Agreement shall not be amended or modified except in writing, signed by all parties hereto, with the County's consent to such modification to be only by prior resolution of its Board of Commissioners.

IN TESTIMONY WHEREOF, the said parties hereto have hereunto caused this instrument to be signed in their names by their duly authorized officers.

WATAUGA COUNTY

WATAUGA MEDICS, INC.

By: _____
Jimmy Hodges, Chairman
Watauga County Board of Commissioners

By: _____
Craig Sullivan, President

ATTEST:

Anita J. Fogle
Clerk to the Board

Chasity Profitt
Corporate Secretary

(SEAL)

(SEAL)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Margaret Pierce, Watauga County Finance Officer

AGENDA ITEM 11:**MISCELLANEOUS ADMINISTRATIVE MATTERS*****B. Proposed Revision to the NC State Highway Patrol Lease*****MANAGER'S COMMENTS:**

At the April 7, 2015 Board meeting, approval was given to the lease renewal for office space at the Law Enforcement Center for the North Carolina State Highway Patrol (NCSHP) which expired March 31, 2015. The requested renewal amount is \$4,560 annually for a term of one year with two one year extensions. However, due to the amount of time that it required for approval of the lease, the State is requesting the effective date be July 1, 2015 to coincide with the fiscal year. The months of April, May, and June were considered as month-to-month extensions.

Board approval is requested to change the effective date of the North Carolina State Highway Patrol (NCSHP) lease from April 1, 2015 to July 1, 2015.



County of Watauga

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

BOARD OF COMMISSIONERS

Jimmy Hodges, 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

May 18, 2015

Mr. Ronald Moore
Property Manager
NC Department of Public Safety
Purchasing and Logistics
MSC 4227
3030 Hammond Business Place
Raleigh, NC 27603

Dear Mr. Moore:

Please find enclosed two original signed and notarized lease agreements for NC State Highway Patrol office space at the Watauga County Law Enforcement Center located at 184 Hodges Gap Road, Boone, NC. Please return one original executed lease agreement to my attention at 814 West King Street, Suite 205, Boone, North Carolina 28607. If you need further information or have questions, please feel free to contact me.

Sincerely,

Anita J. Fogle
Clerk to the Board

Enclosures

THIS LEASE DOES NOT BECOME EFFECTIVE UNTIL EXECUTED BY THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY

STATE OF NORTH CAROLINA

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this the 17th day of April, 2015, by and between COUNTY of WATAUGA, hereinafter designated as Lessor, and the STATE OF NORTH CAROLINA, hereinafter designated as Lessee;

WITNESSETH:

WHEREAS, authority to approve and execute this lease agreement was delegated to the Department of Administration by resolution adopted by the Governor and Council of State on the 1st day of September, 1981; and as amended on November 7, 1984; and

WHEREAS, the Department of Administration has delegated to this State agency the authority to execute this lease agreement by a memorandum dated the 11th day of March, 2003; and

NOW THEREFORE, in consideration of the rental hereinafter agreed to be paid and the terms and conditions hereinafter set forth, Lessor does hereby let and lease unto Lessee and Lessee hereby takes and leases from Lessor for and during the period of time and subject to the terms and conditions hereinafter set out certain space in (See Below) County of Watauga, North Carolina, more particularly described as follows:

Being +/- 365 net square feet of office space located at 184 Hodges Gap Road, Boone, Watauga County, North Carolina.

(DEPARTMENT OF PUBLIC SAFETY – SHP)

THE TERMS AND CONDITIONS OF THIS LEASE AGREEMENT ARE AS FOLLOWS:

1. The term of this lease shall be for a period of **one (1) year** commencing on the **1st. day of April, 2015** or as soon thereafter as the leased premises are ceded to the Lessee and terminating on the **30th. day of March, 2016**.

2. The Lessee shall pay to the Lessor as rental for said premises the sum of **\$4,560.00** Dollars per term to be payable in equal monthly installments of **\$380.00** Dollars within fifteen (15) days from receipt of invoice.

Renewal Option: The Lessee shall have the option to renew this lease for two (2) additional one (1) year periods and shall provide to the Lessor no less than sixty days (60) written notice of the intent to so renew reior to the lease expiration date. The terms and conditions of this lease shall remain the same during the renewal periods. The Lessor may relocate the Lessee to suitable and comparable premises owned by the Lessor for the renewal periods if deemed advisable by the Lessor and meets the operational needs of the Lessee.

The Lessee agrees to pay the aforesaid rental to Lessor at the address specified, or, to such other address as the Lessor may designate by a notice in writing at least fifteen (15) days prior to the due date.

3. Lessor agrees to furnish to the Lessee, as a part of the consideration for this lease, the following services and utilities to the satisfaction of the Lessee.

- A Heating facilities, air conditioning facilities, adequate electrical facilities, adequate lighting fixtures and sockets, hot and cold water facilities, and adequate toilet facilities.
- B. Janitorial services and supplies including maintenance of lawns, parking areas, common areas and disposal of trash.
- C. Parking as available.
- D. The lessor covenants that the leased premises are generally accessible to persons with disabilities. This shall include access into the premises from the parking areas (where applicable), into the premises via any common areas of the building and access to an accessible restroom.

4. During the lease term, the Lessor shall keep the leased premises in good repair and tenantable condition, to the end that all facilities are kept in an operative condition. Maintenance shall include, but is not limited to furnishing and replacing electrical light fixture ballasts, air conditioning and ventilating equipment filter pads, if applicable, and broken glass. In case Lessor shall, after notice in writing from the Lessee in regard to a specified condition, fail, refuse, or neglect to correct said condition, or in the event of an emergency constituting a hazard to the health or safety of the Lessee's employees, property, or invitees, it shall then be lawful for the Lessee in addition to any other remedy the Lessee may have to make such repair at its own cost and to invoice the amount thereof to the Lessor. The Lessor reserves the right to enter and inspect the leased premises, at reasonable times, and to make necessary repairs to the premises.

