

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

**TUESDAY, OCTOBER 4, 2011
8:00 A.M.**

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

TIME	#	TOPIC	PRESENTER	PAGE
8:00	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: September 12, 2011, Special Meeting September 19, 2011, Regular Meeting September 19, 2011, Closed Session		1
	3	APPROVAL OF THE OCTOBER 4, 2011 AGENDA		13
8:05	4	PROPOSED PROCLAMATION IN SUPPORT OF "ROCK THE BLUE RIDGE BIKE RIDE"	MS. LORA ELDER	15
8:10	5	BOARD OF EDUCATION REQUEST FOR LOTTERY FUNDS	MS. LY MARZE	17
8:15	6	ADDITIONAL APPROPRIATION OF STATE FUNDS FOR SENIOR CENTERS	MS. ANGIE BOITNOTTE	25
8:20	7	PROPOSED CONTRACT FOR ENGINEERING SERVICES AT THE SWIM COMPLEX	MR. ROBERT MARSH	27
8:25	8	TAX MATTERS A. Monthly Collections Report B. Refunds and Releases	MR. KELVIN BYRD	35
8:30	9	MISCELLANEOUS ADMINISTRATIVE MATTERS A. Proposed Rural Center Grant Agreement Amendment # 4 for the Boone/Blowing Rock Interconnection Project B. Boards & Commissions C. Announcements	MR. DERON GEOUQUE	37 41 45
8:35	10	PUBLIC COMMENT		49
9:35	11	BREAK		49
9:40	12	CLOSED SESSION Attorney/Client Matters – G. S. 143-318.11(a)(3)		49
10:00	13	ADJOURN		

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AGENDA ITEM 2:

APPROVAL OF THE MINUTES

September 12, 2011, Special Meeting
September 19, 2011, Regular Meeting
September 19, 2011, Closed Session

DRAFT**MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 12, 2011**

The Watauga County Board of Commissioners held a special meeting on Monday, September 12, 2011, at 5:00 P.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

PRESENT: Nathan A. Miller, Chairman
David Blust, Vice-Chairman
Jim Deal, Commissioner
Tim Futrelle, Commissioner
Vince Gable, Commissioner
Deron Geouque, County Manager
Anita J. Fogle, Clerk to the Board

The following Town of Boone Representatives were also present: Mayor Loretta Clawson; Mayor Pro-Tem Lynne Mason; and Council Members Rennie Brantz, Jamie Leigh, and Steven Phillips. Town Attorney Sam Furguiele, Town Manager Greg Young, Town Clerk Freida Van Allen, Public Utilities Director Rick Miller, and Police Chief Dana Crawford were also present.

Chairman Miller called the meeting to order at 5:04 P.M.

DISCUSSION OF EXTRA-TERRITORIAL JURISDICTION (ETJ) APPOINTMENTS TO TOWN OF BOONE BOARDS

Both County Attorney Eggers and Town Attorney Furguiele shared their legal opinions regarding the Town of Boone's recent Ordinance amendments which gave the Town the authority to appoint ETJ representatives to their Board of Adjustments and Planning Commission.

After lengthy discussion, both the Boone Town Council and Watauga County Board of Commissioners were agreeable that the ETJ appointments to the Town's Board of Adjustments and Planning Commission would revert back to being appointed by the Board of Commissioners as long as the appointee resided in the Extra-Territorial Jurisdiction. The Board of Commissioners would consider, but held the right to reject, any recommendations for the ETJ position from the Town of Boone. The Town of Boone would hold the right to dismiss an appointee who once appointed did not meet requirements such as attendance.

DISCUSSION OF WATER ALLOCATION FOR THE OLD HIGH SCHOOL PROPERTY

Rick Miller, Public Utilities Director for the Town of Boone, stated that the County had requested the Town of Boone waive fees associated with water allocations for the new high school while under construction.

In lieu of that request, the Town of Boone transferred the water allocation associated with the old high school to the new high school. That transfer left the old high school property without a

designated water allocation. Since that time, the County had requested a water allocation in the amount of 200,000 gallons per day (GPD) for the old high school property which would enhance its salability. Rather than designate an allocation, the Town offered to set aside 70,000 GPD for the property; however, after additional consideration, the Town raised the set aside amount of water to 150,000 GPD.

Mr. Miller stated that the Town's Water Ordinance was to expire December 31, 2011, and, therefore, the water set aside of 150,000 GPD for the old high school property would also expire. During discussions, Mr. Miller stated that the County could request the set aside again upon expiration; however, even if the water was set aside, a future buyer would be required to apply for an official water allocation when developing the property.

Discussion was also held regarding big-box retailers being able to meet the Town's requirements for building on the old high school property. The Town Attorney stated that the Town's Ordinance limited structures to a 150,000 square foot footprint. A big-box retailer could, therefore, meet the requirements by either requesting a variance from the Town's Board of Adjustment or by constructing a multi-level or multi-unit facility.

[Clerk's Note: At this time, Commissioner Deal had to leave the meeting due to a prior obligation.]

Vice-Chairman Blust, seconded by Commissioner Gable, moved to officially excuse Commissioner Deal from the remainder of the meeting.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

DISCUSSION OF CENTRALIZED DISPATCH

Commissioner Gable gave examples of how safety and cost benefits could be realized by centralized dispatch and how Homeland Security supported the move. Along with this information, Commissioner Gable stated that upcoming requirements could be costly to meet. Sheriff Hagaman and Captain Jeff Virginia were present and joined in the discussion. Captain Virginia stated that E-911 was recommending that at least two dispatchers be on-the-job 24 hours per day.

Commissioner Gable invited the Town of Boone to join with the Board of Commissioners in exploring options available for centralized dispatch.

Mayor Pro-Tem Mason stated that the Council had appointed several representatives to work with the County on this endeavor.

Sheriff Hagaman, who the Board of Commissioners had appointed to organize the endeavor, stated that meetings between organizations had been conducted to date; however, he agreed that the various stakeholders needed to meet, sooner rather than later, to begin discussions on the technicalities of centralized dispatch. The Sheriff stated that the technical hardware aspect had been the main focus of discussion thus far.

Mayor Clawson stated that the Town of Boone had not yet discussed changes to their E-911 system; however, their representatives were ready to meet and discuss centralized dispatch.

DISCUSSION OF GREENWAY TRAIL SYSTEM

Town of Boone Councilmembers Steven Phillips and Jamie Leigh, representatives of the Town's Greenway Committee, discussed the need for connection of the Greenway Trail from the Town's Sewer Plant to Brookhollow Road. The need was brought to the County's attention as the area was located in the County.

Mayor Pro-Tem Mason stated that currently a rough footprint of an unofficial trail that stretched from the County's Hannah Building to the Town's Sewer Plant existed and was used by citizens. The proposed quarter-mile connector would need to cross property owned by Southern Agriculture from which an easement could potentially be acquired.

