

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

**TUESDAY, MARCH 20, 2012  
5:30 P.M.**

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

<b>TIME</b>	<b>#</b>	<b>TOPIC</b>	<b>PRESENTER</b>	<b>PAGE</b>
5:30	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: March 5, 2012, Special Meeting (Intergovernmental Retreat) March 6, 2012, Regular Meeting March 6, 2012, Closed Session		1
	3	APPROVAL OF THE MARCH 20, 2012 AGENDA		15
5:35	4	SHERIFF'S OFFICE MATTERS A. Award Request for Retiring Officer B. Request for Declaration of Surplus and Sale – WCSO K9	SHERIFF HAGAMAN	17 21
5:40	5	BOARD OF EDUCATION REQUEST FOR LOTTERY FUNDS	MS. LY MARZE	25
5:45	6	SOIL AND WATER CONSERVATION DISTRICT MATTERS A. Proposed Memorandum of Understanding (MOU) Transferring the Division of Soil and Water Conservation to the Department of Agriculture and Consumer Sciences from the Department of Environment and Natural Resources (DENR) B. Proposed Use of Bill Edmisten Memorial Fund	MR. DENNY NORRIS MR. BRIAN CHATHAM	31 49
5:50	7	FINANCE MATTERS A. Budget Amendments B. Presentation of Smoky Mountain Center's Quarterly Financial Report C. Presentation of Smoky Mountain Center's Audited Fiscal Monitoring Report	MS. MARGARET PIERCE	51 53 59
5:55	8	TOP 'O BOONE ROAD MAINTENANCE PROPOSAL	MR. JOE FURMAN	63
6:00	9	PUBLIC HEARING TO ALLOW CITIZEN COMMENT ON A PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES CATALYST PROGRAM APPLICATION ON BEHALF OF THE HOSPITALITY HOUSE	MR. JOE FURMAN	73

TIME	#	TOPIC	PRESENTER	PAGE
7:00	10	MISCELLANEOUS ADMINISTRATIVE MATTERS	MR. DERON GEOUQUE	
		A. Proposed Proclamation Declaring May 14-19, 2012, as Community Pride Week		79
		B. Proposed State Highway Patrol Lease Renewal		83
		C. Public Hearing Request to Allow Citizen Comment on Proposed Refinancing for the New High School		93
		D. Proposal for Lease of Parking Spaces at the Old High School		95
		E. Boards & Commissions		97
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7:05	11	PUBLIC COMMENT		114
8:05	12	BREAK		114
8:10	13	CLOSED SESSION Attorney/Client Matters – G. S. 143-318.11(a)(3)		114
8:30	14	ADJOURN		

**AGENDA ITEM 2:**

**APPROVAL OF THE MINUTES**

March 5, 2012, Special Meeting (Intergovernmental Retreat)

March 6, 2012, Regular Meeting

March 6, 2012, Closed Session

## MINUTES

### WATAUGA COUNTY BOARD OF COMMISSIONERS SPECIAL MEETING – INTERGOVERNMENTAL RETREAT MONDAY, MARCH 5, 2012

The Watauga County Board of Commissioners attended a special meeting on Monday, March 5, 2012, in the 5<sup>th</sup> Floor Lobby of the Appalachian Athletic Center on the campus of Appalachian State University, Boone, NC. The Intergovernmental Retreat agenda included presentations focused on Local Government Finance, the Watauga County Comprehensive Transportation Plan, and Coordinated Dispatch Services. Those present were: Chairman Miller, Vice-Chairman Gable, Commissioner Deal, County Manager Geouque, and Clerk to the Board Fogle. Others present were as follows:

- Appalachian State University Representatives: Gunther Doerr, Jill Ehnenn, Lauren Estes, Greg Lovins, Susan McCracken, Seth Norris, and Cathy Ziegler.
- Town of Beech Mountain Representatives: Jennifer Broderick, Randy Feierabend, Alan Holcombe, and Rick Miller.
- Town of Blowing Rock Representatives: Eric Brown, Sharon Greene, Scott Hildebran, Thomas Klutz, Dan Phillips, Kevin Rothrock, Jim Steele, and Albert Yount.
- Town of Boone Representatives: Rennie Brantz, Blake Brown, Kim Brown, Loretta Clawson, Dana Crawford, Amy Davis, Jimmy Isaacs, Lynne Mason, Allan Scherlen, and Greg Young.
- Town of Seven Devils Representatives: David Ehmig, Ed Evans, Larry Fontaine, and Brad Lambert.
- High Country Council of Governments Representatives: Craig Hughes and Phil Trew.
- Others: Virginia Gable, wife of Vice-Chairman Gable, Madeleine Henley, NC League of Municipalities, and Anna Oakes, High Country Press.

Mr. Phil Trew, High Country Council of Governments, called the joint meeting to order at 5:05 P.M. by welcoming everyone and calling for introductions.

After dinner was served, Mr. Trew introduced Ms. Madeleine Henley with the NC League of Municipalities who discussed projected revenue and expenditure items for local governments. The main points of Ms. Henley's presentation included the following:

#### **Local Government Expenditures and Revenues**

- State income tax collections are ahead of projections.
- Compared to taxable sales in 2008, sales were down \$13 billion in 2010 and \$10 billion in 2011.
- Sales are rebounding except in construction-related activities.
- County vehicle taxes are now tied to registration renewal, so collections should be 100% (compared to 85% in the past).
- Final sales tax projections should be received by Towns by the end of March.
- Workers Compensation – a combination of reduction in employment and steady claims was likely to result in raise in rates.
- In 2014, provisions of the Affordable Healthcare Act will begin requiring employers with less than 50 employees to begin contributing to employee health insurance.

Mr. Trew introduced Mr. Craig Hughes with the High Country Council of Governments who gave an update on the Watauga County Comprehensive Transportation Plan process. The main points of Mr. Hughes presentation included the following:

### **Watauga County Comprehensive Transportation Plan (CTP)**

- Work on the CTP began in September 2010.
- Goals and objectives have been developed and were approved by local governments in November 2011.
- Population and employment growth projections have been developed and were approved by local governments in November 2011.
- Watauga County's population is expected to grow from 51,000 in 2010 to 81,000 in 2040.
- Bicycle, pedestrian, and transit elements of the CTP have been developed.
- Recent meetings have focused on highway deficiencies and recommended alternatives to alleviate deficiencies.
- Recommendations discussed to date have all come from previous planning documents (previous transportation plans, and comprehensive plans from Watauga County and the Towns).
- Once recommendations are made, public workshops will be held.
- Once the draft CTP is developed, it will be presented to local governments for adoption.

Mr. Trew called upon Watauga County Vice-Chairman Gable and Watauga County Manager Deron Geouque to give an update on efforts to consolidate dispatching within the County. The main points of their presentation included the following:

### **Consolidated Dispatch**

- The US Department of Homeland Security and State 911 Board encourages consolidated dispatch.
- Watauga County desires to have a consolidated dispatch system in operation under the direction of the County Manager via a newly organized County Department by July 1, 2012.
- The Town of Blowing Rock has adopted a resolution of interest to consolidate with Watauga County.
- The Town of Seven Devils is currently dispatched through the County's Sheriff's Office.
- The Town of Beech Mountain is currently dispatched through Avery County and serves as a back-up system for Watauga County.
- Appalachian State University is not an E911 center and, therefore, all of their emergency calls are currently routed through the Town of Boone's Police Department.
- The proposed budget for a consolidated dispatch system was based on a split between the local governments based on the portion of 911 calls originating in each jurisdiction (County-46%, Boone-38%, Blowing Rock-16%).
- Watauga County currently has adequate, existing hardware for the operation of a consolidated dispatch system.
- Open discussion was held regarding consolidated dispatch services.

Mr. Trew stated that the date and time for the next Intergovernmental Retreat would be announced when scheduled.

The meeting was adjourned at 6:44 P.M.

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Nathan A. Miller, Chairman

ATTEST:

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Anita J. Fogle, Clerk to the Board

**DRAFT****MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MARCH 6, 2012**

The Watauga County Board of Commissioners held a regular meeting on Tuesday, March 6, 2012, at 8:00 A.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

**PRESENT:** Nathan A. Miller, Chairman  
Vince Gable, Vice-Chairman  
Jim Deal, Commissioner  
Tim Futrelle, Commissioner  
Stacy C. Eggers, IV, County Attorney  
Deron Geouque, County Manager  
Anita J. Fogle, Clerk to the Board

*[Commissioner Blust was not in attendance due to a prior commitment.]*

Chairman Miller called the meeting to order at 8:01 A.M.

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

**APPROVAL OF MINUTES**

Chairman Miller called for additions and/or corrections to the February 21, 2012, regular and closed session minutes, and the February 24 & 25, 2012, special meeting minutes.

Commissioner Deal, seconded by Commissioner Futrelle, moved to approve the February 21, 2012, regular meeting minutes as presented.

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

The Chairman tabled consideration of the February 21, 2012, closed session minutes until after closed session to allow for the review of proposed amendments.

Commissioner Deal, seconded by Vice-Chairman Gable, moved to approve the February 24 & 25, 2012, special meeting minutes as presented.

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

**APPROVAL OF AGENDA**

Chairman Miller called for additions and/or corrections to the March 6, 2012, agenda.

County Manager Geouque requested to add the following: Blue Ridge Electric Membership Corporation (BREMCO) Utility Easement Request, prior to Item # 4, and Proposed Resolution for Negotiated Underwriting and Rate Modification for the New High School Loans, under Miscellaneous Administrative Matters.

Commissioner Futrelle, seconded by Vice-Chairman Gable, moved to approve the March 6, 2012, agenda as amended.

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

**BLUE RIDGE ELECTRIC MEMBERSHIP CORPORATION (BREMCO) UTILITY EASEMENT REQUEST**

Mr. Kent Landholm with Blue Ridge Electric Membership Corporation (BREMCO) requested approval of a utility easement on County-owned property at the new high school location. Mr. Landholm stated that the easement would allow for the installation of utilities for an internet network for the new high school provided by the State. The new network offered a much higher capacity of service than was currently being used. Mr. Landholm stated that all lines would be underground and would enter an already installed vault system off Old East King Street and then connect to the current conduit at the school.

Commissioner Futrelle, seconded by Commissioner Deal, moved to approve the easement for Blue Ridge Electric Membership Corporation for underground utilities to the new high school.

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

**SHERIFF'S OFFICE OUT-OF-STATE TRAVEL REQUEST**

Captain Dee Dee Rominger with the Watauga County Sheriff's Office requested permission for Detective Adam Lentz to attend, and drive a County vehicle to, a Child Forensic Interview Training in Huntsville, Alabama. Per the Watauga County Personnel Ordinance, Board approval was required for all out-of-state travel.

Vice-Chairman Gable, seconded by Commissioner Futrelle, moved to approve the out-of-state travel request as presented by Captain Rominger.

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



**HOSPITALITY HOUSE REQUEST TO APPLY FOR FUNDING OPPORTUNITY THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES CATALYST PROGRAM**

Ms. Lynne Mason, Executive Director of Hospitality House, requested the Board apply for a \$250,000 grant through the Community Development Block Grant Small Cities Catalyst Program on behalf of Hospitality House. Ms. Mason stated that a house located next to Hospitality House's family-oriented shelter, Rock Haven, was available for sale. The house and the Rock Haven facility currently share a well and a septic system. Ms. Mason shared that Rock Haven was currently serving several families and, being next door to one of their existing facilities, the purchase of the property for sale was an excellent opportunity to expand those services. Hospitality House had the funding to cover operational costs; however, the grant was needed to acquire the property.

Mr. Joe Furman, Watauga County Planning and Inspections Director, stated that the County would be the applicant, recipient, and administrator of the grant, if awarded. Mr. Furman also reported that two public hearings were required prior to submission of the grant application and requested those public hearings be scheduled for March 20, and April 17, 2012. Ms. Mason stated that Mr. Furman's administrative time would be reimbursed by the Hospitality House.

Commissioner Deal, seconded by Chairman Miller, moved to schedule a public hearing on March 20, 2012, at 6:00 P.M. and a second public hearing on April 17, 2012, at 6:00 P.M. to allow citizen comment on the grant application and to authorize the Planning and Inspections Department to apply for the Community Development Block Grant Small Cities Catalyst Program grant on behalf of Hospitality House for the purchase of the property located adjacent to their Rock Haven facility.

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

**BID AWARD REQUEST FOR AQUATIC CENTER REPAIRS**

Mr. Robert Marsh presented the following bids for the repair of the County's aquatic center:

Name	Pool Closure	Admin Contract	Total Contract Time Bid	Base Bid	Unit Price 1	Unit Price 2	Alternate 1
Boone Const. Co., Inc. Boone, NC	5 Weeks	5 Weeks	10 Weeks	\$59,955.00	\$150.00	\$200.00	No Change
Greene Construction, Inc. Boone NC	42 Days	49 Days	91 Days	\$71,760.00	\$136.00 each	\$169.00 each	\$3,000.00
Statesville Building & Roofing Renovation Statesville NC	21 Calendar Days	39 Calendar Days	60 Calendar Days	\$99,915.00	\$34.00	\$175.00	\$10,000.00
Houck Contracting, LLC Hickory NC	17 Days	50 Days	67 Days	\$93,200.00	\$180.00	\$625.00	\$3,000.00
LaFaves Construction, Inc. Landis, NC	49 Days	30 Days	79 Days	\$66,450.00	\$105.00	\$800.00	\$375.00

Name	Pool Closure	Admin Contract	Total Contract Time Bid	Base Bid	Unit Price 1	Unit Price 2	Alternate 1
Dallas Lawrence Const. Boone NC	21 Days	30 Days	51 Days	\$52,843.22	\$49.88	\$676.85	\$280.33
Hickory Const. Co., Inc. Hickory NC	30 Days	45 Days	75 Days	\$91,200.00	\$125.00	\$1,000.00	\$4,000.00
MBI Builders, LLC North Wilkesboro, NC	33 Days	42 Days	75 Days	\$50,300.00	\$55.00	\$280.00	\$400.00

The repairs were deemed necessary as a result of a study conducted by Sutton-Kennerly & Associates that prioritized deficiencies and safety risks with the facility. MBI was the low bidder in the amount of \$50,300 with 33 days to complete the project. The contract also contained a bonus provision for early completion. Mr. Marsh, however, recommended the contract be awarded to Dallas Lawrence Construction, the next lowest bidder, in the amount of \$52,843.22 due to the bid including only 21 days to complete the project.

County Attorney Eggers stated that both MBI Builders and Dallas Lawrence Construction submitted responsive and responsible bids which included days of completion within the acceptable time specified in the bid documents. Therefore, the Board was bound to either award the bid to the lowest bidder or reject all bids and re-advertise for bids.