5. It is understood and agreed that Lessor shall, at the beginning of said lease term as hereinabove set forth, have the leased premises in a condition satisfactory to Lessee, including repairs, painting, partitioning, remodeling, plumbing and electrical wiring suitable for the purposes for which the leased premises will be used by Lessee.

6. The Lessee shall have the right during the existence of this lease, with the Lessor's prior written consent, to make alterations, attach fixtures and equipment, and erect additions, structures or signs in or upon the leased premises. Such fixtures, additions, structures or signs so placed in or upon or attached to the leased premises under this lease or any prior lease of which this lease is an extension or renewal shall be and remain the property of the Lessee and may be removed therefrom by the Lessee prior to the termination of this lease or any renewal or extension thereof, or within a reasonable time thereafter. The Lessee shall have no duty to remove any improvement or fixture placed by it on the premises or to restore any portion of the premises altered by it. In the event Lessee elects to remove his improvements or fixtures and such removal causes damage or injury to the demised premises, Lessee will repair only to the extent of any such damage or injury.

7. If the said premises be destroyed by fire or other casualty without fault of the Lessee, this lease shall immediately terminate and the rent shall be apportioned to the time of the damage. In case of partial destruction or damage by fire or other casualty without fault of the Lessee, so as to render the premises untenable in whole or in part,

there shall be an appointment of the rent until the damage has been repaired. During such period of repair, Lessee shall have to right to obtain similar office space at the expense of the Lessee or the Lessee may terminate the lease by giving fifteen (15) day s written notice to the Lessor.

8. Lessor shall be liable to Lessee for any loss or damages suffered by Lessee which are a direct result of the failure of Lessor to perform an act required by this lease, and provided that Lessor could reasonably have complied with said requirement.

9. Upon termination of this lease, the Lessee will peaceably surrender the leased premises in as good order and condition as when received, reasonable use and wear and damage by fire, war, riots, insurrection, public calamity, by the elements, by act of God, or by circumstances over which Lessee had no control or for which Lessor is responsible pursuant to this lease, excepted.

10. The Lessor agrees that the Lessee, upon keeping and performing the covenants and agreements herein contained, shall at all times during the existence of this lease peaceably and quietly have, hold, and enjoy the leased premises free from the adverse claims of any person.

11. The failure of either party to insist in any instance upon strict performance of any of the terms and conditions herein set forth shall not be construed as a waiver of the same in any other instance. No modification of any provision hereof and no cancellation or surrender thereof shall be valid unless in writing and signed and agreed to by both parties.

12. Any hold over after the expiration of the said term or any extension thereof, shall be construed to be a tenancy from month to month, and shall otherwise be on the terms and conditions herein specified, so far as applicable; however, either party shall give not less than sixty (60) days written notice to terminate the tenancy.

13. The parties to this lease agree and understand that the continuation of this lease agreement for the term period set forth herein, or any extension or renewal thereof, is dependent upon and subject to the appropriation, allocation or availability of funds for this purpose to the agency of the Lessee responsible for payment of said rental. The parties to this lease also agree that in the event the agency of the Lessee or that body responsible for the appropriations of said funds, in its sole discretion, determines, in view of its total local office operations that available funding for the payment of rents are insufficient to continue the operation of its local offices on the premise leased herein, it may choose to terminate the lease agreement set forth herein by giving Lessor written notice of said termination, and the lease agreement shall terminate immediately without any further liability to Lessee.

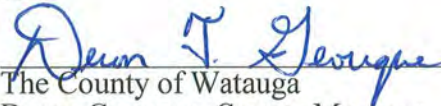
14. All notices herein provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows: To the Lessor at **814 W. King Street, Suite 205, Boone, North Carolina 28607** and the Lessee at **4227 Mail Service Center, Raleigh, North Carolina 27699-4227**. Nothing herein contained shall preclude the giving of such notice by personal service. The address to which notices shall be mailed as aforesaid to either party may be changed by written notice.


“N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.”

IN TESTIMONY WHEREOF, this lease has been executed by the parties hereto, in duplicate originals, as of the date first above written.

STATE OF NORTH CAROLINA

By: _____ (SEAL)
Joanne Rowland,
Director of Purchasing & Logistics

LESSOR:
 (SEAL)
The County of Watauga
Deron Geouque, County Manager

ATTEST:

Secretary
(CORPORATE SEAL)

STATE OF NORTH CAROLINA
COUNTY OF Watauga

I, Tammy G. Adams, a Notary Public in and for the County and State aforesaid, do hereby certify that **Deron Geouque**, personally came before me this day and acknowledged that he is the **County Manager**, and that by authority and given as an act of **Watauga County** and acknowledged the due execution of the foregoing instrument in its name.

WITNESS my hand and Notarial Seal, this the 18th day of May, 2015.

Jay D. Adams
Notary Public

My Commission Expires:
August 5, 2017



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AGENDA ITEM 11:

MISCELLANEOUS ADMINISTRATIVE MATTERS

C. Discussion of Ethics Training Opportunity

MANAGER'S COMMENTS:

Each newly elected Commissioner is required to have a minimum of two clock hours of ethics education within twelve months after their initial election. Staff can arrange for a webinar to meet this requirement, if you so choose. In the past, the County has paid for the webinar and allowed the elected officials of the municipalities to participate at no charge.

Direction from the Board is requested.