Commissioner Gable mentioned that a berm would most likely be needed on the Southern Agriculture property due to the extensive amount of chemicals associated with that business.

By consensus, the Board of Commissioners requested the Town of Boone work with the Watauga County Tourism Development Authority (TDA) to formalize an official request to be presented for consideration at a future regular meeting of the Board of Commissioners.

Mayor Clawson asked Councilmember Phillips to work with the TDA in preparing a request for the Greenway Trail Connector near Brookhollow Road.

While on the subject of pedestrian and cyclist safety, Chairman Miller mentioned the area on King Street north of the Human Services Center and asked if the Town could extend their sidewalk system to minimize safety hazards associated with that area.

Mayor Pro-Tem Mason stated that it was a complicated issue as it was a State road and there was not an existing right-of-way.

ADJOURN

Commissioner Gable, seconded by Vice-Chairman Blust, moved to adjourn the meeting at 6:21 P.M.

VOTE: Aye-4(Miller, Blust, Futrelle, Gable)
Nay-0
Absent-1(Deal)

Nathan A. Miller, Chairman

ATTEST:

Anita J. Fogle, Clerk to the Board

DRAFT**MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 19, 2011**

The Watauga County Board of Commissioners held a regular meeting on Monday, September 19, 2011, at 5:00 P.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

PRESENT: Nathan A. Miller, Chairman
David Blust, Vice-Chairman
Jim Deal, Commissioner
Tim Futrelle, Commissioner (*arrived at 5:45 P.M.*)
Vince Gable, Commissioner
Stacy C. Eggers, IV, County Attorney
Deron Geouque, County Manager
Anita J. Fogle, Clerk to the Board

Chairman Miller called the meeting to order at 5:05 P.M.

Chairman Miller announced that Commissioner Futrelle was running late for the meeting due to a prior commitment.

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

APPROVAL OF MINUTES

Chairman Miller called for additions and/or corrections to the September 6, 2011, regular and closed session minutes.

Vice-Chairman Blust, seconded by Commissioner Gable, moved to approve the September 6, 2011, regular meeting minutes as presented.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

Vice-Chairman Blust, seconded by Commissioner Gable, moved to approve the September 6, 2011, closed session minutes as presented.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

APPROVAL OF AGENDA

Chairman Miller called for additions and/or corrections to the September 19, 2011, agenda.

Commissioner Gable, seconded by Commissioner Deal, moved to approve the September 19, 2011, agenda as presented.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

PLANNING AND INSPECTIONS MATTERS

A. Proposed Lease for Location of Tower – Blue Ridge Electric Membership Corporation

Mr. Joe Furman, Planning and Inspections Director, presented a lease which would reinstate an agreement between the County and Blue Ridge Electric Membership Corporation (BREMCO) regarding the communications tower currently located at Howards Knob Park. The tower houses BREMCO communications, Sheriff's channel 5, Watauga Medics, Blowing Rock Fire and Rescue, Boone Police Department, and Watauga Rescue. Via the lease agreement, BREMCO would maintain the tower and allow co-location of other services as long as these services did not interfere with their signal. In addition, BREMCO would provide, free of charge or expense to the County, electric power and LP gas for the generator and facilities at the tower location.

Commissioner Gable, seconded by Vice-Chairman Blust, moved to approve the lease agreement as prepared by the County Attorney which allows Blue Ridge Electric Membership Corporation to install, operate and maintain a 140-foot tower located on County-owned property at Howards Knob Park .

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

B. Proposed Purchase of Communications Consoles

Mr. Furman presented a quote from Wireless Communications, Inc. in the amount of \$193,529 to replace the four (4) consoles for telecommunications. The purpose for the purchase is that the current consoles have received an end-of-life notice by their maker, Motorola, and the new equipment will meet the 2013 narrow banding requirements. Adequate funds from the 911 surcharge were budgeted to cover the purchase.

County Attorney Eggers stated that one quote was given due to compatibility issues.

Commissioner Deal, seconded by Commissioner Gable, moved to approve the purchase of four telecommunication consoles from Wireless Communications, Inc., who supplied the only quote due to compatibility issues, in the amount of \$193,539, contingent upon the County Attorney's review.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

FINANCE MATTERS

A. Budget Amendments

Ms. Margaret Pierce, Finance Director, presented the following budget amendments for Board approval:

Account #	Description	Debit	Credit
103300-343307	NCDOT Trail Grant		\$30,000
104285-457002	Brookshire Park Trail Gant	\$30,000	

The amendment recognized additional transportation grant funds per a contract amendment.

Account #	Description	Debit	Credit
143531-323000	Admin Cost Reimbursement	\$21,150	
143991-399100	Fund Balance Appropriation		\$21,150

The amendment recognized change in the funding source for administrative expenditures for Smart Start due to a reduction from state funds.

Account #	Description	Debit	Credit
103300-343500	NCEM Active Shooter Grant		\$26,403
104330-449905	NCEM Active Shooter Grant	\$26,403	

The amendment recognized a grant awarded by the NC Emergency Management to conduct training exercises.

Account #	Description	Debit	Credit
143839-389000	Other-Domestic Violence	\$295	
145410-440004	Domestic Violence		\$295

The amendment recognized change in a funding allocation from the State. A budget estimate of \$10,125 was originally used. The final State allocation received was \$9,830.

Commissioner Deal, seconded by Vice-Chairman Blust, moved to approve the budget amendments as presented by Ms. Pierce.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

B. Presentation of Smoky Mountain Center Quarterly Reports

Ms. Pierce presented Smoky Mountain Center's Quarterly Report as required by Statute.

This report was given for information only and, therefore, no action was required.

C. Proposed Resolution Authorizing the Conveyance of Surplus Property by Donation

Ms. Pierce stated that, at the September 6, 2011, Board meeting, direction was given to staff to advertise the conveyance of surplus property by donation to the Watauga Humane Society. As the advertisement has taken place, Ms. Pierce requested the adoption of a proposed resolution authorizing the County to donate Animal Care and Control property to the Watauga Humane Society.

Commissioner Deal, seconded by Commissioner Gable, moved to adopt the resolution as presented.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. Recommended Contract Awards for Employee Medical, Dental, and Life Insurance

County Manager Geouque stated that in March of 2011, the North Carolina Association of County Commissioners (NCACC) provided notice that they would no longer be providing healthcare insurance. County staff solicited direct quotes from Blue Cross Blue Shield (BCBS) and CIGNA, the County's current provider through the NCACC. Renewal rates came in at 26% and 22.8%, respectively. In order to bring the rate increases down to the 10% to 15% range, substantial reductions in benefits would have to occur. Therefore, BCBS and CIGNA each provided multiple alternative plan designs and a determination was made to utilize a health savings account (HSA) to replace the existing plan.