Mr. Marsh stated that an engineer would have to conduct a pre-bid meeting prior to re-advertisement and, therefore, re-advertisement would take approximately 30 days and cost over \$1,000, including the engineering fees.

Commissioner Deal, Board representative on the Recreation Commission, stated that the Commission had also discussed the bids received and was concerned over the additional days of pool closure associated with the lowest bid.

Vice-Chairman Gable, seconded by Chairman Miller, moved to accept the lowest responsible and responsive bid from MBI Builders, LLC, in the amount of \$50,300 and 33 days of pool closure.

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

## **FIRE MARSHAL/EMERGENCY MANAGEMENT MATTERS**

### ***A. Proposed Resolution Adopting the 2010 Hazard Mitigation Plan***

Mr. Steve Sudderth, Fire Marshal/Emergency Management Coordinator, presented a proposed resolution adopting the Watauga County Hazard Mitigation Plan. The Federal Emergency Management Agency (FEMA) required local jurisdictions to prepare and adopt a hazard mitigation plan. Failure to adopt such a plan precluded the eligibility of flood insurance and FEMA reimbursement for disasters. The plan has been approved by FEMA, State Emergency Management, and the Towns of Beech Mountain, Blowing Rock, Boone, and Seven Devils.

Commissioner Futrelle, seconded by Vice-Chairman Gable, moved to adopt the resolution as presented.

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

***B. Proposed Memorandum of Understanding (MOU) for VIPER Tower Grant for Green Hill***

Mr. Sudderth requested the Board accept a grant from the North Carolina Division of Emergency Management as a sub-grantee in the amount of \$682,000 for a VIPER tower at the Green Hill site in Blowing Rock. The Highway Patrol would administer the grant; however, a Memorandum of Understanding (MOU) between the County and the State of North Carolina, Department of Public Safety, Division of Emergency Management, and the Highway Patrol was required as part of the grant acceptance. Mr. Sudderth stated that the County would be allowed to attach equipment to the tower if necessary.

Vice-Chairman Gable, seconded by Commissioner Futrelle, moved to accept the grant award and approve the Memorandum of Understanding as presented.

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

**TAX MATTERS**

***A. Monthly Collections Report***

Tax Administrator Kelvin Byrd presented the Tax Collections Report for the month of February 2012. This report was presented for information only and, therefore, no action was required.

***B. Refunds and Releases***

Mr. Byrd presented the following Refunds and Releases for February 2012 for Board approval:

TO BE TYPED IN MINUTE BOOK

Commissioner Futrelle, seconded by Vice-Chairman Gable, moved to approve the Refunds and Releases Report for February 2012, as presented.

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

***C. Tax Lien Report***

Mr. Kelvin Byrd reviewed the Tax Lien Report and requested acceptance of the report listing delinquent tax bills that were liens on real property and authorization to advertise such liens.

Commissioner Deal, seconded by Commissioner Futrelle, moved to accept the Tax Lien Report and authorize the advertisement of liens as reported.

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

## **MISCELLANEOUS ADMINISTRATIVE MATTERS**

### ***A. Proposed Resolution for Negotiated Underwriting and Rate Modification for the New High School Loans***

County Manager Geouque stated that, as discussed at the Annual Pre-Budget Retreat, the opportunity existed for the County to modify a current loan with BB&T for the new high school.

Ms. Margaret Pierce, Finance Director, presented BB&T's proposal. BB&T was selected for refinancing due to the ability to waive a portion of the prepayment penalty and flexibility in the pay-off date. Potential cost savings to the County would be approximately \$2,000,000 to \$4,000,000 over the term of the financing agreement. Time was of the essence for the County to realize the potential savings and meet the financing schedule. A future public hearing would be held prior to finalization of the rate modification. Ms. Pierce also recommended the County engage Scott Leo, with Parker Poe, as bond counsel. Ms. Pierce presented a proposed resolution which, upon adoption, would 1) appoint BB&T to serve as the book-running, senior manager for negotiated refunding of the existing high school loan; 2) designate a term of appointment; and 3) establish compensation rates of BB&TCM.

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

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

Commissioner Deal, seconded by Commissioner Futrelle, moved to retain Mr. Scott Leo with Parker Poe as bond counsel for the new high school rate modification.

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

### ***B. Update on the Mediation and Restorative Justice Center's Grant Application***

County Manager Geouque stated that, at a previous Board meeting, a one-time allocation of \$35,000 was made to continue the Watauga Drug Treatment Court program through the Mediation and Restorative Justice Center. At a more recent Board meeting, Ms. Melissa Johnson, Executive Director of the Mediation and Restorative Justice Center, was given

authorization to submit a US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA), pass-through grant application, contingent upon review by the County Attorney and Chairman Miller. The total funding amount requested was \$128,000 which would provide \$64,000 per year, over a two-year term, and would allow Watauga County Drug Treatment Court to serve additional participants as well as enhance current services. The Center requested to utilize the County's ABC tax funds for the required 25% match. If awarded, the grant funding would replace the \$35,000 operational funding currently received from Watauga County, therefore alleviating the need to request funding for the next two fiscal years.

The County Manger stated that notification of award for the BJA grant would not be known until August or September and, therefore, the remaining ABC funds, in the amount of approximately \$11,690, that were not paid out due to the dissolution of New River Behavioral Healthcare, could be redirected to the Drug Treatment Court program to reduce the initial \$35,000 allocation by the County. Also, should the Board wish, the full \$18,000 in ABC tax funds could be used as the match for the grant or used to carry out the program at a reduced level through Fiscal Year 2012-13 while awaiting notification of the grant award.

Commissioner Deal, seconded by Commissioner Futrelle, moved to allocate the remaining ABC tax funds, in the approximate amount of \$11,690, to the Watauga Drug Treatment Court program reducing the County's initial contribution from \$35,000 to \$23,370.

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

### ***C. Proposed Emergency Services Director Job Description***

As directed by the Board, County Manager Geouque presented a proposed job description for the Emergency Services Director position. The position would be classified as a Grade 19 on the County's Pay and Classification Plan and have a minimum salary of \$49,663, midpoint of \$63,320, and maximum of \$76,977. The classification would place the position two levels above the Board of Elections Director and Veterans Services Officer and on the same level as the Parks and Recreation and Project on Aging Directors. Commissioner Deal suggested adding to the job description that the position would be an ex-officio member of the Department's Advisory Board.

Vice-Chairman Gable, seconded by Commissioner Futrelle, moved to approve the job description with the inclusion that the position was to serve as an ex-officio member of the Department's Advisory Board and to direct staff to advertise the position.

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

### ***D. Boards and Commissions***

County Manager Geouque stated that during the regular Blowing Rock Town Council meeting, held on February 14, Ms. Brenda Fairbetter was recommended to serve as the ETJ member of the

Blowing Rock Planning Board and Mr. Terry Story was recommended to serve as the ETJ member of the Blowing Rock Board of Adjustments.

Chairman Miller directed staff to request information regarding Ms. Fairbetter and Mr. Story prior to taking action.

County Manager Geouque stated that at their February 2012 meeting, the AppalCART Advisory Board recommended the following slate of officers be officially appointed/reappointed to their Board: Mr. Jerry Moretz (at-large member); Mr. Greg Lovins (ASU representative); Ms. Angie Boitnotte (at-large member); Mr. David Blust (Board of Commissioners representative); Mr. Donald Ray (user representative); Mr. Barry Sauls (ASU representative); Mr. Andy Ball (Town of Boone representative); and Ms. Jeannine Taylor (Human Service Agency representative). Brief discussion was held regarding the issue that the AppalCART Board had sworn in Mr. Andy Ball who had not been officially appointed by the Board of Commissioners to date.

The above are first readings; therefore, no action was required at this time.

### ***E. Announcements***

County Manager Geouque made the following announcements:

- Charter Communications has changed the day and time that they air the Watauga County Board of Commissioners meetings. The Board meetings will now air on the Fridays, in the week the live meeting was held, at 7:00 P.M.
- Appalachian State invited Commissioners along with School Board members, and Town Council members, to campus on May 7, 2012, from 9:00 A.M. to 2:00 P.M. to provide an update on major activities taking place on campus such as construction projects, strategic priorities, and state funding and its impact on the campus and major initiatives involving the local community. The day would consist of a tour, lunch, and meeting with University officials. They would like for this to become an annual event.
- The 2012 Watauga County Economic Development Summit is scheduled for Wednesday, March 7, 2012, from 1:00 to 5:00 P.M. at the Blowing Rock Art and History Museum in Downtown Blowing Rock.
- An Incident Command System (ICS) Overview for Executives/Senior Officials training is scheduled on March 28, 2012, from 4:00 P.M. to 6:00 P.M. in the Commissioners' Board Room.
- The Board is invited to attend the Cooperative Extension's annual "Report to the People" luncheon which is scheduled for Tuesday, March 6, 2012, at the Watauga County Agricultural Conference Center at 11:45 A.M. After enjoying a "local lunch," a presentation on Watauga Extension's highlights, accomplishments, and future goals will be given.
- The Appalachian District Health Department invites the Board to attend a pre-event and event on Thursday, March 22, 2012, featuring a presentation regarding aerobic exercise and its relationship to the brain. The event is sponsored through the "Communities Putting Prevention to Work" grant.

- The Humane Society has requested the Board set a date to tour their new facilities as recently constructed through a partnership with the County. The County Manager requests the Board review their calendars and submit potential dates for a tour.

By consensus, the Board agreed to tour the Humane Society facility April 23, 2012, from 12:00 noon until 1:30 P.M.

### **PUBLIC COMMENT**

There was no public comment.

### **CLOSED SESSION**

At 9:01 A.M., Commissioner Deal, seconded by Commissioner Futrelle, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3).

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

Commissioner Deal, seconded by Vice-Chairman Gable, moved to resume the open meeting at 9:39 A.M.

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

### **ACTION AFTER CLOSED SESSION**

Commissioner Futrelle, seconded by Commissioner Deal, moved to approve the February 21, 2012, closed session minutes as amended.

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

### **ADJOURN**

Chairman Miller adjourned the meeting at 9:40 A.M.

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Nathan A. Miller, Chairman

ATTEST:

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Anita J. Fogle, Clerk to the Board

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**AGENDA ITEM 3:**

**APPROVAL OF THE MARCH 20, 2012, AGENDA**

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**AGENDA ITEM 4:**

**SHERIFF'S OFFICE MATTERS**

*A. Award Request for Retiring Officer*

**MANAGER'S COMMENTS:**

Per G.S. 20-187.2, governing bodies of a law enforcement agency may award a retiring member their service side arm at a price determined by the governing body. Law enforcement personnel may retire at age 55 with 5 years of credible service with full retirement benefits. Sergeant Richard Aldridge will retire April 1, 2012. The Sheriff's Office requests that the respective side arm and badge be awarded to Officer Aldridge upon his retirement and that the Board set the price of the side arm at \$1.

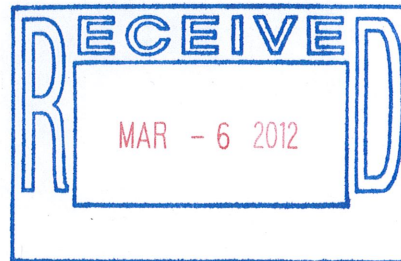
Board action is required to make this award.



# WATAUGA COUNTY SHERIFF'S OFFICE

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

LEN D. HAGAMAN, JR.  
SHERIFF



March 6, 2012

Civil Sergeant and Bailiff R. C. Aldridge,

I am in receipt of your request and will have to submit the firearm<sup>1</sup> request to the Watauga County Commissioners for declaration of surplus. If approved, under NCGS a purchase permit, accompanied with the proper fees, must be obtained by you and a negotiated price paid (as determined and set by the BOC).

Also, by your request, the Sheriff's Standards Commission will be notified of your inactive status, beginning April 1, 2012.

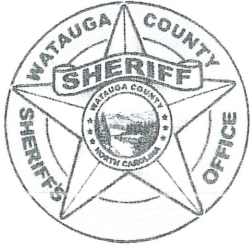
Thank you for your dedication to the office of Sheriff, and to the citizens of Watauga County.

Sincerely,

Len Hagaman

Cc: **Deron Geouque, County Manager - with attachment – Memo, dated March 5, 2012**  
Margaret Pierce, Finance Director - with attachment – Memo, dated March 5, 2012  
Angie Ritter, Human Resources - with attachment – Memo, dated March 5, 2012  
Command Staff – WCSO - with attachment – Memo, dated March 5, 2012

<sup>1</sup> Sig Sauer .357 Semi-Automatic handgun, Model P229 is valued at a retail price of \$1,068.00 (\$853.49) per attached from georgiagunstore.com



# WATAUGA COUNTY SHERIFF'S OFFICE

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

LEN D. HAGAMAN, JR.  
SHERIFF

## Memorandum

March 5, 2012

TO: SHERIFF L.D. HAGAMAN, JR.

FROM: SERGEANT R.C. ALDRIDGE 

RE: RETIREMENT

Please be advised that on 31 March 2012 I will retire from my position as Sergeant (Civil Division) with the Watauga County Sheriff's Department.

As per our earlier conversation, I would request to receive my issued service weapon upon my retirement.

Sig-Sauer 357 Automatic  
Model P229  
Serial # AL 40-126

I would also respectfully request that the Watauga County Sheriff's Department hold my North Carolina Law Enforcement Certification in an in-active status. As I have been a sworn law-enforcement officer for over thirty seven years, therefore I would like to maintain my certification.

Sheriff, I want to thank you for allowing me to represent you in serving the citizens of Watauga County and the great State of North Carolina.

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- Rock River Arms
- Rossi/Braztech
- Sig Sauer
- Smith & Wesson
- Springfield
- Steyr Arms
- Taurus
- Thompson Center Arms
- Umarex
- Walther

Sig Sauer  
Model: P229  
SIG P229 357SIG 3.9" BLK 12RD NS



Sig Sauer P229 Semi-automatic Double Action Compact 357 Sig  
3.9 Alloy Black Plastic 12Rd 2 Mags Fixed Night Sights E29R-357-BSS

ADD TO WISHLIST

OUR PRICE: \$ 853.49  
NOT IN STOCK

Retail Price: \$ 1068.00  
Part Number: SGE29R-357-BSS

Accessories	2 Mags
Action	Semi-automatic
Barrel Length	3.9"
Capacity	12Rd
Finish Color	Black
Frame Material	Alloy
Caliber	357 Sig
Grips/Stock	Plastic
Manufacturer	Sig Sauer
Safety	Fixed Night Sights
Sights	Compact
Size	Double Action

ADVANCED SEARCH

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SGE29R-357-BSS,SIG,2 Mags,Semi-automatic,3.9",12Rd,Black,Alloy,357 Sig,Plastic,Sig Sauer,E29R-357-BSS,,Fixed Night Sights,Compact,Double Action,

ADD STORE ITEM

**AGENDA ITEM 4:**

**SHERIFF'S OFFICE MATTERS**

***B. Request for Declaration of Surplus and Sale – WCSO K-9***

**MANAGER'S COMMENTS:**

The Sheriff will present a request to declare “Chesska” K-9 police dog as surplus and to sell it to its handler, Mr. Wes Hawkins. The Sheriff has indicated that the dog is no longer of use to the Sheriff's Office. The Statute allows that the dog may be sold for a negotiated price by order of the Board of Commissioners. In order for staff to carry out the order, the Board must adopt the enclosed resolution and advertise the sale for ten days prior to completion. The Sheriff requests that the dog be declared surplus and sold for a fee of \$1.00.

