

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

**TUESDAY, NOVEMBER 21, 2017
5:30 P.M.**

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

TIME	#	TOPIC	PRESENTER	PAGE
5:30	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: October 17, 2017, Regular Meeting October 17, 2017, Closed Session		1
	3	APPROVAL OF THE NOVEMBER 21, 2017, AGENDA		13
5:35	4	CONSIDERATION OF PROPOSED AMENDMENTS TO THE ORDINANCE TO REGULATE SUBDIVISIONS AND MULTI-UNIT STRUCTURES	MR. RIC MATTAR MR. JOE FURMAN	15
5:40	5	REQUEST TO ACCEPT GRANT AWARD FOR MIDDLE FORK GREENWAY PROJECT	MR. JOE FURMAN	75
5:45	6	PARKS & RECREATION OUT-OF-STATE TRAVEL REQUEST	MR. STEPHEN POULOS	77
5:50	7	TAX MATTERS A. Monthly Collections Report B. Refunds & Releases	MR. LARRY WARREN	85 87
5:55	8	FINANCE MATTERS A. Vaya Health Quarterly Report B. Proposed Resolution Designating Deputy Finance Officers	MS. MARGARET PIERCE	93 97
6:00	9	MISCELLANEOUS ADMINISTRATIVE MATTERS A. Proposed SECU ATM Lease Renewal B. Second Ratifying Vote of Ambulance Services Contract Renewal C. Boards and Commissions D. Announcements	MR. DERON GEOUQUE	99 105 115 129
6:05	10	PUBLIC COMMENT		14;
7:05	11	BREAK		14;
7:10	12	CLOSED SESSION Attorney/Client Matters – G. S. 143-318.11(a)(3) Personnel Matters – G. S. 143-318.11(a)(6)		14;
7:30	13	ADJOURN		

AGENDA ITEM 2:

APPROVAL OF MINUTES:

October 17, 2017, Regular Meeting

October 17, 2017, Closed Session

DRAFT**MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 17, 2017**

The Watauga County Board of Commissioners held a regular meeting, as scheduled, on Tuesday, October 17, 2017, at 5:30 P.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

PRESENT: John Welch, Chairman
 Billy Kennedy, Vice-Chairman
 Jimmy Hodges, Commissioner
 Larry Turnbow, Commissioner
 Anthony di Santi, County Attorney
 Deron Geouque, County Manager
 Anita J. Fogle, Clerk to the Board

[Clerk's Note: Commissioner Yates was not present due to a prior commitment.]

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

Commissioner Hodges opened with a prayer and Commissioner Turnbow led the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Welch called for additions and/or corrections to the October 3, 2017, regular meeting and closed session minutes.

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to approve the October 3, 2017, regular meeting minutes as presented.

VOTE: Aye-3(Welch, Kennedy, Turnbow)
 Nay-0
 Absent-1(Yates)
 Abstain-1(Hodges)

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to approve the October 3, 2017, closed session minutes as presented.

VOTE: Aye-3(Welch, Kennedy, Turnbow)
 Nay-0
 Absent-1(Yates)
 Abstain-1(Hodges)

APPROVAL OF AGENDA

Chairman Welch called for additions and/or corrections to the October 17, 2017, agenda.

County Manager Geouque requested to add the following items to the agenda: Consideration of a bid award request for an excavator for the Sanitation Department and two change orders for the Health Department Building Renovation Project. The County Manager will present Mr. Marsh's items as he is not available for the meeting.

Commissioner Hodges, seconded by Vice-Chairman Kennedy, moved to approve the October 17, 2017, agenda as amended.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

WATAUGA MEDICS MATTERS***A. Services Update***

Mr. Craig Sullivan, Watauga Medics, reviewed the most recent quarterly report for Watauga Medics and gave an update regarding the impact of the new ambulance base located in the western end of the County. Mr. Sullivan also discussed a plan for placement of an ambulance crew at the Blowing Rock Fire Station beginning in January 2018 with a trial run in November or December. This report was for information only and, therefore, no action was taken.

B. Ambulance Services Contract Renewal

Mr. Sullivan presented proposed Ambulance Franchise Agreement amendments which includes an additional twelve (12) hour crew, the waiving of the CPI escalator for 2018, and extends the contract to expire on December 31, 2025. North Carolina General Statute 153A-46 requires a grant, renewal, extension, or amendment of any franchise to be passed at two regular meetings of the Board of Commissioners before it may be adopted.

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to approve the proposed Ambulance Franchise Agreement with Watauga Medics contingent upon a second ratifying vote at the next meeting on November 21, 2017.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

SOIL AND WATER FUNDING ACCEPTANCE REQUEST

County Manager Geouque presented the 2017-2020 Watauga Soil and Water Conservation District technical assistance grant which funds a portion of the Soil and Water Conservation Tech position. The grant is for \$28,487 and is budgeted in the Fiscal Year 2017-2018 budget.

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to accept the grant as presented by the County Manager.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

PROJECT ON AGING ANNUAL REPORT

Ms. Angie Boitnotte, Project on Aging (POA) Director, submitted the Fiscal Year 2017 Annual Comprehensive Evaluation of POA's operations and policies as required by the NC Division of Health Service Regulation.

Vice-Chairman Kennedy, seconded by Commissioner Hodges, moved to accept the Project on Aging Annual Report as presented by Ms. Boitnotte.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

COMMUNICATIONS AND EMERGENCY SERVICES MATTERS

A. Proposed Radio Equipment Purchase

Mr. Jeff Virginia, Director of Communications and Emergency Services, requested to purchase new control radios for the communications center. The current radios have reached their end-of-life and are in need of replacement. The radios are utilized to communicate with Watauga Medics and the Sheriff's Office. In addition, the backup radio consolette has reached its end-of-life also. The unit is used to communicate with all emergency services. Three (3) Viper consolettes are also in need of replacement. The total cost of the replacements is \$66,636 of which \$5,628.25 is eligible for reimbursement through 911 funds. Funds are budgeted and included in the Fiscal Year 2018 Budget.

Vice-Chairman Kennedy, seconded by Commissioner Hodges, moved to authorize the purchase of the detailed equipment from Motorola Solutions in the amount of \$66,636 as requested.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

B. Proposed CodeRed Emergency Notification Network Contract

Mr. Virginia stated that Communications and Emergency Services staff has compared the following emergency notification systems for services, costs, and ease of use: CodeRed, Hyper Reach, and Everbridge. Watauga County has used CodeRed for several years but was researching for a more user friendly program. After review staff has determined that staying

with CodeRed for an additional year and utilizing online training that is included in their package would be the best option. Watauga County has a large up to date data base with CodeRed that would be hard to duplicate if a different company was chosen. Therefore, staff recommends a contract with CodeRed for one year in the amount of \$9,500 and includes 75,000 minutes. Adequate funds are available in the Fiscal Year 2017-2018 budget.

Vice-Chairman Kennedy, seconded by Commissioner Hodges, moved to approve the continuation of contracting with CodeRed for the County's telephone notification system in the amount of \$9,500 for 75,000 minutes.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

SANITATION BID AWARD REQUEST FOR EXCAVATOR

Mr. J. V. Potter, Operations Services Manager, presented the following bids for a new excavator:

Bidder	Amount
May Heavy Equipment	\$137,989.00
Ascendum Volvo	\$139,591.00
Hill's Machinery	\$143,975.00
Carolina Tractor	\$157,024.75
James River	\$162,750.00

Mr. Potter recommended accepting the low bid from May Heavy Equipment in the amount of \$137,989.00. Funds are budgeted for the purchase.

Commissioner Turnbow, seconded by Vice-Chairman Kennedy, moved to award the bid for the new excavator to May Heavy Equipment in the amount of \$137,989 as presented by Mr. Potter.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

MAINTENANCE MATTERS

A. Bid Award Request for Installation of Warehouse Ceiling at Winklers Creek Facility

County Manager Geouque presented the following bids for the replacement of the grid work and ceiling tiles at the Winklers Creek Facility in the new shop area:

Bidder	Amount
Northwest Drywall Company	\$20,884
ES Dockery	\$21,725
Mullins Co.	\$23,650
James Lawrence Construction	No bid
Shields	No bid
Bonitz	No bid
Warco	No bid

The current tiles are 20 plus years old and heavily soiled and damaged. Seven vendors were solicited and three bids were received. The lowest responsive bidder is Northwest Drywall Company in the amount of \$20,884.

Commissioner Hodges, seconded by Commissioner Turnbow, moved to award the bid to Northwest Drywall Company in the amount of \$20,884.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

B. Proposed Health Department Building Renovation Change Orders # 1 and # 2

County Manager Geouque presented two Change Orders from VPC Builders for the Health Department building renovation project. Change Order # 1 proposes to add fourteen calendar days to the contract due to a delay in the issuance of the contract. Change Order # 2 proposed to add \$2,913.30 for an upgrade to carpet tiles rather than broadloom carpet. Change Order # 2 will be paid out of the \$20,000 project contingency.

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to approve Change Orders # 1 and # 2 with VPC Builders for the Health Department Building renovation project.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

TAX MATTERS

A. Monthly Collections Report

Tax Administrator, Mr. Larry Warren, presented the Tax Collections Report for the month of September 2017. This report was presented for information only and, therefore, no action was required.

B. Refunds and Releases

Mr. Warren presented the Refunds and Releases Report for September 2017 for Board approval:

TO BE TYPED IN MINUTE BOOK

Commissioner Hodges, seconded by Vice-Chairman Kennedy, moved to approve the Refunds and Releases Report for September 2017, as presented.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

FINANCE MATTERS

A. Budget Amendments

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

Account #	Description	Debit	Credit
103980-398121	Transfer from Capital Projects Fund		\$820,000
105911-470029	Mobile Units	\$309,000	
105911-470030	Sealant to WHS Track	\$35,000	
105911-470050	Technology/Computers	\$211,000	
105911-470025	Classroom/Computers	\$100,000	
105911-470026	Vehicle Replacements	\$165,000	
213991-399101	Fund Balance Appropriation		\$820,000
219800-498010	Transfer to General Fund	\$820,000	

The amendment allocated funds from the Capital Improvement Plan set aside funds for projects as requested by the Watauga County School System.

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

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

B. Proposed Inmate Catastrophic Insurance Contract

Ms. Margaret Pierce, Finance Director, presented a contract renewal with Insurance Management Consultants for catastrophic insurance for inmates housed in the County jail. The insurance shields the County from large medical claims that occur while inmates are being housed in the Watauga County Jail. The proposed contract with Insurance Management Consultants, Inc. for catastrophic insurance coverage is in the amount of \$30,640.68 with a \$10,000 deductible. This is a \$2,432 increase from last year's renewal. Adequate funds are available to cover the contracted cost.

Commissioner Turnbow, seconded by Vice-Chairman Kennedy, moved to renew the contract with Insurance Management Consultants, Inc. in the amount of \$30,640.68.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

C. Proposed Telephone Equipment Upgrade

Ms. Pierce presented the following bids for telephone equipment upgrades for the Law Enforcement Center Complex:

	AT&T	Skyline
Equipment	\$18,299.69	\$29,741.00
Installation	\$8,320.67	\$3,800.00
Total	\$26,620.36	\$33,541.00
Annual Maintenance	\$1,516.44	\$4,188.00

Funds are earmarked in Fiscal Year 2018 for the replacement of the telephone equipment. Staff recommends the low bid from AT&T in the amount of \$26,620.36 with an annual maintenance fee of \$1,516.44.

Commissioner Turnbow, seconded by Commissioner Hodges, moved to approve AT&T's proposal in the amount of \$26,620.36 for the equipment and \$1,516.44 for annual maintenance.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. Out-of-State Travel Request

County Manager Geouque requested approval for Finance Director, Margaret Pierce, to travel out-of-state to Charleston, South Carolina, for a comprehensive audited financial reporting training. The training would be beneficial in the preparation and compilation of the County's audit. The training was not available in-state through the Institute of Government.

Commissioner Turnbow, seconded by Commissioner Hodges, moved to approve the out-of-state travel request as presented.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

B. November Meeting Schedule

County Manager Geouque stated that voting will be occurring on November 7, 2017, which is a regular Board meeting date. Therefore, the Board of Elections requires the use of the Board Room as it is an official polling place. Historically, November is a month with very few agenda items. Staff recommends canceling the November 7, 2017, meeting due to the Board of Elections requiring the use of the Board room. The November 21, 2017, meeting will be adequate to address County business.

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to cancel the November 7, 2017, Board of Commissioners meeting.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

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

County Manager Geouque stated that renewal rates have been received for medical, dental, and life insurance benefits. The renewal rate received from BCBS for medical insurance is a 3% increase. The initial increase provided was 15%. Further analysis of additional claims was provided allowing for the 12% reduction. Staff received two additional quotes from United HealthCare and Cigna.

United Healthcare submitted a zero percent (0%) increase with no changes to the current plan. While this is a strong quote staff has some concerns. First, there are potential network issues regarding United Healthcare. The county has utilized both BCBS and CIGNA networks and has found them to be comparable. Second, potential discounts for services and prescriptions may not be as good with United Healthcare as BCBS and CIGNA. Lastly, based on the County's current claims the concern is that the quote may not accurately reflect claims experience and thus the potential for a significant increase next year.

CIGNA submitted a 4.9% increase with no plan changes but a fundamental change in the distribution of savings. CIGNA submitted a level funding quote which is an intermediate stage between fully-insured and self-insured. The proposal provides fixed monthly costs like a fully-insured plan, more detailed claims information to make better decisions and assist in renewal negotiations, and the ability to share 50/50 in savings if claims are less than expected. Over the past several years staff has analyzed plans, claims, data, and funding methods for providing the most cost effective solution for health insurance for employees. The County has had success in rate increases with a fully-insured plan; however, staff believes the long term solution is a self-insured plan. A self-insured plan allows the County to save the profit margin that an insurance company adds to its premium for a fully-insured plan.

BCBS does not offer level funding and their primary focus is the fully-insured market. Based on the quotes received staff would recommend CIGNA's proposal as there is an opportunity to reduce the proposed 4.9% increase to the 3% BCBS proposal or lower and this would be the first step towards a self-insured plan without having to make the full commitment.

Dental insurance premiums were received with Delta Dental (current provider) submitting the best option. Delta Dental provided a three percent (3%) increase over current rates with a three percent (3%) rate cap for the following year. Life insurance premiums through Symetra Financial will remain unchanged due to the current rate lock.

Staff recommends CIGNA's Level Funding plan for the County's medical plan with a 4.9% increase and for the County to fund \$1,000 into each employee's HSA account. Staff further recommends Delta Dental with a three percent (3%) increase and a three percent (3%) rate cap for the following year. Adequate funds have been budgeted to cover the renewal rates. Board action is required.

Commissioner Turnbow, seconded by Commissioner Hodges, moved to approve CIGNA's Level Funding plan for the County's medical plan with a 4.9% increase and for the County to fund \$1,000 into each employee's HSA account.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to approve Delta Dental with a three percent (3%) increase and a three percent (3%) rate cap for the following year.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

D. Boards and Commissions

County Manager Geouque presented the following for consideration:

Watauga County Board of Adjustment

The terms of Bill Ragan, Baxter Palmer and Todd Rice expire in November. All three are willing to continue to serve if reappointed. NC Statutes require a representative (resident) of each zoned area in counties that have partial-county zoning such as Watauga. Mr. Rice represents the Valle Crucis Historic District, which is a small area with limited population, therefore small pool of potential representatives. Mr. Palmer is the alternate member and is the representative of the Foscoe-Grandfather zoned area. Mr. Ragan resides in the Howard Creek Watershed, which is not a zoned area in the traditional sense, but since the watershed ordinance was adopted under zoning authority, the County has attempted to appoint residents of those areas when possible. The Pond Creek (Beech Mountain) Watershed Ordinance was not adopted under zoning authority as it is not large enough to qualify for partial-county zoning. Adam Rhyne resides in the South Fork New River/Winkler Creek/Middle Fork watershed (the boundaries adjoin and form one larger watershed-regulated area). David Hill and Charles Phillips are at-large members. Those 3 terms are not expiring this year. The new South Fork New River Watershed for the new Boone water intake does not have a representative.

The above were first readings and, therefore, no actions were taken at this time.

E. Announcements

County Manager Geouque announced the following:

- The Grand Re-Opening for the Watauga County License Plate Agency is October 20, 2017, from 12:00 to 2:00 P.M. at 274 Winkler's Creek Road, Boone.
- The Military Officers Association of America (MOAA) will hold their 11th Annual Veteran's Day Ceremony at Boone Mall on Saturday, November 11, 2017. The Watauga Community Band will begin playing at 10:30 A.M. and the program will begin at 11:00 A.M. The Colors will be posted by the Watauga High School Marine Corps JROTC.

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

At 6:49 P.M., Vice-Chairman Kennedy, seconded by Commissioner Hodges, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3).

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to resume the open meeting at 7:39 P.M.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

ADJOURN

Vice-Chairman Kennedy, seconded by Commissioner Turnbow, moved to adjourn the meeting at 7:39 P.M.

VOTE: Aye-4(Welch, Kennedy, Hodges, Turnbow)
Nay-0
Absent-1(Yates)

John Welch, Chairman

ATTEST:
Anita J. Fogle, Clerk to the Board

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AGENDA ITEM 3:

APPROVAL OF THE NOVEMBER 21, 2017, AGENDA

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AGENDA ITEM 4:**CONSIDERATION OF PROPOSED AMENDMENTS TO THE ORDINANCE TO REGULATE SUBDIVISIONS AND MULTI-UNIT STRUCTURES****MANAGER'S COMMENTS:**

In January of 2017 the Board requested the Planning Board review the Ordinance to Govern Subdivisions and Multi-Unit Structures. The Planning Board presented the recommended changes to the ordinance and a public hearing was conducted on May 16, 2017. After completion of the public hearing the Board recommended the Planning Board further consider the amendments and the questions raised during the public hearing.

The Planning Board's revised proposal was presented for Board consideration and the decision was made to conduct another public hearing to consider the additional changes. The proposed amendments as presented in May are in red ink and strikethrough and the subsequent revised amendments are in blue ink.

Board direction is sought in adopting the changes as presented, remand the ordinance back to the Planning Board for further consideration, or schedule a work session with the Planning Board.



Ordinance to Govern Subdivisions and Multi-Unit Structures

PROPOSED AMENDMENTS

Adopted April 17, 1985
~~Amended June 17, 2014~~
As Amended _____, 2017

TABLE OF CONTENTS

ARTICLE I – TITLE	2
ARTICLE II – AUTHORITY AND ENACTMENT CLAUSE	2
ARTICLE III – JURISDICTION AND PURPOSE	2
ARTICLE IV – INTERPRETATION AND DEFINITIONS	3
ARTICLE V – PLANNING BOARD REVIEW AND LEGAL STATUS PROVISIONS	6
ARTICLE VI – PROCEDURES FOR REVIEW AND APPROVAL OF SUBDIVISIONS	7
ARTICLE VII – GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN	15
ARTICLE VIII – PLANNED UNIT DEVELOPMENT	24
ARTICLE IX – INSTALLATION OF PERMANENT REFERENCE POINTS AND IMPROVEMENTS	29
ARTICLE X – REGULATION OF MULTI-UNIT STRUCTURES	30
ARTICLE XI – VARIANCES	33
ARTICLE XII – PENALTIES	34
ARTICLE XIII –AMENDMENTS	35

Appendix A:	Guide for Subdivision Development
Appendix B:	Guidelines for Developing Erosion and Sedimentation Control Plans
Appendix C:	Sedimentation and Erosion Control Plan Checklist
Appendix D:	Ownership/Responsibility Form
Appendix E:	Preliminary Plat Checklist
Appendix F:	Final Plat Checklist
Appendix G:	Subdivision Specifications Checklist
Appendix H:	Method of Defining Slope
Appendix I:	Minor Maintenance Checklist
Appendix J:	Buffering and Screening
Appendix K:	Fire Apparatus Access Roads
Appendix L:	Affordable Workforce Housing Policy
Appendix M:	Developer Authorization Form

**ORDINANCE TO GOVERN SUBDIVISIONS
AND MULTI-UNIT STRUCTURES**

WATAUGA COUNTY, NORTH CAROLINA

AN ORDINANCE ESTABLISHING COMPREHENSIVE SUBDIVISION REGULATIONS AND REGULATIONS FOR MULTI-UNIT STRUCTURES FOR WATAUGA COUNTY, NORTH CAROLINA, AND PROVISION FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF.

ARTICLE I - TITLE

This ordinance shall be known and may be cited as the Ordinance to Govern Subdivisions and Multi-Unit Structures for Watauga County, North Carolina

ARTICLE II - AUTHORITY AND ENACTMENT CLAUSE

The County Commissioners of the County of Watauga, pursuant to the authority conferred by Chapter 153A, Article 18, of the General Statutes of the State of North Carolina, do hereby ordain and enact into law these Articles and Sections.

ARTICLE III - JURISDICTION AND PURPOSE

SECTION 30. Jurisdiction

On and after the date of adoption, these regulations shall govern each and every subdivision of land and/or multi-unit structure within Watauga County (hereinafter referred to as the "County") and outside the jurisdiction of any incorporated municipality. However, this ordinance may also regulate territory within the subdivision regulation jurisdiction of any municipality whose governing body by resolution agrees to such regulation provided, however, that any such municipal governing body may, upon one year's written notice, withdraw its approval of these County Regulations, and those regulations shall not have further effect within the municipality's jurisdiction.

SECTION 31. Purpose

The purpose of these subdivision regulations is to guide and regulate the subdivision of land and/or multi-unit structures within the county in order to preserve the public health, safety, and welfare. The regulations included herein are designed to insure an adequately planned street system and to avoid hazardous conditions; to avoid overcrowding of the land and extreme concentration of population; to secure safety from fire, panic, and other dangers; to provide for adequate water and sewage systems, schools, parks and playgrounds; to insure against flood damage and soil erosion; to facilitate an orderly system for the design, layout, and use of the land; to insure the proper legal description and monumenting of subdivided land; and to provide for the re-subdivision of large land parcels.

ARTICLE IV - INTERPRETATION AND DEFINITIONS

SECTION 40. Word Interpretations

For the purpose of this ordinance, certain words shall be interpreted as follows:

- 40.01 The word "County" shall mean Watauga County, North Carolina.
- 40.02 The words "County Commissioners" shall mean the Board of Commissioners of Watauga County, North Carolina.
- 40.03 The words "Planning Board" shall mean the Planning Board of Watauga County, North Carolina.
- 40.04 The words "Planning Staff" shall mean the staff of Planning and Inspections Department of Watauga County, North Carolina.
- 40.05 The words "Register of Deeds" shall mean the Register of Deeds for Watauga County, North Carolina.
- 40.06 The words "ordinance", "regulations" and "subdivision regulations" shall mean the Ordinance to Govern Subdivisions and Multi-Unit Structures for Watauga County, North Carolina.
- 40.07 The word "may" is permissive.
- 40.08 The word "shall" is mandatory.
- 40.09 The word "lot" includes the words "plot", "parcel", "tract", or "site".
- 40.10 The word "building" includes the word "structure".
- 40.11 The word "street" includes the words "roads and "highway".

SECTION 41. Definitions

For the purpose of this ordinance, certain words or terms used herein shall be defined as follows:

- 41.01 BUILDING LINES. Lines tangent to the exterior surface of a building and parallel to front, side and rear property lines.
- 41.02 BUILDING SETBACK LINE (MINIMUM). A line parallel with the property line designating an area bordering the property lines on which no building shall be placed.
- 41.03 CUL-DE-SAC. A short subdivision street having but one end open to traffic and the other end being permanently terminated and a vehicular turn-around provided.
- 41.04 DOUBLE FRONTAGE LOT. A continuous (through) lot which borders two or more streets.
- 41.05 EASEMENT. A strip of land designated by the property owner for a specified purpose and use by the public, a corporation, or persons.