The County Manager stated that the desired outcome in transitioning to a HSA was to stabilize the County's premium increases and bring those increases more in line with medical trend. CIGNA provided the lowest cost, to the County, for the HSA option with a premium reduction of 8.7%.

County Manager Geouque stated that he recommended the County utilize the CIGNA HSA plan and also fund \$1,000 into each employee's HSA account to help offset the deductible increase from \$750 to \$2,500. The \$1,000 was recommended to be provided in increments: the first \$500 was to be provided with no requirements; an additional \$250 was to be provided after the employee had an annual physical; and the remaining \$250 was to be provided once the employee completed a health risk assessment through CIGNA's website. The annual physical was to be at no cost to the employee since preventative care would be covered at 100% by the proposed plan. The health assessment was an online questionnaire which was to provide CIGNA with an individual's medical history and information current lifestyle choices which might impact health.

County Manager Geouque stated that a total of twenty-one (21) companies, including the current provider, were solicited for dental and life insurance. Eight (8) of those companies declined to provide a quote. The County received dental quotes with increases ranging from 30-40%. Through negotiation, the increase was reduced to 10% with a two-year rate lock by bundling dental and life insurance together with LFG; however, this resulted in a reduction in the maximum yearly benefit from \$2,000 to \$1,000 for dental coverage. The County was able to secure a new three (3) year guaranteed rate with no changes for life insurance.

Chairman Miller asked for the total cost to the County. County Manager Geouque stated that the County's current expense was approximately \$1.7 million and the new insurance costs were estimated at \$1.5 to \$1.6 million. The County Manager stated that this was less than the amount budgeted for insurance.

Commissioner Gable asked if \$1,500 was the maximum amount that employees would have to pay out-of-pocket. County Manager Geouque stated that the deductible was \$2,500; however, if the employee utilized the full \$1,000 that would potentially be deposited into their HSA by the County, then the \$1,500 amount was correct. Commissioner Deal added that the deductible was per insured and, therefore, employees that carried dependent coverage would have to meet an additional deductible for those insured.

Vice-Chairman Blust, seconded by Commissioner Deal, moved to award the bid for employee medical insurance to CIGNA via a Health Savings Account Plan in which \$500 was to be deposited, by Watauga County, in each employee's HSA, with an additional \$250 to \$500 to be deposited upon the specified requirements being met by the employee as presented by the County Manager.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

Vice-Chairman Blust, seconded by Commissioner Deal, moved to award the bid for employee dental and life insurance to LFG as presented by the County Manager.

B. Contract Renewal Request for Inmate Medical Care

County Manager Geouque stated that the Sheriff's Office had requested renewal of a contract with Competent Correctional Care, Inc. for the provision of medical care and staffing of the County jail. The cost was \$7,578 per month for services for 90 inmates and was to increase to \$12,642 if/when the population grew to between 90-135 inmates. The County Manager stated that funds were available to cover the contract within the Sheriff's Office budget.

Commissioner Deal, seconded by Vice-Chairman Blust, moved to approve the contract with Competent Correctional Care, Inc. in an amount up to \$12,642 per month, contingent upon County Attorney review.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

C. Request for Town of Boone Water Set-A-Side Extension for the Old High School Property

County Manager Geouque presented a draft letter to Boone Town Council which requested information regarding the extension of the Town's water set aside, in the amount of 150,000 gallons per day, for the old high school property.

Commissioner Deal, seconded by Commissioner Gable, moved to authorize the letter be sent as presented.

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

D. NCACC's Request for Appointments to Steering and Taskforce Committees

County Manager Geouque stated that the North Carolina Association of County Commissioners (NCACC) was seeking members to serve on their steering and taskforce committees. The County Manager stated that Board members who wished to serve as a member of these committees should submit their information to the Clerk who would then forward the request to the NCACC for their consideration.

E. Announcements

County Manager Geouque announced that Blue Ridge Electric Membership Corporation (BREMCO) had a Community Leaders Council Meeting scheduled for Tuesday, September 20, 2011, at the Broyhill Inn and Conference Center at 6:00 P.M.

County Manager Geouque announced that the Board of Commissioners and North Carolina Emergency Management had a training scheduled for public officials and staff detailing their roles in emergency management for Thursday, September 22, 2011, from 11:00 A.M. to 1:00 P.M. in the Commissioners' Board Room of the Watauga County Administration Building.

County Manager Geouque announced that an Intergovernmental Retreat was scheduled from 5:00 P.M. to 7:00 P.M. on Monday, September 26, 2011, at the Broyhill Inn. The main focus of discussion was the state of the economy.

County Manager Geouque announced that the Watauga County Board of Education had invited the Board to attend the NC School Boards Association District 7 Meeting. This invitation was extended in appreciation of the Board of Commissioners' invaluable gift of support and service toward the construction of the new high school. The meeting was scheduled for September 28, 2011, beginning at 6:00 P.M. at the new Watauga High School.

County Manager Geouque announced that written comments addressing the proposed reclassification of the South Fork New River could be submitted until September 30, 2011, to Elizabeth Kountis with the North Carolina Department of Environment and Natural Resources – Division of Water Quality, Planning Section.

County Manager Geouque announced that a Hazardous Household Waste Collection Day was scheduled for October 8, 2011, from 9:00 A.M. to 2:00 P.M. along with Operation Medicine Cabinet which was to run from 10:00 A.M. to 2:00 P.M.

County Manager Geouque announced that the License Plate Agency was scheduled to move to their new location on Friday, September 23, 2011. Due to the move, the office would be closed on Monday, September 26, 2011, and reopen Tuesday at their new location in the County's West Annex Building located directly behind the Watauga County Administration Building. Parking and direct access to the office was to be available on Queen Street.

County Manager Geouque announced, on behalf of the Tax Office, that tax bills had been mailed.

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

At 5:43 P.M., Vice-Chairman Blust, seconded by Commissioner Gable, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3).

VOTE: Aye-4(Miller, Blust, Deal, Gable)
Nay-0
Absent-1(Futrelle)

[Clerk's Note: Commissioner Futrelle arrived at 5:45 P.M. and joined the Board in Closed Session.]

Commissioner Deal, seconded by Chairman Miller, moved to resume the open meeting at 6:19 P.M.

VOTE: Aye-5
Nay-0

ADJOURN

Chairman Miller adjourned the meeting at 6:20 P.M.

ATTEST:

Nathan A. Miller, Chairman

Anita J. Fogle, Clerk to the Board

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AGENDA ITEM 3:

APPROVAL OF THE OCTOBER 4, 2011, AGENDA

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AGENDA ITEM 4:

PROPOSED PROCLAMATION IN SUPPORT OF 2012 “ROCK THE BLUE RIDGE BIKE RIDE”

MANAGER’S COMMENTS:

Ms. Lora Elder requests a proclamation of support for a 100-mile bike ride entitled “Rock the Blue Ridge” which is planned for 2012.