Direction from the Board is requested.

# OFFICE EQUIPMENT & FURNITURE SURPLUS REQUEST

Department Sheriff

Department Head's Signature \_\_\_\_\_

Date 03/06/2012

Asset Number \_\_\_\_\_

Manufacturer \_\_\_\_\_

Model \_\_\_\_\_

Description K-9 Chesska

Serial Number \_\_\_\_\_

**Please fill in or check**

This Equipment:  Is Operable  Was Operable when Removed from Service (Date Removed: \_\_\_\_\_)

Is Not Operable  Operating Condition Unknown

Manuals:  Included  Not Included

Software:  Included  Not Included  N/A

**Computers/ Monitors**

Computer: Processor: \_\_\_\_\_ Speed: \_\_\_\_\_ RAM: \_\_\_\_\_ Operating System: \_\_\_\_\_

Hard Drive: Size \_\_\_\_\_  Included  Removed  Included but Erased (No OS)

Accessories Included:  Mouse  Keyboard  \_\_\_\_\_

Monitor:  CRT  Flat Panel Size: \_\_\_\_\_

**Furniture**

This Furniture:  Is In Excellent Condition  Is In Good Condition  Is In Poor Condition  Is Broken

Please Describe Any Damage: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Special/Other Features:**

K-9 Chesska is now 12 years old and her health is declining. She has served the citizens of Watauga County well.

We would request that Officer Hawkins (her handler) be allowed to purchase Chesska.

\_\_\_\_\_

**\* FOR FINANCE USE ONLY \***

Inventory ID# \_\_\_\_\_

Pictures: # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_

Date Circulated: \_\_\_\_\_ BCC Approval Date \_\_\_\_\_

Date of Disposal \_\_\_\_\_ Type of Disposal \_\_\_\_\_



LEGAL/PUBLIC NOTICE

The Watauga County Board of Commissioners has surplused and authorized the sale of a K9 Police Dog, due to its age and health issues, per G. S. 160A-267. This sale shall occur ten days after the publication date of this advertisement.

Nathan A. Miller, Chairman  
Watauga County Board of Commissioner

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

**DRAFT**

**Resolution Authorizing the Sale of Personal Property  
Worth Less Than \$30,000 (G. S. 160A-266; 267)**

**WHEREAS**, Watauga County owns certain items of personal property that have become surplus for its current needs; and

**WHEREAS**, the Watauga County Sheriff’s Office has a K-9 named Chesska that has reached the age and work life for a law enforcement K-9; and

**WHEREAS**, North Carolina General Statute § 160A-266 permits the county to sell such property by private sale, upon authorization by the Board of Commissioners at a regular meeting and notice to the public; and

**WHEREAS**, the Watauga County Board of Commissioners is convened in a regular meeting.

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

1. The Board of Commissioners authorizes the County Manager to sell by private sale this K-9 “Chesska” according to North Carolina General Statute 160A-266, and make this K-9 available to Lieutenant Hawkins, who will be responsible for all further medical and housing expenses once K-9 “Chesska” is retired.
2. The Clerk to the Board of Commissioners shall publish a notice summarizing this resolution, and no sale may be executed pursuant to this resolution until at least 10 days after the day the notice is published.

**ADOPTED** this the 20<sup>th</sup> day of March, 2012.

\_\_\_\_\_  
Nathan A. Miller, Chairman  
Watauga County Board of Commissioners

ATTEST:

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

(SEAL)

**AGENDA ITEM 5:**

**BOARD OF EDUCATION REQUEST FOR LOTTERY FUNDS**

**MANAGER’S COMMENTS:**

The School Board is requesting funds from the Education Lottery Fund. The funds are to be used for various Capital Improvement Projects. The projects proposed are the four which were discussed at the annual retreat for which the School Board was requesting a \$100,000 match from the County. The School Board is now proposing to use their fund balance to pay the local match and therefore requesting no funds from the County.

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

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

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

County: Watauga County

Contact Person: Ly Marze

LEA: Watauga County

Title: Finance Officer

Address: PO Box 1790, Boone, NC 28607

Phone: 828-264-7190

Project Title: Cove Creek School - Metal Roof Installation

Location: 930 Vanderpool Rd, Vilas, NC 28692

Type of Facility: K-8 School

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

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

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

Short description of Construction Project: Design Fees, Retro-fit metal roof installation

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		30,000.00
New Construction	_____		
Additions / Renovations	_____		850,000.00
Repair	_____		
Debt Payment / Bond Payment	_____		
<b>TOTAL</b>	_____	<b>\$</b>	<b>880,000.00</b>

Estimated Project Beginning Date: April 2012 Est. Project Completion Date: Nov 2012

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

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 880,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) \_\_\_\_\_ (Date) \_\_\_\_\_  
*Deborah H. Miller* *Richard [Signature]* 3/12/12  
 (Signature — Chair, Board of Education) \_\_\_\_\_ (Date) \_\_\_\_\_

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

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

County: Watauga County

Contact Person: Ly Marze

LEA: Watauga County

Title: Finance Officer

Address: PO Box 1790, Boone, NC 28607

Phone: 828-264-7190

Project Title: Valle Crucis School: Basement Renovation

Location: 2998 Broadstone Rd, Sugar Grove, NC 28679

Type of Facility: K-8 School

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

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

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

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

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

Short description of Construction Project: Renovation of basement; cleaning, water extraction, and remediation of underground spring found in crawl space

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	_____
New Construction _____	_____
Additions / Renovations _____	35,000.00
Repair _____	_____
Debt Payment / Bond Payment _____	_____
<b>TOTAL _____</b>	<b>\$ 35,000.00</b>

Estimated Project Beginning Date: June 2012 Est. Project Completion Date: Aug 2012

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

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 35,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) \_\_\_\_\_ (Date) \_\_\_\_\_  
*Deborah H. Miller* *Richard M. Jones* 3/12/12  
 (Signature — Chair, Board of Education) \_\_\_\_\_ (Date) \_\_\_\_\_

**APPLICATION  
PUBLIC SCHOOL BUILDING CAPITAL FUND  
ADM (Corporate Tax) Fund**

Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

County: Watauga County  
Address: PO Box 1790, Boone, NC 28607  
School Admin. Unit: Watauga County  
Project Title: Hardin Park School: Flat Roof Renovation  
Location: 361 Jefferson Rd, Boone, NC 28607  
Type of Facility: K-8 School

Contact Person: Ly Marze  
Title: Finance Officer  
Phone: (828) 264-7190

G.S. 115C-546.2(b) "Counties shall use monies in the Fund for capital outlay projects including the planning, construction, reconstruction, enlargement, improvement, repair, or renovation of public school buildings and for the purchase of land for public school buildings; for equipment to implement a local school technology plan that is approved pursuant to G.S. 115C-102.6C; or for both. Monies used to implement a local school technology plan shall be transferred to the State School Technology Fund and allocated by that Fund to the local school administrative unit for equipment. As used in this section, 'public school buildings' only includes facilities for individual schools that are used for instructional and related purposes and does not include centralized administration, maintenance, or other facilities. **Applications must be submitted no later than one year after the final payment to the Contractor or Vendor.**

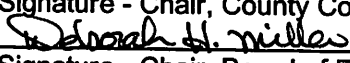
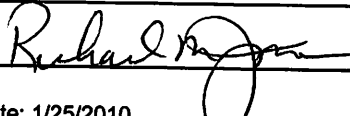
Short Description of Construction Project: Renovation of center building flat roof

Estimated Costs:	State	Local	Total
Purchase of Land	\$ _____	\$ _____	\$ 0.00
Planning	\$ _____	\$ _____	\$ 0.00
Construction	\$ _____	\$ _____	\$ 0.00
Renovation	\$ 63,750.00	\$ 21,250.00	\$ 85,000.00
Enlargement	\$ _____	\$ _____	\$ 0.00
Repair	\$ _____	\$ _____	\$ 0.00
School Technology	\$ _____	\$ N/A	\$ 0
Debt Service/Bond Payment	\$ _____	\$ _____	\$ 0.00
<b>Total</b>	<b>\$ 63,750.00</b>	<b>\$ 21,250.00</b>	<b>\$ 85,000.00</b>

Bid Dates/Vendors: \_\_\_\_\_  
Contracts signed/Dates: \_\_\_\_\_  
Estimated date of beginning of construction: June 2012  
Estimated date of completion: August 2012

Match: The matching funds of one dollar of local funds for every three dollars of state funds are from (source): Local capital outlay fund balance  
\$ \_\_\_\_\_ of the matching funds have been expended for /date/description: \_\_\_\_\_

**Reporting requirements:** We, the undersigned, agree to submit a report of state/local amounts expended for this project within 60 days after completion of the project, or 60 days after receiving state funding, whichever is later. The County Commissioners and the Board of Education do hereby jointly request approval of the above project and request release of \$ 63,750.00 from the Public School Building Capital Fund. We certify that the project herein described is within the parameters of 115C-546.2(b) and that all of the required local funding is available and designated as match for this project.

(Signature - Chair, County Commissioners)   
(Signature - Chair, Board of Education)  3/12/12 (Date)  
(Date)

Form date: 1/25/2010

**APPLICATION  
PUBLIC SCHOOL BUILDING CAPITAL FUND  
ADM (Corporate Tax) Fund**

Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

County: Watauga County  
Address: PO Box 1790, Boone, NC 28607  
School Admin. Unit: Watauga County  
Project Title: Parkway School: Flat Roof Renovation  
Location: 160 Parkway School Rd, Boone, NC 28607  
Type of Facility: K-8 School

Contact Person: Ly Marze  
Title: Finance Officer  
Phone: (828) 264-7190

G.S. 115C-546.2(b) "Counties shall use monies in the Fund for capital outlay projects including the planning, construction, reconstruction, enlargement, improvement, repair, or renovation of public school buildings and for the purchase of land for public school buildings; for equipment to implement a local school technology plan that is approved pursuant to G.S. 115C-102.6C; or for both. Monies used to implement a local school technology plan shall be transferred to the State School Technology Fund and allocated by that Fund to the local school administrative unit for equipment. As used in this section, 'public school buildings' only includes facilities for individual schools that are used for instructional and related purposes and does not include centralized administration, maintenance, or other facilities. **Applications must be submitted no later than one year after the final payment to the Contractor or Vendor.**

Short Description of Construction Project: Renovation of middle school wing flat roof

Estimated Costs:	State	Local	Total
Purchase of Land	\$ _____	\$ _____	\$ 0.00
Planning	\$ _____	\$ _____	\$ 0.00
Construction	\$ _____	\$ _____	\$ 0.00
Renovation	\$ 39,000.00	\$ 13,000.00	\$ 52,000.00
Enlargement	\$ _____	\$ _____	\$ 0.00
Repair	\$ _____	\$ _____	\$ 0.00
School Technology	\$ _____	\$ N/A	\$ 0
Debt Service/Bond Payment	\$ _____	\$ _____	\$ 0.00
<b>Total</b>	<b>\$ 39,000.00</b>	<b>\$ 13,000.00</b>	<b>\$ 52,000.00</b>

Bid Dates/Vendors: \_\_\_\_\_  
Contracts signed/Dates: \_\_\_\_\_  
Estimated date of beginning of construction: June 2012  
Estimated date of completion: August 2012

Match: The matching funds of one dollar of local funds for every three dollars of state funds are from (source): Local capital outlay fund balance  
\$ \_\_\_\_\_ of the matching funds have been expended for /date/description: \_\_\_\_\_

**Reporting requirements:** We, the undersigned, agree to submit a report of state/local amounts expended for this project within 60 days after completion of the project, or 60 days after receiving state funding, whichever is later.  
The County Commissioners and the Board of Education do hereby jointly request approval of the above project and request release of \$ 39,000.00 from the Public School Building Capital Fund. We certify that the project herein described is within the parameters of 115C-546.2(b) and that all of the required local funding is available and designated as match for this project.

(Signature - Chair, County Commissioners) Deborah H. Miller \_\_\_\_\_ (Date) \_\_\_\_\_  
(Signature - Chair, Board of Education) Richard M. Jones \_\_\_\_\_ (Date) 3/12/12

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## **AGENDA ITEM 6:**

### **SOIL AND WATER CONSERVATION DISTRICT MATTERS**

- A. Proposed Memorandum of Understanding (MOU) Transferring the Division of Soil and Water Conservation to the Department of Agriculture and Consumer Sciences from the Department of Environment and Natural Resources (DENR)*

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

Due to recent legislative changes, the Division of Soil and Water Conservation was moved from the Department of Environment and Natural Resources to the Department of Agriculture and Consumer Sciences. The amendment requires the Memorandum of Understanding to reflect the new reporting change.

Staff recommends the Board approve, contingent upon County Attorney review, the new Memorandum of Understanding between the United States Department of Agriculture Natural Resources Conservation Service; the North Carolina Department of Agriculture and Consumer Services – Division of Soil and Water Conservation; the Watauga Soil and Water Conservation District; and Watauga County.

Board action is requested.



**WATAUGA SOIL AND WATER CONSERVATION DISTRICT**  
971 West King Street  
Boone, NC 28607-3468

Phone: 828-264-0842

TTY 1-800-735-2962

Fax 828-264-3067

DATE: March 2, 2012  
MEMO TO: Watauga County Commissioners  
FROM: Watauga Soil and Water Board  
RE: Memorandum of Understanding



Board of Supervisors

Denny Norris, Chair  
Thad Taylor, Vice-Chair  
Jim Bryan, Sec.  
Al Childers  
Tracy Taylor

Please review the attached MOU and sign where designated if it meets your approval. This MOU is being revised due to the Division of Soil and Water Conservation being transferred to the Department of Agriculture and Consumer Sciences from the Department of Environment and Natural Resources (DENR). Also attached is the old version if you wish to compare.