- 41.06 LOT. A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both.
- 41.07 OFFICIAL MAPS OR PLANS. Any maps or plans officially adopted by the County Commissioners as a guide to the development of the County.
- 41.08 PLANNED UNIT DEVELOPMENT. (PUD)The planned unit development is a permitted use designed to provide for developments incorporating a single type or a variety of related uses which are planned and developed as a unit. Such development may consist of individual lots or common building sites. Common land must be an element of the plan related to affecting the long-term value of the entire development.
- 41.09 PLAT. A map or plan of a parcel of land which is to be, or has been, subdivided.
- 41.10 PRIVATE DRIVEWAY. A roadway serving three (3) or fewer lots, building sites or other divisions of land and not intended to be public ingress or egress.
- 41.11 ROAD, COUNTY STANDARD. A road constructed and dedicated in accordance with provisions as set forth in Article VII, Section 71, with provisions for private maintenance.
- 41.12 ROAD, STATE STANDARD. A dedicated and accepted public right-of-way for vehicular traffic on which is constructed a road which meets the specifications of North Carolina Department of Transportation, (See Article VII, Section 71).
- 41.13 RIGHT OF WAY. A strip of land designated by the owner or other authority or acquired by other over which other person may legally pass, and on which may be constructed a road or utilities.
- 41.14 SEWAGE TREATMENT SYSTEMS.
- 41.141 Individual Systems. Sewage treatment and disposal systems designed to serve a single connection utilizing the soil for the subsurface disposal of partially treated or treated sewage effluent. Individual systems with a design capacity of less than 3,000 gallons per day will be designed and approved by the Appalachian District Health Department. Individual systems with a design capacity of 3,000 gallons per day or more will be designed by a professional engineer and approved by the designated state agency or the Appalachian District Health Department, whichever is applicable. Individual systems may be shared upon approval of the appropriate agency.
- 41.142 Non-Discharge Systems. Sewage treatment and disposal systems designed to serve multiple connections utilizing the soil for the subsurface disposal of partially treated or treated sewage effluent. Non-Discharge systems will be approved by the designated state agency.
- 41.143 NPDES Systems. Sewage treatment and disposal systems designed to serve multiple connections discharging into surface waters of the state and subject to the National Pollutant Discharge Elimination System (NPDES) permit program. NPDES systems include those that are owned and operated by the County, a municipality, a sanitary district, a property owners association, utility company and any connections thereto. NPDES Systems will be approved by the designated state agency.
- 41.15 SUBDIVIDER. Any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision.
- 41.16 SUBDIVISION. A "subdivision" shall include all divisions of a tract of land into two or more lots, building sites, (including buildings constructed for rental purposes) or other divisions when any one or more of those divisions are created for the purpose whether immediate or future, of sale or building development, and shall include all divisions of land involving the dedication of a new

street or a change in existing streets; provided, however, that the following shall not be included within this definition nor be subject to the regulations prescribed by this ordinance:

41.161 The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in this ordinance, and documented with a recorded plat or a map attached to recorded deed(s).

41.162 The division of land into parcels greater than (10) acres where no street right-of-way dedication is involved.

41.163 The public acquisition by purchase of strips of land for the widening or opening of streets.

41.164 The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved, and where the resultant lots are equal to or exceed the standards of the county as shown in this ordinance.

41.165 The division of land solely among members of the same family, which shall include all lineal descendants or ancestors plus brothers, sisters, aunts, uncles, fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, nieces, nephews and stepchildren by any method of transfer except where the parties contemplate development for resale, and where the resultant lots are equal to or exceed the standards of the county as shown in this ordinance.

41.166 The division of land by court ordered/approved division except where the parties contemplate development for resale.

41.17 UNIT. A structure or portion of a structure which is a single, habitable dwelling or single place of business.

41.18 WATER SUPPLY SYSTEMS.

41.181 Individual Systems. A well, spring, stream or other source used to supply a single connection.

41.182 Community Systems. A water system serving two (2) or more connections and not qualifying as a public water supply (PWS) under North Carolina regulations.

41.183 Public Systems. A water system owned and/or operated by the county, any municipality, water district, property owner's association, or utility company that qualifies as a public water supply (PWS) under North Carolina regulations.

41.19 WORKING DAYS. Days the Watauga County Administrative offices are open for business.

ARTICLE V - PLANNING BOARD REVIEW AND LEGAL STATUS PROVISIONS

SECTION 50 PLANNING BOARD REVIEW AND APPROVAL.

Pursuant to N.C.G.S. 153A-332 unless otherwise noted, no real property within the jurisdiction of this ordinance shall be subdivided and offered for sale or a plat thereof recorded until a preliminary and final plat have been reviewed and approved by the Watauga County Planning Board as provided hereinafter. Plans of group developments for housing, commercial, industrial, or other uses, or for any combination of uses shall be submitted in the same manner as other plats for review by the Planning Board.

SECTION 51 BUILDING PERMITS.

Approval of the final plat by the Planning Board shall be required before issuance of any building permit for a structure to be erected in a subdivision, except in Planned Unit Developments, or up to two (2) may be issued in any subdivision to the owner/developer only, when the owner is also the developer.

SECTION 52 RECORDING OF PLATS.

No subdivision plat of land within the County's jurisdiction shall be filed or recorded until it has been submitted to and approved by the Watauga County Planning Board or Staff, and until this approval is entered in writing on the face of the plat by the designated representative of the County Planning Board.

SECTION 53 DUTY OF REGISTER OF DEEDS.

The Register of Deeds shall not file or record a plat of a subdivision of land located within the territorial jurisdiction of the County that has not been approved in accordance with these provisions, nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with this section. No subdivision plat of land within a Public Water Supply Watershed shall be filed or recorded by the Register of Deeds until it has been approved in accordance with the provisions of Watauga County's Watershed Protection Ordinances. Likewise, the Clerk of Superior Court shall not order or direct the recording of a plat if the recording of such plat would be in conflict with the watershed protection ordinances.

SECTION 54 SEVERABILITY.

Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 55 EFFECTIVE DATE.

This ordinance shall take effect and be in force from and after its enactment the 17th day of April, 1985.

SECTION 56 RELATIONSHIP TO EFFECTIVE CHANGES IN THE ORDINANCE.

It is not intended that this ordinance will in any way repeal, annul, or interfere with any valid permits or approvals which were legally issued under previous ordinances for the use or development of land or structures. In addition, future changes in this ordinance shall not repeal, annul, or interfere with any valid permits or approvals issued pursuant to this ordinance prior to said changes. This provision shall include approved master plans for phased developments. If the density in the approved master plan is not increased, any plats and extensions thereof shall be subject to the ordinance under which the original master plan was approved.

ARTICLE VI - PROCEDURES FOR REVIEW AND APPROVAL OF SUBDIVISIONS

SECTION 60. Plat Required on Any Subdivision of Land.

Pursuant to N.C.G.S. 153A-330, a final plat shall be prepared, approved, and recorded pursuant to the provisions of this ordinance whenever any subdivision of land takes place. Prior to recording, such plat shall be approved pursuant to Article V. To secure such approval, the subdivider shall follow the procedures established in this Article as applicable.

SECTION 61. Submission of Preliminary Plat.

A preliminary plat meeting the requirements of this ordinance shall be submitted for review and shall be approved by the Planning Board before any improvements or land disturbing activities are made in a subdivision. One(1) copy of this plat shall be submitted to the Planning Staff at least two (2) weeks before the meeting of the Planning Board at which time it is to be reviewed. Prior to the meeting and subsequent to staff review, eight (8) copies along with the plat fee as specified in Section 61.01 shall be submitted.

A Developer Authorization Form (Appendix M) must accompany the Preliminary Plat application when the application is made by person(s) other than the land owner(s).

The Planning Staff shall provide that the following agencies be given an opportunity to make recommendations concerning an individual subdivision plat before the plat is approved: Appalachian District Health Department, Department of Transportation, County School District. The Planning Staff shall transmit copies of the plat to those agencies and others upon their request.

The Planning Board shall review the preliminary plat and ~~negotiate with the subdivider for~~ identify any changes required in order that the subdivision may comply with the provisions of this ordinance. ~~and for such other changes as may be found desirable.~~ The Planning Board shall take formal action on the preliminary plat at the first regular meeting date (Normally the 3rd Monday evening of each month) after receipt of the plat. Within five (5) days after its action on the plat, the Staff shall notify the subdivider by letter indicating the action taken.

After receiving approval of the preliminary plat by the Planning Board and the erosion control plan by the staff (and not before that time), the subdivider may proceed to construct the proposed road and other improvements in accordance with the requirements of this ordinance and as shown on the approved preliminary plat.

61.01 Fees. The developer shall pay an inspection fee of an amount specified from time to time by the Watauga County Commissioners. Half of said fee shall be paid at the time of submission of the preliminary plat (the fee shall be paid before the plat will be placed on the Planning Board meeting agenda); the remainder shall be paid at submission of the final plat.

For a planned unit development the developer shall pay an inspection fee at the rate provided above for each structure in the development. No fees are required for master plan review.

SECTION 62. Specifications for Preliminary Plat.

The preliminary plat shall be at a scale of one-hundred (100)feet to one (1) inch or larger and shall be on a sheet, 18" x 24". However, if the size and shape of the property is such that a sheet 18" x 24" will not accommodate the entire tract, a sheet not larger than 24" x 36" may be used, and in unusual circumstances may be at a scale of no smaller than 1"=200'. In addition, the developer shall provide one (1) reproducible 11"x 17" or smaller copy of the plat.

The following information shall be required as applicable:

- 62.01 A sketch vicinity map showing the relationship of the proposed subdivision with the surrounding area.
- 62.02 The location of existing property lines, streets, buildings, water courses, transmission lines, sewers, bridges, and water mains, city and county lines (if adjoining) and any public utility easements.
- 62.03 Boundaries of the tract shown with distances and approximate acreage.
- 62.04 Evidence of access right-of-way from state road.
- 62.05 Names of adjoining property owners and/or subdivisions.
- 62.06 Zoning classification, if any, both on the land to be subdivided and on adjoining land.
- 62.07 Proposed streets, street names, rights-of-way, roadway widths, approximate grades, curve radiuses, and proposed drainage facilities.
- 62.08 Other proposed rights-of-way or easements showing locations, widths and purposes.
- 62.09 Proposed lot lines, lot numbers, and approximate area. Statement that all lots will comply with the Subdivision Regulations.
- 62.10 Proposed minimum building set back lines.
- 62.11 Proposed utility layouts (sewer, water, electricity) showing connections to existing systems or plans for central water system or package sewage system, or designation for individual water and sewage.
- 62.12 Proposed parks, open spaces, or any other public areas.
- 62.13 Name of owner, developer, engineer and registered surveyor.
- 62.14 Title, date, north point, and graphic scale.
- 62.15 Statement of intended use of the lots (single or multi-family).
- 62.16 Evidence of N.C.D.O.T. driveway connection permit, ~~if applicable,~~ shall be submitted prior to ~~preliminary plat approval.~~ commencement of construction.
- 62.17 When an area covered in the plan includes or abuts a water area (stream, river or lake) the following additional information is required:
 - 62.171 Relationship with floodway and flood plain as delineated by the county floodway boundary and flood insurance rate maps.
 - 62.172 Any proposed dock lines beyond which no dock structure may be constructed.
 - 62.173 Methods of providing ingress and egress from uplands to water area.
 - 62.174 Names of the owners of the water area.
- 62.18 A soil erosion control plan (3 copies) shall be submitted to the Planning Staff. Grading shall not commence until the erosion control plan is reviewed and approved by the Planning Staff and the

Soil and Water Conservation District and a grading permit is issued. See appendix B - D for further detail.

- 62.19 If road (s) are to be "county standard", the developer shall maintain the road(s) until such time as a property owners association assumes maintenance. Prior to final plat approval, the developer shall comply with Section 71.011 concerning recording of property owners association road maintenance provisions.

SECTION 63. Minor Subdivisions

- 63.01 Procedures set forth here for handling applications for approval of minor subdivisions are intended to simplify processing of routine small subdivisions with due regard to protection of the public interest.
- 63.02 For the purpose of these regulations, a minor subdivision is defined as any subdivision requiring no variances and consisting of not more than ten (10) lots. One phase of a phased development cannot be considered a minor subdivision unless the entire development is not more than 10 lots.
- 63.03 After January 1, 2006, all new divisions of land shall comply with all of the requirements of this ordinance, with the exception of the following: The division of one (1) lot or tract out of a larger tract will be allowed provided 1) the new lots meet the size, dimensional, and setback requirements of this or any applicable ordinance; 2) no public street or road dedication or change in existing public streets or road is involved; 3) the original lot or tract was created prior to January 1, 2006 and is over ten (10) acres in size; or 4) if the original tract is less than ten (10) acres, it shall have been created prior to June 15, 1973, or be otherwise exempt from this ordinance; 5) only one (1) such division shall be allowed from the original tract without total compliance with this ordinance.
- 63.04 The Watauga County Planning Staff shall review the preliminary plat of each minor subdivision and shall find that it either is or is not a minor subdivision and shall find that it either does or does not meet the requirements of this ordinance. Said findings shall be stated in writing and recorded in the records of the Planning Board. Based upon said findings the Staff shall either approve, not approve, or approve conditionally the proposed minor subdivision.
- 63.05 A decision by the Planning Staff shall be made within fifteen days of submission of the proposed minor subdivision to the Staff and the decision of the Staff is subject to appeal by the subdivider to the Planning Board which must act on appeals at its next regular meeting.
- 63.06 A final plat shall be submitted to the Watauga County Planning Staff for consideration and approval before the conveyance of any of the property or the recording of the plat.
- 63.07 The County may require only a plat for recordation for the division of a tract or parcel of land in single ownership if all of the following criteria are met:
- (1) The tract or parcel to be divided is not exempted under Section 41.162 of this ordinance.
 - (2) No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to division.
 - (3) The entire area of the tract or parcel to be divided is greater than five acres.
 - (4) After division, no more than three lots results from the division.
 - (5) After the division, all resultant lots comply with all of the following:
 - a. Any lot dimension size requirements of the applicable land-use regulations, if any.
 - b. The use of the lots is in conformity with the applicable zoning requirements, if any.
 - c. A permanent means of ingress and egress is recorded for each lot.

SECTION 64. Phased Developments.

If a developer proposes that a subdivision (including PUD's) will be constructed in phases, the following procedure shall apply.

- 64.01 A master plan showing the entire proposed subdivision and the phases of development, proposed density, proposed type and location of utilities, and proposed development timetable shall be submitted to the Planning Board for approval.
- 64.02 Each phase of development shall be preceded by submission and approval of a preliminary plat as outlined in Section 62 unless such plat submission is waived by the Planning Board. The master plan may be submitted prior to or simultaneously to submission of the preliminary plat for the first phase of development.
- 64.03 As each phase is completed, a final plat must be submitted and approved for that phase as outlined in Sections 65 and 66.
- 64.04 Approval of the master plan need not be renewed unless density increases are proposed.

SECTION 65. Submission of Final Plat.

Unless a final plat is submitted to the Planning Board within eighteen (18) months from the date on which the preliminary plat was approved, such action on the preliminary plat shall become void and of no effect, and will necessitate the resubmission of the preliminary to the Planning Board for consideration, except in the case of preliminary plats for Planned Unit Developments, which do not expire. One (1) copy of this plat shall be submitted to the Planning Staff at least two (2) weeks before the meeting of the Planning Board at which time it is to be reviewed. Prior to the meeting and subsequent to staff review, eight (8) copies along with the plat fee as specified in Section 61.01 shall be submitted. Roads and lots shall be clearly marked in the field upon submission of the final plat.

- 65.01 Final Plat. The final plat shall be drawn on reproducible mylar. The final plat shall constitute only that portion of the approved preliminary sketch plan which the subdivider proposes to record provided that such portion conforms to all requirements of this ordinance. All final plats shall be on sheets with overall measurements of 18" x 24" and shall be on a scale no smaller than 1" = 100'. In addition, the developer shall provide one (1) reproducible 11"x 17" or smaller copy of the plat.

The final plat shall show as applicable:

- 65.011 A sketch vicinity map showing the location of the subdivision in relation to the surrounding area.
- 65.012 The right-of-way lines and easements of all streets and roads, and access right-of-way to state road.
- 65.013 Lot lines and lot numbers showing bearings and distances, and lot sizes. All dimensions should be to the nearest one-hundredth (0.01) of a foot and angles to the nearest minute.
- 65.014 Minimum building setback lines. (Show typical lot setback; not required of all lots.)
- 65.015 Relationship with floodway and flood plain as delineated by the county floodway boundary and flood insurance maps.

65.016 Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, and block line whether curved or straight.

65.017 Accurate location and description of all monuments and markers and block tie lines.

65.018 The names and locations of adjoining subdivisions and streets, and the location and ownership of adjoining un-subdivided property, including water areas.

65.019 Title, date, name, and location of subdivision, graphic scale, and true north point.

65.020 Name of owner, developer, surveyor, engineer and land planner.

65.021 Reservations for easements, and areas to be dedicated to public use or sites for other than residential use shall be shown on the plat with notes stating their purposes.

65.022 One of the following statements:

Drinking water source to be individual or shared wells (not a community or public water supply). Wastewater disposal method to be septic tanks. Individual lots have/have not been approved by Appalachian District Health Department for septic system.

OR

Drinking water source to be a public water supply (name system if to be connected to existing system, or indicate proposed new supply). Wastewater disposal method to be septic tanks. Individual lots have/have not been approved by Appalachian District Health department for septic system.

OR

Drinking water source to be a community water system (name system if to be connected to existing system, or indicate proposed new supply). Wastewater disposal method to be septic tanks. Individual lots have/have not been approved by Appalachian District Health Department for septic system.

OR

Drinking water source to be individual or shared wells (not a community or public water system). Wastewater disposal method to be NPDES sewer (name system if to be connected to existing system, or indicate proposed new system).

OR

Drinking water source to be a public water supply (name system if to be connected to existing system, or indicate proposed new supply). Wastewater disposal method to be NPDES sewer (name system if to be connected to existing system, or indicate proposed new system).

OR

Drinking water source to be a community water supply (name system if to be connected to existing system, or indicate proposed new supply). Wastewater disposal method to be NPDES sewer (name system if to be connected to existing system, or indicate proposed new system).

65.023 Location and size of culverts/ drainage facilities.

65.024 Density in units per acre if PUD.

65.025 Variances granted, if any.

65.026 Reference shall be made on final plat to deed book and page number of recorded Restrictive Covenants and/or Road Maintenance Agreement.

65.03 The following certificates shall be shown on the final plat as applicable:

65.031 Certificate of Ownership and Dedication

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described here on, that the property is within the regulatory jurisdiction of Watauga County, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish all lots, and dedicate all streets, alleys, walks, parks, easements, right-of way, and other open spaces to public or private use as noted.

_____ DATE _____ OWNER

65.032 Certificate of Accuracy

"The undersigned surveyor, being duly sworn, deposes and says that the plat upon which this certificate appears was prepared in accordance with N.C.G.S.47-30 as amended, is in all respects correct according to the best of his knowledge and belief, and was prepared from an actual survey made by him on the _____ day of _____ 20____, with maximum linear error of closure of _____ and a maximum field error of angular closure of _____.

65.0321 (may be combined with 65.032)

Pursuant to N.C.G.S. 47-30, the surveyor shall certify to one of the following.

- a. That this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
- b. That this survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;
- c. Any one of the following:
 - 1. That the survey is of an existing parcel or parcels of land and does not create a new street or change an existing street;
 - 2. That the survey is of an existing building or other structure, or natural feature, such as a watercourse; or
 - 3. That the survey is a control survey.
- d. That this survey is of another category, such as the recombination of existing parcels, a court ordered survey, or other exception to the definition of subdivision;
- e. That the information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

65.033 Certificate of the Approval of Water and Sewage System

I hereby certify that the water supply and sewage disposal utility system installed, or proposed for installation, in each lot of the subdivision entitled _____ fully meets the requirements of the undersigned agency(ies), and are hereby approved as shown.

DATE APPALACHIAN DISTRICT HEALTH DEPARTMENT

NC PUBLIC WATER SUPPLY SECTION

NC DEPT. OF ENVIRONMENT AND NATURAL RESOURCES

65.034 Certification of the Approval of Streets and Utilities

I hereby certify: (1) that streets, utilities and other improvements have been installed in an acceptable manner and according to County specifications in the subdivision entitled _____ or (2) that a security guarantee in the amount of \$ _____ or cash in the amount of \$ _____ has been posted with the county to assure completion of all required improvements in case of default.

DATE WATAUGA COUNTY AUTHORIZED REPRESENTATIVE

65.035 Certificate of Approval of Recording.

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Watauga County, North Carolina, with the exception of such variances, if any, as are noted in the Minutes of the Planning Board and are recorded on the plat and that it has been approved by the Watauga County Planning Board at their regular meeting of _____ for recording in the office of the County Register of Deeds.

DATE WATAUGA COUNTY AUTHORIZED REPRESENTATIVE

65.036 Certificate of Approval of Recording.
(watershed; can be combined with 65.035 or 65.040)

I certify that the plat shown here on complies with the Watershed Protection Ordinance and is approved by the Watauga County Planning Board or Staff (choose which is applicable) for recording in the Register of Deeds Office.

DATE WATAUGA COUNTY AUTHORIZED REPRESENTATIVE

NOTICE: This property is located within a Public Water Supply Watershed – development restrictions may apply.

65.037 Certificate of Approval and Acceptance of Dedications

I, _____, the Authorized Representative of Watauga County, North Carolina, do certify that Watauga County approved of this plat or map and has accepted the dedication of the streets, easements, right-of-way, and public parks shown

thereon, but assume no responsibility to open or maintain the same until, in the opinion of the governing body of Watauga County it is in the public interest to do so.

DATE WATAUGA COUNTY AUTHORIZED REPRESENTATIVE

65.038 Certification of Approval of N.C.D.O.T Division of Highways

NCDOT DIVISION OF HIGHWAYS
PROPOSED SUBDIVISION ROAD
CONSTRUCTION STANDARDS CERTIFICATION

APPROVED _____
DISTRICT ENGINEER

DATE _____
(or as otherwise specified by D.O.T.)

65.039 Certificate of Exemption

I hereby certify that the plat shown here on is exempt from the Watauga County Ordinance to Govern Subdivisions and Multi Unit Structures pursuant to Section _____ of the ordinance. No approval is required.

DATE WATAUGA COUNTY AUTHORIZED REPRESENTATIVE

65.040 Certificate of Approval of Minor Subdivision

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Watauga County, North Carolina. It has been approved as a minor subdivision as defined in Section 63 of the Subdivision Regulations for recording in the office of the County Register of Deeds.

DATE WATAUGA COUNTY AUTHORIZED REPRESENTATIVE

(NOTE: Authorized representatives shall be the Director of Planning and Inspections and the Property Development Coordinator II, and in their absence, the Chairman and Vice Chairman of the Planning Board.)

SECTION 66. APPROVAL OF FINAL PLAT.

Upon receipt of the final plat, the Planning Board and Staff shall review it for compliance with the provisions of the ordinance. The Planning Board may approve the plat in whole or in part, or subject to modifications. Failure of the Planning Board to take formal action on the final plat after receipt of the plat at least two (2) weeks prior to the regular meeting date(3rd Monday evening of each month) shall be deemed approval of submitted plat. (The regular meeting may be postponed, but for no more than one (1) week.)The approval of the final plat by the Planning Board shall be on the condition that such plat be recorded in the office of the Register of Deeds within one (1) year after such approval. The original tracing of the final shall be made available by the subdivider for authentication when the Planning Board takes final action approving the plat.

- 66.01 The developer shall pay an inspection fee of an amount specified from time to time by the Watauga County Commissioners. Half of said fee shall be paid at the time of submission of the preliminary plat; the remainder shall be paid at submission of the final plat. Fees shall be paid before the plat will be placed on the Planning Board meeting agenda.
- 66.02 For a planned unit development the developer shall pay an inspection fee at the rate provided above for each structure in the development. No fees are required for master plan review.

SECTION 67. Appeals

~~If either a preliminary or final plat is not approved by the Planning Board, the subdivider may appeal his case to the Watauga County Board of Commissioners within 30 days, by submitting written notice of appeal to the County Manager's Office. The notice of appeal shall state the grounds for the appeal. The County Manager shall schedule a hearing for the next regular Board of County Commissioners' meeting (provided the appeal is received prior to the meeting agenda deadline) and notify the appellant of this meeting. The Board of Commissioners shall render a decision affirming, reversing, or modifying the decision of the Planning Board.~~

~~A decision of the Board of Commissioners on an application for Appeal may be appealed to the Watauga County Superior Court by an aggrieved party. Such appeal shall be in the nature of certiorari and must be filed within thirty (30) days of the filing of the decision with the Clerk to the Board.~~

SECTION 68. Advisory Opinion.