Direction from the Board is requested.

STATE OF NORTH CAROLINA

DRAFT

COUNTY OF WATAUGA

**Proclamation In Support of the
2012 “ROCK the Blue Ridge” Bike Ride**

WHEREAS, bicycle riding has been identified not only as a physically popular and healthy activity for locals and visitors alike, but also as an economically healthy activity for local businesses by promoting and attracting a desirable tourism demographic with high discretionary income to enjoy our beautiful High Country; and

WHEREAS, such well-run, organized bicycling rides should support the missions of the Blowing Rock, Beech Mountain, and Watauga County Tourism Development Authorities, with the recognition that similar such rides generate multimillion dollars in economic impact for their local businesses, and such events can further our area's brand and reach as a world-class outdoor destination; and

WHEREAS, organized bicycle rides offer immediate sustainable tourism growth with minimal environmental impact, no need for capital investments or infrastructure changes; and

WHEREAS, in 2010 Watauga County native Lora Elder with her organization Bike Your Ride hosted “ROCK the Blue Ridge”, a hugely successful organized road bike ride highlighting the beauty of Watauga County and the High Country area, with participants filling hotel blocks and various vacation properties throughout Watauga County, traveling from 10 different states, many of which had never been to our area before, and many stating that it was the best bike event in which they had ever participated; and

WHEREAS, we look to grow this positive momentum into our next event with a 2012 ROCK the Blue Ridge Bike Ride expanded into a full 100-mile route known as a “century,” and the gold standard in destination biking events.

NOW THEREFORE LET IT BE PROCLAIMED that the Watauga County Board of Commissioners supports the event “ROCK the Blue Ridge Bike Ride.”

ADOPTED this the 4th day of October, 2011.

Nathan A. Miller, Chairman
Watauga County Board of Commissioners

ATTEST:

Anita J. Fogle, Clerk to the Board

(SEAL)

AGENDA ITEM 5:

BOARD OF EDUCATION REQUEST FOR LOTTERY FUNDS

MANAGER'S COMMENTS:

The School Board is requesting funds from the Education Lottery Fund. The funds are to be used for various Capital Improvement Projects. No local match is required.

Board approval is required to disburse and approve the requested funding.

Anita.Fogle

From: Ly Marze <marzel@watauga.k12.nc.us>
Sent: Thursday, September 29, 2011 9:34 AM
To: Anita.Fogle
Subject: Re: Lottery applications

Ok, I'll be there on the 4th. Thanks.

On Thu, Sep 29, 2011 at 9:29 AM, Anita.Fogle <Anita.Fogle@watgov.org> wrote:
 No problem Ly,

I will place this information, along with the applications, in our Board Packets. Deron would like for you, or a Board of Education representative, to come and present the request in case our Board has questions. Our Board Packet will be on our website @ http://www.wataugacounty.org/main/App_Pages/Dept/BOC/boardpacket.aspx by this afternoon (tomorrow at the very latest). The meeting is at 8:00 am on Tuesday, October 4, 2011.

If you have any questions, please let me know.

Thanks,
 Anita

Anita J. Fogle, Clerk to the Board
 Watauga County
 814 West King Street, Suite 205
 Boone, North Carolina 28607
 828.265.8000 Phone
 828.264.3230 Fax
Anita.Fogle@watgov.org
www.WataugaCounty.org

-----Original Message-----

From: marzel@watauga.k12.nc.us [mailto:marzel@watauga.k12.nc.us]
 Sent: Wednesday, September 28, 2011 7:05 PM
 To: Anita.Fogle
 Subject: Lottery applications

Anita, sorry I didn't get this to you earlier today.

The lottery applications submitted for board approval are to fund projects that we planned for in our budget resolution for this 2011-12 school year. These projects were included in the original current expense/capital outlay budget plans that we presented to the county commissioners during the budget discussions back in April/May. These requests are for lottery funds which require no match from the county.

Please let me know if you have any further questions.

Thanks,
Ly

--
Ly Marze
Finance Officer
Watauga County Schools
PO Box 1790
Boone, NC 28607
828-264-7190
828-264-7196 fax

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Watauga County

Contact Person: Ly Marze

LEA: Watauga County Schools

Title: Finance Officer

Address: PO Box 1790, Boone, NC 28607

Phone: 828-264-7190

Project Title: Replace carpet and floor tiles in classrooms

Location: Green Valley, Hardin Park, Parkway, and Valle Crucis

Type of Facility: K-8 Schools

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Replace worn carpet and floor tiles in classrooms

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		36,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	36,000.00

Estimated Project Beginning Date: 10/1/11 Est. Project Completion Date: 6/1/12

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 36,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)
Deborah H. Miller 09/12/2011

(Signature — Chair, Board of Education) (Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Watauga County

Contact Person: Ly Marze

LEA: Watauga County Schools

Title: Finance Officer

Address: PO Box 1790, Boone, NC 28607

Phone: 828-264-7190

Project Title: Parkway - Restroom Renovation

Location: Parkway School, 160 Parkway School Rd, Boone, NC 28607

Type of Facility: K-8 School

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

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As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Renovate two restrooms in school that are in bad shape

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		6,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	6,000.00

Estimated Project Beginning Date: 12/1/11 Est. Project Completion Date: 1/31/12

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 6,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)	(Date)
<u>Deborah H. Miller</u>	<u>09/12/2011</u>
(Signature — Chair, Board of Education)	(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Watauga County

Contact Person: Ly Marze

LEA: Watauga County Schools

Title: Finance Officer

Address: PO Box 1790, Boone, NC 28607

Phone: 828-264-7190

Project Title: Blowing Rock - Sidewalk

Location: Blowing Rock School, 165 Morris St, Blowing Rock, NC 28605

Type of Facility: K-8 School

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Replace sidewalk (currently a tripping hazard) at area near bus parking lot

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		2,000.00
Repair	_____		_____
Debt Payment / Bond Payment	_____		_____
TOTAL	_____	\$	2,000.00

Estimated Project Beginning Date: 10/1/11 Est. Project Completion Date: 12/31/11

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 2,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)

(Date)

Deborah H. Miller

09/12/2011

(Signature — Chair, Board of Education)

(Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Watauga County

Contact Person: Ly Marze

LEA: Watauga County Schools

Title: Finance Officer

Address: PO Box 1790, Boone, NC 28607

Phone: 828-264-7190

Project Title: Blowing Rock - Door Sweeps

Location: Blowing Rock School, 165 Morris St, Blowing Rock, NC 28605

Type of Facility: K-8 School

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

(3) No county shall have to provide matching funds...

(4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.