Ethics for Local Elected Officials Live and On Demand Webinars

This is the webpage for the yearly Live and On Demand Ethics training for local elected city and county governing board members. These webinars satisfy the 2 clock hours of local ethics training required by state law for elected and appointed members of city councils and county boards of commissioners. This training is required to be completed within 12 months of election day and is required every time they are elected, re-elected or appointed to a local office.

The **LIVE webinar is \$125 for your whole board** and takes place every May. You can purchase it in March of each year from this page. You will also receive the On Demand Webinar at no additional charge when you purchase the Live webinar. More details about this is covered in the preparation instructions further down this page.

The **ON DEMAND webinar is \$125 for your whole board** and can be purchased separately from the Live webinar. You may purchase and watch this webinar beginning every June through October 31st. The On Demand webinar can be watched as many times as needed and from any desktop. After October 31st, the next online opportunity will be the following May again.

Additional Ethics Training-follow the Link www.sog.unc.edu/programs/ethics (<http://www.sog.unc.edu/programs/ethics>) where you also find related statutes, FAQ's, model codes of ethics, relevant blog posts, publications, and links to contacts at the School of Government

What you need to know before you purchase

A. Webinars are **non-refundable** once purchased so purchase carefully

B. Who this training does NOT cover:

Individuals serving on state boards subject to the State Government Ethics Act (SGEA): Local elected officials who also serve on a state board that is subject to the State Government Ethics Act (SGEA), including local community college boards, are required to take ethics training that is offered through the State Ethics Commission. The SOG ethics-training program for local elected officials does NOT satisfy the state ethics training, and the state ethics training does NOT satisfy the local elected official ethics-training which is offered through this page. Consequently, local elected officials who also serve on a state board subject to the SGEA, must take both the state and the local ethics training programs. Officials who need to complete state ethics training should:

- Contact their ethics liaison for training, or
- Complete the online training available on State Ethic Commission website: (<http://www.ethicscommission.nc.gov/education/default.aspx> (<http://www.ethicscommission.nc.gov/education/default.aspx>))

Local ABC Boards: For individuals who serve on a local ABC board, there is a separate training required. The SOG ethics-training program for local elected officials does NOT satisfy the local ABC Board training, and the local ABC Board training does NOT satisfy the local elected official ethics-training. Here is the link to the webinar page for local ABC Boards. <http://www.sog.unc.edu/Node/30286> (<http://www.sog.unc.edu/node/30286>)

School Boards: Please contact your School Board Association for further information.

C. A note to boards:

Boards are advised to give special meeting notice for ethics training sessions if a majority of the board might be in attendance at the event. This is in keeping with the spirit of the ethics law, and out of an abundance of caution concerning the legal requirements for board meetings.

Purchasing the Webinar

A. Who should purchase from your unit:

- The person coordinating the webinar should be the one to purchase it in his/her name. This person will be responsible for receiving the access link which is sent to the email address used to purchase the webinars. It will be up to this person to communicate and/or complete the WEBINAR PREPARATION CHECKLIST section further down this page.
- Is your board attorney watching the webinar? The NCBar requires attorneys on your board who wish to claim CLE (Continuing Legal Education) credit to purchase the webinar separately in their name. These webinars are pre approved for your attorneys to claim 2 hours of General CLE credit (not Professional Responsibility Credit).
- Do you have to purchase the webinars for each person watching from your board? No. Purchase the webinar one time for your unit. (except for attorneys noted above). Our shopping cart indicates you should purchase a course separately for each person attending. This does not apply to these webinars.
- Adding no-reply@sog.unc.edu (<mailto:no-reply@sog.unc.edu>) and smhutch@sog.unc.edu (<mailto:smhutch@sog.unc.edu>) to your contacts will increase the chance of the email getting through.

Click on the purchase button in the upper right blue box on this page to begin. If you need a receipt, make sure you print the confirmation page at the end of the purchase process. Our registration department can also provide a receipt/invoice if you need one.

Issues with purchasing? Simply email our registration department directly at registration@sog.unc.edu (<mailto:registration@sog.unc.edu>) for issues with the registration/purchase process, passwords, or logging in. Provide your phone number and brief summary of your issue and someone from that department will contact you shortly. This is the fastest way to get assistance as there are multiple people in that department who can respond to you quickly.

Materials for the Webinar:

3 items that need to be printed and available to participants: You will use these during the webinar

- [Scenarios for the Webinar](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/4.5%20Ethics%20Case%20Problems.pdf) (<http://www.sog.unc.edu/sites/www.sog.unc.edu/files/4.5%20Ethics%20Case%20Problems.pdf>)
- [Ethics Voting Guide](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/6.6%20Voting%20Guide%20-%202013Revised%20FINAL.pdf) (<http://www.sog.unc.edu/sites/www.sog.unc.edu/files/6.6%20Voting%20Guide%20-%202013Revised%20FINAL.pdf>)
- [Conflicts and Gifts Decision Tree](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/6.8%20Conflicts%20and%20Gifts%20Decision%20Tree%20Handout.pdf) (<http://www.sog.unc.edu/sites/www.sog.unc.edu/files/6.8%20Conflicts%20and%20Gifts%20Decision%20Tree%20Handout.pdf>)

Other Resources you may wish to have:

- [PDF of the Presentation](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Ethics%20for%20Elected%20Officials%20%2805-20-15%29%20PDF.PDF) (<http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Ethics%20for%20Elected%20Officials%20%2805-20-15%29%20PDF.PDF>) (will be posted by Monday May 18th)
- [Blog Posts Compilation](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Ethics%20Blog%20Posts%20Compilation%20-%202014%20Webinar.pdf) (<http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Ethics%20Blog%20Posts%20Compilation%20-%202014%20Webinar.pdf>)
- [Ethics and Conflicts of Interest](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/CMG%2007_Ethics.pdf) (http://www.sog.unc.edu/sites/www.sog.unc.edu/files/CMG%2007_Ethics.pdf) (Article 7 from *County and Municipal Government in North Carolina* (see below note))