A subdivider is encouraged to submit a sketch to the Planning Staff prior to submission of a preliminary plat if s/he wishes to ascertain the feasibility of development of his property.

ARTICLE VII - GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

SECTION 70. General Requirements.

The subdivider shall observe the following general requirements and principles of land subdivision.

- 70.01 Suitability of Land. Land which has been determined by the Watauga County Planning Board on the basis of engineering and/or other studies prepared by licensed professionals to pose an ascertainable danger to life or property by reason of its unsuitability for the use proposed shall not be platted for that purpose, unless and until the subdivider has taken the necessary measures to correct said conditions and to eliminate said dangers.

70.011 Land subject to flooding may be considered unsuitable for building development. The decision by the Planning Board shall be based on flooding history of the area and survey information furnished by Federal Emergency Management Agency (FEMA) as delineated on the Watauga County Floodway Boundary and Flood Rate Insurance Maps. Subdivision developments shall comply with the Watauga County Flood Damage Prevention Ordinance.

70.012 Generally, property which has a natural cross slope of fifty (50) percent or more is considered unfeasible for subdivision development. Any variance beyond a fifty (50) percent slope shall require the approval of the Planning Board. See Appendix H for method of defining average cross slope

- 70.02 Conformity to Existing Plans. All proposed subdivisions shall conform to any adopted plans for the county and to any applicable regulations of any existing County Zoning Ordinance. Whenever a tract to be subdivided embraces any part of a state maintained road, as designated on any officially adopted plan, such part of such public right-of-way shall be platted by the subdivider in the location and at the width indicated by said plan and provisions of this ordinance.

70.03 Driveway Connection Permit. A driveway connection permit issued by NC Department of Transportation shall be obtained. A Traffic Impact Analysis shall be required from the applicant under the following circumstances, unless the Planning Staff and NCDOT concur that one is unnecessary:

- (1) The development proposes to have access to any public road at a location where sight distance in any direction along the road is less than 500 feet; or
- (2) The development proposes access onto a public road that does not have a paved width of at least 18 feet; or
- (3) The development proposes access to a public road with current NCDOT traffic counts that are 85% of capacity shown in the most recent Watauga County Comprehensive Transportation Plan and based upon ITE trip generation rates is projected to generate 1,500 or more weekday trips; or
- (4) The Planning Staff determines that the proposed project will have a potential negative impact on the public road system due to the size of the project or existing transportation system or determines that there are safety concerns with the driveway location and design. If a traffic impact analysis is performed and that analysis concludes that improvements are required to the transportation system, the applicant may be required to complete those improvements in connection with the project as a condition of issuing a permit. Unless an agreement is executed by the County in which the time for the improvement is specified, the improvement shall be completed prior to issuance of final plat approval.

70.04 Coordination and Continuation of Streets. The proposed street layout within a subdivision shall be coordinated with the existing street system of the surrounding area and where possible, existing principle streets shall be extended.

70.05 Access to Adjacent Properties. Where, in the opinion of the Planning Board it is necessary to provide for street access to an adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided. This provision shall apply only to roads which will be state maintained (dedicated to the public).

70.06 Access Right-of-Way. Where a right-of-way, less than forty-five (45) feet, which provides access to property proposed for subdivision had been granted prior to June 15, 1973, and the developer presents proof in writing that s/he cannot feasibly obtain a forty-five (45) foot right-of-way to the property then s/he may be permitted to develop the property provided s/he secure at least a thirty (30) foot right-of-way into the property proposed for subdivision. If the right-of-way is less than thirty (30) feet, the Planning Board may grant a variance for development provided that the road width will meet county standards. Less-than-county-standard-width may be permitted under extreme circumstances in the judgment of the Planning Board, provided the access right-of-way is no greater than 300 feet in length and there are no view obstructions from either end of the access. Roads providing access to subdivisions shall meet the same standard as the roads

within the subdivision unless a variance specifying otherwise is granted by the Planning Board. In all cases where less than a forty-five (45) foot right of-way is used for access to a subdivision, this fact shall be contained in the disclosure statement and shown on the final plat as specified in Subsection 65.012. For purposes of this section, access road shall not include any state-maintained road. When an access road passes by an existing structure, the subdivision developer shall make efforts to protect the structure(s) from visual, noise, stormwater and other impacts potentially caused by the access road.

- 70.07 Large Tracts or Parcels. Where land is subdivided into larger parcels than ordinary building lots, such parcels should be arranged so as to allow for the opening of future streets and logical further re-subdivisions.
- 70.08 Marginal Access Streets. Where a tract of land to be subdivided adjoins a principal arterial street or a major arterial street, the subdivider may be required to provide a marginal access street parallel to the arterial street or reverse frontage on a minor street for the lots to be developed adjacent to the arterial. Where reverse frontage is established, private driveways shall be prevented from having direct access to the expressway.
- 70.09 Lots. All lots shall front, except as provided in Section 72.016, with a minimum of forty (40) feet on a dedicated through street; thirty (30) feet on cul-de-sacs. Double frontage lots shall be encouraged where terrain necessitates double frontage for reasonable access to property.
- 70.010 Street Names. Proposed streets which are obviously in alignment with existing streets shall be given the same name. In assigning new names, the provisions of the Ordinance Establishing Names For Public And Private Roads In Watauga County shall apply. Street names shall be subject to the approval of the Planning Staff.
- 70.10 Name of Subdivision. The name of a subdivision shall not duplicate nor closely approximate the name of an existing subdivision within the county.
- 70.11 Natural Assets. In any subdivision due consideration will be given to preserving natural features such as trees, ponds, streams, rivers, lakes and for any historical sites which are of value not only to the subdivision but to the county as a whole.
- 70.12 Erosion Control. In order to prevent soil erosion and sedimentation of streams, springs, flat water bodies, or other drainage networks, the subdivider shall retain the natural vegetation cover wherever possible. Further, land cleared of the natural vegetation shall be reseeded or replanted with an appropriate vegetative cover which shall be approved by the Planning Staff and Soil and Water Conservation District. In all cases of street construction, or land disturbing activity of one half (1/2) acre or more, the subdivider shall comply with the Watauga County Soil Erosion Control Ordinance. **In addition, the grading plan and specifications controlling execution of land-disturbing activities shall adhere to the following standards:**
- A. **Maximum cut slopes shall be 2H: 1V.**
 - B. **Maximum fill slopes shall be 2H: 1V.**
Innovative designs exceeding the slope standards specified herein may be approved when accompanied by a site-specific subsurface investigation, report and recommendation performed by a registered professional engineer competent in geotechnical engineering. ~~In any event, a~~ All grades shall be sloped to drain surface water away from buildings, pavements, slopes and structures, as applicable.

Also see appendix B-D for further detail.

70.13 Storm Water Drainage. The subdivider shall provide an adequate drainage system for the proper drainage of all surface water. The design of such a system shall be subject to the approval of the Planning Staff.

70.131 No surface water shall be channeled or directed into a sanitary sewer.

70.132 Where feasible, the subdivider shall connect to an existing storm drainage system.

70.133 Where an existing storm drainage system cannot feasibly be extended to the subdivision, a surface drainage system shall be designed to protect the proposed development and adjoining property from water damage.

70.14 Proposed Water and Sewage Systems. The preliminary subdivision plat must be accompanied by satisfactory evidence as to the proposed method and system of water supply and sanitary sewage collection and disposal.

70.141 Where the system is to be connected to the system owned and operated by the Towns of Boone, Blowing Rock, Beech Mountain, Seven Devils, or any associated sanitary district, or any sanitary facility of Watauga County, but not constructed by the municipalities or county, the preliminary subdivision plat shall be accompanied by a letter of approval from the proper official representing the owner of the existing system to which the proposed system is to be connected. After preliminary approval but prior to installation of a public water or sewer system, the developer shall present to the Planning Board plans for the proposed system, prepared by a registered engineer and approved by the proper official representing the owner of the system to which the proposed system is to be connected, and by the designated state agency.

70.142 Where community water/sewer systems are proposed, the preliminary plat shall be accompanied by a letter of approval from the proper official of the designated state agency or the Appalachian District Health Department, whichever is applicable. The developer shall note the type of systems to be utilized on the preliminary and final plat and shall record with the Watauga County Register of Deeds an instrument setting forth provisions for the establishment of a property owner's association for the purpose of assessing dues for maintenance of the community systems by purchasers of property which will be served within the development. The developer shall maintain community systems at least until such time that the property owner's association assumes maintenance.

70.143 Where the proposed system does not contemplate the use of facilities owned and operated by any of the above, the developer shall note on the preliminary and final plat that each lot shall have an individual water supply and sewage disposal facility to be approved by the Appalachian District Health Department. The developer shall note further which lot(s) have or have not received prior approval for septic tank use by the Appalachian District Health Department.

70.15 Cemeteries: Where a subdivision plat encompasses an existing cemetery - whether active or abandoned - the subdivider shall provide permanent access to the cemetery.

SECTION 71. Design Standards for Streets

The design standards for subdivision streets shall meet either the minimum construction standards for secondary roads as required by the N.C. Department of Transportation or the minimum construction requirements for county standard roads. When state standards are to be met, the developer shall submit proposed road specifications for the approval of the local Department of Transportation office prior to submitting a preliminary plat. It is recommended that subdivision roads be constructed to meet D.O.T. requirements in all areas where terrain is suitable for D.O.T. approval.

71.01 County Standard Roads. County standards may be utilized under the following conditions:

71.011 Prior to the recording of the final plat, the developer shall record a Declaration of Restrictions and/or approved Road Maintenance Agreement having provisions for the establishment of a property owner's association for the purpose of assessing dues for road maintenance. The developer shall maintain the road at least until such time that the property owner's association assumes maintenance.

71.012 County standard roads shall be maintained to the original graveled or paved width.

71.013 The Planning Staff may perform periodic inspections to insure that the roads are being maintained to the required width.

71.02 Design Requirements for County Standard Roads.

71.021 Right-of-Way Width. Right of way width for County standard roads shall be not less than forty-five (45) feet.

71.022 Width of Road. Graded width of road bed including ditch and shoulder areas shall have a minimum width of twenty five (25) feet. This amount may be reduced pursuant to Section 71.024.

71.023 Stoned or Paved Area. Road travel area may be either stoned or paved, and shall have a minimum width of twenty (20) feet.

71.0231 Where stone is used, it shall be "crusher-run" or DOT approved "ABC" stone compacted to a minimum of four (4) inches. In locations where soil conditions require additional stone to attain a stable road bed, the developer shall add the required amount of stone before attaining approval of the final plat.

71.0232 If the developer elects to pave county standard roads, s/he shall meet requirements of the State Department of Transportation pertaining to stone base and top surface.

71.0233 In the case of roads which were approved and for which construction began prior to the adoption of the 20-foot width requirement on May 15, 2012 the Planning Board may allow 18-foot road width provided the Board determines the following:

- a) the subject road received a preliminary plat approval prior to May 15, 2012, and
- b) the road was substantially completed to the formerly-required 18 foot width, and
- c) it is impractical from an engineering or environmental perspective to increase the width to 20 feet. Examples include, but are not limited to : 1) underground utilities have been placed in the road right-of-way, 2) cut and fill slopes have been stabilized and additional grading would unnecessarily affect the slopes, and 3) the subject road segment is the final segment of an existing road.

71.024 Shoulder Areas and Ditches. Shoulder area on cut side shall be a minimum of four (4) feet in width and shall provide a drainage ditch of adequate size to accommodate storm water run-off based on terrain and location. Shoulder width on fill side shall be a minimum width of three (3) feet. In locations where cuts are required on both sides of the road, drainage ditches and shoulders shall occupy approximately three and one-half (3 1/2) feet wide on each side. The Planning Staff may recommend shoulder design which differs from the above during site inspection and depending upon terrain and cut and fill. In addition, the staff may approve a reduction in shoulder area on the ditch side of up to one and one-half (1 1/2) feet where the road is paved and "roll type" curb and gutter is used. The total reduction in shoulder area could be three (3) feet if there is a ditch on both sides. This reduction is dependent upon adequacy of this design to handle runoff as calculated by the erosion control plan.

71.025 Road Grades. Maximum grade shall be fifteen (15) percent. A variance up to eighteen (18) percent may be granted by the Planning Board in extreme cases where terrain prohibits a lesser grade to attain access to a nearby area, if in the opinion of the Planning Board such variance will not create a hazardous or destructive condition. In no case shall a variance be granted for road grades exceeding eighteen (18) percent.

In addition, for any road containing grade(s) exceeding fifteen (15) percent, the entire road network shall be paved unless deemed unnecessary by the Planning Board in considering the variance. The Planning Board may require the placement of safety barriers on curves of such roads. The Planning Board shall also require a slope stake road profile for roads (or portions of roads where practical) with grade(s) fourteen (14) to eighteen (18) percent subsequent to preliminary plat approval. Certification of road grade by a NC licensed surveyor shall be required when deemed necessary by the Planning Board or Staff.

71.026 Culverts and Drainage. Culverts shall be of adequate size to discharge storm water from any given area depending upon terrain and location. Minimum culvert size shall be eighteen (18) inches (may be reduced at the discretion of the Planning Staff) inside diameter and shall be located and installed as recommended by the project engineer or as recommended by the Planning Staff.

71.0261 Culverts may be made of any NCDOT approved material and design and shall be installed on a constant grade of a sufficient degree to insure proper drainage and a minimum danger of becoming clogged with debris or mud.

71.0262 All culverts shall have a minimum cover of twelve (12) inches of well compacted earth. The first six (6) inches of earth surrounding the culvert shall be free of stones larger than two (2) inches square.

71.027 Curve Radius. All curves in county standard roads shall have a radius of no less than thirty five (35) feet.

71.028 Bridges. Proposed bridges which will be part of a county standard road or bridges used by more than one house, townhouse or duplex shall be constructed and maintained in accordance with AASHTO HB-17 and designed to accommodate two (2) lanes of traffic unless a variance for a one (1) lane bridge is granted by the Planning Board. Factors to be considered by the Board in deciding upon such variances are: (1) environmental impact of a one (1) lane bridge as opposed to a two (2) lane bridge; (2) density (number of houses to be served by bridge); (3) traffic flow (one lane bridges should not be placed so as to cause traffic to back up onto a major thoroughfare).

In any event, bridges serving more than one house, townhouse or duplex shall be permitted and constructed to meet NC Department of Transportation specifications, except that the width may be reduced to twenty (20) feet. Confirmation that bridges meet such specifications may be provided by either Department of Transportation engineer or a registered private engineer. In addition, one-lane bridges shall include gravel or paved turnouts on each side of the bridge(s) to provide access to the water body for fire-fighting equipment where feasible. Developers proposing bridges should request an advisory opinion from the Planning Staff to assist in designing appropriate and adequate bridges. Private bridges shall be maintained by the developer or property owners association. Suggested maintenance procedures are found in Appendix I. It is recommended that these or similar procedures be adopted as an annual procedure.

71.029 Cul-de-sacs. Turn-around right-of-way width shall be a minimum of one hundred (100) feet in diameter for round-design cul-de-sacs; the travel surface shall be a minimum of seventy (70) feet in diameter. Provided, however, that if terrain prevents construction of a round-

design cul-de-sac, "tee" and "y" types of turn-arounds may be constructed; right-of-way shall be forty-five (45) feet in width; travel surface shall be eighteen (18) feet. See Appendix K for drawings.

71.030 Turnarounds. County standard roads shall be provided with turnarounds located as near as practical to the first 1000 foot point and each 1000 foot point thereafter, but not to vary by more than 100 feet longer. Road right-of-way shall be established so as to encompass turnarounds.

71.031 Property Lines - - Concerning County Standard Roads. Roads which are to have a forty-five (45) foot right-of-way may also have the property line located along and with the centerline of the road with a twenty-two and one-half (22 1/2) foot road right-of-way measured from the centerline to each side of the road. If this method is used it shall be clearly indicated on the plats and incorporated in all deed conveyances. If the developer elects, s/he may place property line(s) twenty-two and one-half (22 1/2) feet from the centerline of the road(s) thereby providing a forty-five (45) foot right-of-way.

71.0311 Property line markers (iron rod, granite, or concrete monument) shall be placed on the side property lines at a point measured twenty-two and one-half (22 1/2) feet from the center of the road where a forty-five (45) foot right-of-way is provided.

71.0312 The minimum building set-back distance from the road abutting the front of the property shall be forty (40) feet from the center of a forty-five (45) foot right-of-way. This will place the structure 17 1/2 feet behind the right-of-way line.

71.032 Designation of Road Status. All roads shown on the preliminary and final plats shall be clearly noted as to which roads are county standard and which are constructed to meet N.C. Department of Transportation requirements.

71.0321 It is permissible to have both county standard and state approved roads within a subdivision. It is suggested that for a subdivision of substantial size with a main entrance road entering from an existing state road which will have a length of one thousand (1000) feet or more and may be extended in the foreseeable future, the entrance road should be constructed to meet N.C. Department of Transportation standards. This plan is suggested in order to insure mail delivery, state road maintenance and school bus service to a closer proximity of property owners located on county standard roads which may intersect the new public road.

71.0322 Construction of a county standard road intersecting an existing state road with the intention of connecting and serving a new state approved road is prohibited.

71.033 Disclosure. The developer shall comply with N.C.G.S.136-102.6 which provides for a Disclosure Statement from the developer to the purchaser setting forth the status (whether public or private) of the road on which the property is located. The disclosure statement shall also fully disclose the party or parties upon whom responsibility for maintenance of such roads shall rest.

SECTION 72. Design Standards for Lots

The lot size, width, depth, shape and orientation, shall be appropriate for the location and terrain of the subdivision and for the type of development and use contemplated.

72.01 Lot Area. (SEE ALSO TABLE 1)

72.011 Lots served by public/community water and NPDES sewer shall have an area of at least eight thousand (8000) square feet.

72.012 Lots served by NPDES sewer but individual water shall have an area of at least ten thousand (10,000) square feet.

72.013 Lots served by individual sewer shall have an area of at least twenty-one thousand, seven hundred eighty (21,780) square feet (one-half acre). These requirements shall be increased on the recommendation of the Appalachian District Health Department based on site investigations or percolation rates and subsoil conditions.

72.014 Lots located within drinking water supply watersheds shall comply with the size requirements specified for WS-I, WS-II, WS-III, or WS-IV found in the Watauga County Watershed Protection Ordinances.

72.015 Individual lots within townhouse developments or townhome conversions must include an individual dwelling, together with front and rear yards or rights to yards in common areas, but are otherwise exempt from minimum lot area and setback requirements.

TABLE 1 - LOT AREA REQUIREMENTS

	PUBLIC/COMMUNITY WATER, NPDES & NON-DISCHARGE SEWER SYTEMS	PUBLIC/COMMUNITY WATER, INDIVIDUAL SEWER SYSTEMS	INDIVIDUAL WATER INDIVIDUAL SEWER SYSTEMS	INDIVIDUAL WATER NPDES SEWER SYSTEMS
Minimum Lot area in square feet	8,000	21,780	21,780	10,000
Minimum Lot width in feet	75-average 40-street line**	75-average 40-street line	75-average 40-street line	75-average 40-street line
Minimum lot depth in feet	125-average	125-average	125-average	125-average
Density in units per acres	5.4 (conventional) 6.155 (PUD***)	2 (conventional) 2.261 (PUD***)	2 (conventional) 2.261 (PUD***)	4.3 (conventional) 4.924 (PUD***)

** Street line width for cul-de-sacs may be 30 feet.

*** Multiply gross area by figures shown here. These figures have 15% deduction for roadways built in. These figures do not apply where the average cross slope is 30% or greater.

NOTES: (1) PUDs served by shared individual sewer systems (see definitions) shall be permitted density of 4.522 units per acre (this figure has 15% roadway deduction built it); density permitted where average cross slope exceeds 30% shall be 4 units per acre.

(2) Minimum lot size requirements may exceed those shown above if subdivision is located in areas of the County affected by the following state and local regulations:

Valle Crucis Historic District Ordinance (9-1-90)
 Foscoe-Grandfather Zoning Ordinance (11-6-90)
 Watershed Protection Zoning Ordinance (Winklers Creek, Howards Creek, Norris Branch, Flat Top Branch, South, East and Middle Forks New River) (1-1-94)
 High Quality Waters (HQW) regulations (Watauga River, Boone Fork Creek, Howards Creek) (8-1-90)
 Outstanding Resource Waters (ORW) regulations (Elk Creek) (3-1-89)

(3) Setback: 15 feet from side and rear property lines; 40 feet from center of 45 foot right-of-way.

(4) Appalachian District Health Department regulations require that 1 unit = 2 bedrooms for individual sewer systems.

(5) Minimum lot areas are exclusive of road right-of-way.

(6) Formula for units per acre: #units divided by total acres. Example: 10 units on 2 acres = $10/2=5$ units per acre.

(7) Except as set forth in Section 72.06, A residential lot, meeting the minimum standards of this ordinance, or being a lot which was established prior to June 15, 1973, may accommodate a single residence, a duplex, or a single residence and a detached secondary residence such as a garage apartment, provided there are no more than two (2) units.

72.02 Lot Width. All lots shall have an average width of seventy-five (75) feet and a minimum width at the street line of forty (40) feet, thirty (30) feet on a cul-de-sac.

72.03 Lot Depth. All lots shall have an average depth of at least one hundred twenty-five (125) feet.

72.04 Orientation of Lot Lines. Side lot lines are encouraged to be designed substantially at right angles or radial to street lines depending upon terrain.

72.05 Panhandle Lots. The Planning Board or Staff may approve panhandle lots where it is impractical to serve an isolated lot by a state or county standard road. The frontage of the panhandle lot shall have a minimum width of thirty-five (35) feet which will provide an access strip between two standard lots to the isolated building site. The area of such strip shall be excluded in computing the lot area and the length of said strip shall not exceed three-hundred (300) feet. If the panhandle widens to seventy (70) feet or more, it shall be included in the acreage calculation.

72.06 Access to Lots. All lots within a subdivision shall have direct vehicular access to state or county standard roads, provided however that access to a maximum of three (3) lots (each lot containing no more than one residential unit) may be provided through use of a shared private driveway. A shared private driveway shall not exceed eighteen (18) percent grade, shall be contained within a 20 foot or greater right-of-way, and shall have a 35 foot minimum curve radii. Driveway travel area may be either stoned or paved and shall have a minimum width of ten (10) feet with a vertical clearance of not less than 13 feet 6 inches. The travel area must be designed to support the loads imposed by fire apparatus and provide all weather driving capabilities. Driveways that exceed 1,000 feet in length shall have an approved pullout area with a minimum width of 10 feet and minimum length of 40 feet to allow for two-way traffic. Shared driveways shall be constructed at the time of final plat submission. There shall be no obstructions within the right-of-way of shared driveways. The developer shall record with the Watauga County Register of Deeds an instrument setting forth provisions for maintenance of the shared driveway and shall maintain the driveway at least until such time that the maintenance is assumed by others. The provisions of this subsection are applicable to shared driveways serving more than one subdivision, or a subdivision and property outside of the subdivision. Decisions of the staff may be reviewed by the Planning Board upon written appeal submitted to the Director of Planning and Inspections within thirty (30) days of the staff decision.

72.07 Building Setback Lines. The minimum building setback distance shall be as stipulated in Table 2. Structures subject to setback requirements may be completed without regard to older, more stringent setback requirements found in older subdivisions. Building setbacks shall be measured from the property line to any part of the structure above ground, including eaves and overhangs, but not including walkways or driveway/parking areas. The owner or contractor shall certify compliance with setbacks prior to inspection of the building footings.