Thank you very much for your consideration.

Denny Norris, Chair  
Watauga Soil and Water Board

## **MEMORANDUM OF UNDERSTANDING**

**Between the**

**UNITED STATES DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE**

**And the**

**NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND  
CONSUMER SERVICES - DIVISION OF SOIL AND WATER  
CONSERVATION**

**and**

**THE WATAUGA SOIL AND WATER CONSERVATION DISTRICT**

**and**

**WATAUGA COUNTY, NORTH CAROLINA**

**For their Cooperation in the  
Conservation of Natural Resources**

### **BACKGROUND STATEMENT AND PURPOSE**

THIS AGREEMENT is between the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture (USDA), the North Carolina Department of Agriculture and Consumer Services - Division of Soil and Water Conservation (DSWC) an agency of the State of North Carolina, the Watauga Soil and Water Conservation District (SWCD) and Watauga County collectively referred to as the parties, to clearly define the roles and responsibilities of the parties.

The purpose of this agreement is to supplement the Cooperative Working Agreement between the USDA-Natural Resources Conservation Service, North Carolina Department of Agriculture and Consumer Services, North Carolina Soil and Water Conservation Commission, and Watauga Soil and Water Conservation District. This operational agreement documents those areas of common interest of the federal, state and local partnership in natural resources conservation.

The parties mutually agree to provide leadership in natural resources conservation. The parties pledge to work together by advancing and practicing teamwork, including input in the decision making process; communicating, coordinating, and cooperating; promoting mutual respect, and sharing leadership, ownership, credit and responsibility.

### **AUTHORITIES, STATUTES, LAWS**

NRCS is authorized to cooperate and furnish assistance to the parties in the conservation of natural resources as referenced in the Soil Conservation and Domestic Allotment Act, 16 U.S.C. 590; The Department of Agriculture Reorganization Act of 1994, Public Law 103-354; and Secretary's Memorandum No. 1010-1, Reorganization of the Department of Agriculture, dated October 20, 1994.

DSWC is authorized to enter into this agreement by North Carolina General Statutes §139-4 and §143B-294 - §143B-297.

The District authority is defined in Soil Conservation Districts Law, General Statutes of North Carolina §139-1 - §139-47.

The county is authorized to enter into this agreement by North Carolina General Statute §153A-11 and §160A-461 - §160A-464.

## **ROLES AND RESPONSIBILITIES:**

### **CONSERVATION PROGRAM IMPLEMENTATION**

The parties recognize the natural resources conservation program as a unique blend of voluntary conservation initiatives and federal, state, and local mandates. Together these address a variety of natural resource, environmental, and educational issues. The parties agree to jointly commit their program authorities and financial and human resources to cooperatively implement a unified natural resources conservation program in areas of mutual concern. The implementation of all programs will be done in accordance with program policy and procedure developed for that specific program – whether federal, state, or local.

Inventories and Data Sharing: The parties agree to identify, define, and coordinate the collection and use of natural resource and other data needed to support the delivery of local, state and federal conservation program benefits. The parties will cooperate in maintaining data to assure that it supports the mutual needs of the parties for resource planning and evaluation. The parties further agree that gathered data will be mutually shared and used in support of conservation program implementation as needed to facilitate implementation of the programs shown in Attachment A. The use and disclosure of information will be consistent with the guidelines provided in the Records, Facilities, and Equipment section of this agreement. Both NRCS and SWCD employees in the office will maintain adequate knowledge of available conservation programs in order to provide basic customer service including, but not limited to:

1. Providing basic information about program requirements and signup periods
2. Helping a customer complete a program application
3. Interviewing the customer to determine resource concerns and conservation issues
4. Gathering of farm data to support development of a conservation plan
5. Developing a conservation plan

Setting Program Priorities: The parties agree to implement the conservation program based on mutually developed priorities while recognizing individual responsibilities for federal, state, or local mandates. The parties further agree to annually re-evaluate established priorities and adjust as warranted. SWCD Board has responsibility to organize local work groups to assess resource conditions and establish local priorities, and develop a single SWCD/NRCS partnership plan of work each fiscal year (July 01-June 30). Specifically, NRCS employees will first address workload associated with Federal conservation programs, NRCS priorities, and required NRCS administrative procedures. As time is available, NRCS employees will assist with the North Carolina Agriculture Cost Share Program (NCASCP) and other District priorities. Likewise, District staff will first address workload associated with the NCACSP, District priorities, and required District administrative procedures. As time is available, District staff will assist with federal conservation programs and other NRCS priorities.

Programs to be Implemented: The parties agree to use federal, state, and local programs in a complimentary fashion to address local priorities and concerns. Attachment A includes a list of programs that will be utilized to address priorities and concerns. Employees from both agencies will work across program lines to assure efficient and effective customer service.

Marketing: The parties agree to conduct a common effort to inform the public of program opportunities and benefits. This information will be provided to the appropriate media concerning district activities and programs.

See Attachment A for a marketing profile and a summary of media outlets.

## **TECHNICAL STANDARDS AND JOB APPROVAL AUTHORITY**

The parties agree to utilize the NRCS Field Office Technical Guide or Soil and Water Conservation Commission adopted standards as the minimum technical standards for conservation program implementation in areas of mutual concern. The parties may utilize more stringent standards when necessary to comply with locally enacted laws or ordinances. The NRCS will be the lead agency in the development, maintenance, and interpretation of the Field Office Technical Guide. When program contracts are developed, the District and NRCS employees in the office will provide conservation planning assistance that meets NRCS planning policy. At a minimum, the conservation planning will encompass the field or fields impacted by the cost-shared conservation practice.

The parties agree that their respective employees will provide technical assistance based on assigned conservation practice job approval authority which is based on acquired knowledge, skills, and demonstrated ability and within applicable laws, regulations, and guidelines. Conservation practice job approval authority will be determined and documented according to NRCS National Engineering Manual, Part 501 and in accordance with the NC NRCS policy and procedures regarding job approval authority. Job approval authority for District employees for non agricultural practices will be determined and documented by the N.C. Soil and Water Conservation Commission pursuant to NCAC 15A 06F.0105(c)(3). Each technical employee in the office will acquire the necessary skills to qualify for job approval authority for the routinely used engineering and non-engineering conservation practices prevalent in the county. Both District and NRCS employees will attend available training sessions to maintain their knowledge, skills, and abilities related to conservation planning and practice design, layout, checkout, and certification.

## **PERSONNEL AND FISCAL MANAGEMENT**

The parties recognize that natural resources conservation programs are delivered through an intergovernmental system, in which federal, state, and local governments work together.

The parties will work together to provide staffing and fiscal resources commensurate with workload, priorities, allocated funding, and expertise necessary to deliver a balanced and diversified conservation program. Staffing will be a mix of employees provided by federal, state, county, and district resources. There are certain authorities delegated to specific staff as follows:

Department Head (cannot be a NRCS employee)

The parties jointly agree that **\_the Vice Chair of the Soil and Water Board\_** will serve as the Department Head. The Department Head will represent the District and its employees at county meetings, conferences, and appropriate functions.

Personnel Management

The management of personnel will be as follows:

- a) Hiring and dismissal of district employees will be in accordance with county personnel policies or district policy when employees are not employed by the county.
- b) The management of NRCS personnel is the responsibility of NRCS.
- c) The management of county employees is the responsibility of the **Watauga District Board of Supervisors**. In the interest of facilitating these responsibilities, the District Conservationist is delegated the authority for:
  - 1) Technical oversight
    - a. As a condition of assigning Job Approval Authority for agricultural practices to District employees, NRCS must periodically review the technical work of these employees to assure adherence to planning and design standards and policy. The DC is assigned as the NRCS representative to provide this oversight. NRCS Area personnel will also periodically review the technical work of both NRCS and District employees in the office.
  - 2) Delivery of employee technical training and development
- d) The Department Head will make recommendations to the Watauga District Board of Supervisors regarding the following in accordance with county government policy:
  - 1) Recruitment and hiring of district employees
  - 2) Employee performance evaluation, including awards, disciplinary actions, and separation
  - 3) Leave coordination and approval
  - 4) Certification of Time and Attendance reports
  - 5) Determination and approval of training requiring expenditure of district funds
  - 6) For counties with technicians cost shared through the state's Cost Share Programs, responsibility for documenting 2080 hours for each funded position spent per year on non-point source pollution control issues by office staff.

In the event that a county employee feels aggrieved, their recourse is according to county government personnel policy. The parties agree to work cooperatively to resolve employee grievances.

Hiring, supervision, development, evaluation and dismissal of county employees will be done in accordance with applicable law and county personnel policies.

Fiscal Management

The parties will work together to maximize available resources and actively seek funding to accomplish natural resource priorities and programs.

Each party is responsible for its own fiscal resources to include equipment, supplies, and accounts.

The Department Head and Administrative Assistant will actively assist the district with the following:

- 1) Development of operating budgets
- 2) Tracking of expenditures for maintaining funding accountability
- 3) Making recommendations regarding expenditure of funds and purchases

**TECHNICAL AND ADMINISTRATIVE CONTACTS**

<b>NRCS</b>	<b><u>Technical</u></b>
<b>Name:</b>	David Tucker
<b>Title:</b>	District Conservationist
<b>Address:</b>	134 Government Circle, Suite 102 Jefferson, NC 28640
<b>Phone No.</b>	(336) 246-5461 Ext. 3
<b>Fax No.</b>	(336) 246-6171
<b>E-mail:</b>	david.tucker@nc.usda.gov

<b>NRCS</b>	<b><u>Administrative</u></b>
<b>Name:</b>	M. Alan Walker
<b>Title:</b>	ASTC – Field Operations
<b>Address:</b>	589 Raccoon Rd, Suite 246 Waynesville, NC 28786
<b>Phone No.</b>	(828) 456-6341 Ext. 5
<b>Fax No.</b>	(828) 452-7031
<b>E-mail:</b>	alan.walker@nc.usda.gov

<b>SWCD</b>	<b><u>Technical</u></b>
<b>Name:</b>	Brian Chatham
<b>Title:</b>	Conservation Technician
<b>Address:</b>	971 West King Street Boone, NC 28607
<b>Phone No.</b>	828-264-0842
<b>Fax No.</b>	828-264-3067
<b>E-mail:</b>	brian.chatham@watgov.org

<b>SWCD</b>	<b><u>Administrative</u></b>
<b>Name:</b>	Donna Harmon
<b>Title:</b>	Admin. Asst./Education Coordinator
<b>Address:</b>	971 West King Street Boone, NC 28607
<b>Phone No.</b>	828-264-0842
<b>Fax No.</b>	828-264-3067
<b>E-mail:</b>	donna.harmon@watgov.org

## RECORDS, FACILITIES, AND EQUIPMENT

The parties will work together to provide office space, vehicles, and equipment within funding limits, operating guidelines, authorities, federal and state laws, and local ordinances. Any and all parties may negotiate formal agreements when financial reimbursement for use of office space, vehicles or other equipment/facilities is required. Specifically, the following is mutually agreeable:

- 1) **Vehicles:** The County will provide transportation, either a vehicle or mileage reimbursement, for District employees. NRCS will provide a vehicle for the NRCS employee(s). District personnel with NRCS approval to operate government vehicles may use the federal vehicle for promoting conservation programs, commensurate with the NRCS mission and priorities, when it is not needed by NRCS personnel. District personnel operating a federal government vehicle must provide proof of liability insurance.
- 2) **Office Space:** The signatories will work cooperatively to provide office space for the District and NRCS employees at the USDA Service Center. Costs associated with office space will be addressed in separate lease documents.

The parties will agree on the maintenance, update, and disposition of relevant records. Access to records will be governed by Section 1619 of the Food, Conservation, and Energy Act of 2008, the Federal Freedom of Information Act (FOIA) and/or the North Carolina Public Records Law depending on whether the record is a federal record or a state/local record. Each party accepts responsibility for any security breach caused by their employee(s). District personnel with access to federal records, either electronic or hard copies, will complete the required annual security training, conducted through NRCS.

All parties agree to protect personally identifiable and/or confidential information from customers and employees by securing this information in locked file cabinets. When the information is being used and not in a locked cabinet, the employees will keep it with them personally (folder, memory storage device) to avoid improper disclosure or loss of the data. Personally identifiable and/or confidential information will only be used for authorized purposes

## FEE FOR SERVICES

The parties recognize that nonfederal signatories may establish procedures to collect fees, where permissible, for delivery of such services which are not provided through federal financial or technical assistance.



From time to time the Watauga Soil and Water Conservation District may

- sell materials (i.e. native species plants)
- solicit sponsorship for special events, or community/educational workshops
- general fundraising

## **ACCOUNTABILITY**

The parties agree to cooperatively develop and utilize natural resource databases to measure effectiveness in program delivery and customer satisfaction. The District will provide a copy of its Annual Report by September 1 and Plan of Operations by July 31 to the other signatories of this agreement. The District will also provide a copy of their Long Range Plan which, at no time, will be in excess of five years old.

## **SCOPE OF AGREEMENT**

This agreement covers the basic operating understanding between all parties. Authority to carry out specific projects or activities, transfer of funds, or acquisition of services or property, will be established under separate agreement. The parties agree that contracts, memorandums of understanding, and/or additional agreements may be entered into, as needed, to facilitate the implementation of natural resources conservation programs within the conservation districts.

## **TORT LIABILITY**

The parties will each assume responsibility for the actions of their officials or employees acting within the scope of their employment to the extent provided by federal and state laws and local ordinances.

## **CIVIL RIGHTS**

The parties recognize the benefit and importance of delivering conservation programs equitably to all customers, having a diverse staff to assist this customer base, and having diversity within the district board. The parties agree to work cooperatively to achieve diversity in all aspects of the conservation program through effective outreach and marketing.

The parties will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Americans with Disabilities Act of 1990, and in accordance with regulations of the USDA Secretary of Agriculture (7CFR-15, Subparts A & B) which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Agriculture or any agency thereof.

**REVIEW/MODIFICATION/TERMINATION**

This agreement will be reviewed annually and, unless amended, shall be in effect for a period not to exceed five (5) years from the date of final signature. The agreement can be modified or terminated at any time by mutual consent of all parties or can be terminated by any party by giving 60 days written notice to the other parties.