NOTE: The *County and Municipal Government in North Carolina Book-2nd* edition which contains Article 7 above has just been released. This reference book provides a comprehensive treatment of the legal foundations, organization, and the administration of the North Carolina's counties and cities. This book describes the legal framework and common administrative practices that are currently in use and explains what counties and cities in North Carolina do, and how they do it. It is designed to meet the needs of elected and appointed county and city board members and employees who carry out the day-to-day functions mandated and authorized for local governments. It is available hard bound or electronic versions. You can find the book by clicking [here](http://shopping.netsuite.com/s.nl/c.433425/it.lid.586/f) (<http://shopping.netsuite.com/s.nl/c.433425/it.lid.586/f>). Articles can also be purchased individually.

Preparation Checklist:

To be reviewed/completed at least 1-2 weeks prior to the LIVE webinar or 3-5 days prior to viewing the On Demand webinar.

Click on the following link: [PREPARATION CHECKLIST](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Preparation%20for%20the%20Webinar_0-3.doc) (http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Preparation%20for%20the%20Webinar_0-3.doc)

ATTENDEES	All elected officials of North Carolina cities, counties, unified governments, sanitary districts, and consolidated city-counties.
FACULTY COORDINATOR	Norma Houston (http://www.sog.unc.edu/user/78)
DURATION	2 hours
CONTACT	Susan Hutchinson (/user/73) Program Manager 919.966.4171 smhutch@sog.unc.edu (mailto:smhutch@sog.unc.edu)
CANCELLATION POLICY	All cancellations must be submitted in writing, as outlined in the School's cancellation policy (/node/1524). No cancellation or refund is available for online courses and modules.

[Employee login](#)

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AGENDA ITEM 11:**MISCELLANEOUS ADMINISTRATIVE MATTERS***D. Boards and Commissions***MANAGER'S COMMENTS:**

Three vacancies will result as terms expire in June on the Economic Development Commission. Paul Combs has served 2 consecutive 3-year terms and is ineligible to be reappointed at this time. Lauren Waterworth would have done the same, but resigned as a member prior to her term expiring; her seat is currently vacant. Appointments for these two seats will be regular 3-year terms. Scott McKinney is relocating and has resigned as well. His term expires in June, 2016, therefore, an appointment to fill his unexpired term (which expires June 2016) will be needed.

This is a first reading and, therefore, no action is required at this time.

Anita.Fogle

From: Joe Furman
Sent: Thursday, May 07, 2015 8:14 AM
To: Deron.Geouque
Cc: Anita.Fogle; joseph@cheapjoes.com
Subject: boards and commissions
Attachments: EDC 12-1-14.doc

Deron,

Terms on the Economic Development Commission expire each June. This year there will be 3 vacancies. Paul Combs has served 2 consecutive 3-year terms and is ineligible to be reappointed at this time. Lauren Waterworth would have done the same, but resigned as a member prior to her term expiring; her seat has remained vacant until now. These will both be regular 3-year terms. Scott McKinney is relocating and will resign. His term expires in June, 2016, so an appointment will be needed to fulfill his unexpired term (1 year). The EDC membership as of the end of 2014 is attached. Thanks.

Joe

Joseph A. Furman, AICP
Director, Watauga County Planning & Inspections and Economic Development
331 Queen Street, Suite A
Boone, NC 28607
(828) 265-8043
(828) 265-8080 (fax)
joe.furman@watgov.org

WATAUGA COUNTY ECONOMIC DEVELOPMENT COMMISSION

METHOD OF APPOINTMENT: One member is a County Commissioner; thirteen members appointed by BCC. All vote.

COMPENSATION TO MEMBERS: None

REGULAR MEETING TIME & PLACE: 2nd Tuesday monthly 1:00 p.m.
Appalachian Enterprise Center conference room

<u>Present Members</u>	<u>Appointed</u>	<u>Term Expires</u>
Collins, Jeannine Underdown (Appointed by County)	8/11 3 year term 1 st term	June 2016
Evans, Ed (Appointed by County)	6/11 - 3 year term 2nd term	June 2017
Sofield, Tommy (Appointed by County)	6/11 - 3 year term 2nd term	June 2017
Waterworth, Lauren (Appointed by County)	8/09 -3 year term 2nd term	June 2015
Combs, Paul (Appointed by County)	6/09 -3 year term 2nd term	June 2015
Shoemake, Ben (Appointed by County)	6/11- 3 year term 2nd term	June 2017
Kaudelka, Walter (Appointed by County)	6/11 – 3 year term 1st term	June 2017
Joseph Miller (Appointed by County)	6/13 -3 year term 1st term	June 2016
Scott McKinney (Appointed by County)	12/14 – 3 year term fulfilling unfinished term	June 2016

Perry Yates, Commissioner**; a Boone Town Council representative, the Directors of Boone and Blowing Rock Chambers of Commerce and ASU Chancellor's designee serve as voting members.

* Beginning with those whose terms expire in 1992, the EDC By-laws were changed to limit terms of members serving to two consecutive three-year terms. (Approved by BCC July 23, 1991.)

** A member of the Board of Commissioners is appointed each December to serve on this Board.

May 26, 2015

Joe Miller, Chair
Watauga County Economic Development Commission
Boone, NC 28607

Via email

Dear Joe,

In order to secure meaningful employment, my family moved away from Watauga County in May 2015. Therefore, I must resign from the Commission. I enjoyed filling the unexpired term of a former member. My family had intended to stay in the area for decades. However, the job opportunity that brought us home to Boone was not long lasting. I encourage members of the Commission to continue pressing forward with economic development efforts. I will be cheering from afar.