TABLE 2 - BUILDING SETBACK REQUIREMENTS

<u>Type of Setback</u>	<u>Amount of Setback</u>
1. Distance from center of right-of-way on Highways 321, 421, 221, 105, 194. (includes all frontages of multiple frontage lots)	80 feet, but shall in all cases be at least 15 feet from the street right-of-way line.
2. Distance from center of right-of-way on all other streets. (includes all frontages of multiple frontage lots)	45 feet, or 40 feet per Section 71.0312.
3. Distance from cul-de-sac right-of-way.	15 feet
4. Distance from side property line.	15 feet
5. Distance from rear property line. (if rear property line does not front on a road)	15 feet
6. Distance (horizontal) from a stream, river, or lake.	To be determined by Watauga County Flood Damage Prevention Ordinance or other applicable regulations including but not limited to High Quality Waters, Outstanding Resource Waters, and Watershed Protection
7. Pre-existing Situations. Setback requirements contained herein are not applicable to structures and lot lines which pre-existed this ordinance and/or pre-existed the subdivision of the land upon which the structures are located. The setbacks contained herein shall apply to any new or rebuilt structures located on the subject land.	

SECTION 73. Design Standards for Easements.

Easements shall be provided as follows:

73.01 Utility Easements. Easements for underground or above ground utilities shall be provided where necessary across lots or preferably centered on rear or side lot lines and shall be at least ten (10) feet in width.

73.02 Drainage Easements. Where a subdivision is traversed by a stream or drainage way, a minimum easement of fifteen (15) feet shall be provided conforming to the lines of such stream.

ARTICLE VIII - PLANNED UNIT DEVELOPMENT

SECTION 80. Definition.

A "planned unit development" (PUD) is a tract of land under single, corporate, firm, partnership, or association ownership which is planned and developed as an integral unit. It is established in a single development operation or a definitely programmed series of development operations according to an approved master development plan and a preliminary site plan.

SECTION 81. Purpose.

It is the objective of this Article to encourage PUD proposals that exhibit such special qualities or concepts that they may deviate from standard ordinance requirements. These regulations are established in order

that each PUD proposal will be evaluated on its own merits. It is recognized that some proposals or concepts will be more successful than others and the approval of a specific proposal in one situation does not mean that a similar proposal would be acceptable in other circumstances. It is also recognized that only through ingenuity, imagination, and high quality design can residential or commercial developments be produced which are in keeping with the intent of this article but which are not constrained by the strict application of conventional use and dimensional requirements of the subdivision regulations.

A Voluntary Alternate Procedure

Use of the PUD procedure is not mandatory for the development of any site or area. Rather, this process will provide a voluntary alternate development procedure which has one or more of the advantages listed below.

- a) Permit creative approaches to the development of residential or commercial land, reflecting changes in the technology of land development.
- b) Accomplish a more desirable environment than would otherwise be possible, by providing for a variety of housing types, designs and arrangements.
- c) Provide for an efficient use of land which can result in smaller networks of utilities and streets and reduce development costs.
- d) Enhance the appearance of neighborhoods through the preservation of natural features, and the provision of recreational and open space areas.
- e) Provide an opportunity for new approaches to home ownership.
- f) Provide an environment of stable character compatible with surrounding residential and natural areas.

81.01 Minimum Requirements.

- a) The normal lot size, setbacks and frontage requirements are hereby waived for lots or building sites within the planned unit development, provided that the spirit and intent of this article are complied with in the total development plan, as determined by the Planning Board. Compliance with ~~standard subdivision setback requirements~~ **the buffering and screening requirements found in Appendix J** along the perimeter of a PUD is required. ~~The Planning Board shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of this section.~~
- b) Height limitations: All buildings shall comply with the Watauga County Ordinance to Govern the Height of Structures or the NC Ridge Law, whichever is applicable.
- c) All streets providing access to a PUD and streets within a PUD shall be constructed to at least County standards regarding right-of-way and width, and must be paved.
- d) Every dwelling unit shall have access to a public or private street, walkway or other area dedicated to common use, and there shall be provision for adequate vehicular circulation to all development properties, in order to ensure acceptable levels of access for emergency vehicles.
- e) Every planned unit development shall provide at least two (2) off-street parking spaces per dwelling unit and commercial/office parking and loading space according to the following schedule.
 1. Parking space for commercial/office shall consist of one (1) off-street parking space for each two hundred (200) square feet of gross floor area for operations designed to attract and serve customers and clients on the premises; one (1) space for each four hundred (400) square feet

- of gross floor area for operations designed to attract little or no customer or client traffic other than employees of the operation; one and one half (1.5) spaces per bedroom for hotels, motels, and inns; one and one half (1.5) spaces per three (3) employees for industrial and warehouse uses.
2. Parking spaces shall be a minimum of nine feet by eighteen feet (9' x 18') in size.
 3. Loading/unloading space for commercial/ office uses shall consist of one (1) space at least three hundred (300) square feet in size for each five thousand (5000) square feet of gross floor area.
 4. Parking and loading areas for all multi-unit buildings shall be accessible to fire department apparatus through the use of fire lanes or other means of access approved by the County Fire Marshal /Emergency Management Office.

g) Grading and erosion control shall be undertaken in accordance with Section 70.12.

81.02 Land Development Standards. Subject to the provisions set forth herein, residential, office, commercial, or mixed use PUD's are permitted uses. Common land must be an essential element of the PUD, provided in lieu of standard individual lots. **A minimum of thirty- three percent (33%) of the total land area must be permanently dedicated permanent** as any combination of common space, open space or green space. Road and parking areas and buildings ~~are~~ shall not be included in common land for purposes of this subsection; ~~areas designated for septic drain fields and repair areas and well buffers shall be included.~~ Also included, for example, are outdoor recreation areas and no-wall structures such as picnic shelters.

81.021 Residential Uses. Residential units within a PUD may include single family detached or attached units, townhouse developments, garden apartments, patio homes, and other type residential units. Condominium, cooperative, individual, municipal, or any other type of ownership development may be recorded, and the plan shall be approved as a preliminary and final plat according to the requirements of the subdivision regulations.

81.022 Non-Residential Uses. Non-residential uses (commercial and office) within residential PUD's shall not constitute the primary use in the PUD, and non-residential uses shall be carefully designed to complement the residential uses within the PUD. Commercial/office PUD's are permitted, and are subject to the same requirements as residential PUD's including Subsection 81.021 above.

81.023 Privacy. Each development shall provide reasonable visual and acoustical privacy for all dwelling units. Fences, insulation, walkways, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants.

81.024 Perimeter Requirements. ~~If topographical or other barriers within two hundred (200) feet of the development do not provide reasonable privacy for existing uses adjacent to the development, the Planning Board may require that structures located on the perimeter of the development be well screened in a manner which is approved by the Planning Board. If screening is required, the standards of Appendix J shall apply.~~

81.03 Density. The density which may be constructed within the Planned Unit Development shall be determined by dividing the gross project area minus fifteen percent (15%) of the total (to account for roadways) by the required lot area per unit which is required on Table 1 for conventional subdivisions, and modified by the increases in density permitted under this Section. Density (units per acre) may be increased (see Table 1) if the character of the development and/or amenities incorporated in the development warrant such increases provided that in no case shall the density

increase cause the density of the Planned Unit Development to be more than thirty-three percent (33%) in excess of the density which would be achieved under standard subdivision regulations.

81.031 Limits Upon Density Increases. If the Planning Board finds that any of the following conditions would be created by an increase in density, it may either deny an application for increase in density, or limit the increase in density by an amount sufficient to avoid the creation of any of the following conditions:

- a) Inconvenient or unsafe access to the development.
- b) Traffic congestion in streets adjoining the development.
- c) An excessive burden imposed on parks, recreational areas, schools, and other public facilities which serve or are proposed to serve the development.

81.032 Denial of Density Increases. The increases in density shall not apply where the average cross slope is thirty (30) percent or greater. See appendix H for method of determining average cross slope.

81.04 Conveyance and Maintenance of Common Land. Conveyance and maintenance of common land, common elements, open space, green space, recreational areas and other facilities owned in common shall be in accordance with the Unit Ownership Act (Chapter 47-A of the North Carolina General Statutes), the Condominium Act (Chapter 47-C), the Planned Community Act (Chapter 47-F) and/or any other applicable state or federal law.

81.05 Improvements

81.051 Circulation Facilities. The arrangement of public and common ways for pedestrian and vehicular circulation in relation to other existing or planned streets in the area, together with provisions for street improvements, shall be in compliance with standards set forth in Subsections 71.023 and 71.024 above (unless a variance for one lane traffic has been granted). Upon application by the developer and good cause shown, the Planning Board may permit changes or alterations of such standards which are consistent with the spirit and intent of this section.

81.052 Utilities. Whenever reasonably possible, all Planned Unit Developments shall provide for underground installation of utilities (including electricity and telephone) in both public ways and private extensions thereof. Provisions shall be made for acceptable design and construction of storm water facilities including grading, gutters, piping, treatment of turf to handle storm waters and erosion prevention. Utilities and maintenance of facilities shall be in accordance with the requirements and regulations of the appropriate governmental authority having jurisdiction thereof.

A planned unit development application shall not be approved unless adequate assurance is given that public or community water and sanitary sewer service will be available, except that upon application by the developer and good cause shown, the Planning Board may modify or waive this requirement provided such action is consistent with the spirit and intent of this section.

81.053 Pedestrian Circulation. Any pedestrian circulation system and its related walkways shall be insulated as completely and as reasonably as possible from the vehicular street system in order to provide separation of pedestrian and vehicular movement. This shall include where deemed to be necessary by the Planning Board pedestrian underpass or overpass in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses which generate a considerable amount of pedestrian traffic.

81.06 PUD Reviewed As Subdivision

It is the intent of this regulation that subdivision review under these regulations be carried out as an integral part of the review of a Planned Unit Development under the Section. The plans required under this Section must be submitted in a form which substantially will satisfy requirements of these regulations for the preliminary and final plat approvals. The plans may also be subject to review by the County Board of Adjustment if the PUD is proposed in a zoned area. Approval of a Conditional Use Permit for a PUD by the Board of Adjustment shall constitute preliminary plat approval; Planning Board approval of preliminary plat(s) is not required. The Planning Board shall approve all final plats. The Planning Staff has the authority to approve final plats consisting of up to ten (10) lots or buildings. The Planning Board shall approve all other final plats.

81.061 Phased Developments. If the proposed PUD is to be developed in phases, the developer shall submit a master plan as specified in Section 64 of this Ordinance.

81.062 Advisory Opinion. Prior to formal master plan or a preliminary plat submission, the developer is encouraged to submit a sketch plan of the PUD to the Planning Staff in order to obtain an advisory opinion of the project's feasibility.

SECTION 82. Affordable Housing PUD.

It is the objective of this section to encourage the provision of housing that is affordable to low and moderate income households. These regulations are established in support of Watauga County's adopted Affordable Workforce Housing policy (See Appendix "L") and provide a voluntary alternative procedure to encourage development of housing affordable to all income levels, particularly first time home buyers.

The following are definitions of the words or terms utilized in this Section:

Affordable Dwelling Unit. A dwelling unit that is offered for sale or rent at a total monthly mortgage or rental price (including utilities) which is no greater than 1/12 of 30% of the Area Median Income as established annually by the United States Department of Housing and Urban Development, adjusted for assumed household size based on unit size. The assumed household size shall be (2) persons in a one bedroom unit, (3) persons in a two bedroom unit, and (4) persons in units containing three or more bedrooms.

Affordable Housing PUD. A Planned Unit Development, as defined by Section 80., in which 51% or more of the included dwelling units meet the definition of an Affordable Dwelling Unit.

82.01 Minimum Requirements.

The minimum requirements for development of an Affordable Housing PUD shall be as established in Section 81.01, with the exception of the following:

- a.) Streets within an Affordable Housing PUD shall be constructed in accordance with Section 71.023. The right-of-way shall not be less than thirty (30) feet.
- b.) Affordable Dwelling Units within an Affordable Housing PUD shall provide one (1) off-street parking space per unit.
- c.) When an Affordable Housing PUD contains both Affordable Dwelling Units and market rate housing, the Affordable Dwelling Units shall be intermixed with the market rate units.
- d.) When an Affordable Housing PUD contains both Affordable Dwelling Units and market rate housing, the general exterior design and appearance of the Affordable Dwelling Units shall be compatible with the market rate units.

82.02 Land Development Standards.

The land development standards for an Affordable Housing PUD shall be as established in Section 81.02.

82.03 Density.

The density which may be constructed within an Affordable Housing PUD shall be determined by the capacity of the proposed water and sewer systems, provided that the proposed density does not result in the any of the following conditions:

- a.) Inconvenient or unsafe access to the development.
- b.) Traffic congestion in the streets adjoining the development.
- c.) An excessive burden imposed on parks, recreation areas, schools and other public facilities which serve or are proposed to serve the development.

82.04 Conveyance and Maintenance of Common Land.

Conveyance and maintenance of common land within an Affordable Housing PUD shall be as established in Section 81.04.

82.05 Improvements.

Required improvements within an Affordable Housing PUD shall be as established in Section 81.05.

82.06 Procedure.

Applications for an Affordable Housing PUD shall be reviewed by Planning Board or Board of Adjustment in accordance with Section 81.06. In addition:

- a.) Applications containing Affordable Dwelling Units shall be processed with priority over others.
- b.) Highest priority for processing shall be given to applications involving partnerships with a community land trust or other non-profit organization responsible for ensuring long-term retention of affordable housing.
- c.) The County shall waive review fees associated with Affordable Housing PUDs meeting the criteria established herein.
- d.) If market rate housing units are included within an Affordable Housing PUD constructed in phases or over a time period exceeding 12 months, a proportional amount of Affordable Dwelling Units must be completed concurrently with the market rate housing units.
- e.) An agreement in a form approved by the County must be recorded with the Register of Deeds requiring Affordable Dwelling Units which are provided under this section to remain as affordable housing for the life of the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs and successors of the applicant.

ARTICLE IX - INSTALLATION OF PERMANENT REFERENCE POINTS AND IMPROVEMENTS

SECTION 90. PERMANENT REFERENCE POINTS.

Prior to the approval of the final plat, permanent reference points shall have been placed in accordance with N.C.G.S. 89C and N.C.G.S. 47-30, which provide regulations for surveyors for the mapping of subdivisions. Additionally, the following requirements shall be met:

- 90.01 Block Tie Lines. Each block shall have adequate tie line(s) showing bearing and distance between one established point on each side of the road.
- 90.02 Certificate. A certificate signed by the surveyor meeting the requirements of N.C.G.S. 47-30 et. seq. for proof upon oath that the plat is in all respects correct, written as shown in Subsection 65.032.

SECTION 91. Installation of Improvements.

Prior to the approval of the final plat, the subdivider shall have complied with the following requirements.

- 91.01 Streets and Storm Drainage Facilities. All streets and storm drainage facilities in the subdivision shall be constructed in accordance with specifications and standards of the State Department of Transportation, Division of Highways, or the Watauga County Road Standards.
- 91.02 Water Lines. Where public water is reasonably accessible, the subdivider shall connect with the public supply and shall provide water mains and a suitable water connection to each lot. Where a public water supply is not reasonably accessible, the subdivider may provide for connection to a community system, establishment of a new public or community system, or for shared or individual wells. Water source shall be noted on the final plat.
- 91.03 Sanitary Sewers. Where a public sanitary sewer system is reasonably accessible, the subdivider shall connect with the public system and shall provide a connection for each lot. Where a public sanitary sewer system is not accessible, the subdivider may provide for connection to an existing private system, establishment of a new private system, or for shared or individual septic systems. Sewage disposal method shall be noted on the final plat.
- 91.04 Installation at time of Final Plat. In the event that any public or community utilities are not installed at the time of final plat approval, bond or other security guarantee may be required by the Planning Board as specified in Section 92.

SECTION 92. Deferment of Improvements.

Where it is in the best interest of all parties concerned to defer the installation or completion of some required improvement, the Planning Board may approve the final plat if the subdivider posts a bond with surety or other guarantees satisfactory to the County Commissioners in an amount equal to the estimated cost of the deferred improvements plus twenty (20) percent. Such guarantees shall assure either the performance of the specified work or payment of the specified sum to the County if such improvements have not been installed within the time specified on the final plat. At least fifty percent (50%) of the required improvements shall be completed prior to submission of a request for approval of a performance guarantee by a subdivider.

ARTICLE X - REGULATION OF MULTI-UNIT STRUCTURES

SECTION 100. Definition.

A "multi-unit" structure is a building containing three (3) or more separate and independent dwellings, offices, or commercial establishments (excluding hotels/motels). This definition shall apply whether the building and/or individual units contained within are for sale, lease, or rent.

An “Affordable Housing Multi-Unit Structure” is a multi-unit structure containing at least (3) dwelling units, 51% or more of which are offered for sale or rent at a total monthly mortgage or rental price (including utilities) which is no greater than 1/12 of 30% of the Area Median Income as established annually by the United States Department of Housing and Urban Development, adjusted for assumed household size based on unit size. The assumed household size shall be (2) persons in a one bedroom unit, (3) persons in a two bedroom unit, and (4) persons in units containing three or more bedrooms.

SECTION 101. Purpose.

The purpose of this article is to provide for a site plan review of multi-unit structures in order to regulate density, parking/loading, building setbacks, and other public health, safety, and general welfare concerns.

SECTION 102. Application of Article.

This Article shall apply to any multi-unit construction which consists of one (1) building only. Any multi-unit development consisting of two (2) or more building sites or any townhouse development regardless of the number of buildings, shall comply with Article VIII (Planned Unit Development) of this Ordinance, including phased developments where each phase consists of one (1) building only.

SECTION 103. Standards of Design.

The developer shall observe the following standards of design.

103.01 Density.

The number of units per acre allowed shall depend upon the availability of public/community water and sewer facilities, and shall be determined as described in Subsection 81.03 and depicted on Table 1. If no roadway is to be constructed, the same method of calculating density shall be used, except that the gross area will not be required to be reduced by fifteen (15) percent. **A minimum of thirty- three percent (33%) of the total land area must be permanently dedicated permanent** as any combination of common space, open space or green space. Road and parking areas and buildings ~~are~~ shall not be included in common land for purposes of this subsection; areas designated for septic drain fields and repair areas and well buffers shall be included. Also included, for example, are outdoor recreation areas and no-wall structures such as picnic shelters.

For Affordable Housing Multi-Unit Structures, the number of units per acre allowed shall depend upon the capacity of proposed water and sewer system(s), provided that the proposed density does not result in the any of the following conditions:

- a.) Inconvenient or unsafe access to the development.
- b.) Traffic congestion in the streets adjoining the development.
- c.) An excessive burden imposed on parks, recreation areas, schools and other public facilities which serve or are proposed to serve the development.

103.02 Off-Street Parking/Loading.

The provisions of Subsection 81.01 (e) shall apply. At a minimum, parking areas shall be graveled.

For Affordable Multi-Unit Structures, one (1) required off-street parking space may be eliminated for each Affordable Dwelling Unit provided. Additional parking reductions may be allowed when development:

- a.) Is an adaptive re-use of previously developed property, or
- b.) Is located within 1 mile of Appalachian State University or other major employment center, or
- c.) Is located on an established AppalCart Route, or
- d.) Has transit service or other acceptable alternative transportation provided by the developer.

103.03 Streets and Private Drives.

All multi-unit structures shall front on a state maintained road or a county standard road as defined in this Ordinance. A private drive may be used to provide access to one three (3) unit structure.

103.04 Height Requirements.

All multi-unit structures shall comply with the Ordinance Governing the Height of Structures in Watauga County or the North Carolina Ridge Law, whichever is applicable. Building Height will be determined by the Watauga County Building Inspector.

103.05 Building Setback Requirements.

Building setbacks shall conform with Table 2 (Subsection 72.017), **unless superseded by Appendix J.**

103.06 Utilities.

Developers of multi-unit structures are encouraged to provide public/community water and sewer facilities whenever feasible. Developers are also encouraged to provide underground electric and telephone lines where feasible.

103.07 Buffers.

It is the intent of this ordinance to promote high quality multi-unit developments which do not create a nuisance, aesthetic or otherwise, for existing adjacent residential areas. Therefore, the ~~Planning Board or Staff may require planted buffer(s) in order to prevent such nuisance. If a buffer is required, the provisions of Appendix J shall apply. A Staff decision to require a buffer is subject to review by the Planning Board upon written appeal submitted to the Director of Planning and Inspections within thirty (30) days of the staff decision.~~

SECTION 104. Submission of Site Plans.

Developers of proposed multi-unit structures which will be regulated by this Article shall submit a site plan to the Planning Staff. If the proposed structure contains ten (10) or less units, the Staff shall approve or disapprove said plan. If the proposed structure contains eleven (11) or more units, or the developer is requesting a variance, the Planning Board shall approve or disapprove said plan. Construction may begin upon such approval. Site plans shall show how the requirements of Section 103 will be met. Specifically, site plans shall include as applicable:

- 104.01 A sketch vicinity map showing the relationship of the proposed development with the surrounding area.

- 104.02 The location of existing and platted property lines, streets, buildings, water courses, transmission lines, sewers, bridges, culverts, and drain pipes, water mains, city and county line (if adjoining) and any public utility easements.
- 104.03 Boundaries of the tract shown with distances and approximate acreage.
- 104.04 Names of adjoining property owners or subdivisions.
- 104.05 Zoning classification, if any, both on the land to be developed and on adjoining land.
- 104.06 Proposed streets, street names, rights-of-way, roadway widths, approximate grades and proposed drainage facilities.
- 104.07 Other proposed rights-of-way or easements showing locations, widths and purposes.
- 104.08 Proposed building set back lines.
- 104.09 Proposed utility layouts (sewer, water, electricity showing connections to existing systems or plans for central water system or package sewage system, or designation for individual water and sewage).
- 104.10 Proposed parks, open spaces, or any other public areas.
- 104.11 Name of owner, developer, engineer and registered surveyor.
- 104.12 Title, date, north point and graphic scale.
- 104.13 When an area covered by the plan includes or abuts a water area (stream, river or lake) the following additional information is required:
- 104.131 Relationship with floodway and flood plain as delineated by the county floodway boundary and flood insurance rate maps.
- 104.132 Any proposed dock lines beyond which no dock structure may be constructed.
- 104.133 Methods of providing ingress and egress from uplands to water area.
- 104.134 Names of the owners of the water area.
- 104.14 ~~A soil erosion control plan shall be submitted along with the site plan if required by ordinance or statute.~~ Grading and erosion control shall be undertaken in accordance with Section 70.12.

SECTION 105. Inspections.

Prior to issuance of an Inspection Certificate for a final building inspection, the Planning Staff shall conduct a site inspection to assure that the multi-unit structure meets the requirements of this Article. The developer of a multi-unit structure shall pay an inspection fee (in addition to purchase of a building permit) in the same amount per structure as is assessed for Planned Unit Developments.

ARTICLE XI - VARIANCES

Where, because of topographical or other conditions peculiar to the site, or as otherwise specified in this ordinance (Sections 70.05, 70.012, 71.025, 71.028), strict adherence to the provisions of this ordinance

would cause an unnecessary hardship, the Planning Board may authorize a variance, if such variance can be made without destroying the intent of this ordinance. The Planning Board shall make written findings which either supports the granting of the variance or which specify why the variance should not be granted. All requests for variances must be made in writing by the developer or by the affected property owner. All requests for variance from setbacks shall be accompanied by a surveyed drawing showing property lines, right-of-way lines, existing structures, and proposed structures.

A variance may also be proper when environmental concerns are viewed in light of the spirit and intent of the planning ordinances. Such request may be made by the applicant or any member of the planning board. Variances will not ordinarily be granted if the special circumstances on which the applicant relies are a result of the actions of the applicant or owner or previous owners.

Reasonable conditions may be imposed in connection with a variance as deemed necessary to protect the best interests of the surrounding property or neighborhood, and otherwise secure the purpose and requirement of this chapter.

When unnecessary hardships would result from strict application of the ordinance, upon application by an aggrieved party with standing, the Planning Board may hold a hearing pursuant to NCGS §160A-388 (a2) and may grant variances to the provisions of the ordinance in accordance with the standards and procedures established in NCGS §160A-388(d), and as established by County policy.

ARTICLE XII - PENALTIES

SECTION 120. Building Permits

No permits for any building or structures will be issued upon any land requiring approval as a subdivision under the conditions set forth herein, unless a final plat is recorded, except as set forth elsewhere in this ordinance.

SECTION 121. Misdemeanor.