(5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Outside doors currently have large gaps on the bottom; door sweeps need to be added to prevent weather entering the building

Estimated Costs:

Purchase of Land _____	\$ _____	
Planning and Design Services _____	_____	
New Construction _____	_____	
Additions / Renovations _____	_____	480.00
Repair _____	_____	
Debt Payment / Bond Payment _____	_____	
TOTAL _____	\$ _____	480.00

Estimated Project Beginning Date: 10/1/11

Est. Project Completion Date: 12/31/11

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 480.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)

(Date)

Deborah H. Miller

09/12/2011

(Signature — Chair, Board of Education)

(Date)

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AGENDA ITEM 6:

ADDITIONAL APPROPRIATION OF STATE FUNDS FOR SENIOR CENTERS

MANAGER'S COMMENTS:

Ms. Angie Boitnotte will announce that the Project on Aging is eligible to receive an additional \$16,274 in Senior Center funding from the North Carolina General Assembly and the North Carolina Division of Aging. This amount requires a 25% local match which is currently in the Agency's existing budget.

Board approval is requested to accept the additional State funding.



Oct 4 Agenda

100411 BCC Meeting

Watauga County Project on Aging

132 Poplar Grove Connector, Suite A • Boone, North Carolina 28607

Website: www.wataugacounty.org/aging angie.boitnotte@watgov.org

Telephone 828-265-8090 Fax 828-264-2060 TTY 1-800-735-2962 Voice 1-800-735-8262 or 711



MEMORANDUM

TO: Deron Geouque, County Manager

FROM: Angie Boitnotte, Director

DATE: September 23, 2011

SUBJ: Request for Agenda time for Board of Commissioners' Consideration: Additional Appropriation of State Funds for Senior Centers

The Project on Aging received notification that each of the County's two senior centers are eligible to receive Senior Center General Purpose funding in the amount of \$16,274 on a reimbursement basis through an appropriation from the NC General Assembly and the Division of Aging. The L. E. Harrill Senior Center, as a Center of Excellence, is eligible to receive \$12,205, which requires a 25% local match of \$4,068. The Western Watauga Community Center is eligible to receive \$4,069, which requires a 25% local match of \$1,356. The required match is present in the agency's budget.

These funds can be used for senior center operations including salaries, supplies, equipment, capital outlay, and other operating costs. We plan to use the funds to expand classes at both centers, as well as other various ongoing expenses.

I recommend acceptance of these funds. I will plan to be present for discussion and questions.

Thank you for your consideration.

AGENDA ITEM 7:**PROPOSED CONTRACT FOR ENGINEERING SERVICES AT THE SWIM COMPLEX****MANAGER'S COMMENTS:**

Mr. Robert Marsh, County Maintenance Director, will present a contract for engineering services with Sutton-Kennerly & Associates, Inc., Consulting Engineers (SKA), for an amount not to exceed \$10,000. The contract is for design of frame base repairs and cursory evaluation of the lateral bracing system at the swim complex. SKA provided a report in February 2011, detailing general conditions of the swim complex. As part of the report, high priority repairs were identified and the proposal presented addresses one of these repairs.

Based on the fact that Sutton-Kennerly & Associates, Inc., Consulting Engineers conducted the initial report and is the most familiar with the project, staff recommends the Board approve the contract for an amount not to exceed \$10,000. In addition, the Board needs to exempt the project from NCGS 143-64.31 based on the project fee being less than \$30,000 and SKA familiarity with the project.



WATAUGA COUNTY MAINTENANCE DEPARTMENT

969 West King St., Boone, NC 28607 - Phone (828) 264-1430
Fax (828) 264-1473

TO: Deron Geouque, County Manager
FROM: Robert Marsh, Maintenance Director
SUBJECT: Aquatic Center Repairs
DATE: September 26, 2011

Please review this proposal for engineering services from Sutton-Kennerly & Associates for an analysis of the Aquatic Center post base anchors and the associated wind loads that affect the structure. This work was recommended by Sutton-Kennerly & Associates in their previous study of the structure in January 2011. An estimated value for this study and the recommended repair is included in the 2011-12 Budget.

Please present this to the Watauga County Board of Commissioners if you are in agreement with the proposal.



Sutton-Kennerly & Associates, Inc.
 4651 Charlotte Park Drive, Ste. 150
 Charlotte, NC 28217-1191

Telephone: 704 424 9663
 Fax: 704 424 9665
 www.suttonkennerly.com

September 22, 2011

Watauga County Maintenance Department
 969 West King Street
 Boone, North Carolina 28607

Attention: Mr. Robert Marsh

Reference: Proposal for Design of Frame Base Repairs
 Watauga County Aquatic Center - Boone, North Carolina
 SKA Proposal No. 2011-311-047

Dear Mr. Marsh:

Sutton-Kennerly & Associates, Inc., Consulting Engineers (SKA) is pleased to submit this proposal for design of frame base repairs and cursory evaluation of the lateral bracing system at the Watauga County Aquatic Center. Included in this proposal is our understanding of the background information, proposed objective, proposed scope of services, estimated engineering fee, and authorization procedures.

Background Information

SKA performed a general condition survey and issued a report dated February 10, 2011. Replacement of heavily corroded frame base anchorages was recommended as a high priority repair.

Objective and Proposed Scope of Work

The objective of this project is to prepare repair documents for repair/replacement of the frame base connections and provide a general evaluation on the lateral load stability of the metal pool building with respect to existing X-rod bracing. SKA proposes to provide the following services:

1. Visit the site and field measure the overall frame dimensions including frame spacing, span length, eave height and ridge height.
2. Determine the location of the X-bracing within the building.
3. Based on the field dimensions, determine the load reactions applied to the frame bases and design repairs.
4. Prepare repair documents for repair of the frame bases that could be included in a bid package. Repair document preparation does not include preparation of general conditions, contracts or other non-technical portions of a bid package.
5. Perform a cursory evaluation of the lateral stability of the structure with respect to existing X-bracing and prepare a brief report of our findings and recommendations.
6. Our scope of work at this time does not include administration of the repair contract, such as bidding, construction administration, shop drawing review, or construction site visits.

Sutton-Kennerly & Associates, Inc.



Consulting Engineers Since 1957

Engineering Fee and Terms of Payment

SKA proposes to perform the scope of work described above on an hourly plus expense basis. We estimate the cost to perform the tasks to be \$10,000.

The actual costs for our services will be determined based on the actual time required to perform the work multiplied by the rates given on the attached Charge and Billing Rates sheet plus reimbursable expenses. Rates are adjusted annually on January 1. Reimbursable expenses would include travel, per diem and copying expenses.

Schedule and Authorization

We can begin the field work within two weeks of receiving your written authorization to proceed.

If this proposal is acceptable, please sign and date the proposal acceptance below and return a copy to our office, which authorizes us to proceed with the scope of this proposal. Please also refer to SKA General Conditions of Service, which are attached and made a part of this proposal.

SKA appreciates the opportunity to provide this proposal and look forward to assisting you on this project. If you have any questions regarding this proposal, please contact this office.