UNITED STATES DEPARTMENT OF  
AGRICULTURE  
NATURAL RESOURCES  
CONSERVATION SERVICE

NCDA&CS-DIVISION OF SOIL AND  
WATER CONSERVATION

By: \_\_\_\_\_  
State Conservationist

By: \_\_\_\_\_  
Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

WATAUGA SOIL AND WATER  
CONSERVATION DISTRICT

WATAUGA COUNTY

By: Denny Harris  
Chairperson

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## Attachment A

*The following is a detailed list of Resource Inventories, Programs and Marketing Media used to address local conservation priorities and concerns. The parties agree to utilize these in a complimentary manner, thus maximizing the delivery of conservation benefits to customers and clients. This list is subject to informal changes or updates.*

### **RESOURCE INVENTORY & DATA SHARING**

Natural Resource Inventory (FSA, NCACSP, 0.200)  
River Basin Study Reports  
Natural Heritage Inventory of Watauga County  
Watauga County GIS  
Watauga SWCD Long Range Plan  
Soil Survey of Watauga County  
Grassland Reserve Program (GRP)

NC Agriculture Cost Share Program (NCACSP)  
Environmental Quality Incentives Program (EQIP)  
Forest Land Enhancement Program (FLEP)  
Wildlife Habitat Incentives Program (WHIP)  
Toolkit  
Maps (USGS Topographical, National Wetland Inventory and Flood Insurance Rate Maps.)  
Historical Aerial Photos

### **PROGRAMS**

#### **Federally Initiated Programs**

Conservation Technician Assistance (CTA)  
National Cooperative Soil Survey (NCSS)  
Small Watershed Program (PL-566)  
River Basin Surveys & Investigations (RB-09)  
Resource Conservation & Development (RC&D)  
Emergency Watershed Program (EWP)  
Environmental Quality Incentives Program (EQIP)  
Grassland Reserve Program (GRP)  
Conservation Stewardship Program (CStP)

Forest Land Enhancement Program (FLEP)  
Wetland Reserve Program (WRP)  
Wildlife Habitat Incentives Program (WHIP)  
Conservation Reserve Program (CRP / CREP)  
Emergency Conservation Program (ECP)  
NC Partners for Wildlife  
Farmland Protection  
319 Funds  
Other Farm Bill authorized conservation programs

#### **North Carolina Initiated State Programs**

NC Agriculture Cost Share Program (NCACSP) –  
DSWC  
Erosion and Sedimentation Control – Urban Areas  
Site Plan Reviews – Non Ag. Developments  
Stewardship Incentive Program (SIP) – NCFS  
Confined Animal Permits – NCDENR  
Farmland Protection  
NC-Wetland Restoration Program (NC-WRP)  
NC Agriculture Water Resources Assistance Program  
(AgWRAP) - DSWC

Community Conservation Assistance Program (CCAP)  
Clean Water Management Trust Fund  
Wildlife Biology Technical Assistance–NCWRC  
Wildlife Restoration Committee  
State non-discharge rules (0.100, 0.2H200 & 0.2T)

Forest Development Plan (FDP) – NCFS  
North Carolina Environmental Education Plan  
North Carolina Big Sweep

#### **Locally Initiated Programs**

Farmland Preservation  
Erosion and Sedimentation Control – Urban Areas  
Site Plan Reviews – Non Ag. Developments  
Environmental Education  
Awards and Recognition Program

Open Spaces Institute Advisory Board

#### **MARKETING MEDIA**

- Newsletters (SWCD, FSA, CES, Country Intranet)
- Private Schools
- Public Schools
- Church Newsletters
- Local Government payrolls and billings
- Regional Chamber of Commerce
- Community College
- Internet Web Pages (State, County, SWCD)
- 4-H Groups
- Local Broadcasting (TV, Radio, Cable)

Between the

UNITED STATES DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE  
and  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF SOIL AND WATER CONSERVATION  
and  
THE WATAUGA SOIL AND WATER CONSERVATION DISTRICT  
and  
WATAUGA COUNTY, NORTH CAROLINA

For their Cooperation in the  
Conservation of Natural Resources

#### BACKGROUND STATEMENT AND PURPOSE

THIS AGREEMENT is between the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture (USDA), the DENR-Division of Soil and Water Conservation (DSWC) an agency of the State of North Carolina, the Watauga Soil and Water Conservation District, and Watauga County collectively referred to as the parties, to clearly define the roles and responsibilities of the parties.

The purpose of this agreement is to supplement the Cooperative Working Agreement between the USDA-Natural Resources Conservation Service, North Carolina Department of Environment and Natural Resources, North Carolina Soil and Water Conservation Commission, and Watauga Soil and Water Conservation District. This operational agreement documents those areas of common interest of the federal, state and local partnership in natural resources conservation.

The parties mutually agree to provide leadership in natural resources conservation. The parties pledge to work together by advancing and practicing teamwork, including input in the decision making process; communicating, coordinating, and cooperating; promoting mutual respect, and sharing leadership, ownership, credit and responsibility.

#### AUTHORITIES, STATUTES, LAWS

NRCS is authorized to cooperate and furnish assistance to the parties in the conservation of natural resources as referenced in the Soil Conservation and Domestic Allotment Act, 16 U.S.C. 590; The Department of Agriculture Reorganization Act of 1994, Public Law 103-354; and Secretary's Memorandum No. 1010-1, Reorganization of the Department of Agriculture, dated October 20, 1994.

DSWC is authorized to enter into this agreement by North Carolina General Statutes Sec. 139-4 and Sec. 143B-294 and Sec. 143B-297.

The District authority is defined in Soil Conservation Districts Law, General Statutes of North Carolina Sec. 139-1 and Sec. 139-47.

The county is authorized to enter into this agreement by North Carolina General Statute Sec. 153A-11 and Sec. 160A-461 and Sec. 160A-464.

**ROLES AND RESPONSIBILITIES:****CONSERVATION PROGRAM IMPLEMENTATION**

The parties recognize the natural resources conservation program as a unique blend of voluntary conservation initiatives and federal, state, and local mandates. Together these address a variety of natural resource, environmental, and educational issues. The parties agree to jointly commit their program authorities and financial and human resources to cooperatively implement a unified natural resources conservation program in areas of mutual concern. The implementation of all programs will be done in accordance with program policy and procedure developed for that specific program.

Inventories and Data Sharing: The parties agree to identify, define, and coordinate the collection and use of natural resource and other data needed to support the delivery of program benefits. The parties will cooperate in maintaining data to assure that it supports the mutual needs of the parties for resource planning and evaluation. The parties further agree that gathered data will be mutually shared and used in support of conservation program implementation. The parties will coordinate with public and private resource groups, other resource agencies, and interested parties to share information and resources as needed to facilitate implementation of the conservation program. Attachment A includes a list of inventories and data to be used in implementing the conservation program.

Setting Program Priorities: The parties agree to implement the conservation program based on mutually developed priorities while recognizing individual responsibilities for federal, state, or local mandates. The parties further agree to annually re-evaluate established priorities and adjust as warranted in May. SWCD supervisors have responsibility to organize local work groups to assess resource conditions and establish local priorities.

Programs to be Implemented: The parties agree to use federal, state, and local programs in a complimentary fashion to address local priorities and concerns. Attachment A includes a list of programs that will be utilized to address priorities and concerns.

Marketing: The parties agree to conduct a common effort to inform the public of program opportunities and benefits through news releases utilizing local radio and newspaper media. The local NRCS and Watauga Soil and Water Conservation District supervisors will update county Commissioners as needed or requested.

**TECHNICAL STANDARDS AND JOB APPROVAL AUTHORITY**

The parties agree to utilize the NRCS Field Office Technical Guide or Soil and Water Conservation Commission adopted standards as the minimum technical standards for conservation program implementation in areas of mutual concern. The parties may utilize more stringent standards when necessary to comply with locally enacted laws or ordinances. The NRCS will be the lead agency in the development, maintenance, and interpretation of the Field Office Technical Guide.

The parties agree that their respective employees will provide technical assistance based on assigned conservation practice (job approval) authority which is based on acquired knowledge, skills, and demonstrated ability and within applicable laws, regulations, and guidelines. Conservation practice (job approval) authority will be determined and documented according to NRCS National Engineering Manual, Part 501.

The parties recognize that natural resources conservation programs are delivered through an intergovernmental system, in which federal, state, and local governments work together.

The parties will work together to provide staffing and fiscal resources commensurate with workload, priorities, allocated funding, and expertise necessary to deliver a balanced and diversified conservation program. Staffing will be a mix of employees provided by federal, state, county, and district resources. There are certain authorities delegated to specific staff as follows:

#### District Board Department Head

The parties jointly agree that the Vice Chair or other designee of the Watauga Soil and Water Conservation District Supervisors will provide operational oversight for the Department. The Vice Chair or his/her designee will represent the District and its employees at county meetings, conferences, and appropriate functions.

#### Personnel Management

The management of personnel will be as follows:

- a) Hiring and dismissal of employees is the responsibility of their respective parties.
- b) The management of NRCS personnel is the responsibility of NRCS.
- c) The management of county employees is the responsibility of the district board of supervisors and/or county manager. In the interest of facilitating these responsibilities the Vice Chair or his/her designee from the Board will meet weekly with the District staff to review and approve the following: work schedules, leave plans, training needs, budget and expenditure needs, personnel matters, etc. In the event the Vice Chair is unavailable, the County Manager will perform these functions.
- d) The Administrative Assistant and the Cost Share Technician will perform their duties in accordance with their job descriptions. The Administrative Assistant will keep the required documentation for time worked, leave and compensatory time, including each position cost shared by the NC Ag Cost Share Program and spent on non-point source pollution control issues, and daily budget maintenance.
- e) The Vice Chair of the Watauga SWCD will make recommendations to the district board of supervisors regarding the following in accordance with county government policy:
  - 1) Consulting with county manager in recruitment and hiring of county employees assigned to the District
  - 2) Report recommendations to the county manager regarding employee performance evaluation, including awards
  - 3) Determination and approval of training requiring expenditure of district funds

In the event that a county employee working with the District feels aggrieved, their recourse is to the district board and the county manager. County government personnel policy will be followed. The parties agree to work cooperatively to resolve employee grievances.

Hiring, supervision, development, evaluation and dismissal of employees will be done in accordance with applicable law and specific governmental or agency policy.

The parties will work together to maximize available resources and actively seek funding to accomplish natural resource priorities and programs.

Each party is responsible for its own fiscal resources to include equipment, supplies, and accounts.

Any equipment purchased with county funds is property of the county.

The Vice Chair of the Watauga SWCD or his designee will actively assist the district with the following:

- 1) Development of operating budgets
- 2) Tracking of expenditures for maintaining funding accountability
- 3) Making recommendations regarding expenditure of funds and purchases

#### **RECORDS, FACILITIES, AND EQUIPMENT**

The parties will work together to provide office space, vehicles, and equipment within funding limits, operating guidelines, authorities, federal and state laws, and local ordinances. The parties will work cooperatively to share these resources through the use of formal and informal agreements as follows:

Office Space - Watauga County will provide office space for cooperating parties.

Vehicles - NRCS will furnish vehicle for use by personnel working with the District. The county will furnish a vehicle for use by the Cost Share Technician and the Administrative Assistant.

Equipment - All parties will keep records and maintain their respective property.

The parties will agree on the maintenance, update, and disposition of relevant records. Access to records will be governed by the Federal Freedom of Information Act (FOIA) and/or the North Carolina Public Records Law. The District will follow Watauga County's policy for record disposition.

#### **FEE FOR SERVICES**

The parties recognize that nonfederal signatories may establish procedures to collect fees, where permissible, for delivery of such services which are not provided through federal financial or technical assistance.

#### **ACCOUNTABILITY**

The parties agree to cooperatively develop and utilize FOCUS resource and program databases to measure effectiveness in program delivery and customer satisfaction. The District will provide a copy of its Annual Report and Plan of Operations to the other signatories of this agreement by October 1 of each year. The District will also provide a copy of their Long Range Plan which will be updated in the 1998 calendar year and will, at no time, be in excess of five years old.

#### **SCOPE OF AGREEMENT**

This agreement covers the basic operating understanding between all parties. Authority to carry out specific projects or activities, transfer of funds, or acquisition of services or property, will be established under separate agreement. The parties agree that contracts, memorandums of understanding, and/or additional agreements may be entered into, as needed, to facilitate the implementation of natural resources conservation programs within the conservation districts.

**TORT LIABILITY**

The parties will each assume responsibility for the actions of their officials or employees acting within the scope of their employment to the extent provided by federal and state laws and local ordinances.

In Watauga County, all locally elected supervisors and county department staff will be covered by county insurance.

**CIVIL RIGHTS**

The parties recognize the benefit and importance of delivering conservation programs equitably to all customers, having a diverse staff to assist this customer base, and having diversity within the district board. The parties agree to work cooperatively to achieve diversity in all aspects of the conservation program through effective outreach and marketing.

The parties will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Americans with Disabilities Act of 1990, and in accordance with regulations of the Secretary of Agriculture (7CFR-15, Subparts A & B) which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Agriculture or any agency thereof.



REVIEW/MODIFICATION/TERMINATION

This agreement will be reviewed at least annually. The agreement can be modified or terminated at any time by mutual consent of all parties or can be terminated by any party by giving 60 days written notice to the other parties.

UNITED STATES DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE

By: Mary K. Kellert  
State Conservationist

Date: 6/10/98

DENR-DIVISION OF SOIL AND WATER CONSERVATION

By: C. Danny Bell  
Director

Date: 6/1/98

WATAUGA SOIL AND WATER CONSERVATION DISTRICT

By: Douglas Clason  
Chairperson

Date: 5-12-98

WATAUGA COUNTY

By: Jane Coffey  
Title

Date: 5-21-98

The following is a list of programs which will be utilized to address local priorities and concerns. The parties agree to utilize these programs in a complimentary manner, thus maximizing the delivery of conservation benefits to customers and clients.

Federally Initiated Programs

- a) Conservation Technical Assistance (CTA)
- b) National Cooperative Soil Survey (NCSS)
- c) Resource Conservation and Development (RC&D)
- d) Emergency Watershed Program (EWP)
- e) Environmental Quality Incentives Program (EQIP)
- f) Forestry Incentives Program (FIP)
- g) Wetland Reserve Program (WRP)
- h) Wildlife Habitat Improvement Program (WHIP)
- i) Conservation Reserve Program (CRP)
- j) Emergency Conservation Program (ECP)

State Initiated Programs

- a) NC Agricultural Cost Share Program (NCACSP) - DSWC
- b) Watauga River Basin Initiative
- c) Stewardship Incentive Program (SIP) - DFR
- d) .0200 Operational Reviews - DSWC

Locally Initiated Programs

- a) Complete and publish county soil survey
- b) Farmland Preservation
- c) Blue Ridge RC&D with Watauga Chapter of Southern Appalachian Highlands Conservancy
- d) Sediment and erosion control
- e) Site plan reviews -Non Ag. developments
- f) Environmental Education
  - 1. School Programs
  - 2. Conservation Farm Family
  - 3. Envirothon
  - 4. Resource Conservation Workshop

Inventories and Data to be used in implementing the conservation program include:

- a) Natural Resources Inventory
- b) Soil Survey Maps and related data
- c) Watauga River Basin Study Reports
- d) Geographic Information System (GIS) data
- e) County Economic Development Plans
- f) District Long Range Plans
- g) Natural Resources Plans (FSA, NCACSP, .0200, Watauga County Watershed Ordinance)
- h) Cumulative Progress Report Data
- i) Ag Census Data

**AGENDA ITEM 6:**

**SOIL AND WATER CONSERVATION DISTRICT MATTERS**

***B. Proposed Use of Bill Edmisten Memorial Fund***

**MANAGER'S COMMENTS:**

In January of 2003, Mr. Doug Clawson, representing the Watauga County Agricultural Advisory Board, recommended establishing a memorial fund honoring Mr. Bill Edmisten. The fund was to be used to further farmland preservation and would be administered by the Watauga County Agricultural Advisory Board.