It shall be a violation of N.C.G.S.153A-334, if a person who is the owner or the agent of the owner of land located within the territorial jurisdiction of this subdivision ordinance, subdivides his land in violation of the ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing such subdivision before the plat has been properly approved under this ordinance and recorded in the Office of the Register of Deeds. Such violation shall be a Class 1 misdemeanor.

121.01 The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exempt the transaction from this penalty.

121.02 The provisions of this section shall not prohibit any owner or its agent from entering into contracts to sell or lease by reference to an approved preliminary plat for which a final plat has not yet been properly approved under this ordinance or recorded with the Register of Deeds, provided the contract complies with the provisions of NCGS 153A-334(b) or (c).

SECTION 122. Injunctive Relief and Other Equitable Remedies.

The County may bring an action for injunction and order abatement for any illegal subdivision, or transfer, conveyance or sale of land therein and the Court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with this subdivision ordinance, under N.C.G.S.153A-123(e).

This ordinance may also be enforced by other appropriate equitable remedies issued from a court of competent jurisdiction under N.C.G.S.153A-123(d).

SECTION 123. Civil Penalties.

In lieu of or in addition to the criminal penalties set forth above, a subdivider or other person violating this ordinance may be subject to a civil penalty pursuant to N.C.G.S.153A-123 of not more than \$500.00. Each day the individual is in violation of this ordinance shall be considered a separate offense. Prior to assessing a civil penalty, the County shall give notice to the offending party and a period of not less than ten (10) days to cure the violation. Once notice of the initial violation is given to the offending party, it shall not be necessary for subsequent notice to be given for subsequent days in which the offending party is in violation of this ordinance. If the offending party does not pay such penalty within thirty (30) days of notification of the assessment, it may be recovered by the County in a civil action in the nature of a debt. The offending party may contest said penalty in the court of appropriate jurisdiction.

SECTION 124. ~~Appellate Procedure.~~ Appeals.

~~Any action taken by the Watauga County Planning Board pursuant to this ordinance adverse to any party with standing to contest said decision, may be taken to the Watauga County Board of Commissioners within thirty (30) days of the date of the decision by submitting written notice of appeal to the Watauga County Manager's Office. The notice of appeal shall state the grounds for the appeal with specificity. The County Manager shall schedule a hearing for the next regular Board of County Commissioners meeting (provided the appeal is received prior to the meeting agenda deadline) and notify the appellant of this meeting. The Board of County Commissioners shall conduct a *de novo* review and render a decision affirming, reversing, remanding or modifying the decision of the Planning Board.~~

~~Any action taken by the Ordinance Administrator pursuant to this ordinance adverse to any party with standing to contest said decision, may be taken by giving notice of appeal in writing to the Ordinance Administrator and the Clerk to the Board of Commissioners within thirty (30) days following issuance of the final order. The Board of Adjustment shall hear an appeal within a reasonable time and may affirm, modify and affirm, or reverse the order.~~

~~A decision of the Watauga County Planning Board or the Board of Commissioners on the appellants appeal may be appealed to the Watauga County Superior Court by the appellant. Such appeal shall be in the nature of a petition for certiorari and must be filed within thirty (30) days of the date of the decision of either Board.~~

~~Nothing in this section shall be deemed to amend or replace any appeals procedure set forth more specifically under any specific provision of this ordinance.~~

Any action taken by the Watauga County Planning Board pursuant to this ordinance adverse to any party with standing to contest said decision may be taken to the Superior Court of Watauga County, pursuant to NC General Statute 153A-336, within thirty (30) days of the decision.

ARTICLE XIII -AMENDMENTS

SECTION 130. Amendment Procedure.

This ordinance may be amended from time to time by the Board of County Commissioners as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have thirty (30) days within which to submit its report. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have recommended approval of the amendment.

Should any Federal or State regulation or statute incorporated herein by reference or otherwise referred to herein, be changed or amended, or should either require or mandate a different procedure or change or impose new, different or additional requirements, then, in that event, this ordinance shall be deemed to have been amended without further action to have complied with such new, additional or amended requirements.

APPENDIX A

GUIDE FOR SUB-DIVISION DEVELOPMENT IN WATAUGA COUNTY

1. Evaluate your property for either sub-dividing or planned unit development (resorts, clusters, time-shares, condominiums, townhouses, apartments, etc.) suitability.
2. Evaluate your capital outlay for road(s) and other improvement and environmental protection measures.
3. Consult the Department of Planning and Inspections at (828)265-8043 to ascertain the legal aspects and requirements for any such projects.
4. Consult a licensed surveyor and/or professional engineer for project drawings and layout.
5. Maintain close contact with those persons contracted for the planning phase of the project so as to have a working knowledge of the project.
6. Solicit bids and/or contract a grading contractor to complete all planned construction.
7. The developer will be responsible for environmental protection measures during development and also will be financially responsible for all work on the project.
8. Present a finished development that complies with all local and state ordinances concerning land use and also one that is appealing to the consumer.
9. In working with the Watauga County Ordinance to Govern Subdivisions and Multi-Unit Structures, the Watauga County Soil Erosion and Sedimentation Control Ordinance and the Watauga County Building Inspectors and Fire Marshal, those persons responsible for each area will assist you in the construction stages of development.
10. Obtain copies of the following additional Ordinances from the Department of Planning and Inspections as needed:

Flood Damage Prevention Ordinance.
N.C. Ridge Law.
Ordinance to Govern the Height of Structures.
Mobile Home Parks Ordinance.
Subdivision Regulations for Recreational Vehicle Parks.
Valle Crucis Historic District Ordinance.
Foscoe Grandfather Zoning Ordinance.
Watershed Protection Zoning Ordinance.
Watershed Protection Ordinance for Pond Creek.

APPENDIX B

GUIDELINES FOR DEVELOPING
EROSION AND SEDIMENT CONTROL PLANS
FOR WATAUGA COUNTY, NORTH CAROLINA

I. INTRODUCTION

Extensive amounts of sediment are produced from grading streets and roads in the mountain sections of North Carolina when erosion control measures are not properly designed and installed. Irreversible damage to land, streams and lakes is occurring from acceleration of development in this area. This is offered as a minimal guideline, but the developer must keep in mind that the Sediment and Pollution Control Act and the Watauga County Soil Erosion and Sedimentation Control Ordinance are performance oriented and s/he must do whatever is necessary to prevent off-site damage.

This guide is developed to assist planners and developers to protect land and streams from sedimentation as required by the Watauga County Soil Erosion and Sedimentation Control Ordinance.

The Ordinance requires that an erosion control plan be prepared and its measures installed where one-half acre or more is disturbed by grading. This also applies to all subdivision roads and any land disturbing activity which causes off-site erosion damage regardless of acreage.

The practices in this guide, when properly installed and maintained, are methods used in the past that have minimized erosion and sedimentation and meet the mandatory standards required by the Sedimentation Pollution Control Act of 1973 and the Watauga County Soil Erosion and Sedimentation Control Ordinance. The mandatory standards are listed on the following page.

II. MANDATORY STANDARDS FOR LAND DISTURBING ACTIVITY

No land disturbing activity subject to this article shall be undertaken except in accordance with the following mandatory requirements:

a. Buffer Zone

- (1) No land-disturbing activity during periods of construction or improvement to land shall be permitted in proximity to a lake or natural watercourse unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity. Waters that have been classified as trout waters by the Environmental Management Commission shall have an undisturbed buffer zone 25 feet wide or of sufficient width to confine visible siltation within the twenty-five (25%) of the buffer zone nearest the land-disturbing activity, whichever is greater. Provided, however, that the county may approve plans which include land-disturbing activity along trout waters when the duration of said disturbance would be temporary and the extent of said disturbance would be minimal. This subdivision shall not apply to a land-disturbing activity in connection with the construction of facilities to be located on, over, or under a lake or natural watercourse.
- (2) Unless otherwise provided, the width of a buffer zone is measured from the edge of the water to the nearest edge of the disturbed area, with the 25 percent of the strip nearer the land-disturbing activity containing natural or artificial means of confining visible siltation.
- (3) The 25 foot minimum width for an undisturbed buffer zone adjacent to designated trout waters shall be measured horizontally from the top of the bank.
- (4) Where a temporary and minimal disturbance is permitted as an exception by Section 7(a)(1) of this ordinance, land-disturbing activities in the buffer zone adjacent to designated trout waters shall be

limited to a maximum of 10% of the total length of the buffer zone within the tract to be distributed such that there is not more than 100 linear feet of disturbance in each 1000 linear feet of buffer zone. Larger areas may be disturbed with the written approval of the Director.

- (5) No land-disturbing activity shall be undertaken with a buffer zone adjacent to designated trout waters that will cause adverse temperature fluctuations, as set forth in 15A NCAC 2B.0211 "Fresh Surface Water Classification and Standards", in these waters.

- a. ~~Graded Slopes and Fills - The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event,~~ **The grading plan and specifications controlling execution of land-disturbing activities shall adhere to the following standards:**

A. Maximum cut slopes shall be 2H: 1V.

B. Maximum fill slopes shall be 2H: 1V.

Innovative designs exceeding the slope standards specified herein may be approved when accompanied by a site-specific subsurface investigation, report and recommendation performed by a registered professional engineer competent in geotechnical engineering. ~~In any event,~~ All grades shall be sloped to drain surface water away from buildings, pavements, slopes and structures, as applicable.

Slopes left exposed will, within 15 working days or 30 calendar days of completion of any phase of grading, whichever period is shorter, be planted or otherwise provided with ground cover, devices, or structures sufficient to restrain erosion.

- b. Ground Cover - Whenever land-disturbing activity is undertaken on a tract comprising more than one-half acre, if more than one-half acre is uncovered, the person conducting the land-disturbing activity shall install such sedimentation and erosion control devices and practices as are sufficient to retain the sediment generated by the land-disturbing activity within the boundaries of the tract during construction upon and development of said tract, and shall plant or otherwise provide a permanent ground cover sufficient to restrain erosion after completion of construction or development. Except as provided in Section III (b)(5) of this ordinance, provisions for a ground cover sufficient to restrain erosion must be accomplished within 15 working days or 90 calendar days following completion of construction or development whichever period is shorter.
- c. Prior Plan Approval - No person shall initiate any land-disturbing activity on a tract if more than one-half acre is to be uncovered unless, thirty or more days prior to initiating the activity, an erosion and sedimentation control plan for such activity is filed with and approved by Watauga County, or unless for land-disturbing activity or more than a half acre but less than an acre the requirement for such plan had been waived as specified in Section 17. The County will attempt to review plans as quickly as possible. The initiation of land-disturbing activities shall not be restricted when the plan is approved and permit issued in less than 30 days.

III. DESIGN AND PERFORMANCE STANDARD

- a. Except as provided in Section 8(b)(2) of this ordinance erosion and sedimentation control measures, structures, and devices shall be so planned, designed, and constructed as to provide protection from the calculated maximum peak rate of runoff from the 10-year storm. Runoff rates shall be calculated using the procedures in the USDA, Soil Conservation Service's "National Engineering Field Manual for Conservation Practices", or other acceptable calculation procedures.
- b. In High Quality Water (HQW) zones the following design standards shall apply:

- (1) Uncovered areas in HQW zones shall be limited at any time to a maximum total area within the boundaries of the tract of 20 acres. Only the portion of the land-disturbing activity within a HQW zone shall be governed by this section. Larger areas may be uncovered within the boundaries of the tract with the written approval of the Director.
- (2) Erosion and sedimentation control measures, structures, and devices within HQW zones shall be so planned, designed and constructed to provide protection from the run off of the 25-year storm which produces the maximum peak rate of run off as calculated according to procedures in the United States Department of Agriculture Soil Conservation Service's "National Engineering Field Manual for Conservation Practices" or according to procedures adopted by any other agency of this state or the United States or any generally recognized organization or association.
- (3) Sediment basins within HQW zones shall be designed and constructed such that the basin will have a settling efficiency of at least 70% for the 40 micron (0.04 mm) size soil particle transported into the basin by the runoff of that 2-year storm which produces the maximum peak rate of runoff as calculated according to procedures in the United States Department of Agriculture Soil Conservation Service's "National Engineering Field Manual for Conservation Practices" or according to procedures adopted by any other agency of this state or the United States or any generally recognized organization or association.
- (4) Newly constructed open channels in HQW zones shall be designed and constructed with side slopes no steeper than 2 horizontal to 1 vertical if a vegetative cover is used for stabilization unless soil conditions permit a steeper slope or where the slopes are stabilized by using mechanical devices, structural devices or other acceptable ditch liners. In any event, the angle for side slopes shall be sufficient to restrain accelerated erosion.
- (5) Ground cover sufficient to restrain erosion must be provided for any portion of a land-disturbing activity in a HQW zone within 15 working days or 60 calendar days following completion of construction or development, whichever period is shorter.

IV. PLANNING AND DESIGN CONSIDERATIONS TO CONTROL EROSION AND SEDIMENTATION

The following list of considerations, activities, and techniques of development within Watauga County should all be taken into account during the planning phase of a development:

1. Reducing the Potential for Off-site Sediment Damage
2. Location of Roads
3. Soil Types and Properties
4. Buffer Zones
5. Construction Techniques
6. Sequence of Construction and Time of Soil Exposure
7. Seasonal Construction Scheduling
8. Clearing and Grubbing
9. Stream Crossings and Stream Protection
10. Road Grades and Side Ditches
11. Road Cut & Fill Slopes
12. Underground Seepage or Wetlands
13. Culvert Placement and Sizing
14. Borrow and Waste Areas
15. Utility Placement
16. Roadbed Stabilization
17. Floodplain/Floodway
18. Specifications Guide for Application of Temporary Seeding
19. Permanent Vegetation
20. Specifications Guide for Permanent Planting of Vegetation on Road and Right-of-Way

When planning for the considerations listed above, minimum acceptable standards must be adhered to. These standards have been established to control erosion and sedimentation during construction, and also to control erosion during the life-time operation of roads built in Watauga County.

APPENDIX C

EROSION AND SEDIMENTATION CONTROL PLAN CHECKLIST

The following items shall be incorporated with respect to specific site conditions, in an erosion and sedimentation control plan

LOCATION INFORMATION

- _____ Project location
- _____ Roads, street
- _____ North arrow
- _____ Scale
- _____ Adjoining lakes, streams or other major drainage ways

GENERAL SITE FEATURES

- _____ North arrow
- _____ Scale-
- _____ Property line
- _____ Legend
- _____ Existing contours
- _____ Proposed contours
- _____ Limit and acreage of disturbed area
- _____ Planned and existing building locations and elevations
- _____ Planned and existing road locations and elevations
- _____ Lot and/or building numbers
- _____ Land use of surrounding areas
- _____ Rock outcrops
- _____ Seeps or springs
- _____ Wetland limits
- _____ Easements
- _____ Streams, lakes, ponds, drainage ways, dams
- _____ Boundaries of the total tract
- _____ If the same person conducts the land-disturbing activity and any related borrow or waste activity, the related borrow or waste activity shall constitute part of the land-disturbing activity unless the borrow or waste activity is regulated under the Mining Act of 1971, or is a landfill regulated by the Division of Solid Waste Management. If the land-disturbing activity and any related borrow or waste activity are not conducted by the same person, they shall be considered separate land-disturbing activities
- _____ Stockpiled topsoil or subsoil location
- _____ Street profiles

SITE DRAINAGE FEATURES

- _____ Existing and planned drainage patterns (include off-site areas that drain through project)
- _____ Size of Areas to be disturbed (Acreage)
- _____ Size and location of culverts and sewers
- _____ Soils information (type, special characteristics)
- _____ Design calculations for peak discharges of runoff (including the construction phase and final runoff coefficients of the site)
- _____ Design calculations and construction details for culverts and storm sewers

- _____ Design calculations cross sections and method of stabilization of existing and planned channels (include temporary linings)
- _____ Design calculations and construction details of energy dissipators below culvert and storm sewer outlets (for rip-rap aprons, include stone sizes (diameters and apron dimensions)
- _____ Soil information below culvert storm outlets
- _____ Design calculations and construction details to control ground-water, i.e., seeps, high water table, etc.
- _____ Names of receiving watercourse or name of municipal operator (only where stormwater discharges are to occur)

EROSION CONTROL MEASURES

- _____ Legend
- _____ Location of temporary and permanent measures
- _____ Construction drawings and details for temporary and permanent measures
- _____ Design calculations for sediment basin and other measures
- _____ Maintenance requirements during construction
- _____ Person responsible for maintenance during construction
- _____ Maintenance requirements and responsible person(s) of permanent measures

VEGETATIVE STABILIZATION

- _____ Areas and acreage to be vegetatively stabilized
- _____ Planned vegetation with details of plants, seed, mulch and fertilizer
- _____ Specifications for permanent and temporary vegetation
- _____ Method of soil preparation

NOTE: Should include provision for ground cover on exposed slopes within 15 working days following completion of any phase of grading, permanent ground cover for all disturbed areas within 30 working days or 90 calendar days (which- ever is shorter) following completion of construction or development.

OTHER REQUIREMENTS

- _____ Narrative describing construction sequence (as needed)
- _____ Narrative describing the nature and purpose of the construction activity
- _____ Completed Financial Responsibility/Ownership Form (to be signed by person financially responsible for project)
- _____ Bid specifications regarding erosion control
- _____ Construction sequence related to sedimentation and erosion control (include installation of critical measures prior to initiation of the land-disturbing activity and removal of measures after areas they serve have been permanently stabilized)

APPENDIX D
 FINANCIAL RESPONSIBILITY /OWNERSHIP FORM
 SEDIMENTATION POLLUTION CONTROL ACT

No person may initiate a land-disturbing activity on one or more acres as covered by the Act before this form and an acceptable erosion and sedimentation control plan have been completed and approved by the Land Quality Section, NC Department of Environment, and Natural Resources. (Please type or print and, if question is not applicable, place N/ A in the blank).

Part A.

1. Project Name _____
2. Location of land-disturbing activity: County _____
 City or Township _____, and Highway/Street _____
3. Approximate date land-disturbing activity will be commenced: _____
4. Purpose of development (residential, commercial, industrial, etc.): _____
5. Total acreage disturbed or uncovered (including off-site borrow and waste areas):

Amount of fee enclosed \$ _____

Has an erosion and sedimentation control plan been filed? Yes _____ No _____

Enclosed _____

8. Person to contact should sediment control issues arise during land-disturbing activity.

Name _____ Telephone _____

9. Landowner(s) of Record (Use blank page to list additional owners):

Name(s)	
	Current Street Address

10. Page No. _____

Part B.

Person(s) or firm(s) who are financially responsible for this land-disturbing activity (Use a blank page to list additional persons or firms):

Name of Person(s) or Firm(s)	
Current Mailing Address	Current Street Address
City State Zip	City State Zip
Telephone _____	Telephone _____

2. (a) If the Financially Responsible Party is not a resident of North Carolina give name and street address of a North Carolina Agent.

_____			_____		
Name					
_____			_____		
Mailing Address			Street Address		
_____			_____		
City	State	Zip	City	State	Zip
Telephone _____			Telephone _____		

(b) If the Financially Responsible Party is a Partnership or other person engaging in business under an assumed name, attach a copy of the certificate of assumed name. If the Financially Responsible Party is a Corporation give name and street address of the Registered Agent.

_____			_____		
Name of Registered Agent					
_____			_____		
Mailing Address			Street Address		
_____			_____		
City	State	Zip	City	State	Zip
Telephone _____			Telephone _____		

The above information is true and correct to the best of my knowledge and belief and was provided by me under oath. (This form must be signed by the financially responsible person if an individual or his attorney-in-fact or if not an individual by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person). I agree to provide corrected information should there be any change in the information provided herein.

_____		_____	
Type or print name		Title or Authority	
_____		_____	
Signature		Date	

I, _____, a Notary Public of the County of _____

State of North Carolina, hereby certify that _____ appeared personally before me this day and being duly sworn acknowledged that the above form was executed by him.

Witness my hand and notarial seal, this _____ day of _____, 20____

Seal	_____
	Notary
	My commission expires _____

APPENDIX E

PRELIMINARY PLAT CHECKLIST

FOR SUBDIVISION RECORD _____ DATE SUBMITTED _____

NAME OF SUBDIVISION _____

LOCATION _____

OWNER _____

LAND PLANNER _____ ADDRESS _____

SURVEYOR _____ ADDRESS _____

CHECKLIST

- _____ 1. Surveyor shall submit CHECKLIST with signed certification stating that plat complies with Subdivision Regulations.
- _____ 2. Vicinity map embracing subdivision and surrounding area.
- _____ 3. SCALE: 1" = 100' or larger. In EXTREME cases may be 1" = 200'. One (1) reproducible 11"x 17" or smaller copy of plat.
- _____ 4. Name of subdivision and owner.
- _____ 5. North point, graphic scale, date.
- _____ 6. Boundaries of the tract shown with distances and approximate acreage.
- _____ 7. Names of adjoining property owners or subdivisions.
- _____ 8. The locations of existing sewers and water facilities and other utilities if any.
- _____ 9. The locations of existing streets, easements, bridges, culverts, watercourses, etc.
- _____ 10. Name, location and approximate dimensions of proposed streets, easements, parks and reservations, lot lines, etc.
- _____ 11. Proposed lot lines, building lines and approximate area.
- _____ 12. Lot numbers, if any.
- _____ 13. Types of proposed utilities shown or described.
- _____ 14. Proposed minimum building setbacks (typical section).
- _____ 15. Location of existing water areas/floodway if applicable as delineated by the county floodway boundary and flood insurance rate maps.
- _____ 16. Upon submission of Preliminary Plat, 3 copies of a sufficient soil erosion plan shall be submitted to the soil erosion coordinator.
- _____ 17. This plat conforms to general requirements and minimum design standards.

- _____ 18. Evidence of NCDOT driveway connection permit.
- _____ 19. Evidence of access right-of-way.
- _____ 20. Statement of average cross slope if applicable.

COMMENTS:

APPENDIX F
FINAL PLAT CHECKLIST

FOR SUBDIVISION RECORD _____ DATE SUBMITTED _____

PRELIMINARY APPROVAL DATE _____

NAME OF SUBDIVISION _____

LOCATION _____

OWNER _____ ADDRESS _____ TEL. _____

ENGINEER _____ ADDRESS _____ TEL. _____

SURVEYOR _____ ADDRESS _____ TEL. _____

CHECKLIST

- _____ 1. Submitted to the Planning Staff within 18 months of preliminary approval and two(2)weeks prior to the scheduled meeting of the Planning Board.
- _____ 2. Eight (8) copies of final plat. One reproducible (Sepia) and seven paper copies. One (1) reproducible 11"x 17" or smaller copy of plat.
- _____ 3. A sketch vicinity map showing location in relation to the surrounding area.
- _____ 4. SCALE: 1" = 100' or larger.
- _____ 5. Names, right-of-way, lines and easements of streets and roads.
- _____ 6. Minimum building setback lines when applicable.
- _____ 7. Lot lines, numbers, and/or tract numbers.
- _____ 8. Reservations, easements, public areas, of sites for other than residential use with explanation of purpose.
- _____ 9. North point, graphic scale, date.
- _____ 10. Location and description of monuments.
- _____ 11. Names and location of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
- _____ 12. Conforms to general requirements and minimum design standards.
- _____ 13. Required improvements have been made or \$_____bond posted.
- _____ 14. Required certificate for Recordation.
- _____ 15. Location of existing water Areas/Floodway if Boundary and Flood Insurance Rate Maps.
- _____ 16. Types of proposed utilities shown or statement that individual lots have or have not been approved for septic tank use by Appalachian District Health Department.

- _____ 17. Density in units per acre.
- _____ 18. Culvert/drainage facility location and size.
- _____ 19. Variances granted, if any.