Respectfully Submitted,

SUTTON-KENNERLY & ASSOCIATES, INC.

Timothy E. Cook, PE
Project Manager

Attachments: SKA Charge and Billing Rate Schedule
SKA General Conditions of Service

cc: Ms. Carole Vaughan – SKA

Proposal Acceptance

The Terms and Conditions of this Agreement (SKA Proposal No. 2011-311-047) and the attached General Conditions of Service are acceptable to Watauga County Maintenance Department:

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Please return one executed copy of this Agreement to our office.

Sutton-Kennerly & Associates, Inc.



Consulting Engineers Since 1957

CHARGE AND BILLING RATES FOR 2011

RATE PER HOUR

SENIOR ENGINEERING CONSULTANT	\$ 215.00
SENIOR DEPARTMENT MANAGER	\$ 175.00
DEPARTMENT MANAGER	\$ 170.00
GROUP DIRECTOR	\$ 145.00
SENIOR TECHNICAL SPECIALIST, P.E.	\$ 160.00
TECHNICAL SPECIALIST, P.E.	\$ 112.00
SENIOR PROJECT MANAGER, P.E.	\$ 135.00
PROJECT MANAGER, P.E.	\$ 120.00
SENIOR ANALYST	\$ 115.00
SENIOR PROJECT ENGINEER, P.E.	\$ 105.00
STRUCTURAL ANALYST	\$ 98.00
PROJECT ENGINEER, P.E., II	\$ 102.00
PROJECT ENGINEER, P.E., I	\$ 93.00
ENGINEERING INTERN IV	\$ 94.00
ENGINEERING INTERN III	\$ 86.00
ENGINEERING INTERN II	\$ 80.00
ENGINEERING INTERN I	\$ 72.00
TECHNICAL SPECIALIST, E.I.	\$ 84.00
TECHNICAL SPECIALIST	\$ 73.00
GRADUATE INTERN	\$ 70.00
FIRE PROTECTION SPECIALIST	\$ 102.00
SENIOR DESIGNER II	\$ 109.00
SENIOR DESIGNER I	\$ 97.00
DESIGNER	\$ 92.00
ROOFING TECHNICAL SPECIALIST	\$ 87.00
TECHNICIAN III	\$ 78.00
TECHNICIAN II	\$ 67.00
TECHNICIAN I	\$ 50.00
TECHNICIAN	\$ 46.00
CLERICAL	\$ 62.00
MILEAGE	\$ 0.64

Effective 07/01/11



GENERAL CONDITIONS OF SERVICE

These General Conditions of Service are incorporated by reference into the foregoing Letter Proposal from Sutton-Kennerly & Associates, Inc. ("SKA") and shall be part of the Agreement under which services are to be performed by SKA for the Client. The term "Agreement" shall mean the Letter Proposal from SKA, these General Conditions, and any Fee Schedule and/or Schedule of Limitations/Exclusions that may be included in or attached to the Letter Proposal.

Section 1: Scope of Services. The scope of services shall include all services provided by SKA, in its discretion, which are reasonably necessary and appropriate for the effective and prompt fulfillment of SKA's obligations under the Agreement. It is understood that the scope of services and times schedule, if any, set forth in the Letter Proposal are based on information provided by the Client. If this information is incomplete or inaccurate, or if unexpected conditions are discovered, the scope of services may change, even as the work progresses.

Section 2: Right of Entry. Client grants to SKA, and its subcontractors or agents, the right to enter the Property owned by Client and/or others in order for SKA to fulfill its contractual obligations hereunder. Client agrees to obtain all legal rights-of-entry onto the Property and to indemnify SKA from any alleged damages as a result of any unauthorized entry.

Section 3: Documents. All reports, notes, drawings, specifications, data, calculations, and other documents prepared by SKA shall remain the property of SKA. Client agrees not to use SKA-generated documents for marketing purposes or for projects other than the project for which the documents were prepared by SKA, without SKA's express written permission.

Section 4: Disposal of Samples. Soil, rock, water and/or other samples obtained from the Project site are the property of the Client. SKA will have no obligation to maintain or preserve such samples after the completion of SKA services under the parties' Agreement. SKA shall immediately dispose of all samples unless the Client instructs SKA otherwise in writing. In any event, if any such samples are contaminated by hazardous substances or suspected hazardous substances, it shall be Client's sole responsibility to immediately select and arrange for the lawful disposal of such substances, including the removal of all samples so contaminated from the custody of SKA and transporting them to a lawful disposal site.

Section 5: Hazardous Materials. The scope of services for this Agreement does not include, and expressly excludes, any responsibility for detection, remediation, accidental release, or any services relating to waste, oil, asbestos, lead, mold or any other hazardous materials as defined by federal, state and local laws or regulations.

Section 6: Construction Related Services. When construction observation services are included in the parties' Agreement, SKA will provide personnel to make periodic observations to determine if construction is in general compliance with the contract documents. Client understands that SKA is not a guarantor or insurer of the work of contractor or any of its subcontractors. Client understands that the contractor is solely and exclusively responsible for the accuracy and adequacy of construction and for all other activities performed by the contractor and its subcontractors, including the methods and means of construction; supervision of personnel and construction; control and operation of machinery; falsework, scaffolding and other temporary construction aids; safety in, on and about the job site; and compliance with all OSHA and all other applicable state and local governmental agency regulations. SKA's monitoring of the contractor's performance expressly excludes and specifically disclaims any responsibility for review or observation of the adequacy and sufficiency of the contractor's safety measures or of safety conditions on the project site.

Section 7: Standard of Care. Services performed by SKA under this Agreement will be conducted in a manner consistent with that degree of care and skill ordinarily exercised by members of the engineering profession currently practicing in the same locality and under similar circumstances. No other representation, warranty or guaranty, expressed or implied, is included or intended in this Agreement, or in any report, opinion, document, or otherwise provided by SKA to Client.

Section 8: Suspension or Termination of Work. The Client may, at any time, and for any reason, suspend further services by SKA immediately upon SKA's receipt of written notice from Client. However, Client shall nonetheless remain liable for and shall promptly pay SKA for all services rendered to the date upon which SKA receives the written notice of suspension, plus suspension charges. Suspension charges shall include the cost of assembling documents,



personnel and equipment rescheduling or reassignment, and fees or expenses charged as a result of commitments made to others by SKA on Client's behalf. If payment of SKA invoices by Client is not made when due, SKA may, upon written notice to the Client, immediately suspend all further services until payments of SKA invoices are brought current. Client agrees to indemnify and hold SKA harmless from and against any and all claims or liabilities arising or resulting from any suspension of services or termination of this Agreement.