The Watauga Soil and Water and the Farmland Preservation Advisory Board are requesting the memorial funds be used for Watauga County students to attend workshops and training sessions related to natural resources and other relevant courses.

Board action is requested to allow funds from the Bill Edmisten Memorial to be used for Watauga students to attend workshop and training sessions related to natural resources.



**WATAUGA SOIL AND WATER CONSERVATION DISTRICT**  
971 West King Street  
Boone, NC 28607-3468

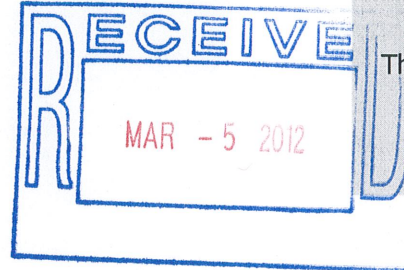
Phone: 828-264-0842

TTY 1-800-735-2962

Fax 828-264-3067

Board of Supervisors

Denny Norris, Chair  
Thad Taylor, Vice-Chair  
Jim Bryan, Sec.  
Al Childers  
Tracy Taylor



DATE: March 2, 2012  
MEMO TO: Watauga County Commissioners  
FROM: Watauga Soil and Water Board  
RE: Bill Edmisten Memorial Fund

The Watauga Soil and Water Board and the Farmland Preservation Advisory Board plan to utilize the Bill Edmisten Memorial Fund to help sponsor Watauga County students to attend workshops and trainings pertaining to natural resources and related topics. Please consider this a formal request for permission to use these funds for this purpose. The Board will present invoices for the Finance Office approval in the same manner we do with our regular budget items.

Thank you very much for your consideration.

Denny Norris, Chair  
Watauga Soil and Water Board

**AGENDA ITEM 7:**

**FINANCE MATTERS**

*A. Budget Amendments*

**MANAGER'S COMMENTS:**

Ms. Margaret Pierce, Finance Director, will review budget amendments as included in your packet.

Board approval is requested.



# 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: Budget Amendments-FY 2011/12  
 DATE: March 20, 2012

The following budget amendments require approval of the Watauga County Board of Commissioners.

<u>Account#</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
663740-381000	Sale of Recycled Scrap		\$15,000
667420-433000	Utilities-Electricity	\$15,000	

To recognize additional revenue from sales of recycled scrap and additional expenditures for electricity in the Solid Waste Fund. Additional expenditures are due to the delay in the Gas to Energy Project reaching full capacity from original projected date of fall 2011.

<u>Account#</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
143531-323000	Administrative Cost Reimbursements		\$7,500
145310-469101	DSS Prof Services-Legal Fees	\$7,500	

To recognize additional state reimbursements for legal fees.

<u>Account#</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
143531-323000	Administrative Cost Reimbursements		\$19,000
145410-440002	Low Income Home Energy Asst.	\$19,000	

To recognize increase in funding allocation from the state for energy program funds.

**AGENDA ITEM 7:**

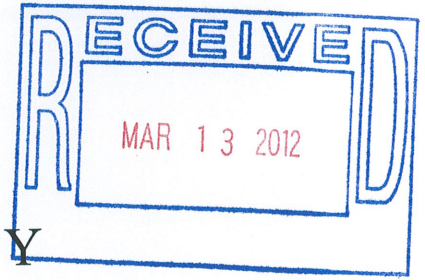
**FINANCE MATTERS**

*B. Presentation of Smoky Mountain Center's Quarterly Financial Report*

**MANAGER'S COMMENTS:**

Ms. Margaret Pierce, Finance Director, will present the Smoky Mountain Center Quarterly Report as required by State 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 *mf*  
**SUBJECT:** Smoky Mountain Center Quarterly Financial Report  
**DATE:** March 13, 2012

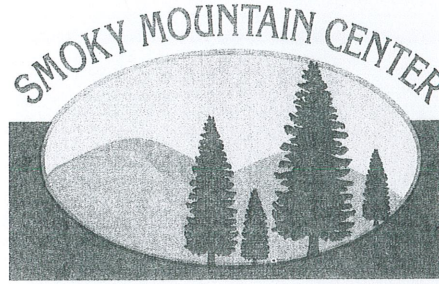
Attached is a copy of the fiscal monitoring report (FMR) from Smoky Mountain Center for the quarter ended December 31, 2011. This FMR was received on March 13, 2012 and is provided by Smoky Mountain Center to comply with the G.S. 122C-117(c).

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.



Smoky Mountain Center  
44 Bonnie Lane  
Sylva, NC 28779



Area Administrative Office  
828-586-5501  
[www.smokymountaincenter.org](http://www.smokymountaincenter.org)

*"Meeting community needs... one person at a time."*

March 8, 2012

Dear County Finance Officer:

Enclosed you will find Smoky Mountain Center's fiscal monitoring report (FMR) for the quarter ended December 31, 2011, and the final audited financial statements and FMR for the fiscal year ended June 30, 2011.

To remind all Finance Officers: S.L. 2006-142 amended G.S. 122C-117(c) to require the Area Director and Area Authority Finance Officer to submit quarterly finance reports to the County Finance Officer, instead of submitting to each member of each board of County Commissioners participating in the Area Authority. The County Finance Officer is then to submit the report to the Board of County Commissioners at its next regularly scheduled meeting.

This FMR is the financial report intended to be provided to comply with the general statutes.

If you have any questions regarding the enclosed reports, please e-mail Lisa Slusher, Finance Officer, at: [lisa@smokymountaincenter.com](mailto:lisa@smokymountaincenter.com); or Sherri Hayes, Accounting Manager, at: [sherri@smokymountaincenter.com](mailto:sherri@smokymountaincenter.com).

Sincerely,

A handwritten signature in cursive script that reads "Sherri L. Hayes".

Sherri L. Hayes, BS  
Accounting Manager  
Smoky Mountain Center

Enclosure

Division of Mental Health, Developmental Disabilities & Substance Abuse Services  
 Quarterly Fiscal Monitoring Report  
 SMOKY MOUNTAIN CENTER

for the period ending:  
 # of month in the fiscal year=====>   
 (July = 1, August = 2, . . . , June = 12)

1. REPORT OF BUDGET VS. ACTUAL

ITEM	CASH		CURRENT YEAR				
	Accrual	X	PRIOR YEAR		CURRENT YEAR		
			(1) 2010-2011 BUDGET	(2) ACTUAL	(3) BUDGET	(4) YR-TO-DATE	(5) BALANCE (Col. 3-4)
REVENUE							
Client Fees			312	12,361	-	143	(143) #DIV/0!
Medicaid - "Regular Fee-for-Service"			8,511,964	8,110,371	6,720,000	3,945,231	2,774,769 117.42%
Medicaid - CAP/MRDD			600,000	540,283	540,000	235,364	304,636 87.17%
Medicare			15,000	18,226	-	557	(557) #DIV/0!
Insurance			2,500	15,239	-	(805)	805 #DIV/0!
Other Local			639,160	636,853	864,861	524,657	340,204 121.33%
Appropriation of Fund Balance *			550,000	-	5,178,620	-	5,178,620 0.00%
<b>Total Local Funds</b>			<b>10,318,936</b>	<b>9,333,333</b>	<b>13,303,481</b>	<b>4,705,147</b>	<b>8,598,334 70.74%</b>
County Appropriations (by county):							
ALEXANDER County			37,825	37,825	37,825	18,913	18,912 100.00%
ALLEGHANY County			115,483	115,483	186,715	128,974	57,741 138.15%
ASHE County			189,566	189,566	371,564	276,781	94,783 148.98%
AVERY County			92,400	92,400	270,469	224,269	46,200 165.84%
CALDWELL County			104,138	104,138	104,138	52,069	52,069 100.00%
CHEROKEE County			75,000	75,000	75,000	37,500	37,500 100.00%
CLAY County			10,000	10,000	10,000	5,000	5,000 100.00%
HAYWOOD County			100,000	100,000	100,000	50,000	50,000 100.00%
JACKSON County			123,081	123,081	123,081	61,541	61,541 100.00%
MACON County			106,623	106,623	106,623	53,312	53,312 100.00%
MCDOWELL County			67,856	67,856	67,856	33,928	33,928 100.00%
SWAIN County			25,000	25,000	25,000	12,500	12,500 100.00%
GRAHAM County			6,000	6,000	6,000	-	6,000 0.00%
WATAUGA County			221,194	221,194	221,194	110,597	110,597 100.00%
WILKES County			259,200	259,200	891,563	818,214	73,349 183.55%
<b>Total County Funds</b>			<b>1,533,366</b>	<b>1,533,366</b>	<b>2,597,028</b>	<b>1,883,597</b>	<b>713,431 145.06%</b>
Service Management Funds			7,242,715	7,242,715	7,122,715	3,561,357	3,561,358 100.00%
Service Delivery Funds			30,279,877	29,521,781	27,028,822	13,163,645	13,865,177 97.40%
All Other State/Federal Funds			1,793	1,793	1,793	-	1,793 0.00%
<b>Total State and Federal Funds</b>			<b>37,524,385</b>	<b>36,766,289</b>	<b>34,153,330</b>	<b>16,725,002</b>	<b>17,428,328 97.94%</b>
<b>TOTAL REVENUE</b>			<b>49,376,687</b>	<b>47,632,988</b>	<b>50,053,839</b>	<b>23,313,746</b>	<b>26,740,093 93.15%</b>
EXPENDITURES:							
Service Management			7,242,715	7,106,297	7,122,715	3,854,032	3,268,683 108.22%
Directly Provided Services			1,183,444	1,083,701	1,170,331	471,119	699,212 80.51%
Provider Payments			38,585,933	35,947,603	37,660,632	18,371,263	19,289,369 97.56%
All Other			2,364,594	2,289,419	4,100,161	886,127	3,214,034 43.22%
<b>TOTAL EXPENDITURES</b>			<b>49,376,686</b>	<b>46,427,020</b>	<b>50,053,839</b>	<b>23,582,541</b>	<b>26,471,298 94.23%</b>
CHANGE IN CASH BALANCE				1,205,968		(268,795)	
Beginning Unrestricted Fund Balance				3,806,910		4,220,978	
Current Estimated Unrestricted Fund Balance and percent of budgeted expenditures			8.55%	4,220,978	9.73%	4,868,006	

\* "Appropriation of Fund Balance" represents the Area Program Fund Balance that has been incorporated as part of the Approved Budget. Actual Yr-To-Date should reflect Fund Balance utilized to date and an explanation needs to be provided for the specific uses of fund.  
 \*\* annualized Revenue percentage less than 90% and Expenditure percentages greater than 110% must be explained on the attachment and submitted with the Fiscal Monitoring Report

2. CURRENT CASH POSITION:

	(1) 30 DAYS	(2) 60 DAYS	(3) 90 DAYS	(4) OVER 90 DAYS	(5) TOTAL	Receivables net of Allowance for Uncollectible Receivables
Accounts Payable (Accrual Method)	1,119,252	224,675	47,631	201,628	\$ 1,593,186	
Account Receivable (Accrual Method)	2,612,709	2,155,575	73,518	212,089	\$ 5,053,891	\$ 5,048,516
Current Cash in Bank	14,755,476					

3. SERVICE EXCEPTIONS: ( Provided Based on System Capability)

Services authorized but not billed

\* 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.

*[Signature]* Area Director      *[Signature]* Area Finance Officer      *[Signature]* Area Board Chair

2/23/12      2/22/12      2/22/12

CC: County Manager for each county within the catchment area.

Division of Mental Health, Developmental Disabilities & Substance Abuse Services  
 Quarterly Fiscal Monitoring Report - Explanation of Revenue and Expenditure Variances  
 SMOKY MOUNTAIN CENTER

Local Management Entity

for the period ending:

December 31, 2011

ITEM	Explanation		
Prior Year Audit is complete, prior year presentation is final.			
<b>Revenues:</b>			
Medicaid - CAP/MR/DD - 87.17%	Budget overestimated for CAP MR/DD services required to be billed through the LME.		
Graham County Revenue - 0%	County is behind on current year payment.		
Client Fees/Medicare/Insurance	No budget for these revenues as SMC no longer provides billable services.		
	Small dollars are due to run out/clean up of Accounts Receivable.		
<b>Fund Balance Appropriations:</b>		5,178,620.00	
Medicaid Waiver Readiness (659)	Appropriated	2,770,000.00	Prepare to apply for Medicaid Waiver
	Used	414,571.00	
Legal Fees (633)	Appropriated	100,000.00	Legal fees and associated costs related
	Used	51,604.00	to Evergreen Foundation.
State Services	Appropriated	2,308,620.00	Per Community Efficiency Plan, fund
	Used	2,308,620.00	balance is being used first.
<b>Expenditures:</b>			
No reporting required.			
<b>Fund Balance:</b>			
No reporting required.			

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**AGENDA ITEM 7:**

**FINANCE MATTERS**

*C. Presentation of Smoky Mountain Center's Audited Fiscal Monitoring Report*

**MANAGER'S COMMENTS:**

Included for your review are the financial monitoring reports for the Smoky Mountain Center for the fiscal year ending June 30, 2011, as required by General 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 T. Geouque, County Manager

**FROM:** Margaret Pierce, Finance Director

**SUBJECT:** Smoky Mountain Center Audited Fiscal Monitoring Report

**DATE:** March 14, 2012

Attached is a copy of the audited fiscal monitoring report (FMR) from Smoky Mountain Center for the fiscal year ended June 30, 2011. This audited monitoring report was provided by Smoky Mountain Center to comply with the G.S. 122C-117(d).