ON-SITE FIELD INSPECTION (DATE) _____

PERSONS MAKING INSPECTION _____

COMMENTS:

APPENDIX G

SUBDIVISION SPECIFICATIONS CHECKLIST

- _____ 1. Plat fee paid.
- _____ 2. Variance requested in writing.
- _____ 3. Bond to be submitted.
- _____ 4. Meets floodplain regulations.
- _____ 5. Acceptable average cross slope.
- _____ 6. Roads:
 - _____ a) State
 - _____ b) County. If County then:
 - _____ Meets criteria permitting county standards.
 - _____ Meets right-of-way requirements.
 - _____ Meets road bed requirements.
 - _____ Sufficient drainage provided.
 - _____ Meets grade requirements.
 - _____ Meets curve radius requirements.
 - _____ Sufficient turnarounds provided.
 - _____ Meets bridge requirements.
 - _____ c) Access road meets right-of-way requirements.
- _____ 7. Lots:
 - _____ Meet frontage requirements.
 - _____ Meet area requirements.
 - _____ Panhandles used.
 - _____ Meet access requirements.
 - _____ Private drives used.
- _____ 8. Meets building setback requirements.
- _____ 9. Sufficient erosion control plan submitted.
- _____ 10. Property owners association rules established.
- _____ 11. Compliance with other applicable local ordinances (zoning, etc.).

APPENDIX H

METHOD OF DEFINING SLOPE

The chief source of information for determination of slope is a contour map. The contour map supplies the necessary data for using the following formula to determine the average slope of a parcel:

$$S = \frac{.0023 \times I \times L}{A}$$

Where .0023 is a conversion factor, of square feet to acres, "I" is the contour interval (or the distance between adjacent contour lines on the map) in feet, "L" is the total length of the contour lines within the subject parcel, and "A" is the area in acres of the subject parcel.

- Step 1. Determine "I", the contour interval, by examining the interval, using the key on the map. For purposes of this example, an interval of five feet is used. (To achieve accuracy within one percent, the contour interval must be 10 feet or less).
- Step 2. Determine "L", the total length of the contour lines within the subject area, by tracing each line with a planimeter or similar device and converting to feet. In this example, "L" is 1,000 feet.
- Step 3. Determine "A", area (in acres) from the development plans or permit application. In this example, "A" is 5 acres.

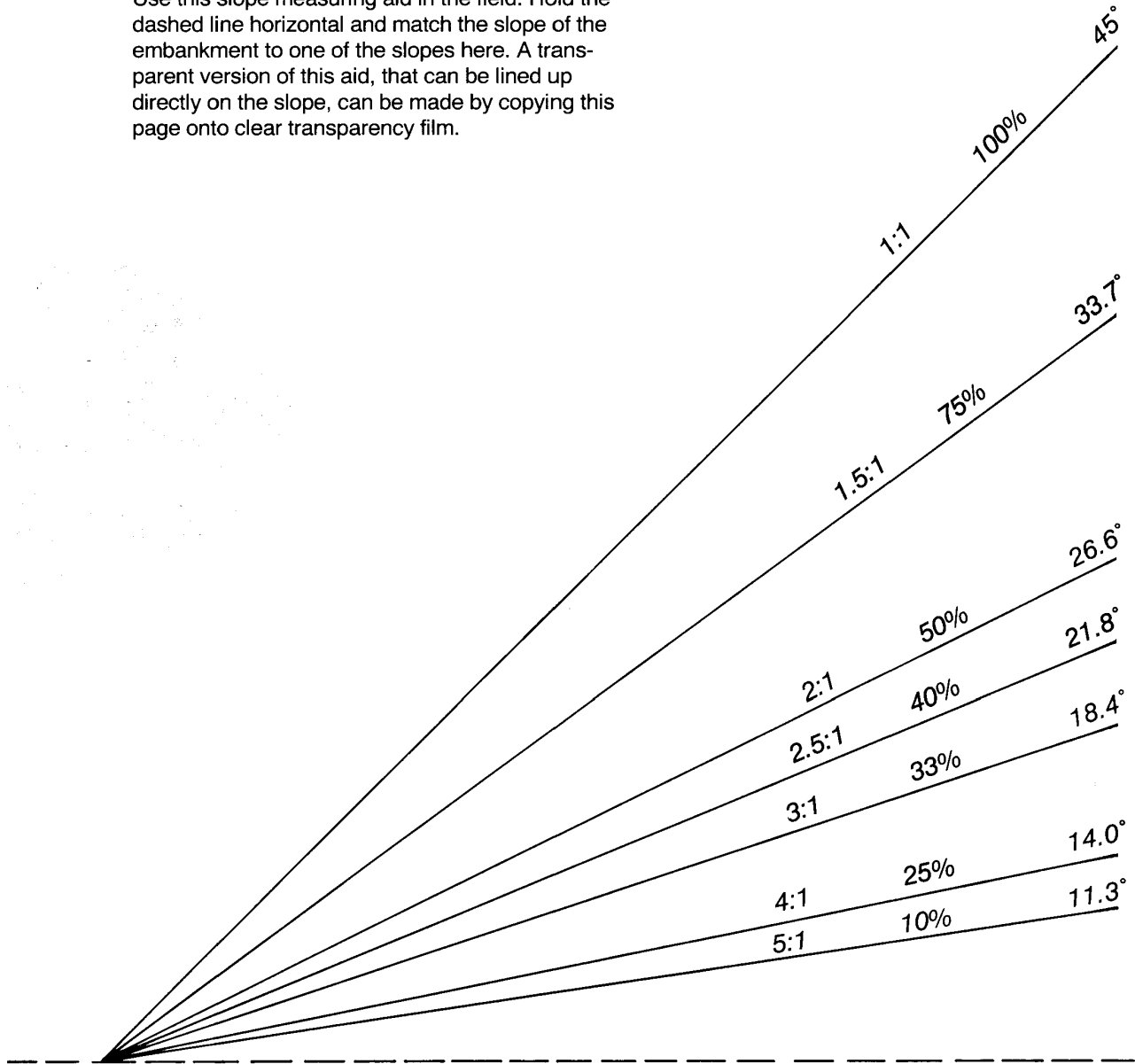
Step 4. Determine "S" by using the equation:

$$S = \frac{.0023 \times 5 \times 1,000}{5} = 2.3 \text{ percent average slope}$$

NOTE: Other methods of calculating average cross slope - using computer mapping/GIS technology - may be acceptable.

Slope Measurement

Use this slope measuring aid in the field. Hold the dashed line horizontal and match the slope of the embankment to one of the slopes here. A transparent version of this aid, that can be lined up directly on the slope, can be made by copying this page onto clear transparency film.



APPENDIX I

MINOR MAINTENANCE CHECKLIST

A. Bridge Approach

1. Check Signs on both ends of bridge.
Warning and Information Signs (straighten, clean, and cut weeds).
Bridge End Markers (clean and visible).
Check Guard Rails along approach (repair and straighten).
2. Clear Weed, Brush, and Overhanging Limbs.
Require clear visibility of bridge.
Police and clean area around bridge.
Remove all debris from site.

B. Side Ditches and Stream Channel

1. Clear side ditches of all brush, weeds and debris.
2. Clear debris and obstructions from stream channel through full width of R.O.W.
3. Eliminate all brush growing under the bridge.

C. Erosion of Bridge Approach

1. At gutter line on shoulder - fill any eroded areas.
2. At gutter line, build (if needed) paved channel to carry water to side ditch at non-erosive velocity.
3. Check shoulders for erosion signs - fill and tamp erosion channels.

D. Condition of Approach Road Traffic Lanes

1. Fill all ruts.
2. Check transition from road to bridge - must be smooth.
3. Build short bituminous ramp to provide transition in difficult cases.

E. Bridge Structure

1. Cleaning Deck
Clean all dirt, gravel, trash and debris from deck. Clear all gutters and all drainage outlets.
Remove any obstructions causing ponding of water. Direct deck drains away from all structural components.
2. Deck Maintenance (Wood Decks)
Check transverse planking for breaks, rotting, or any weakness. Replace individual planks if needed. Check longitudinal "tread" planks for damage, excessive wear, breaks, shattering, looseness or rot. Replace damaged planks - re-nail old planks if required. Pull any protruding nails and replace.
3. Deck Maintenance (Concrete Decks)
Clean, check depth, and flush all open cracks. Dry such cracks and fill totally with liquid asphalt or other such sealing compound. Make notes on any system of patterned crack and report them to road supervisor. For small shrinkage cracks (those not fully opened) check with road supervisor about a spray coat sealant. Pop-outs, surface deterioration, or chuck holes in deck must be cleaned thoroughly and packed smooth with bituminous road surface mixture. Provide a mechanical "lock" to hold patch in place. Eliminate "low" spots to prevent water ponding.

F. Expansion Joints

Deck expansion joints should be identified and cleaned. Remove dirt, gravel, debris and other obstructions from expansion joint opening. Do this when bridge is cool so joint is as wide open as possible. For open expansion joint slot, fill the opening with an elastic joint sealer compound or a special compressible composite joint filler. For plate covered joint slot, clean the sliding surface of any obstructions and treat sliding surface if necessary to make it free operating.

G. Bridge Structural Components

1. Truss Bridges

Clear debris from truss joints, flanges of truss members, or any pockets that have collected debris, gravel or dirt.

2. Girders and Beams

Clear any debris found on flanges or on any bracing occurring on the structure.

3. Handrails and Curbs

Repair any bent, broken, or missing parts of the bridge handrail or curbs.

4. Bearing Devices

Bearing devices are points where bridge structure is attached to the substructure (piers, abutments, or other supports). Identify the "fixed" and movable bearings. Clear all dirt, disintegrated concrete, debris of any kind which collects around the bearings - fixed or movable. Especially clear any obstruction that would prevent movable support from being able to function. Once cleared, spray with oil to prevent rusting and to assist movement.

H. Substructure

1. Abutments

Note cracking of main wall or wing wall. Assess serious movement of any part of the abutment. Report out-of-plumb components and any serious deterioration of the abutment. Note any erosion of stream that may undermine the abutment, and eliminate cause. Fill and tamp any rodent holes along base of the abutment and its wing walls.

2. Piers

Note and correct any water drainage on pier or the pier cap. Note any cracks or deterioration of pier. Repair where possible. Check for undermining of pier foundation and correct cause if possible. Check pier for "plumb-ness" or any signs of movement.

Source: Minor Maintenance Manual For County Bridges, Highway Extension and Research Project for Indiana Counties and Cities, Purdue University, 1984.

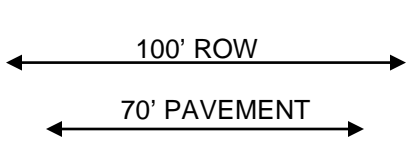
APPENDIX J

BUFFERING AND SCREENING

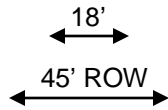
- (A) Where a ~~commercial or multi-family use~~ PUD is proposed adjacent to a single family residential use, side and rear yard setback of 30 feet shall be observed for buildings, parking, or storage. This area is to be used as a buffer and shall be landscaped as follows. Buffers shall consist of plantings of evergreen and/or deciduous trees spaced no more than thirty (30) feet apart. Such trees shall be at least six to seven (6-7) feet tall for evergreens and six to eight (6-8) feet tall with a one and one half (1-1/2) inch caliper (trunk diameter 6 inches above grade) for deciduous trees at time of planting and shall reach a height of no less than twenty (20) at maturity. Where utility easements conflict with this height requirement, the requirement may be lessened at the discretion of the ~~Watershed Administrator.~~ Planning Staff. In addition, plantings of low growing shrubs, and/or trees shall be placed at ten (10) foot intervals. Plantings within buffer zones shall be staggered unless topography is prohibitive. No planting shall be placed in the road right-of-way. Lists of recommended plantings are available from the Planning and Inspections Department.
- (B) Where a ~~commercial or multi-family use~~ PUD is proposed adjacent to a commercial or multi-family use side and rear yard setback of 15 feet shall be observed for buildings, parking, or storage. This area is to be used as a buffer and shall be landscaped as follows. Buffers shall consist of plantings of evergreen and/or deciduous trees spaced no more than thirty (30) feet apart. Such trees shall be at least six to seven (6-7) feet tall for evergreens and six to eight (6-8) feet tall with a one and none half (1-1/2) inch caliper for deciduous trees at time of planting and shall reach a height of no less than twenty (20) feet at maturity, except as described in section 602(A). In addition, permanent ground cover such as grasses shall be established.
- (C) Walls, fences, earthen berms, or other natural features may be used in combination with or in lieu of planted buffers if approved as part of a permit. Considerations include but are not limited to:
- (1) Any existing significant vegetation within the buffer(s) may be preserved and credited towards meeting the standard for the required buffer. Existing fences, berms and or walls within the buffer(s) may be used to fulfill the standards set forth for the buffer providing these elements are healthy and in a condition of good repair. Chain link fencing is not acceptable in meeting the performance criteria of this ordinance.
 - (2) Installation of supplemental vegetation and/or site features may be required at the time of site plan review, if existing vegetation and/or site features within the buffer do not meet or exceed the requirements of this ordinance.
- (D) Open storage areas, exposed machinery and outdoor areas used for the storage and collection of rubbish must be visually screened from roads and surrounding land uses. Suitable types of screening include opaque wood fences and dense evergreen hedges of six (6) feet or more in height.

~~NOTE: These are excerpts from Watershed Zoning Ordinance, use that which is applicable.~~

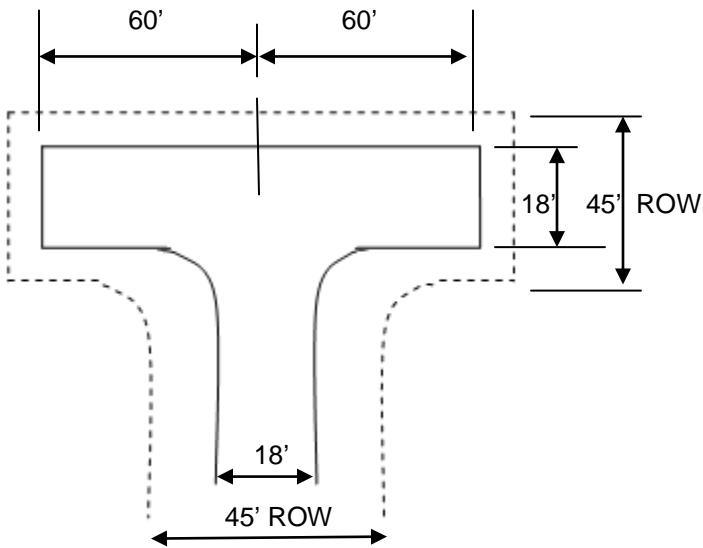
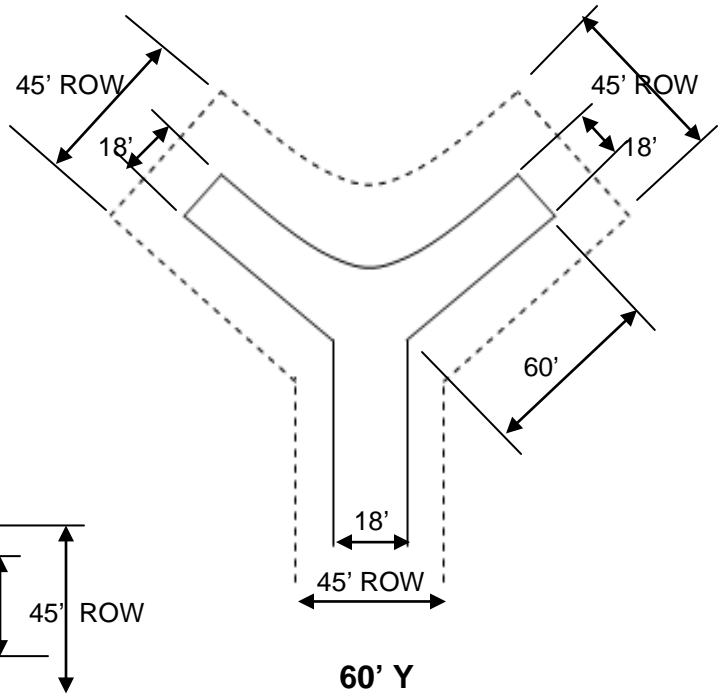
APPENDIX K
FIRE APPARATUS ACCESS ROADS



--- Right of Way
_____ Travel Surface



CUL-DE-SAC



120' HAMMER HEAD

(Drawings not to scale)

APPENDIX L
POLICY STATEMENT
AFFORDABLE WORKFORCE HOUSING

Background

The generally accepted definition of affordability is for a household to pay no more than 30 percent of its annual income on housing. An estimated 12 million renter and homeowner households now pay more than 50 percent of their annual income on housing. The lack of affordable housing is a significant hardship for low-income and working households and prevents them from meeting other basic needs, such as food, clothing, transportation and medical care.

Availability of housing for all income levels is critical for balanced and healthy growth of the County. Employers seeking to locate in Watauga County need to first attract and then maintain a workforce. A key component to workforce recruitment and retention is affordable and centrally located housing. Job satisfaction becomes more of a challenge when workers can only find affordable housing by living far from their jobs and enduring long commutes.

Policy

The county will seek to work with the developers and nonprofit housing organizations to provide for affordable units in developments and ensure that such units are compatible with other homes in the development. Affordable units should include both units for sale and units for rent. Developers should promote a design criterion that disperses affordable homes throughout a development and encourages a variety of housing types.

Streamlined Permitting Process

Improved coordination of the permitting process at the state and local levels could result in lower housing costs. The permitting process often involves dealing with city, county and state approval boards, all of which require a variety of permits and approvals (i.e. – fire protection, sewer hookup, plumbing, environmental, road construction, electrical, building, etc.). Often the various levels of governmental authorities do not have effective communication and co-approval systems, which cause unnecessary delays, increase construction costs and ultimately hinder affordable housing.

Density

Real estate of all types flourishes best in livable communities that offer a high quality of life at a reasonable cost. Livable communities offer a variety of affordable housing choices, good schools, quality public services, open space, and a strong employment base. One of the most challenging aspects to promoting these essential livable community elements is density. Building at higher densities in the appropriate locations is vital to provide greater choice and affordability in housing.

Employer-Assisted Housing

Employer-assisted housing (EAH) refers to benefits that enable employees to purchase homes or secure affordable rental housing, often within designated neighborhoods located near the workplace. Benefits can take a number of forms, including grants or forgivable loans for down payments and closing costs, reduced-cost financing, and matched savings plans. Providing an EAH benefit can help employers reduce turnover, leading to lower training and hiring costs. In addition, EAH can increase loyalty and morale, support bottom-line business goals, and strengthen links with the local community.

APPENDIX M

DEVELOPER AUTHORIZATION FORM

For projects being developed by person(s) other than land owner(s)

Name of Project: _____

Land Owner(s) _____

Developer(s) _____

The above-named Developer(s) is/are authorized to submit the subject project to Watauga County for development approval on behalf of the above-named Land Owner(s).

Land Owner(s) Signature

Date

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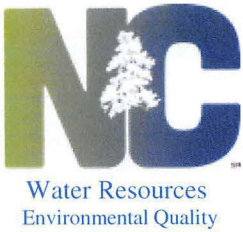
AGENDA ITEM 5:

REQUEST TO ACCEPT GRANT AWARD FOR MIDDLE FORK GREENWAY PROJECT

MANAGER’S COMMENTS:

In May, the Board authorized staff to apply for a \$200,000 grant from the NC Division of Water Resources (DWR) for the Middle Fork Greenway, Section 4. The county received notification in October that the grant was awarded. The match for the grant will be provided through grants and other funds the Middle Fork Greenway Association has on hand. No County funds are requested.

Board action is required to accept the \$200,000 grant from the NC Division of Water Resources (DWR) for the Middle Fork Greenway, Section 4 with matching funds to come from other funds the Middle Fork Greenway Association has on hand.



ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
S. JAY ZIMMERMAN
Director

October 25, 2017

John Welch, Chairman
Watauga County Board of Commissioners
814 West King Street, Suite 205
Boone, NC 28607

Dear Chairman Welch,

I am pleased to announce that \$200,000 in financial assistance for a project located in your jurisdiction has been approved by the State of North Carolina.

I congratulate Watauga County on its sponsorship of Section 4 of the **Middle Fork Greenway Project**. This grant will provide financial assistance to construct approximately 4,349 linear feet of greenway, stabilize 120 linear feet of stream and plant 500 linear feet of riparian area. Your efforts to improve recreational and water resources in your county are to be commended.

The Division of Water Resources within the NC Department of Environmental Quality will be contacting the County soon to discuss the administrative requirements, including the signing of a grant contract with the State, for the use of state funds for this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Jay Zimmerman'. The signature is fluid and cursive, with a long horizontal stroke at the end.

S. Jay Zimmerman, P.G.
Director, Division of Water Resources

ECc: Amin Davis, Division of Water Resources
Joe Furman, Watauga County Planning and Inspections Director
Wendy Patoprsty, Blue Ridge Conservancy



AGENDA ITEM 6:

PARKS & RECREATION OUT-OF-STATE TRAVEL REQUEST

MANAGER'S COMMENTS:

Mr. Poulos, Parks and Recreation Director, will request Board approval for Ms. Keron Poteat, Recreation Specialist II, to travel to Seattle, Washington to serve as the Special Olympics tennis coach. All costs with the exception of Ms. Poteat's time and potential comp time are covered. While a worthwhile cause, these events have generated considerable amounts of comp time that may impact regular parks and recreation programming.

Board approval is required to authorize the out-of-state travel.

WATAUGA COUNTY
TRAVEL AUTHORIZATION AND TRAVEL ADVANCE REQUEST

DATE: Nov 7, 2017 BUDGET ACCOUNT NUMBER: _____

NAME: Keron J Poteat TITLE: Recreation Specialist II DEPARTMENT: Parks and Recreation

DESTINATION: Seattle, WA MEETING DATES FROM: Jun 30, 2018 TO: Jul 7, 2018

Out of State travel? YES
If yes, BCC approval is required and must be signed by County Manager. NO

DEPARTURE: June 30, 2018 RETURN: July 7, 2018

Purpose: USA Games for Special Olympics 50th Anniversary

Overnight Accommodations Required? YES NO

Name of Hotel/Motel: Provided through SOI

Rate per night/person: _____ Government Discount? YES NO

Method of Transportation: County Vehicle Personal Vehicle Air Other

Cost: _____ Explanation: Provided through Special Olympics

Estimated Expenses				TOTALS
REGISTRATION FEES: Please indicate meals and/or banquets included in registration fee.				.00
MEALS	Breakfast:	X	8.00	.00
	Lunch:	X	10.00	.00
	Dinner:	X	16.00	.00
LODGING	Single Rate:	X		
*OTHER				
TOTAL				.00

Remarks: I have been asked to coach the National tennis team from NC. Additionally, 2 Watauga County athletes have been selected.

Are funds requested in advance?
 Yes No

Form is Mathematically Correct:
 Yes Approved as corrected

If settlement has not been made on this advance within 20 working days after completion of travel, I authorize this amount to be deducted from my next paycheck.

I believe this trip to be necessary and beneficial to Watauga County and funds were provided for this purpose in this departments appropriate budget account.

Department Head: _____

County Manager (Out of State): _____

Finance Staff/Date: _____ Employee/date: Keron Poteat 11/7/17




231 Complex Drive
Boone, North Carolina 28607

www.wataugacounty.org

828-264-9511
Fax 828-264-9523

MEMO

To: Board of County Commissioners
 From:  Keron J. Poteat, *Recreation Specialist II*
 Subject: Travel Request
 Date: Tuesday, November 7, 2017

Working for Watauga County is an honor and a privilege. One of the added perks of this position is serving as the coordinator and a coach for Special Olympics. We have 150 athletes in Watauga County who train and compete on an annual basis. Some of those only compete locally, others are fortunate enough to compete in the local, regional, state, national, and, even, world games arena. I have been fortunate to be able to and asked to coach on these levels.

I have recently been selected as the tennis coach for Team NC for the USA Games which will be held in Seattle, Washington next July. Additionally, two of our local athletes have been selected to compete in bowling in these 50th anniversary games. For them (and all athletes selected), this is a dream come true and potentially a "once in a lifetime" opportunity.

I am requesting approval on my travel authorization to attend and coach in these games. I appreciate all of the support of our county commissioners and administration for our program. Your continued dedication is positively impacting the lives of our athletes on a weekly and annual basis.

Thank you for your consideration.



SPECIAL OLYMPICS
USA GAMES
SEATTLE 2018



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Special Olympics USA Games

The Special Olympics USA Games is a premier, national sports competition that showcases the power and joy of sports at the highest levels.