Section 9: Liability. SKA carries workers compensation, general liability and professional liability insurance. SKA will furnish appropriate insurance certificates upon request by the Client. The Client understands and agrees that SKA's total liability to the Client for any and all injuries, claims, losses, expenses, or damages whatsoever, including attorneys' fees and legal expenses, arising out of or in any way related to the Project or this Agreement from any cause or causes, including, but not limited to, SKA's negligence, errors, omissions, breach of contract, or breach of warranty shall not exceed the total amount recoverable from such insurance. The Client also understands and agrees that SKA's total liability to the Client for any and all injuries, claims, losses, expenses, or damages whatsoever, including attorneys' fees as described above which is not covered by insurance coverage, shall not exceed the total fees for the services rendered to the Client on this Project.

Section 10: Conflicts of Interest: Client understands that SKA has a broad client base. This assignment may involve parties with adverse interests to clients with whom SKA has current or past relationships. It is SKA's policy to make reasonable attempts to identify such relationships prior to acceptance of a professional assignment, but SKA cannot assure that conflicts or perceived conflicts will not arise and SKA does not accept and expressly disclaims any costs, expenses or damages claimed by Client for such occurrences.

Section 11: Reimbursable Expenses. SKA will bill direct non-payroll expenses at cost plus ten (10) percent. Direct expenses shall include, but shall not be limited to, the following:

- a) Out-of-pocket expenses, such as travel, and costs for subcontractors or subconsultants and any other outside services SKA deems necessary for purposes of performing this Agreement, and
- b) Charges for the use of SKA field and laboratory equipment, reproduction facilities, etc.

Section 12: Payment Terms. Client understands and agrees that time is of the essence with respect to payment of SKA invoices and that timely payment is a material part of the consideration for services to be rendered by SKA under this Agreement. Client shall pay all SKA invoices, which will be submitted periodically and on a monthly basis, unless otherwise provided in this Agreement. SKA invoices are due upon receipt by client and are payable no later than thirty (30) days after invoice date. Interest and finance charges of one and one-half percent (1.5%) or eighteen percent (18%) per annum will be assessed on all delinquent balances of principal past due. Any payments received by SKA thereafter shall be first applied to accrued interest and finance charges, and then to the principal balances of the oldest invoices first. If Client objects to all or any portion of any invoice, Client shall nevertheless timely pay the full amount of such invoice and notify SKA of such objection in writing within fourteen (14) days of invoice date; otherwise, such objections are expressly waived. Client shall pay all expenses and costs, including reasonable attorneys' fees, incurred by SKA in the enforcement of this Agreement.

Section 13: Miscellaneous Provisions.

Precedence: These General Conditions shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice to proceed, or similar documents. This Agreement constitutes the entire agreement between Client and SKA, supersedes all prior discussions or communications between Client and SKA and cannot be changed, amended or altered unless in writing and acknowledged by SKA.

Governing Law: The laws of the State of North Carolina shall govern the validity and interpretation of this Agreement.

Disputes: All claims, disputes or controversies arising out of this Agreement shall be submitted to mediation prior to commencement of any legal actions to enforce any of the terms of this Agreement unless otherwise agreed in writing by all parties to this Agreement.

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AGENDA ITEM 8:

TAX MATTERS

A. Monthly Collections Report

MANAGER'S COMMENTS:

Tax Administrator Kelvin Byrd will present the monthly collections report and be available for questions and discussion.

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

AGENDA ITEM 8:

TAX MATTERS

B. Refunds and Releases

MANAGER'S COMMENTS:

Mr. Byrd will present the Refunds and Releases Report. Board action is required to accept the Refunds and Releases Report.

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AGENDA ITEM 9:

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. Proposed Rural Center Grant Agreement Amendment # 4 for the Boone/Blowing Rock Interconnection Project

MANAGER'S COMMENTS:

The County Manager will present an amendment to the Rural Center contract that is a pass through grant from the County to help with the construction of the Boone/Blowing Rock emergency water interconnect. The amendment is to add three months to the contract and reduce the County's portion of the budget from \$445,513 to \$336,977.56. The additional time is needed for staff to close out the project and the reduction in cost is from the project coming in under budget.

Board approval is requested.

DRAFT**EXHIBIT A****SCOPE OF SERVICES**

Project #: 2008-259-40101-112

Drought CRISIS—Boone / Blowing Rock Interconnection

Watauga County

2008-2009 Clean Water Partners' Round 1 Supplemental Grant

Amended September 22, 2011

Watauga County will carry out the terms of this contract as follows:

1. General Project Description and Justification:

Watauga County has a poverty rate of 17.9% and is a Tier 2 economically distressed county.

The Village of Blowing Rock has been identified as a tier one drought community by the Division of Water Resources, N.C. Department of Natural Resources. The Town of Blowing Rock is located on the edge of the Blue Ridge Escarpment at the headwaters of the Yadkin, New, Catawba, and Watauga Rivers. Due to high elevation and plateau nature of the area, streams in the area are small and extremely variable in volume of water. These factors contribute to the current water shortage in the Village of Blowing Rock. The Town of Boone is in a slightly better situation, and has recently agreed to interconnect the town water system with the Appalachian State University water system, improving their water supply.

The Town of Boone was awarded one million dollars in grant funds toward a \$4.0 million water line that interconnects the Town of Boone and the Town of Blowing Rock. This project will construct 26,000 linear feet of 12" ductile iron water line, along the right of way of U.S. Highway 321. A pump station, metering facilities, back flow prevention devices, and 30 fire hydrants are included in this project.

Watauga County. Watauga County has been awarded an additional \$500,000 in grant funds from the Rural Center, as well, for the same project. These funds will be matched by \$300,000 from the Appalachian Regional Commission, and \$2.25 million from the Town of Blowing Rock, as well as the \$1.0 million in grant funds going to the Town of Boone.

DRAFT***Amended January 27, 2010:***

The project budget is amended based on bids received and the inclusion of funding from the American Recovery and Reinvestment Act (ARRA) to the town of Blowing Rock. A prorata reduction in grant dollars was applied to all funders.

Amended September 22, 2011:

The project budget is amended based upon actual costs at project completion.

Per Section 7 of this Contract Agreement:

"Obligation of Funds: Funds provided by the CENTER may not be obligated by the GRANTEE prior to the effective date or subsequent to the termination date of this Agreement."

2. Project Cost and Funds:

Cost	Amended		Amended	
		1/27/2010	9/22/2011	
Construction	\$	3,273,000	2,998,196	2,320,884.75
Contingency		330,000	149,910	
Legal & Easements		50,000	20,000	6,802.50
Design		245,000	231,000	231,000.00
Construction Administration		40,000	25,000	24,636.60
Construction Observation		112,000	140,000	140,000.00
Geotechnical & Advertising				12,315.10
DENR Closing Fee—Not eligible/for budget purposes only			40,004	40,004.00
Total Project Cost	\$	4,050,000	3,604,110	2,775,642.95

Funds	Amended		Amended	
		1/27/2010	9/22/2011	
Town of Blowing Rock (sales tax refund)				49,562.72
ARC	\$	300,000	267,308	202,186.69
Town of Blowing Rock-ARRA		2,250,000	2,000,262	1,512,960.12
Rural Center grant to Boone		1,000,000	891,027	673,955.86
Rural Center grant to Watauga County		500,000	445,513	336,977.56
Total Project Funds	\$	4,050,000	3,604,110	2,775,642.95

3. Project Reporting:

Watauga County will adhere to the conditions and regulations outlined in the Memorandum of Understanding (**Exhibit A-1**) and file reports on the dates set forth in **Exhibit C** of this contract.