Sincerely,

Scott N. McKinney, CPA, CGMA

AGENDA ITEM 11:**MISCELLANEOUS ADMINISTRATIVE MATTERS***E. Announcements***MANAGER'S COMMENTS:**

The Appalachian Theatre of the High Country invites you to attend their kickoff celebration for the campaign to renovate and restore the Appalachian Theatre. The celebration will be held on Thursday, June 4, 2015, from 5:00 -7:00 P.M. at the Appalachian Theatre on King Street.

The North Carolina Department of Transportation invites you to attend a Local Official's Informational Meeting to be held for TIP Project: R-2566- Proposed Improvements to N.C. 105 from Shulls Mill Road to N.C. 105 Bypass. The meeting is scheduled for Tuesday, June 16, 2015 from 2:30 - 3:30 P.M. at the Watauga Campus of Caldwell Community College & Technical Institute (Building W372, Room 111) on Community College Drive in Boone. The purpose of the meeting is to provide a status update regarding the project and to gather your comments. An informal, drop-in style Public Informational Meeting will follow the Local Official's Informational Meeting from 4:00 – 7:00 P.M.

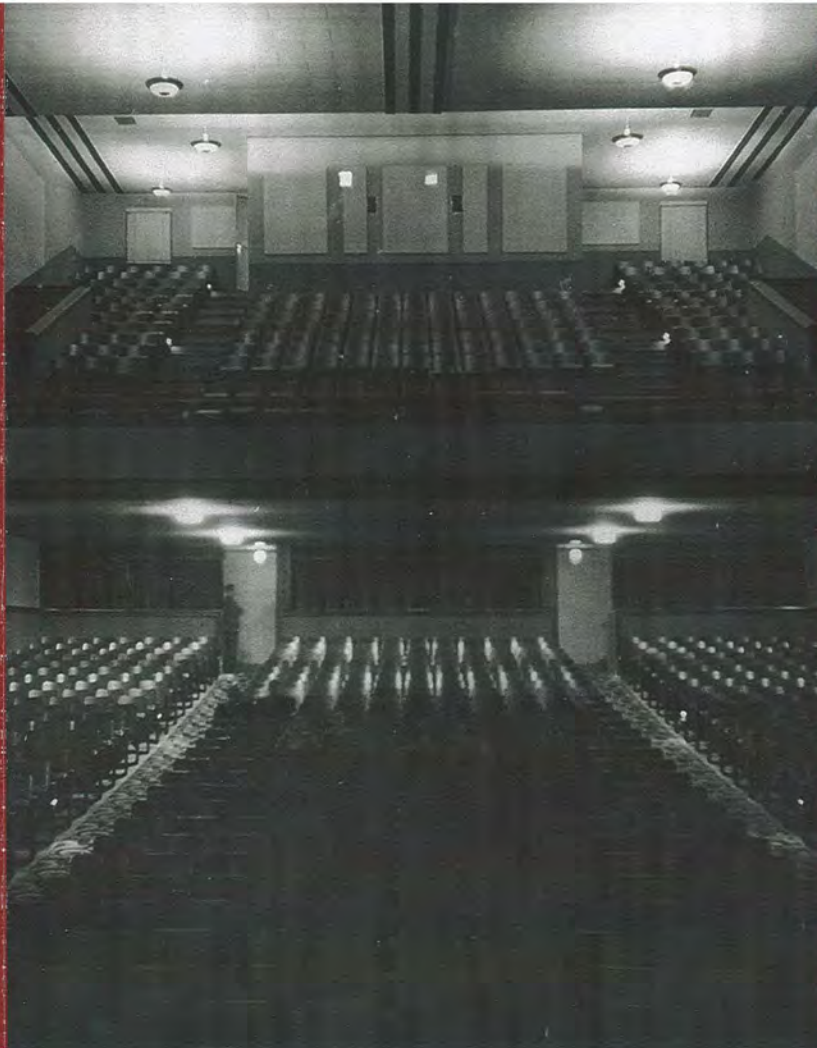
Public hearings will be held on Tuesday, June 16, 2015, to allow for citizen comment on proposed amendments to the following: Ordinance to Regulate High Impact Land Uses and An Ordinance to Regulate Loud Disturbing Noise and Activities.

You are invited to a Retirement Reception honoring Ms. Jane Ann Hodges, Board of Elections Director. The Reception will be held on Saturday, June 27, 2015, from 2:00 – 4:00 P.M. in the Boone United Methodist Church Fellowship Hall.

THE APPALACHIAN
THEATRE
OF THE HIGH
COUNTRY

INVITES YOU TO
ATTEND

THE KICKOFF
CELEBRATION FOR
THE
CAMPAIGN TO
RENOVATE AND
RESTORE THE
APPALACHIAN
THEATRE



THURSDAY,
060215 BCC Meeting
JUNE 4TH

5:00 - 7:00 PM.