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

(d) A multicounty area authority shall provide to each board of county commissioners of participating counties a copy of the area authority's annual audit. The audit findings shall be presented in a format prescribed by the county and shall be read into the minutes of the meeting at which the audit findings are presented.

Division of Mental Health, Developmental Disabilities & Substance Abuse Services  
 Quarterly Fiscal Monitoring Report

SMOKY MOUNTAIN CENTER

for the period ending: June 30, 2011  
 # of month in the fiscal year=====> 12  
 (July = 1, August = 2, . . . , June = 12)

AUDITED

1. REPORT OF BUDGET VS. ACTUAL

ITEM	Basis of Accounting:		(1)	(2)	(3)	(4)	(5)	(6)
	Cash	Accrual						
	X							
	PRIOR YEAR		CURRENT YEAR					
	2009-2010		ACTUAL		BALANCE		ANNUALIZED	
	BUDGET		YR-TO-DATE		(Col. 3-4)		PERCENTAGE **	
<b>REVENUE</b>								
Client Fees		42,350	32,686	312	12,361	(12,049)	3961.86%	
Medicaid - "Regular Fee-for-Service"		11,066,142	10,789,821	8,511,964	8,110,371	401,593	95.28%	
Medicaid - CAP/MRDD		775,000	762,428	600,000	540,283	59,717	90.05%	
Medicare		90,444	124,358	15,000	18,226	(3,226)	121.51%	
Insurance		101,364	53,062	2,500	15,239	(12,739)	609.56%	
Other Local		3,177,913	4,302,723	639,160	630,589	8,571	98.66%	
Appropriation of Fund Balance *		4,834,680		550,000	-	550,000	0.00%	
<b>Total Local Funds</b>		<b>20,087,893</b>	<b>16,065,078</b>	<b>10,318,936</b>	<b>9,327,069</b>	<b>991,867</b>	<b>90.39%</b>	
County Appropriations (by county):								
ALEXANDER County		37,825	37,825	37,825	37,825	-	100.00%	
ALLEGHANY County		117,839	117,839	115,483	115,483	-	100.00%	
ASHE County		189,566	189,566	189,566	189,566	-	100.00%	
AVERY County		92,400	92,400	92,400	92,400	-	100.00%	
CALDWELL County		104,138	104,138	104,138	104,138	-	100.00%	
CHEROKEE County		72,000	72,000	75,000	75,000	-	100.00%	
CLAY County		10,000	10,000	10,000	10,000	-	100.00%	
HAYWOOD County		150,000	150,000	100,000	100,000	-	100.00%	
JACKSON County		123,081	123,081	123,081	123,081	-	100.00%	
MACON County		107,700	107,700	106,623	106,623	-	100.00%	
MCDOWELL County		67,856	67,856	67,856	67,856	-	100.00%	
SWAIN County		25,000	25,000	25,000	25,000	-	100.00%	
GRAHAM County		6,000	6,000	6,000	6,000	-	100.00%	
WATAUGA County		221,194	221,194	221,194	221,194	-	100.00%	
WILKES County		324,000	324,000	259,200	259,200	-	100.00%	
<b>Total County Funds</b>		<b>1,648,599</b>	<b>1,648,599</b>	<b>1,533,366</b>	<b>1,533,366</b>	<b>-</b>	<b>100.00%</b>	
Service Management Funds		7,317,383	7,317,383	7,242,715	7,242,715	-	100.00%	
Service Delivery Funds		25,292,032	25,169,757	30,279,877	29,482,781	797,096	97.37%	
All Other State/Federal Funds		1,793	1,793	1,793	1,793	-	100.00%	
<b>Total State and Federal Funds</b>		<b>32,611,208</b>	<b>32,488,933</b>	<b>37,524,385</b>	<b>36,727,289</b>	<b>797,096</b>	<b>97.88%</b>	
<b>TOTAL REVENUE</b>		<b>54,347,700</b>	<b>50,202,610</b>	<b>49,376,687</b>	<b>47,587,724</b>	<b>1,788,963</b>	<b>96.38%</b>	
<b>EXPENDITURES:</b>								
Service Management		8,092,383	7,952,155	7,242,715	7,139,760	102,955	98.58%	
Directly Provided Services		6,747,198	6,236,978	1,183,444	1,101,934	81,510	93.11%	
Provider Payments		35,861,066	33,219,457	38,585,933	35,793,334	2,792,599	92.76%	
All Other		3,647,053	3,383,276	2,364,595	2,289,659	74,936	96.83%	
<b>TOTAL EXPENDITURES</b>		<b>54,347,700</b>	<b>50,791,866</b>	<b>49,376,687</b>	<b>46,324,687</b>	<b>3,052,000</b>	<b>93.82%</b>	
<b>CHANGE IN CASH BALANCE</b>			(589,256)		1,263,037			
<b>Beginning Unrestricted Fund Balance</b>			3,416,154		3,806,910			
<b>Current Estimated Unrestricted Fund Balance and percent of budgeted expenditures</b>		7.00%	3,806,910	8.55%	4,220,978			

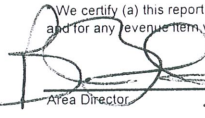
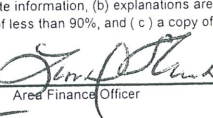
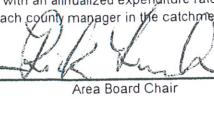
\* "Appropriation of Fund Balance" represents the Area Program Fund Balance that has been incorporated as part of the Approved Budget. Actual Yr-To-Date should reflect Fund Balance utilized to date and an explanation needs to be provided for the specific uses of fund.  
 \*\* annualized Revenue percentage less than 90% and Expenditure percentages greater than 110% must be explained on the attachment and submitted with the Fiscal Monitoring Report

2. CURRENT CASH POSITION:	(1)	(2)	(3)	(4)	(5)	Receivables net of Allowance for Uncollectible Receivables
	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS	TOTAL	
Accounts Payable (Accrual Method)	2,601,295	-	15,529	268,649	\$ 2,885,473	
Account Receivable (Accrual Method)	3,317,843	12,301	19	50,493	\$ 3,491,112	\$ 3,490,726
<b>Current Cash in Bank</b>	<b>17,839,239</b>					

3. SERVICE EXCEPTIONS: ( Provided Based on System Capability)

Services authorized but not billed -

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.

 Area Director  
 Area Finance Officer  
 Area Board Chair

CC: County Manager for each county within the catchment area.

Division of Mental Health, Developmental Disabilities & Substance Abuse Services  
 Quarterly Fiscal Monitoring Report - Explanation of Revenue and Expenditure Variances  
 SMOKY MOUNTAIN CENTER

Local Management Entity

for the period ending:

June 30, 2011

ITEM	Explanation		
FINAL AUDITED STATEMENTS			
Revenues:			
<u>Fund Balance Appropriations:</u>		550,000.00	
Psychiatric Coverage (56)	Appropriated	25,000.00	Services transitioned to new provider
	Used	21,734.00	6/30/2010. To support startup
Medicaid Waiver Readiness (659)	Appropriated	375,000.00	Prepare to apply for Medicaid Waiver
	Used	360,961.00	
Legal Fees (633)	Appropriated	150,000.00	Legal fees and associated costs related
	Used	98,032.00	to Evergreen Foundation.

Expenditures:

Fund Balance:



**AGENDA ITEM 8:**

**TOP 'O BOONE ROAD MAINTENANCE REQUEST**

**MANAGER'S COMMENTS:**

Top O' Boone subdivision has provided a new proposal requesting each lot owner pay a one-time \$100 fee for gate construction in addition to the \$50 annual road maintenance fee. Homeowners are also being requested to pay a one-time \$200 fee for gate construction in addition to the \$150 annual road maintenance fee. The County currently owns a lot on which two emergency communications towers are located. The subdivision is requesting the County contribute the one-time fee of \$350 and \$150 each year thereafter for road maintenance due to the communication towers.

The subdivision has an informal road maintenance agreement in which two thirds of the property owners are participating as stated by Mr. Rowe. No funds are budgeted for this expense and approval of this request would require an allocation from the administrative contingency fund. The Board may wish to exercise caution as this has the potential to set a precedent for future requests for assistance.

Staff seeks direction from the Board.

**Anita.Fogle**

---

**From:** Deron.Geouque  
**Sent:** Friday, March 09, 2012 9:43 AM  
**To:** Anita.Fogle  
**Subject:** FW: Top O Boone  
**Attachments:** Road maintenance proposal.pdf; Road maintenance association.pdf

3-20-2012 Meeting.

Deron Geouque  
Watauga County Manager  
814 West King Street  
Boone, NC 28607  
(P) 828-265-8000  
(F) 828-264-3230  
Email [Deron.Geouque@watgov.org](mailto:Deron.Geouque@watgov.org)

---

**From:** Joe Furman  
**Sent:** Thursday, February 23, 2012 2:00 PM  
**To:** Deron.Geouque  
**Subject:** Top O Boone

Deron,  
Attached for inclusion on the March 6<sup>th</sup> Commissioners' meeting agenda is a new proposal to property owners in Top O Boone subdivision for road maintenance. As you know, the County owns a lot there upon which two emergency communications towers are located. The request is for the County to be considered the same as a homeowner due to the existence of the towers. Also attached is the existing informal road maintenance association agreement. It is not a recorded document. According to Dave Rowe, who has made the proposal, about 2/3 of the property owners are participating. At present, there is no mechanism to attempt to collect from the non-participators. Mr. Rowe also informed me that contributions are sought from and negotiations have begun with owners of towers outside of the subdivision who use the roads to access their towers.  
Joe

Joseph A. Furman, AICP  
Director, Watauga County Planning & Inspections and Economic Development  
331 Queen Street, Suite A  
Boone, NC 28607  
(828) 265-8043  
(828) 265-8080 (fax)  
[joe.furman@watgov.org](mailto:joe.furman@watgov.org)

## ***Greetings Top Of Boone Neighbors:***

It is usually early Spring when I write an update of the "Happenings" in our neighborhood, but there are several things that need our attention. First and foremost, is our **ENTRY GATE**. I have lived in this neighborhood for 4 years and there have been 5 robberies, the last one in December. Several neighbors have said, "**LET'S GET THE GATE DONE NOW!**" This is a large undertaking, but I think we have most of the details worked out and we have a pretty good idea of the cost and the work it will take to get it done. Most of the estimated expense is for materials and electronic equipment. Most of the labor we will be able to do ourselves, thus saving a good portion of the total cost.

Let's take a look at all the different elements that will make up our security gate. Those areas are construction, installation, electric supply, electronic components that open/close, hours of operation, safety and cost.

### ***This is what we have planned***

**CONSTRUCTION:** The gate will be made of 3" round steel pipe. It will be 5' high and 30' in length, covering the 20' road and an additional 10' acting as a cantilever. It will be an electric numeric key pad. It is a fully open/close sliding gate on nylon rollers that will cross the road. We will be able to come back, in the future, and install any kind of decorative facing we decide. There will be 3 upright steel pipe supports each 4" by 10' above ground (5' in the ground incased in concrete)

**INSTALLATION:** The three upright posts that will carry the weight of gate, we can install. The 3 five foot holes needed have already been dug. A local welding company will construct and deliver the gate. We can do most of the basic erection of the gate. We will need to dig a shallow ditch for the low voltage line needed to supply the gate motor, lights and security camera, if we choose to install one. .

**ELECTRIC SUPPLY:** Gerald Carpenter, who lives in the first house next to the gate, is allowing us to access a low voltage line. Because the gate is low voltage it will use very little electricity. We will reimburse the Carpenters for any cost of electricity. In the long run this will save us a lot of money because we will not need a meter that requires a minimum monthly bill. **Thank you Gerald!**

**HOURS OF OPERATION:** Initially, our plan is to open the gate at 7:00 AM and close it at 7:00 PM. The majority of our problems and concerns occur after those hours. We can change our times of operation, if needed.

**SAFETY:** Obviously, safety is our number one concern! Every aspect of the construction, installation and operation of the gate has been addressed. The electronics cover all safety issues.

**GATE COST:** The initial cost of what we have planned is around \$10,000. I know that sounds like a lot of money, but for what the gate will provide, it is a very good investment. I have heard from several real estate people that gating a community will

- 2 -

increase the value of each property \$10,000 or more. Today, people are very concerned with safety for their family. A gated community might not stop every robber, but it is proven that it will curtail many! Our neighborhood watch will also add a lot of security to our neighborhood. Limiting access to our neighborhood will allow each of us to look at vehicles and activity in our neighborhood much more closely. We feel that by gating our neighborhood the only cars that have a reason for driving through our area will have access. .

**INDIVIDUAL COST:** We have already had several lot owners and homeowners pay their fair share. We are asking each lot owner for a **one time gate** contribution of \$100 in addition to their road maintenance fee of \$50 and each homeowner for a **one time gate** contribution of \$200 in addition to their road maintenance fee of \$150.

**Lot owners** \$100+\$50 = \$150.00 (Multi-lot owners please pay **only one** lot/gate fee)

**Homeowner** \$200 +\$150 = \$350.00 (Pay **only one** fee, even if you own additional lots)

**AGAIN, this is a one time additional contribution!**

You may pay these two fees in either one or two separate checks. Whichever is easier for you. If you need additional time to pay, please contact me, Dave Rowe at my listed numbers below.

**OWNER ACCESS: EVERY** lot owner and homeowner will have access to our development via a key pad. For a small additional fee homeowners can also have an automatic opener that they can carry in their car, much like a garage door opener. Lot owners may have the same device, if they prefer.

**EMERGENCY ACCESS:** We have contacted and are working on the best solution so that **ALL** emergency vehicles, (fire, ambulance and police) will have full access to the community at all times.

If you have any concerns not addressed in this letter, please contact me, **Dave Rowe at 828.355.94379 (house) or 336.318.5837 (cell)**

### **2011 WAS A BUSY YEAR FOR THE ROAD MAINTENANCE ASSOCIATION**

1. We have maintained the roads and kept them up to very good standards by scraping and adding gravel as needed.
2. We brought in a motor grader to scrape the side ditches so the runoff water can be handled.
3. We did some major repair on a small section of road that was impassable last winter. The section, near the top of our neighborhood, had to have huge boulders in the roadway removed and graveled twice.
4. We repaired a corner at Running Deer and Fire Tower and eliminated a second

2012  
DUES

- 3 -

access. The rounding of this corner and graveling it had to be done because of the rock situation. **Thanks to the Bodenheimer's** who allowed us to round off this corner.