AGENDA ITEM 9:

MISCELLANEOUS ADMINISTRATIVE MATTERS

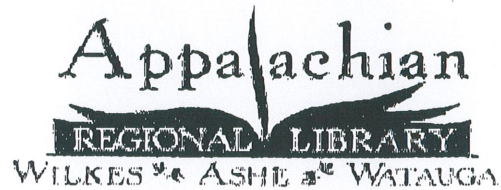
B. Boards & Commissions

MANAGER'S COMMENTS:

The Watauga County Library Board recommends that Mr. Hugh Hagaman and Ms. Kathy Idol both be reappointed to the Watauga County Library Board with both terms set to expire on August 31, 2015.

The Watauga County Library Board also recommends that Mr. Hugh Hagaman be reappointed as a Watauga County representative on the Appalachian Regional Library Board. This term would also expire August 31, 2015.

This is the first reading of the appointments.



September 26, 2011

Mr. Nathan Miller, Chair
Watauga County Board of Commissioners
Administrative Building, Suite 205
814 West King Street
Boone, NC 28607

Dear Mr. Miller:

At the regular meeting of the Watauga County Library Board on July 7th, 2011, board members voted unanimously to recommend to Watauga County Commissioners that Hugh Hagaman be reappointed to the Watauga County Library Board and the Appalachian Regional Library Board term that both end August 2015. He would not be eligible for reappointment, as this would be his second full term of four years on the local board.

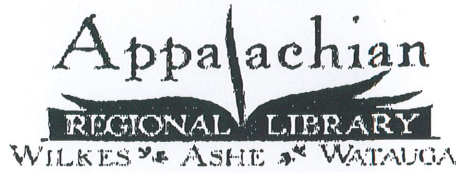
Please approve the recommendation of the library board, and notify Mr. Hagaman and me of his appointment. Thanks to you and all of the commissioners for your continued support of our library.

Hugh Hagaman resides at 6258 US Highway 421 N., Sugar Grove, NC 28679

Sincerely,
Monica Caruso
Monica Caruso
Watauga County Librarian

Cc: Tish Rokoske
Watauga County Library Board Chair

Cc: Louise Humphrey
Director of Appalachian Regional Libraries



September 26, 2011

Mr. Nathan Miller, Chair
 Watauga County Board of Commissioners
 Administrative Building, Suite 205
 814 West King Street
 Boone, NC 28607

Dear Mr. Miller:

At the regular meeting of the Watauga County Library Board on July 7th, 2011, board members voted unanimously to recommend to Watauga County Commissioners that Kathy Idol be reappointed to the Watauga County Library Board term that ends August 2015. She would then be eligible for appointment to one more full term of four years.

Please approve the recommendation of the library board, and notify Ms. Idol and me of her appointment. Thanks to you and all of the commissioners for your continued support of our library.

Kathy Idol resides at 8821 US Highway 421 S., Deep Gap, NC 28618

Sincerely,

Monica Caruso
 Monica Caruso
 Watauga County Librarian

Cc: Tish Rokoske
 Watauga County Library Board Chair

CC: Louise Humphrey
 Director of Appalachian Regional Libraries

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AGENDA ITEM 9:

MISCELLANEOUS ADMINISTRATIVE MATTERS

C. Announcements

MANAGER'S COMMENTS:

Effective October 1, 2011, Watauga County will no longer house, care for, or control domestic animals picked up, impounded, and/or confiscated by the Watauga County Animal Care and Control Department. The Watauga Humane Society will partner with Watauga County to manage all aspects of shelter operations for animals handled by the Watauga County Animal Care and Control Department. The County's Animal Care and Control Officers will continue to enforce the Watauga County Animal Care and Control Ordinance and the Ordinance to Regulate Wild and Dangerous Animals. In addition, the officers will continue to respond to service calls pertaining to domestic animals.

A Hazardous Household Waste Collection Day is scheduled for October 8, 2011, from 9:00 A.M. to 2:00 P.M. along with Operation Medicine Cabinet will run from 10:00 A.M. to 2:00 P.M.

The Annual County Christmas Luncheon which will be held at Dan'l Boone Inn on Tuesday, December 13, 2011, from 12:00 to 2:00 P.M.

PUBLIC SERVICE ANNOUNCEMENT

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The County's Animal Care and Control Officers will continue to enforce the Watauga County Animal Care and Control Ordinance and the Ordinance to Regulate Wild and Dangerous Animals. In addition, the officers will continue to respond to service calls pertaining to domestic animals.

If you have questions regarding shelter operations, please call the Watauga Humane Society at 828-264-7865.

If you have questions regarding Animal Care and Control services, please call their office at 828-262-1672.

Household Hazardous Waste Collection

WHEN: Saturday, Oct. 8, 9 a.m.—2 p.m.

WHERE: Watauga County Landfill
336 Landfill Road

WHO: Watauga County RESIDENTS ONLY-NO COMMERCIAL WASTE

WHAT: Paint, Used Oil, Household Batteries
Lead Acid Batteries (Car Type)
Antifreeze, Ethylene, Gasoline,
Lighter Fluid, Solid and Liquid Pesticides
Oxidizers, Cleaners, Fluorescent Lights

Call 265-4852 or 264-5305 for more information

Sponsored by:
Watauga County Sanitation Department
Watauga County Cooperative Extension Service
N.C. Department of Agriculture

Special thanks to:
Watauga County Maintenance Department
Town of Boone

Operation Medicine Cabinet *Drug Take-Back Day*

WHEN: Saturday, Oct. 8, 10 a.m.—2 p.m.

WHERE: Food Lion (*Hwy 321 near Wal-Mart*)
Food Lion (*Hwy 421/Old Hwy 421*)
Food Lion (*Blowing Rock*)
Foscoe Fire Department
NEW Beaver Dam Fire Department

WHAT: All prescription and over-the-counter medications, no questions asked.

Call 265-4852 or 264-5305 for more information

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AGENDA ITEM 10:

PUBLIC COMMENT

MANAGER'S COMMENTS:

Time has been reserved to allow citizen comment to address the Board for any area of interest or concern.

AGENDA ITEM 11:

BREAK

AGENDA ITEM 12:

CLOSED SESSION

MANAGER'S COMMENTS:

Attorney/Client Matters – G. S. 143-318.11(a)(3)

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