APPALACHIAN
THEATRE

561 WEST KING
STREET, BOONE

COMPLIMENTARY
FOOD AND
REFRESHMENTS
FROM DOWNTOWN
RESTAURANTS AND
MERCHANTS

MUSIC BY TODD
WRIGHT AND
FRIENDS



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

May 18, 2015

Dear Sir or Madam:

RE: **Invitation to Local Official's Informational Meeting:**
TIP Project: R-2566 – Proposed Improvements to N.C. 105 from Shulls Mill Road to N.C. 105 Bypass; Watauga County

The North Carolina Department of Transportation invites you to attend a Local Official's Informational Meeting to be held for the above-referenced project. This meeting is scheduled for:

Date: *Tuesday, June 16, 2015*

Time: *2:30 – 3:30 pm*

Location: *Watauga Campus of Caldwell Community College & Technical Institute (Building W372, Room 111), 372 Community College Drive, Boone*

The purpose of this meeting is to provide a status update regarding the project and to gather your comments. An informal, drop-in style Public Informational Meeting will follow the Local Official's Informational Meeting from 4 p.m. until 7 p.m. Please contact Mr. Elmo Vance via email at eevance@ncdot.gov or phone (919) 707-6048 to inform him if you or your representative will attend this meeting. Thank you and we look forward to meeting with you.

Sincerely,

Jamille A. Robbins, Public Involvement Group Leader
Human Environment Section, NCDOT

cc: Elmo Vance, Project Development, Western Region
Michael Pettyjohn, P.E., Division 11 Engineer
Trent Beaver, P.E., Division 11 Construction Engineer

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
HUMAN ENVIRONMENT SECTION
1598 MAIL SERVICE CENTER
RALEIGH NC, 27699-1598

TELEPHONE: 919-707-6000
FAX: 919-212-5785

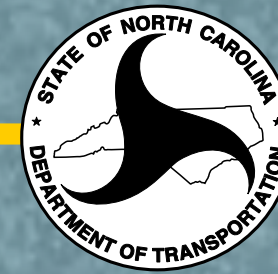
WEBSITE: WWW.NCDOT.ORG

LOCATION:
PROJECT DEVELOPMENT &
ENVIRONMENTAL ANALYSIS UNIT -
CENTURY CENTER
1020 BIRCH RIDGE DIVE, BLDG. B
RALEIGH, NC 27610



N.C. 105 Improvements

North Carolina Department of Transportation
Project Development and Environmental Analysis Unit
Attn: Elmo Vance
1548 Mail Service Center
Raleigh, North Carolina 27699-1548



N.C. 105 Improvements

Transportation Improvement Program Project No. R-2566B



THIS ISSUE

- Project Description p. 1
- Meeting Details p. 1
- Possible Effects p. 2
- Project Map p. 3
- Project Schedule p. 4
- Contacts p. 4

Contact Us

Elmo Vance Jr.
Project Development Engineer
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, N.C. 27699-1548
(919) 707-6048
eevance@ncdot.gov

More information is on the project website:
<http://www.ncdot.gov/projects/nc105widening/>

If you have transportation questions about other projects, call the NCDOT Customer Service Office at 1-877-DOT-4YOU or visit the NCDOT website at www.ncdot.gov.

Project Schedule*

Fall 2011 - Spring 2015

In-depth analysis of impacts, traffic analysis
Detailed designs

Summer 2015

Second public meeting

Fall - Winter 2015

Preparation of environmental document

Summer 2016

Public hearing
Preparation of final environmental document

Fiscal Year 2018*

Right-of-way acquisition begins for bridge at Broadstone Road

Fiscal Year 2019*

Construction begins for bridge at Broadstone Road

Fiscal Year 2022*

Right-of-way acquisition begins for the rest of Section B

Unfunded*

Construction for the rest of Section B

*Schedule subject to change. Based on the current NCDOT Transportation Improvement Program.

Why Is This Project Needed?

The purposes of this project are:

1. To reduce congestion on N.C. 105 for commuters and visitors.
2. To reduce rear-end and run-off road crashes.
3. To improve bicycle facilities in areas where capacity or safety improvements are proposed.

Project contact information is on the back of this newsletter.

Public Informational Meeting to be Held for N.C. 105 Widening

The Project Has Changed

The N.C. Department of Transportation proposes to widen N.C. 105 from Old Shulls Mill Road (east of Foscoe) to N.C. 105 Bypass in Boone (Section B). At the time of the August 2011 public meetings, the project limits were from U.S. 221 in Linville to N.C. 105 Bypass in Boone (Sections A & B).

Why Has it Changed?

The traffic forecast was revisited in 2012, and the new forecast does not project sufficient future (2040) traffic volumes between Linville and Foscoe to justify improvements on that section at this time. Existing traffic volumes have dropped due to the recession, and projections are lower because of a corresponding slow-down in development in the region.

The new traffic volumes continue to show a need for improvements east of Foscoe. The project limits and

proposed improvements have been changed to reflect the anticipated future need.

Public Meeting Information

Tuesday, June 16, 4:00 to 7:00 p.m.
Watauga Campus of Caldwell Community College & Technical Institute, Building W372
372 Community College Drive, Boone

Why Have a Meeting Now?

Detailed designs have been completed for the N.C. 105 Improvement Project. A public meeting has been scheduled for NCDOT to present these designs to the local community, and to explain the changes since the last public meetings in 2011. Large maps showing the proposed project limits will be on display, and the NCDOT project team will be available to answer questions and provide more information. Comments are requested through July 14, 2015.

NCDOT will provide auxiliary aids and services under the Americans with Disabilities Act for disabled persons who want to participate in these meetings.

Anyone requiring special services should contact Vance as early as possible so that arrangements can be made.

How Will This Project Affect Me and My Community?