The USA Games take place every four years with previous host cities being: Ames, Iowa (2006); Lincoln, Nebraska (2010); and Lawrenceville, New Jersey (2014). Now, in its fourth running, the next Special Olympics USA Games will take place

in Seattle in July 2018. From July 1-6, 2018 more than 4,000 athletes and coaches from all 50 states and the District of Columbia will descend upon Seattle and the surrounding region.

14 sports will be offered including swimming, flag football and soccer. 10,000 volunteers will be recruited to support the Games. 10,000 family members and friends and 70,000 spectators are expected to attend.



Venues include the University of Washington, King County Aquatic Center, Seattle University and Celebration Park. The Special Olympics USA Games will be the biggest sporting event to hit the Seattle area in more than 25 years.

In addition to showcasing the awe-inspiring abilities of thousands of athletes with intellectual disabilities, the 2018 USA Games in Seattle will model the ideals of inclusion and

celebrate the 50th anniversary of the Special Olympics movement.

The 2018 USA Games will serve as a catalyst for the City of Inclusion initiative and will showcase the work Seattle area businesses and organizations are doing to create a community where people with intellectual disabilities are meaningfully and fully welcome and valued.



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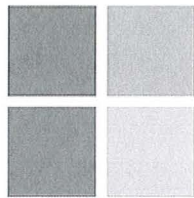
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SIGN UP

THANKS TO OUR PARTNERS



Microsoft



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AGENDA ITEM 7:

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.

Monthly Collections Report

Watauga County

Bank deposits of the following amounts have been made and credited to the account of Watauga County. The reported totals do not include small shortages and overages reported to the Watauga County Finance Officer

Monthly Report October 2017

	<u>Current Month</u> <u>Collections</u>	<u>Current Month</u> <u>Percentage</u>	<u>Current FY</u> <u>Collections</u>	<u>Current FY</u> <u>Percentage</u>	<u>Previous FY</u> <u>Percentage</u>
General County					
Taxes 2017	3,508,263.04	14.08%	8,424,267.74	27.37%	26.85%
Prior Year Taxes	16,830.97		161,979.88		
Solid Waste User Fees	294,226.78	14.33%	680,109.73	26.00%	23.64%
Green Box Fees	776.98	NA	3,345.43	NA	NA
Total County Funds	\$3,820,097.77		\$9,269,702.78		
Fire Districts					
Foscoe Fire	57,073.49	16.00%	146,239.23	31.79%	31.89%
Boone Fire	99,426.24	13.45%	225,765.12	25.13%	25.28%
Fall Creek Service Dist.	466.74	5.77%	1,492.46	15.98%	20.15%
Beaver Dam Fire	12,211.96	14.48%	28,383.19	26.85%	26.89%
Stewart Simmons Fire	19,028.34	10.50%	54,523.92	24.71%	23.67%
Zionville Fire	12,880.09	14.17%	29,924.14	25.85%	25.46%
Cove Creek Fire	27,733.30	13.78%	61,097.79	25.41%	25.82%
Shawneehaw Fire	9,164.47	13.41%	27,750.32	28.58%	25.48%
Meat Camp Fire	24,289.52	13.87%	53,156.27	24.23%	25.33%
Deep Gap Fire	18,417.46	11.83%	42,964.80	22.85%	25.77%
Todd Fire	6,964.40	14.21%	18,252.88	29.15%	28.97%
Blowing Rock Fire	53,577.82	15.32%	158,148.05	33.24%	32.68%
M.C. Creston Fire	845.37	17.18%	1,817.14	26.90%	23.85%
Foscoe Service District	7,739.39	12.70%	17,571.94	24.22%	24.33%
Beech Mtn. Service Dist.	399.45	25.20%	407.93	25.60%	25.35%
Cove Creek Service Dist.	91.20	28.14%	91.20	28.14%	28.14%
Shawneehaw Service Dist	329.16	6.85%	1,824.57	27.50%	25.19%
	\$350,171.66		\$867,918.49		
Towns					
Boone	617,034.40	12.77%	1,396,006.08	23.42%	19.56%
Municipal Services	19,596.54	15.91%	31,990.55	23.60%	12.86%
Boone MV Fee		NA			NA
Blowing Rock		NA			NA
Seven Devils		NA			NA
Beech Mountain		NA			NA
Total Town Taxes	\$636,630.94		\$1,427,996.63		
Total Amount Collected	\$4,806,900.37		\$11,565,617.90		

Tax Collections Director



Tax Administrator

AGENDA ITEM 7:

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.

10/31/2017 16:59
Larry.Warren

WATAUGA COUNTY
RELEASES - 10/01/2017 TO 10/31/2017

P 1
tncraprt

OWNER NAME AND ADDRESS	CAT YEAR PROPERTY REASON	BILL	EFF DATE	JUR	REF NO	VALUE	CHARGE	AMOUNT
1702419 BH TRANSPORTATION INC, 7379 OLD US HIGHWAY 421 ZIONVILLE, NC 28698-9328	PP 2017 2131 TAX RELEASES OVER ASSESSED BY TEC	1155	10/31/2017	F06	6306	26,000	F06 G01	13.00 91.78 <hr/> 104.78
1701783 BLUE RIDGE CONSERVANCY PO BOX 568 BOONE, NC 28607	RE 2017 2903-36-5442-000 TAX RELEASES EXEMPT PROPERTY	37183	10/31/2017	F09	6305	232,700	F09 G01	116.35 821.43 <hr/> 937.78
1022920 CALVARY MISSIONARY BAPTIST CHURCH SUGAR GROVE, NC 28679-	RE 2017 1963-01-2745-000 TAX RELEASES PROPERTY IS EXEMPT	15056	10/31/2017	F04	6298	0	F04 G01	128.55 907.56 <hr/> 1,036.11
1767572 FOGGY GAP EXPRESS LLC 268 US HIGHWAY 221 DEEP GAP, NC 28618	PP 2017 2147 TAX RELEASES OVER ASSESSED VALUE	1168	10/31/2017	F10	6303	90,000	F10 G01	45.00 317.70 <hr/> 362.70
1748480 GOHEEN, JUDAH ROSS 647 MARION CORNETT RD BOONE, NC 28607	RE 2017 1899-46-9317-000 TAX RELEASES PARCEL SHOULD HAVE BEEN DEACTIVATED	7001	10/31/2017	F02	6301	37,500	F02 G01	22.50 132.38 <hr/> 154.88
1745722 HARRIS, RONNA S 888 BENJAMIN DR BOONE, NC 28607	RE 2017 2838-38-0152-000 TAX RELEASES CLERICAL ERROR	31166	10/31/2017	F12	6297	66,700	F12 G01	33.35 235.45 <hr/> 268.80
1750685 HICKS, BEVERLY 249 CHARLIE HICKS RD BANNER ELK, NC 28604	PP 2017 1301 TAX RELEASES BILLED AS REAL ESTATE 1960781052000	630	10/31/2017	F04	6299	0	F04 G01 SWF	7.68 54.22 80.00 <hr/> 141.90
1577094 RIDGE RUNNER TRADING CO., INC. PO BOX 391 DTS BOONE, NC 286070391	PP 2017 577094999 TAX RELEASES NOT IN C02	2987	10/31/2017	F02	6300	0	C02	204.06
1141290 SANDERS, LARRY D 176 SANDERS RD ZIONVILLE, NC 28698	RE 2017 1983-93-1902-000 TAX RELEASES SHOULD HAVE RECEIVED OA EXEMPTION	19355	10/31/2017	F06	6307	64,350	F06 G01	32.18 227.16 <hr/> 259.34

10/31/2017 16:59
Larry.Warren

WATAUGA COUNTY
RELEASES - 10/01/2017 TO 10/31/2017

P 2
tncrapt

OWNER NAME AND ADDRESS	CAT YEAR PROPERTY REASON	BILL	EFF DATE	JUR	REF NO	VALUE	CHARGE	AMOUNT
1730480 TROPHY WATER GUIDE SERVICE INC 130 MORNINGSIDE DR BOONE, NC 28607	PP 2017 377 TAX RELEASES moved to TN	151	10/31/2017	C02	6304	0	C02 G01	5.33 4.59 <hr/> 9.92
1753176 TWIN RIVERS PROPERTY OWNERS' ASSOCIATION PO BOX 1598 BOONE, NC 28607	RE 2017 1889-50-9291-000 TAX RELEASES COMMON AREA EXEMPT	4757	10/31/2017	F01	6308	76,900	F01 G01	38.45 271.46 <hr/> 309.91
1521383 US BANK NATIONAL ASSOCIATION 1310 MADRID ST STE 100 MARSHALL, MN 56258	PP 2017 521383999 TAX RELEASES PLACED EQUIP IN WRONG FIRE DISTRICT	2472	10/31/2017	C02	6302	0	C02	20.50
DETAIL SUMMARY	COUNT: 12		RELEASES - TOTAL			594,150		3,810.68

10/31/2017 16:59
Larry.Warren

WATAUGA COUNTY
RELEASES - 10/01/2017 TO 10/31/2017

P 3
tncrpt

RELEASES - CHARGE SUMMARY FOR ALL CLERKS

YEAR	CAT	CHARGE	AMOUNT	
2017	RE	F01	FOSCOE FIRE RE	38.45
2017	RE	F02	BOONE FIRE RE	22.50
2017	RE	F04	BEAVER DAM FIRE RE	128.55
2017	RE	F06	ZIONVILLE FIRE RE	32.18
2017	RE	F09	MEAT CAMP FIRE RE	116.35
2017	RE	F12	BLOWING ROCK FIRE RE	33.35
2017	RE	G01	WATAUGA COUNTY RE	2,595.44
2017	PP	C02	BOONE PP	229.89
2017	PP	F04	BEAVER DAM FIRE PP	7.68
2017	PP	F06	ZIONVILLE FIRE PP	13.00
2017	PP	F10	DEEP GAP FIRE PP	45.00
2017	PP	G01	WATAUGA COUNTY PP	468.29
2017	PP	SWF	SANITATION USER FEE	80.00
			2017 TOTAL	3,810.68
			SUMMARY TOTAL	3,810.68

10/31/2017 16:59
Larry.Warren

WATAUGA COUNTY
RELEASES - 10/01/2017 TO 10/31/2017

P 4
tncrapt

RELEASES - JURISDICTION SUMMARY FOR ALL CLERKS

JUR	YEAR	CHARGE	AMOUNT
C02	2017	C02 BOONE PP	25.83
C02	2017	G01 WATAUGA COUNTY PP	4.59
		C02 TOTAL	30.42
F01	2017	F01 FOSCOE FIRE RE	38.45
F01	2017	G01 WATAUGA COUNTY RE	271.46
		F01 TOTAL	309.91
F02	2017	C02 BOONE PP	204.06
F02	2017	F02 BOONE FIRE RE	22.50
F02	2017	G01 WATAUGA COUNTY RE	132.38
		F02 TOTAL	358.94
F04	2017	F04 BEAVER DAM FIRE RE	136.23
F04	2017	G01 WATAUGA COUNTY RE	961.78
F04	2017	SWF SANITATION USER FEE	80.00
		F04 TOTAL	1,178.01
F06	2017	F06 ZIONVILLE FIRE PP	45.18
F06	2017	G01 WATAUGA COUNTY PP	318.94
		F06 TOTAL	364.12
F09	2017	F09 MEAT CAMP FIRE RE	116.35
F09	2017	G01 WATAUGA COUNTY RE	821.43
		F09 TOTAL	937.78
F10	2017	F10 DEEP GAP FIRE PP	45.00
F10	2017	G01 WATAUGA COUNTY PP	317.70
		F10 TOTAL	362.70
F12	2017	F12 BLOWING ROCK FIRE RE	33.35
F12	2017	G01 WATAUGA COUNTY RE	235.45
		F12 TOTAL	268.80
		SUMMARY TOTAL	3,810.68

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AGENDA ITEM 8:

FINANCE MATTERS

A. Vaya Health Quarterly Report

MANAGER'S COMMENTS:

Ms. Margaret Pierce, Finance Director, will present the Vaya Health Quarterly Financial Report as required by Statute.

No action is required.



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: Vaya Health Quarterly Reports
DATE: November 8, 2017

Attached is a copy of the quarterly fiscal monitoring report (FMR) from Vaya Health for the quarter ended September 30 2017. This fiscal monitoring report was provided by Vaya Health to comply with the G.S. 122C-117(c).

excerpt from G.S. 122C-117(c)

(c) Within 30 days of the end of each quarter of the fiscal year, the area director and finance officer of the area authority shall provide the quarterly report of the area authority to the county finance officer. The county finance officer shall provide the quarterly report to the board of county commissioners at the next regularly scheduled meeting of the board. The clerk of the board of commissioners shall notify the area director and the county finance officer if the quarterly report required by this subsection has not been submitted within the required period of time. This information shall be presented in a format prescribed by the county. At least twice a year, this information shall be presented in person and shall be read into the minutes of the meeting at which it is presented. In addition, the area director or finance officer of the area authority shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners.

LME / MCO NAME: VAYA HEALTH FOR THE PERIOD ENDING: September 30, 2017
 # of month in the fiscal year (July = 1, August = 2, . . . , June = 12) =====> 3

1. REPORT OF BUDGET VS. ACTUAL

ITEM	Basis of Accounting: (check one)	Modified Accrual Accrual	X	PRIOR YEAR		CURRENT YEAR		BALANCE (Col. 3-4)	ANNUALIZED PERCENTAGE **
				(1)	(2)	(3)	(4)		
				BUDGET	ACTUAL	BUDGET	ACTUAL YR-TO-DATE		
REVENUE									
Service Fees from LME-Delivered Services				359,750	459,403	48,000	2,009	45,991	16.74%
Medicaid Pass Through Funds				80,000	42,164	-	-	-	-
Interest Earned				221,000	254,285	200,558	69,266	131,292	138.15%
Rental Income				53,772	53,772	53,772	13,443	40,329	100.00%
Budgeted Fund Balance * (Detail in Item 4, below)				35,333,836	-	19,380,771	-	19,380,771	0.00%
Other Local				2,364,751	2,158,015	1,612,437	284,868	1,327,569	70.67%
Total Local Funds				38,413,109	2,967,639	21,295,538	369,586	20,925,952	6.94%

County Appropriations (by county, includes ABC Funds):									
Alexander County				50,000	50,000	50,000	12,500	37,500	100.00%
Alleghany County				115,483	115,483	115,483	28,871	86,612	100.00%
Ashe County				189,566	189,566	189,566	47,392	142,175	100.00%
Avery County				89,600	89,600	89,600	22,400	67,200	100.00%
Buncombe County				600,000	600,000	600,000	150,000	450,000	100.00%
Caldwell County				119,628	119,638	119,628	29,922	89,706	100.05%
Cherokee County				75,000	75,000	75,000	18,750	56,250	100.00%
Clay County				15,000	15,000	15,000	3,750	11,250	100.00%
Graham County				6,000	6,000	6,000	1,500	4,500	100.00%
Haywood County				101,900	100,387	101,900	23,606	78,294	92.66%
Henderson County				528,612	528,612	528,612	132,153	396,459	100.00%
Jackson County				123,081	123,081	123,081	30,770	92,311	100.00%
Macon County				106,623	106,623	106,623	26,656	79,967	100.00%
Madison County				30,000	30,000	30,000	7,500	22,500	100.00%
McDowell County				67,856	67,856	67,856	16,964	50,892	100.00%
Mitchell County				18,000	18,000	18,000	4,500	13,500	100.00%
Polk County				77,991	78,510	78,491	19,690	58,801	100.34%
Rutherford County				102,168	102,168	102,168	25,542	76,626	100.00%
Swain County				32,260	26,025	24,091	6,863	17,228	113.95%
Transylvania County				99,261	99,261	99,261	24,815	74,446	100.00%
Watauga County				171,194	171,194	171,194	42,799	128,396	100.00%
Wilkes County				266,810	266,327	267,354	66,875	200,479	100.06%
Yancey County				26,000	26,000	26,000	6,500	19,500	100.00%
Total County Funds				3,012,033	3,004,331	3,004,908	750,317	2,254,591	99.88%

LME Systems Admin. Funds (Cost Model)									
DMH/DD/SAS Administrative Funds (% basis)				138,494	138,494	-	-	-	-
DMH/DD/SAS Services Funding				62,146,875	59,899,876	61,776,871	15,563,141	46,213,730	100.77%
DMA Capitation Funding				317,256,174	320,350,760	321,080,065	79,775,317	241,304,748	99.38%
DMA Risk Reserve Funding				6,474,616	6,467,872	6,552,654	1,618,969	4,933,685	98.83%
All Other State/Federal Funds				17,000	19,960	-	47,823	(47,823)	-
Total State and Federal Funds				386,033,159	386,876,962	389,409,590	97,005,250	292,404,340	102.66%

TOTAL REVENUE				427,458,301	392,848,932	413,710,037	98,125,153	315,584,883	94.87%
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EXPENDITURES:									
System Management/Administration/Care Coordination				61,766,160	49,057,232	59,358,939	11,130,181	48,228,758	75.00%
LME Provided Services				2,859,229	3,275,392	1,653,575	372,401	1,281,174	90.08%
Provider Payments (State Funds)				347,856,105	340,101,325	339,166,733	82,486,495	256,680,238	97.28%
Provider Payments (Federal Funds)				9,982,671	8,858,430	9,778,565	2,784,325	6,994,240	113.90%
Provider Payments (County/Local)				3,284,486	3,204,924	3,004,908	652,205	2,352,703	86.82%
All Other				1,709,650	1,526,012	747,317	198,689	548,628	106.35%
TOTAL EXPENDITURES				427,458,301	406,023,315	413,710,037	97,624,296	316,085,741	94.39%

Net Income (from Operations and Risk Reserve)					(13,174,381)		500,858		
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Beginning Unrestricted/Unassigned Fund Balance					8,031,041		15,692,872		
Balance in Restricted DMA Risk Reserve					31,345,510		32,964,479		

Current Estimated Unrestricted/Unassigned Fund Balance and percent of budgeted expenditures				3.67%	15,692,872	0.79%	3,276,901		
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2. CURRENT CASH POSITION

Current Cash in Bank (Including Risk Reserve)					105,525,018				
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3. SERVICE EXCEPTIONS (Provided Based on System Capability)

Services authorized but not billed (IBNR)					17,258,549				
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LME / MCO NAME: VAYA HEALTH FOR THE PERIOD ENDING: September 30, 2017
 # of month in the fiscal year (July = 1, August = 2, . . . , June = 12) =====> 3

4. DETAIL ON BUDGETED FUND BALANCE		Budgeted	Utilized Year-to-Date	Remaining Balance	% Utilized
Pymt to Providers/Admin	Single Stream Replacement Funding	7,449,987	1,862,497	5,587,490	25.00%
Payments to DMA	Risk Reserve Match Contribution	2,315,471	578,868	1,736,603	25.00%
Other Initiatives	Admin Replacement Funding	3,480,274	0	3,480,274	0.00%
Other Initiatives	Integrated Collab Care Svc Initiatives	3,835,039	861,640	2,973,399	22.47%
Other Initiatives	Admin Office - Expansion Project	2,300,000	318,094	1,981,906	13.83%
Total Fund Balance Appropriated/Utilized to Date		19,380,771	3,621,099	15,759,673	18.68%

* We certify (a) this report to contain accurate and complete information, (b) explanations are provided for any expenditure item with an annualized expenditure rate greater than 110% and for any revenue item with an annualized receipt rate of less than 90%, and (c) a copy of this report has been provided to each county manager in the catchment area".

10/31/2017

LME / MCO Director Date LME/MCO Finance Officer Date Area Board Chair Date

Quarterly Fiscal Monitoring Report - Explanation of Revenue and Expenditure Variances

VAYA HEALTH

For the period ending: September 30, 2017

ITEM

Explanation

Revenues Less than 90%

Service Fees from LME Delivered Svcs (16.7%)	Money Follows the Person, Hotel Pilot, and Duke Endowment funds not fully being utilized yet.
Fund Balance Appropriated (0.00%)	Fund Balance Appropriation is budgeted - but no actual will be recorded on the financial statements.
Other Local (70.67%)	Trillium Fees not recorded.

Expenditures Exceeding 110%

Provider Payments (113.9%)	In programs such as GERO and Housing, the Federal portion is utilized first causing the overutilization as of 9/30/2017. (This variance will decrease as the year continues)
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Other Notes

ABC funds collected will be shown in the same line as MOE funds for that county. ABC Funds are recorded on a Cash Basis.

County MOE funds are recorded on an accrual basis, therefore the amount shown in the report above may not reflect the actual amount of funds received from each county.

If County Funds of less than 25% of the Annual Budgeted amount have been received, the remaining has been accrued and is considered a receivable at 9/30/2017.

If County MOE funds in excess of 25% of the Annual Budgeted amount have been received, the excess has been deferred and not reflected as income as of 9/30/2017.

AGENDA ITEM 8:**FINANCE MATTERS*****B. Proposed Resolution Designating Deputy Finance Officers*****MANAGER'S COMMENTS:**

Ms. Pierce will present a resolution appointing deputy finance officers for the detention center. The addition of the deputy finance officers is necessitated by the need to release funds for inmates transferring to other detention centers. Due to the variation in when the inmates are transferred it is impractical for the finance director or county manager to be available to sign the checks. Thus, in order to be compliant with state statues, staff is requesting the Board appoint the four detention supervisors listed as deputy finance officers.

Board action is required to adopt the attached resolution appointing the four (4) detention supervisors as deputy finance officers authorizing them to sign checks not to exceed \$1,000 for inmates transferring to other detention facilities.

STATE OF NORTH CAROLINA

DRAFT

COUNTY OF WATAUGA

A RESOLUTION APPOINTING DEPUTY FINANCE OFFICERS

LEGISLATIVE INTENT:

North Carolina General Statute 159-28 requires each contract, agreement, purchase order, check, draft, electronic payment, and electronic transfer to be preaudited by the finance officer or a deputy finance officer approved for this purpose by the governing board.

WHEREAS, Margaret Pierce was appointed as the Finance Officer by Watauga County (hereinafter "the County") in February 2010; and

WHEREAS, the County believes that it will be beneficial to the daily operations of the County to appoint Deputy Finance Officers to serve in the Financial Officer's stead for the sole purpose of signing checks for inmates transferring to other detention centers under \$1,000 in accordance with NCGS 159-28.

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF WATAUGA COUNTY:

Section 1. Watauga County appoints Juanita Miller, James Sharpe, Michael Brown, and Barry Trivette as Deputy Finance Officers, with duties as specified above.

Section 2. All provisions of any County ordinance or resolution in conflict with this resolution are repealed.

Section 3. This resolution shall become effective upon adoption.

ADOPTED this the 21st day of November, 2017.



John Welch, Chairman
Watauga County Board of Commissioners

ATTEST:

Anita J. Fogle, Clerk to the Board

AGENDA ITEM 9:

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. Proposed SECU ATM Lease Renewal

MANAGER'S COMMENTS:

In 2012, the Board approved the renewal of the lease with the State Employees Credit Union for the ATM located at the Human Services Parking Lot which is scheduled to expire on December 31, 2017. The proposal increases the monthly amount from \$400 to \$450 with a five (5) year term. No other changes have been made to the current agreement.

The Credit Union has been a good steward and staff would recommend the Board approve the lease agreement for \$450 a month for a five (5) year period contingent upon County Attorney review.

NORTH CAROLINA:

WATAUGA COUNTY:

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this FIFTH day of, OCTOBER, 2017, by and between, WATAUGA COUNTY FINANCE DEPARTMENT, hereinafter referred to as "Lessor"; and STATE EMPLOYEES' CREDIT UNION, a North Carolina corporation, hereinafter referred to as "Lessee";

WITNESSETH:

That subject to the terms and conditions hereinafter set out, said Lessor does hereby let and lease unto said Lessee, and said Lessee does hereby accept as tenant of Lessor that certain tract or parcel of land located, 132 POPLAR GROVE RD. CONNECTOR, BOONE, County of WATAUGA, State of North Carolina.