As the development of the project moves forward, NCDOT will continuously refine the design to avoid and minimize project impacts. Below is a list of the potential effects of the project:

- Improvements to N.C. 105:
 - Easier to pass slower traffic; fewer traffic delays
 - Easier access to residences, businesses, and tourist attractions
 - Wider road to better accommodate vehicles and bicycles
 - Faster EMS/Fire Department response
- Other Effects:
 - Right-of-way acquisition and relocation of some businesses and residences
 - Driveway access changes
 - Utility relocations
 - Historic properties, streams and wetlands, and other natural and environmental resource impacts

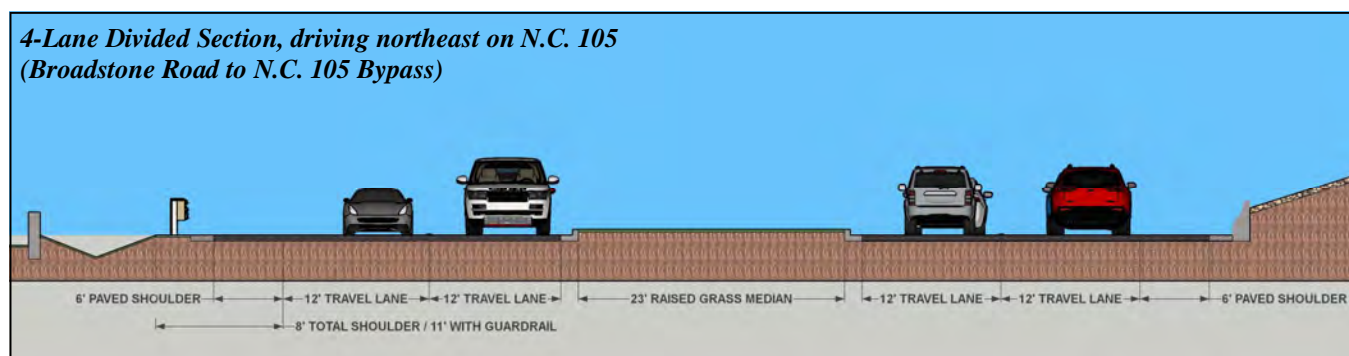
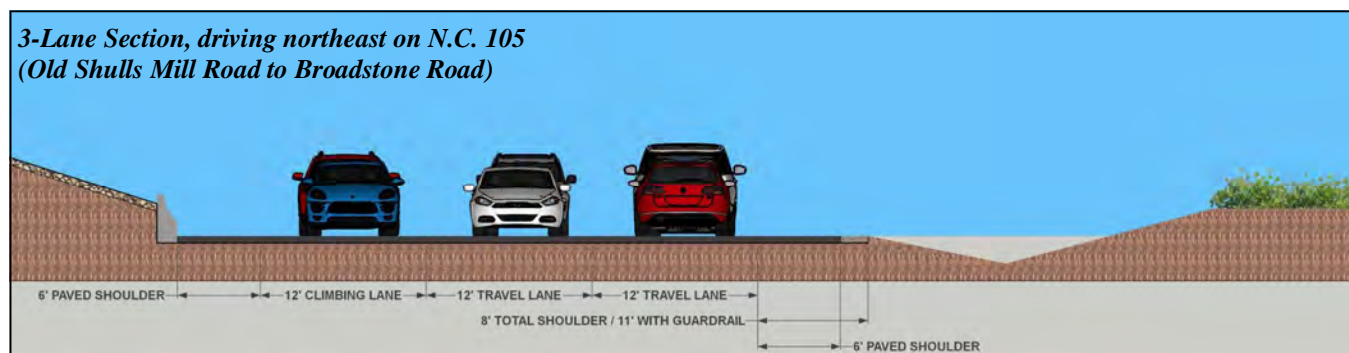
What Will the New Road Look Like?

Below are sketches of what the road might look like. The shoulder widths and retaining wall heights will vary along the corridor depending on how steep the mountain is in a particular area.

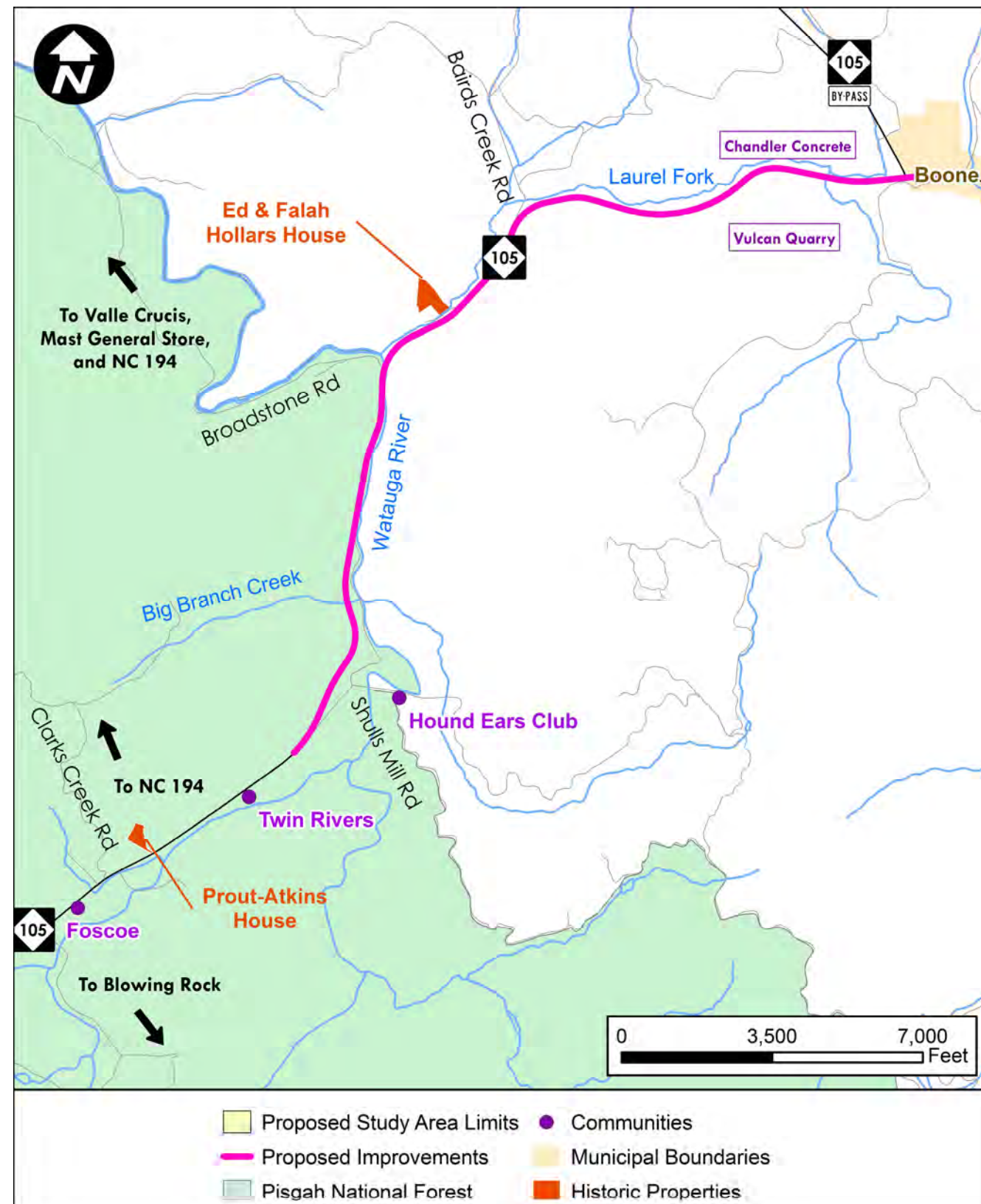
Between Old Shulls Mill Road and Broadstone Road, improvements include extending the existing passing lane further to the south, improving the southern Old Shulls Mill Road/N.C. 105 intersection, closing the northern Old Shulls Mill Road/N.C. 105 intersection, and widening and paving the shoulders.

Between Broadstone Road and N.C. 105 Bypass, improvements include widening to four lanes with a 23-foot wide raised grass median and widening and paving the shoulders.

The bridge that carries N.C. 105 over the Watauga River north of the Broadstone Road (S.R. 1112) intersection will be replaced as part of this project. The current schedule (on page 4 of this newsletter) anticipates constructing the bridge before the rest of the road.



Project Study Area



PUBLIC SERVICE ANNOUNCEMENT

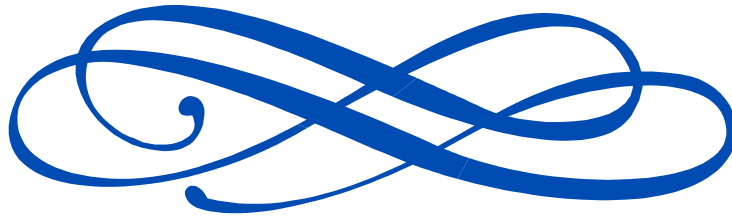
THE WATAUGA COUNTY BOARD OF COMMISSIONERS WILL HOLD PUBLIC HEARINGS AT 5:30 P.M. ON TUESDAY, JUNE 16, 2015, IN THE COMMISSIONERS' BOARD ROOM IN THE WATAUGA COUNTY ADMINISTRATION BUILDING LOCATED AT 814 WEST KING STREET, BOONE, NORTH CAROLINA. THE PURPOSE OF THE HEARINGS SHALL BE TO ALLOW CITIZEN COMMENT REGARDING PROPOSED AMENDMENTS TO THE FOLLOWING ORDINANCES:

- AN ORDINANCE TO REGULATE LOUD DISTURBING NOISE AND ACTIVITIES
- ORDINANCE TO REGULATE HIGH IMPACT LAND USES (WHICH WILL INCLUDE REGULATIONS FOR JUNKYARDS AND, THEREFORE, CALL FOR THE REPEAL OF THE ORDINANCE TO REGULATE JUNKYARDS AND AUTOMOBILE GRAVEYARDS)

INTERESTED PARTIES ARE ENCOURAGED TO ATTEND. FOR INFORMATION OR QUESTIONS REGARDING THE PROPOSED AMENDMENTS, PLEASE CALL (828) 265-8043.

JIMMY HODGES, CHAIRMAN
WATAUGA COUNTY BOARD OF COMMISSIONERS

WATAUGA COUNTY BOARD OF
ELECTIONS AND
STAFF



INVITE YOU
TO
A
RETIREMENT
RECEPTION

JANE ANN HODGES

A CELEBRATION OF HER 30 PLUS YEARS
OF CONTRIBUTION TO
THE ELECTIONS PROCESS IN WATAUGA
COUNTY



Date: Saturday, June 27, 2015
Time: 2:00 p.m. Until 4:00 p.m.

Please RSVP to email:

donna.houck@watgov.org

larry.henson@watgov.org

LOCATION:

The Boone United Methodist Church
Fellow ship Hall
471 New Market Boulevard
Boone, North Carolina 28607

**** NO GIFTS PLEASE ****

JUST BRING MEMORIES OF JANE FOR HER BOOK

HOSTED BY:
LUKE EGGERS, BILL ACETO, KATHLEEN CAMPBELL
DONNA HOUCK, LARRY HENSON, SUE THOMAS, CAROLEEN WATSON
THE WATAUGA DEMOCRAT PARTY
THE WATAUGA REPUBLICAN PARTY
WATAUGA COUNTY

AGENDA ITEM 12:

PUBLIC COMMENT

AGENDA ITEM 13:

BREAK

AGENDA ITEM 14:

CLOSED SESSION

Attorney/Client Matters – G. S. 143-318.11(a)(3)