The terms and conditions of this Lease are as follows:

- 1) The term of this Lease shall be for a period of FIVE (5) years beginning on the FIRST day of, JANUARY, 2018, and ending on the LAST day of DECEMBER, 2022, unless extended or terminated under the other provisions of this Lease.
- 2) As rental for said premises, Lessee shall pay to Lessor, at the address noted below, and without notice or demand therefore, the sum of FOUR HUNDRED FIFTY Dollars (\$450.00) per month, payable monthly in advance on the first day of each calendar month. Rental payments shall be made to WATAUGA COUNTY FINANCE DEPARTMENT, 814 WEST KING ST., ROOM 216, BOONE, NC 28607.
- 3) Lessee shall use and occupy the premises for the purpose of maintaining a kiosk ATM, and in connection thereto, shall comply with all laws, ordinances, orders, or regulations of any lawful authority having jurisdiction over the premises and the use thereof.
- 4) Lessor shall be responsible for the repair and maintenance of the parking lot of the described property (collectively, the "Leased Premises") of reasonable wear and tear, potholes, landscaping and the surrounding area of the said ATM located on the "Leased Premises". Upon the written request of Lessee as to any repairs or maintenance and if Lessor fails to perform any repairs or maintenance required of Lessee hereunder then, after Lessee gives Lessor written notice and thirty (30) days to cure (or a reasonable time thereafter if such repairs or maintenance cannot reasonably be completed in thirty (30) days and repairs or maintenance are commenced within such period and thereafter diligently pursued to completion), Lessee has the option to provide a thirty (30) day written notice of its intent to terminate this Lease Agreement. Lessor and Lessee shall share the responsibility of maintaining the surrounding area in close proximity of the said ATM. Lessee shall be responsible for the construction of the said ATM, upkeep, repair, and maintenance of said structure during the term of this Lease or any extension hereof. At the expiration of the term of this Lease, or the prior termination of said Lease as herein provided, Lessee shall be responsible for removing said ATM from the premises and restoring the premises to its present condition.

- 5) During the term of this Lease, Lessee shall maintain comprehensive general liability insurance on an occurrence basis with minimum limits of liability in the amount of Three Hundred Thousand Dollars (\$300,000.00) for property damage, bodily injury, personal injury or death to any one person; Lessee shall also maintain excess liability coverage with a per occurrence limit of at least One Million Dollars (\$1,000,000.00); and Lessee shall keep the kiosk structure on the demised premises together with the equipment in said building insured against loss or damage by fire or other casualties.
- 6) Lessee shall neither use nor occupy the demised premises or any part thereof for any unlawful or ultrahazardous business purpose nor operate or conduct its business in a manner constituting a nuisance of any kind.
- 7) Lessee shall pay prior to delinquency all taxes and assessments of every kind and nature which may be imposed or assessed upon or with respect to the structure and equipment placed on the premises by Lessee.
- 8) If the Leased Premises are wholly or partially destroyed by fire or other casualty, rental shall abate in proportion to the loss of use thereof, and Lessee shall, at its own expense, promptly restore the Leased Premises to substantially the same condition as existed before damage or destruction, whereupon full rental shall resume. Should Lessee elect not to repair or replace the ATM, then Lessee shall provide written notice to Lessor of its intent to terminate this Lease Agreement. Upon such termination Lessee shall diligently repair the Leased Premises to its original condition prior to the installation of the ATM. After the Leased Premises are repaired, Lessee and Lessor shall not have any responsibility to each other under the terms of the Lease Agreement.
- 9) If the whole of the Leased premises, or such portion thereof as will make the Leased premises unsuitable for use contemplated hereby, shall be taken under the power of eminent domain (including any conveyance in lieu thereof), then the term hereof shall cease as of the date possession thereof is taken by the condemnor, and rental shall be accounted for as between Lessor and Lessee as of that date.
- 10) All applications in connection with necessary utility services on the demised premises shall be made in the name of Lessee only, and Lessee shall be solely liable for utility charges as they become due, including those for electricity, gas, water, sewer, and telephone services.
- 11) Lessee shall be in exclusive control and possession of the demised premises, and Lessor shall not be liable for any injury or damages to any property or to any person on or about the demised premises nor for any injury or damage to any property of Lessee. Lessee shall defend, indemnify and hold harmless the Lessor from and against any claims, damages, or expenses (including reasonable attorney's fees), whether due to damage to the premises, claims for injuries to persons or property, or administrative or criminal action by governmental authority, where such claims, damages, or expenses result from the negligence, misconduct or breach of any provision of this Lease Agreement by Lessee, its agents, employees or invitees.
- 12) THERE WILL BE NO RENEWAL OPTIONS.
- 13) It is expressly understood and agreed that if any monthly installment of rent as herein called for shall remain overdue and unpaid for ten (10) days, Lessor may, at its option, at any time during such default, declare this Lease terminated and canceled and take possession of said premises,

and require the Lessee to remove the structure from the premises and restore the premises to their former condition.

- 14) If Lessee shall pay the rent and perform and observe all the other covenants and conditions to be performed and observed by it hereunder, Lessee shall at all times during the term hereof have the peaceable and quiet enjoyment of the premises without interference from Lessor or any person lawfully claiming through Lessor.
- 15) All notices provided for in this Lease Agreement shall be in writing and shall be deemed to have been given when sent by registered or certified mail addressed to Lessor at:

WATAUGA COUNTY FINANCE DEPARTMENT
814 WEST KING ST., ROOM 216
BOONE, NC 28607

and to Lessee at:

State Employees' Credit Union
P. O. Box 26807
Raleigh, N. C. 27611

- 16) This Lease Agreement shall be construed and enforced in accordance with the laws of the State of North Carolina.
- 17) This Lease Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.
- 18) This Lease contains the complete agreement of the parties regarding the terms and conditions of the lease of the premises, and there are no oral or written conditions, terms, warranties, understandings or other agreements pertaining thereto which have not been incorporated herein. This Lease Agreement may be modified only by written instrument duly executed by both parties or their respective successors in interest.
- 19) If any provision of this Lease shall be declared invalid or unenforceable, the remainder of the Lease shall continue in full force and effect.

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IN TESTIMONY WHEREOF, the parties have caused this Lease Agreement to be executed as of the day and year first above written.

LESSOR:
WATAUGA COUNTY FINANCE DEPARTMENT

BY: _____
PRESIDENT

ATTEST:

SECRETARY



LESSEE:
STATE EMPLOYEES' CREDIT UNION

BY: Karen High
SENIOR VICE-PRESIDENT, FACILITIES SERV.

ATTEST:

[Signature]
ASSISTANT CORPORATE SECRETARY

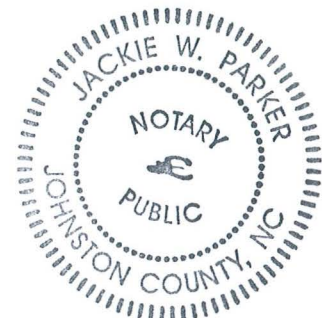
NORTH CAROLINA:
WAKE COUNTY:

This the 6th day of October, 2017, before me, Jackie W. Parker a Notary Public, personally came Karen High, who, being duly sworn, says that she is Senior Vice-President, Facilities Services of STATE EMPLOYEES' CREDIT UNION and that the seal affixed to the foregoing instrument in writing is the corporate seal of the said corporation, and that said writing was signed and sealed by her in behalf of the said corporation by its authority duly given and the Senior Vice-President, Facilities Services acknowledged the said writing to be the act and deed of said corporation.

Witness my hand and notarial seal, this the 6th day of October, 2017.

Jackie W. Parker
Jackie W. Parker
NOTARY PUBLIC

My Commission Expires:
Oct. 28, 2019



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AGENDA ITEM 9:**MISCELLANEOUS ADMINISTRATIVE MATTERS*****B. Second Ratifying Vote of Ambulance Services Contract Renewal*****MANAGER'S COMMENTS:**

The Board approved the addition of a twelve (12) hour ambulance crew for Fiscal Year 2018. In conjunction with the additional crew, staff negotiated a waiver of the CPI escalator for 2018. The proposed contract reflects the additional twelve (12) hour crew and the waiving of the CPI escalator for 2018. The contract has an effective date of January 1, 2018 and runs through December 31, 2025.

North Carolina General Statute 153A-46 requires a grant, renewal, extension, or amendment of any franchise to be passed at two regular meetings of the Board of Commissioners before it may be adopted. As this is the second reading, action is required at this time to approve the contract as presented.

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~~ January 2018 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;

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 AM. on January 1, ~~2014~~ 2018 and through and including the 31st day of December, ~~2020~~2025. 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 ~~(23)~~ two-wheel drive ambulances and (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~~fourth manned and available nine hours per day, Monday through Saturday (6) days per week. Beginning January 1, 2018 an additional ambulance operating 12 hours per day will also be manned and available 7 days per week. Totaling 5 ambulance operating during peak time hours and reducing to 3 ambulances manned and available during non peak times. 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. The Franchisee will immediately notify the county in writing of any additions or deletions to its inventory of operational ambulances.

8. The Franchisee shall maintain not less than two ~~(23)~~ bases, ~~(2) the first~~ 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 ~~US Hwy 193-421 &~~ US Hwy 321 North, Vilas, North Carolina 28692 with similar arrangement as above.

11. The Franchisee shall maintain a ~~second-3rd~~ base to be located at 133 Longvue Dr. Boone North Carolina and the Franchisee shall be solely responsible for providing all things necessary for operations of the service at the ~~second-third~~^{3rd} base. Franchisee shall be solely responsible for providing all things necessary for operation of the service at the ~~second-third~~^{3rd} base, including but not limited to the building, utilities, maintenance, medical supplies, equipment and necessary operational expenses associated with the facilities.

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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 a ~~an~~ multi-channel radios capable of talking to dispatch centers and other agencies ~~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 emergency response time for an ambulance, calculated on a Monthly basis, shall not exceed ten minutes.
- b. The 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 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 ~~Certification~~ Credential, 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 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 program. 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. 5000 |
| 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. *It will be acceptable as the allowable rates for service as set forth each year by Medicare, Medicaid and Private insurance are adjusted to make minor changes in charges to maximize the reimbursement rates available with the County Managers approval.*

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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 all charges and reimbursements from Medicare and other sources of all charges pursuant to the forgoing 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 Franchisees's operations, which shall include a fully audited financial statement of the Franchisee. The Franchisees 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:

- ~~July 1, 2015 – Dec. 31, 2015 \$951,885.84 + CPI Waived~~
- ~~Jan. 1, 2016 – Dec. 31, 2016 Previous Years Amount + CPI adjustment~~
- Jan. 1, 2017 – Dec. 31, 2017 \$968,258.28
~~Previous Years Amount + CPI adjustment~~
- Jan. 1, 2018 – Dec. 31, 2018 ~~Previous Years Amount + CPI adjustment~~ \$1,188,258.28
(Increase for additional 12 hour crew. CPI adjustment will be waived)
- Jan. 1, 2019 - Dec. 31, 2019 Previous Years Amount + CPI adjustment
- Jan. 1, 2020 – Dec. 31, 2020 Previous Years Amount + CPI adjustment
- Jan. 1, 2021 – Dec. 31, 2021 Previous Years Amount + CPI adjustment
- Jan. 1, 2022- Dec. 31, 2022 Previous Years Amount + CPI adjustment
- Jan. 1, 2023- Dec. 31, 2023 Previous Years Amount + CPI adjustment
- Jan. 1, 2024 - Dec. 31, 2024 Previous Years Amount + CPI adjustment
- Jan. 1, 2025 – Dec. 31, 2025 Previous Years Amount + CPI adjustment

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This amount to be adjusted by the CPI as explained below. Each year thereafter the previous years amount will be adjusted as explained below.

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- 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% up to 10% (For example, if the CPI escalator is computer at 7.4% the annual increase would be 6.7% or 6% + .50 x 1.4% = 6.7%. Any amount over 10% will not be considered for adjustment ie the maximum adjustment will be 8% or 6% + .50%x 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

By: _____

Chairman- Watauga County

Board of Commissioners

WATAUGA MEDICS INC.

by: _____

President

Attest: _____

Clerk to the Board

Corporate Secretary

AGENDA ITEM 9:

MISCELLANEOUS ADMINISTRATIVE MATTERS

C. Boards and Commissions

MANAGER'S COMMENTS:

Watauga County Board of Adjustment

The terms of Bill Ragan, Baxter Palmer and Todd Rice expire in November. All three are willing to continue to serve if reappointed. NC Statutes require a representative (resident) of each zoned area in counties that have partial-county zoning such as Watauga. Mr. Rice represents the Valle Crucis Historic District, which is a small area with limited population, therefore small pool of potential representatives. Mr. Palmer is the alternate member and is the representative of the Foscoe-Grandfather zoned area. Mr. Ragan resides in the Howard Creek Watershed, which is not a zoned area in the traditional sense, but since the watershed ordinance was adopted under zoning authority, the County has attempted to appoint residents of those areas when possible.

The Pond Creek (Beech Mountain) Watershed Ordinance was not adopted under zoning authority as it is not large enough to qualify for partial-county zoning. Adam Rhyne resides in the South Fork New River/Winkler Creek/Middle Fork watershed (the boundaries adjoin and form one larger watershed-regulated area). David Hill and Charles Phillips are at-large members. Those 3 terms are not expiring this year. The new South Fork New River Watershed for the new Boone water intake does not have a representative.

The above are second readings.

Watauga Medical Center Board of Trustees

The Watauga Medical Center Board of Trustees has recommended Dr. Paul Dagher and Mr. Joe Miller for reappointment and Ms. Mary Louise Roberts for appointment as Board Trustees. Each of their terms would be effective January 1, 2018, through December 31, 2020.

The above are first readings.

Recreation Commission

The following recommendations were received from the listed agencies for appointment to the Recreation Commission:

Bethel School	Mr. Jason Eldreth
Green Valley School	Mr. Denny Norris
Parkway School	Mr. Gene Swift
Valle Crucis School	Ms. Carolina Carney

The above are first readings.

(Continued on the next page)

Economic Development Commission

The terms of two members of the Economic Development Commission (EDC) expired in June. Mr. Ed Evans and Mr. Tommy Sofield served two consecutive terms and, therefore, were not eligible for reappointment. Mr. James Bance was appointed to fill one of these seats at the September 19, 2017, meeting leaving one seat to be filled for a three-year term. A volunteer application has been received from Mr. Erik Carsten Lanier who is interested in serving on the EDC.

The above is a first reading.



Chuck Mantooh, FACHE
President & CEO



October 30, 2017

Mr. Deron Geouque
Watauga County Manager
814 West King Street, Suite 205
Boone, NC 28607

Dear Deron:

The Watauga Medical Center, Inc. Board of Trustees at their October 26, 2017 meeting unanimously approved submitting the following names to be considered by the Watauga County Commissioners for appointment to the Board of Trustees:

Dr. Paul Dagher
Joe Miller
Mary Louise Roberts

The appointment will be for a three year term beginning January 1, 2018 and ending December 31, 2020.

Thank you for your assistance with this process and please contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chuck Mantooh".

Chuck Mantooh

From: Stephen Poulos
Sent: Tuesday, November 14, 2017 4:52 PM
To: Brian Bettis; Anita.Fogle; jason@aplusrealtync.com; Amy Parsons
Subject: RE: Recreation Advisory Board

Mr. Eldreth,

Your nomination will be presented to the Watauga County Board of Commissioners, once approved, we will officially notify you.

Thanks for your interest in serving!

Stephen



Stephen J. Poulos, Director
Watauga County Parks and Recreation
231 Complex Drive
Boone, N.C. 28607
828.264.9511
828.264.9523 fax
stephen.poulos@watgov.org NEW Email!
www.wataugacounty.org

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From: Brian Bettis [<mailto:bettisb@wataugaschools.org>]
Sent: Tuesday, November 14, 2017 4:45 PM
To: Anita.Fogle; Stephen Poulos; jason@aplusrealtync.com
Subject: Recreation Advisory Board

Good Afternoon,

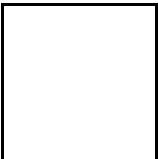
Jason Eldreth has agreed to represent the Bethel community on the Recreation Advisory Board. His email address is jason@aplusrealtync.com.

If there is anything else I can do to support you, please let me know.

Brian A. Bettis
Principal
Bethel School
138 Bethel School Road
Sugar Grove, North Carolina 28679
(828) 297-2240

"We are told to let our light shine; and if it does, we won't need to tell anybody it does. Lighthouses don't fire cannons to call attention to their shining -- they just shine."

~Dwight L. Moody



It's great to be a mountaineer!

Note: All email correspondence to and from this address is subject to public review under the North Carolina public records law. As a result, messages may be monitored by and disclosed to third parties.

In compliance with federal law, Watauga County Schools administers all education programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age or disability. 11/21/17 BCC Meeting

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From: Stephen Poulos
Sent: Wednesday, November 08, 2017 1:22 PM
To: Anita.Fogle; Amy Parsons
Subject: FW: Recreation Commission

Re-Appoint Denny Norris to Recreation Commission per GV principal.



Stephen J. Poulos, Director
Watauga County Parks and Recreation
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Boone, N.C. 28607
828.264.9511
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stephen.poulos@watgov.org NEW Email!
www.wataugacounty.org

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From: Philip Norman [<mailto:normanp@wataugaschools.org>]
Sent: Wednesday, November 08, 2017 1:18 PM
To: Stephen Poulos
Subject: Re: Recreation Commission

I say keep him on, he seems involved in the right stuff, and any momentum he can provide is positive, right?

On Wed, Nov 8, 2017 at 10:21 AM, Stephen Poulos <Stephen.Poulos@watgov.org> wrote:

Phil,

Good Morning, hope all is going well with Green Valley and your family. Denny Norris term on our Recreation Commission Advisory Board is up this year. You are welcome to re-appoint him or someone else. Denny is great and very committed, plus he's on the Recreation Center planning committee. He's been on for several years and with the Recreation Center coming online, think he'd really like to continue to serve, but you can check with him. He told me once Recreation Center is done, start bldg Fall of 2018, 1.5 – 3 year window to build, he would like to get off this board.

You can email anita.fogle@watgov.org with either Denny's name or whomever you appoint.

Any ?'s, just ask, have a great day!

Stephen



Stephen J. Poulos, Director
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stephen.poulos@watgov.org NEW Email!
www.wataugacounty.org

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Philip L. Norman
Principal
Green Valley School
189 Big Hill Rd. Boone, NC 28607

Ph. (828) 264-3606
Fax (828) 264-8108

Website <http://www.wataugaschools.org>
Twitter @GreenValley_828

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Anita.Fogle

From: Patty Buckner <bucknerp@wataugaschools.org>
Sent: Wednesday, November 08, 2017 1:20 PM
To: Anita.Fogle
Subject: Recreation Commission Advisory Board

Good Afternoon!

Mr. Gene Swift has agreed to serve an additional term on the Recreation Commission Advisory Board. Please let me know if you have any questions.

Thank you,

Patty

Patty Buckner

Principal

Parkway School

160 Parkway School Drive

Boone, NC 28607

(828) 264.3032

Note: All email correspondence to and from this address is subject to public review under the North Carolina public records law. As a result, messages may be monitored by and disclosed to third parties.

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Anita.Fogle

From: Stephen Poulos
Sent: Wednesday, November 08, 2017 10:49 AM
To: Anita.Fogle; Amy Parsons
Subject: FW: Recreation Commission

Preston from VC wishes to re-appoint Carolina Carney

As I get any of these, will forward to both of you.

Thanks!

Stephen



Stephen J. Poulos, Director
 Watauga County Parks and Recreation
 231 Complex Drive
 Boone, N.C. 28607
 828.264.9511
 828.264.9523 fax
stephen.poulos@watgov.org NEW Email!
www.wataugacounty.org

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From: Preston Clarke [<mailto:clarkep@wataugaschools.org>]
Sent: Wednesday, November 08, 2017 10:46 AM
To: Stephen Poulos
Subject: Re: Recreation Commission

That is good with me.

On Wed, Nov 8, 2017 at 10:03 AM, Stephen Poulos <Stephen.Poulos@watgov.org> wrote:

Preston,

Good Morning. Carolina Carney's term on our Recreation Commission Advisory Board is up this year. You are welcome to re-appoint her or someone else. She's great obviously, we are good either way, your call.

You can email anita.fogle@watgov.org with either Carolina's name or whomever you appoint.

Any ?'s, just ask, have a great day!

Stephen



Stephen J. Poulos, Director
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stephen.poulos@watgov.org NEW Email!
www.wataugacounty.org

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--

Preston Clarke

Principal
Valle Crucis School

2998 Broadstone Road
Sugar Grove, NC 28679
[828-963-4712](tel:828-963-4712) Phone
[828-963-8185](tel:828-963-8185) Fax

www.wataugaschools.org

Follow me on Twitter: @PrestonJClarke
Follow Valle Crucis School on Twitter: @ValleCrucisSch
Follow our school blog: vallecrucisschool.wordpress.com

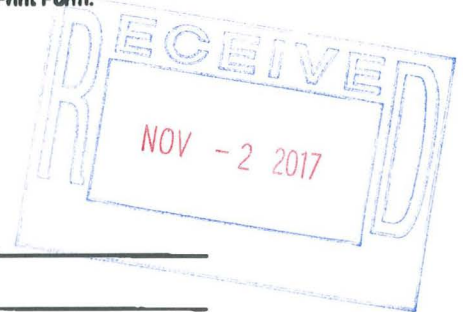
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**Volunteer Application
Watauga County Boards And Commissions**

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

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



Name: Erik Carsten Lanier
Home Address: 384 Jimmy Billings Road
City: Vilas Zip: 28692
Telephone: (H) 828-297-1484 (W) 828-963-3798 (Fax) 888-413-5350
Email: ErikLanier@hotmail.com
Place of Employment: KW Commercial High Country Realty
Job Title: Commercial Broker

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

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

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

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

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

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

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

1. Economic Development Commission
2. _____
3. _____

**Volunteer Application
Watauga County Boards And Commissions
(Continued)**

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

**Work
Experience:**

I have worked in Watauga County for the last 26 years (minus 1 year in Bozeman Montana). I started out in the hospitality industry working for the Sheraton and Chetola Resort. I also worked at Sugar Mountain as a side job. After returning from Montana (22 years ago), I have worked in real estate at Martin Real Estate, Pat Hodges Enterprises, and REMAX Realty Group. For last 12 years as a commercial broker at ASHECO Lmt. This year, I have switched to KW Commercial High Country Realty.

**Volunteer
Experience:**

Boone Sunrise Rotary Club
Boone Chamber Business Development Committee
Baptist Men Disaster Relief Teams
4H Robotics Group
Boone Brick (LEGO) Contest - Annual Fundraiser for Watauga Humane Society
I teach the contracts and agency courses for the Board of Realtors

**Other
Experience:**

Database and computer programmer.
Public speaking

**Other
Comments:**

I have a side business which tracks and catalogs all of the real estate sales for Ashe, Avery, and Watauga counties. It is a monthly subscription service and I have over 30 clients.

Signature:



Date:

11/1/17

Print Form

Reset Form

AGENDA ITEM 9:

MISCELLANEOUS ADMINISTRATIVE MATTERS

D. Announcements

MANAGER’S COMMENTS:

The Register of Deeds, Clerk of Court, and Tax Office invites you to join them for holiday goodies on Friday, December 8, 2017, from 12:30 – 2:30 P.M. in the hallway between the Clerk of Court and Register of Deeds offices. There will be collection boxes for non-perishable food items to be donated to the Hunger and Health Coalition.

The Annual County Christmas Luncheon, scheduled on Tuesday, December 12, 2017, will be held at Dan’l Boone Inn from 11:45 A.M. to 2:00 P.M.

We would like to invite you to join us for some holiday goodies on Friday, December 8th 12:30pm-2:30pm located in the hallway between the Clerk of Court and Register of Deeds offices.

We will be collecting non-perishable food items for donation to Watauga County Hunger Coalition. Collection boxes will be set up in the hallway December 4th-15th so donations can be placed in the boxes during this time.

We would like to wish each of you a very Merry Christmas and many Blessings in 2018! Thank you for your friendship and support over the past year!

Diane C. Deal, Clerk of Court

Amy J. Shook, Register of Deeds

Larry Warren, Tax Administrator

and our staff

AGENDA ITEM 10:

PUBLIC COMMENT

AGENDA ITEM 11:

BREAK

AGENDA ITEM 12:

CLOSED SESSION

Attorney/Client Matters – G. S. 143-318.11(a)(3)
Personnel Matters – G.S. 143-318.11(a)(6)