5. The winter parking, which many people use, had to have additional gravel added to keep it secure.

6. Everyone has seen and many have asked, "what are you doing behind the mailboxes?" Chris Rasmussen, a neighbor who has volunteered his time, is going to construct 3 rock walls (similar to those that separate the winter parking area) at different levels. Once completed, we will plant shrubbery. **Thanks to Chris Rasmussen!**

7. We do have plans to construct a **new mailbox structure**. We have plans to make it a two level structure that meets postal requirements. We will try to separate the mailboxes by streets. We would like each family that currently receives mail and those additional or new homeowners that would like to receive mail here, to contact me, Dave Rowe.

8. Our largest project this past year was finishing the pond. We looked at the condition of the pond and realized immediately that if we did not work on it, we would lose it. More than 30 trees had fallen into the pond from the ice storm two years ago. In addition, silt and dirt had taken up almost 1/3 of the ponds water capacity since it was constructed. We hired a backhoe to complete the pond work. Brad Overcash, who is also one of our neighbors, volunteered his time on the backhoe to dig the silt out, remove the trees and construct a path around the pond. **Thanks to Brad Overcash.** That was a big savings to our Association. In addition, we had to replace the overflow pipe that was completely rusted and dig a small catch pond to catch all the water before it ran into the pond. We also raised the shelter that had rotted and fallen down. We replaced the old timbers with new ones to hold it up and installed a new shingled roof. **Thanks to Scott Barr** who purchased and donated the timbers.

***All this work has been completed.*** In the spring, we will have a "general clean up day" to finish cleaning up around the pond making it even more inviting. We will give you plenty of notice and would love to see every property owner help! One quick interesting side note - The firemarshall very much appreciated the pond capacity being increased as this is one of their few water points in the area for water supply to fight fires. \*You might want to check this out, but I heard that the local fire department raised their department level rating and it may mean a reduction on your fire insurance!

### ***Just trying to keep you all updated!***

I am adding some pictures of the work we have completed this year and look forward to your help with our gate project! Thank you for your support in making the Top Of Boone a great place to vacation or live. ...as I often hear, ***"The Top of Boone is the best kept secret in Boone!"***

PS: We plan to have a workday on Saturday April 28<sup>th</sup> from 9AM – 3PM and Sunday from 1PM – 4PM. Rain date will be May 5<sup>th</sup> & 6<sup>th</sup>. Please plan to come help – even if you can only spare a few hours!

**Please send me your current mailing address, phone number and E-mail address**  
so I can keep everyone informed. Thanks and we look forward to seeing you soon!

**Mail Checks to:**

Top of Boone Road Maintenance Association  
c/o Dave Rowe  
372 Broken Arrow Trail  
Boone, North Carolina 28607

*THANKS,  
Dave Rowe*

**If you need to contact me: Dave Rowe @ 828.355.9437 (H) 336.318.5837 (C)**



*GATE LOOKING FROM MAILBOXES*



*LOOKING TOWARDS MAILBOXES*



**STATE OF NORTH CAROLINA  
COUNTY OF WATAUGA**

**ROAD MAINTENANCE ASSOCIATION AGREEMENT**

This Agreement by and between the residents of the subdivision known as the Top 'O Boone, who agree as follows.

**WITNESSETH:**

WHEREAS, that by the creation of the Top 'O Boone Road Maintenance Association, the residents and property owners in the Top 'O Boone subdivision hereby agree as follows:

WHEREAS, any person owning property within the Top 'O Boone shall be entitled to one vote for each lot owned at any meeting of the Road Maintenance Association, and

WHEREAS, there are existing roadways within the private subdivision known as Top 'O Boone which the residents and property owners access for purposes of ingress, egress and regress; and

WHEREAS, there is no existing Road Maintenance Agreement of record governing maintenance and repair of said roadway and no existing Property Owners Association governing same; and

WHEREAS, it is the desire of the residents and property owners of the private subdivision known as the Top 'O Boone to cooperate with one another and work together in order to maintain the roadways within the development in order to ensure the safety, access, egress, and security of all property owners and residents within the subdivision.

WHEREFORE, the members of the Top 'O Boone Road Maintenance Association agree to maintain and keep in repair said roadways for purposes of ingress, egress and regress to the properties of the private subdivision known as Top 'O Boone. The said roadways shall at all times remain open and unobstructed unless by majority vote of the membership it is determined that a gate or otherwise is needed to ensure the safety and security of our property; and



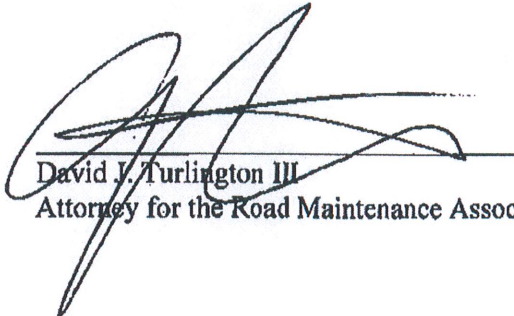
Top 'O Boone  
Road Maintenance Assoc. Agreement  
Page 2 of 2

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WHEREFORE, there may be, from time to time, an annual fee assessed by the Association to its membership for road maintenance, which fee shall be agreed upon by vote by a majority of the membership; and

WHEREFORE, there may be other matters that are brought before the membership, which shall be voted on at any meeting of the membership. Notice of any membership meeting shall be posted at least 10 days in advance at or near the mailboxes in the subdivision, unless notification by mail is expressly requested and a proper address for the mailing of such notice is provided by the property owner.

This the 6<sup>th</sup> day of June, 2010.



David J. Turlington III  
Attorney for the Road Maintenance Assoc.

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**AGENDA ITEM 9:**

**PUBLIC HEARING TO ALLOW CITIZEN COMMENT ON A PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES CATALYST PROGRAM APPLICATION ON BEHALF OF THE HOSPITALITY HOUSE**

**MANAGER'S COMMENTS:**

Per Board direction, a public hearing has been set to seek public comment on the County's potential application for \$250,000 through the Community Development Block Grant Small Cities Catalyst Program on behalf of the Hospitality House with Joe Furman providing assistance.

An additional public hearing will be scheduled for April 17, 2012, as required by the grant program.

**PUBLIC HEARING NOTICE**

The Watauga County Board of Commissioners is considering submission of an application for Community Development Block Grant funds to the NC Department of Commerce – Community Investment and Assistance. It is proposed that funds from the “NC Catalyst Program” be sought on behalf of Hospitality House to purchase an existing structure to be used as transitional housing for the homeless. The hearing is scheduled for 6:00 p.m. Tuesday, March 20, 2012, in the Commissioners’ Board Room, 814 West King Street, Boone, NC. Citizen comments regarding the proposal as well as feedback on overall housing, community and economic development needs are encouraged.

Nathan A. Miller, Chairman  
Watauga County Board of Commissioners

**Anita.Fogle**

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**From:** Joe Furman  
**Sent:** Thursday, February 23, 2012 2:20 PM  
**To:** Deron.Geouque  
**Cc:** Anita.Fogle; Lynne Mason  
**Subject:** FW: March 6 Commissioner's Meeting  
**Attachments:** DOC022312.pdf

Deron,

Please see the request below for inclusion on the March 6<sup>th</sup> Commissioners' meeting agenda. I have also attached information about the grant from Department of Commerce website. I am quite familiar with the CDBG program, and am available to be involved should the Board wish to apply for the funds.

Joe

Joseph A. Furman, AICP  
 Director, Watauga County Planning & Inspections and Economic Development  
 331 Queen Street, Suite A  
 Boone, NC 28607  
 (828) 265-8043  
 (828) 265-8080 (fax)  
[joe.furman@watgov.org](mailto:joe.furman@watgov.org)

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**From:** Lynne Mason [<mailto:director@hospitalityhouseofboone.org>]  
**Sent:** Friday, February 17, 2012 12:25 PM  
**To:** Joe Furman  
**Subject:** March 6 Commissioner's Meeting

Good Afternoon Joe,

Per our conversation yesterday, I would appreciate your assistance in having Hospitality House placed on the March 6, 2012 Commissioner's Meeting Agenda for the purpose of requesting permission to apply for:

\$250,000 through the following funding opportunity: CDBG Small Cities Catalyst Program. As you are aware the Catalyst Program provides grants of up to \$500,000 that can be used for a wide variety of community development activities including the construction of homeless shelters, the acquisition of land or buildings for affordable rental housing, and the rehabilitation of buildings for affordable rental housing. Two public hearings would be required and the application deadline is April 30. Please let me know if you need more information.

Thanks,

*Lynne*

Lynne O. Mason, MSW  
 Executive Director  
 Hospitality House  
 PO Box 309  
 338 Brook Hollow Road  
 Boone, NC 28607  
 828-264-1237  
 828-265-2541 (Fax)

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You are here: [Home](#) » [Investment & Assistance](#) » [Grant Categories](#) » [NC Catalyst](#)

## NC Catalyst

[Consolidated Plan](#)

[ARRA Recovery Funding](#)

[Financial](#)

[Neighborhood Stabilization Program](#)

[Training & Workshops](#)

[Forms & Resources](#)

### Grant Categories

[Small Business Entrepreneurial Development](#)

[Housing Development](#)

[Infrastructure](#)

[Scattered Site Housing](#)

[Economic Development](#)

[NC Catalyst](#)

## NC Catalyst

The application deadline for the 2011 grant cycle is April 30, 2012. Please visit our [Trainings and Workshops](#) page for the presentations about new programs. Detailed application guidelines are posted on the [Guidelines and Applications](#) page.

The primary purpose of the State of North Carolina Catalyst Program is to provide grants to local governments to develop viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate-income. Non-entitlement municipalities or counties are given the opportunity to tailor a project to meet the community development needs specific and most critical to their locality primarily for their low and moderate-income residents. This new grant program incorporates several previous CDBG programs and activities such as Housing Development, Individual Development Accounts, and Community Revitalization.

NC Catalyst will support the six livability principles that guides the Partnership for Sustainable Communities in a federal interagency partnership between the Environmental Protection Agency (EPA), the U.S. Department of Housing and Urban Development (HUD), and the Department of Transportation (DOT).

*Available Funds: \$6,598,000*

*Maximum Grant Amount: \$500,000*

## Quick Links

[Appalachian Regional Commission](#)

Eligible housing activities for this grant include single family and multi-family, rehabilitation, acquisition, demolition, clearance,

Certified Retirement Communities	relocation, substantial rehabilitation, replacement housing, and emergency repairs. <u>Eligible special projects can include</u>
Community Development Block Grants (CDBG)	public facilities such as shelters for victims of domestic violence, <u>homeless shelters</u> , transitional housing, senior centers,
Community Planning Services	neighborhood recreation areas, and parks.
N.C. Main Street Program	Applicants will be evaluated based on meeting a one of the three
N.C. Rural Economic Development Center	national objectives, local government commitment and capacity to administer a successful project, and past performance.
NC.gov	
Neighborhood Stabilization Program	For additional information, contact:
Recovery Programs and Funding	Iris C. Payne
State of North Carolina Interactive Purchasing System	Programs and Compliance Section Chief 919-571-4900 <a href="mailto:ipayne@nccommerce.com">ipayne@nccommerce.com</a>

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[ARC](#)  
[Rural Development](#)

Please see **24 CFR 570.201** for a complete list of eligible housing activities.



**Public Facilities** - Public Facilities are buildings that are publicly owned or that are traditionally provided by the government, or owned by a nonprofit, and operated so as to be open to the general public as defined below:

Public facilities and improvement. Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, except as provided in § 570.207(a), carried out by the recipient or other public or private nonprofit entities. (However, activities under this paragraph may be directed to the removal of material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to public facilities and improvements, including those provided for in § 570.207(a)(1).) In undertaking such activities, design features and improvements which promote energy efficiency may be included. Such activities may also include the execution of architectural design features, and similar treatments intended to enhance the aesthetic quality of facilities and improvements receiving CDBG assistance, such as decorative pavements, railings, sculptures, pools of water and fountains, and other works of art. Facilities designed for use in providing shelter for persons having special needs are considered public facilities and not subject to the prohibition of new housing construction described in § 570.207(b)(3). Such facilities include shelters for the homeless; convalescent homes; hospitals, nursing homes; battered spouse shelters; halfway houses for run-away children, drug offenders or parolees; group homes for mentally retarded persons and temporary housing for disaster victims. In certain cases, nonprofit entities and subrecipients including those specified in § 570.204 may acquire title to public facilities. When such facilities are owned by nonprofit entities or subrecipients, they shall be operated so as to be open for use by the general public during all normal hours of operation. Public facilities and improvements eligible for assistance under this paragraph are subject to the policies in § 570.200(b).

**Other Non-Housing Activities** – Clearance or demolition activities carried out by the recipient can be undertaken as long as LMI or Slum/Blight national objective is met. Public service activities are allowed with a maximum of **\$100,000.00** for that activity. Up to six (6) grantees will be selected to use funds for public service.

## EVALUATION CRITERIA

Applicants will be rated according to the following criteria:

The project rating is based upon the project design including: the feasibility of the project including the level of site control and readiness to proceed; the financial design including leverage and cost effectiveness of the project; the capacity and experience of the applicant and other parties involved; the suitability of the site and surrounding amenities; the quality of the units; the amount of additional services provided; future plans and commitment of the parties involved; the



**AGENDA ITEM 10:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

*A. Proposed Proclamation Declaring May 14-19, 2012, as Community Pride Week*

**MANAGER'S COMMENTS:**

Staff will request the Board adopt the proposed proclamation declaring the week of May 14-19, 2012, as Community Pride Week in Watauga County. This event is conducted every year by Sanitation staff and has proved to be very popular with the County's citizens.

**Watauga County  
Recycling Office  
828-265-4852**

# Memo

To: Deron Geouque  
CC: JV Potter, Donna Watson  
From: Lisa Doty, Recycling Manger  
Date: 3/15/2012  
Re: Community Pride Proclamation

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Attached is the "Community Pride Proclamation" for the Commissioners to sign. We will hold Community Pride Week from Monday, May 14 – Saturday, May 19. Household Hazardous Waste Day will take place on Saturday, May 19 from 9 a.m. to 2 p.m. at the Sanitation Department in conjunction with the NC Department of Agriculture, the County Maintenance Department and the Town of Boone. We also will hold the prescription and over-the counter drug take-back on Saturday, May 19 at locations throughout the county (time and locations to be determined.) in conjunction with the Watauga County Sheriff's Department.

These events will be advertised at all the County Convenience Centers, on the County website and through the media and other outlets.

Please let me know if you have any questions or concerns. Thank you!

STATE OF NORTH CAROLINA

**DRAFT**

COUNTY OF WATAUGA

**COMMUNITY PRIDE WEEK PROCLAMATION**

May 14 – 19, 2012

**WHEREAS**, Watauga County is the beneficiary of an abundance of natural resources, including clean air and water, some of the oldest, most scenic mountains in the world, cascading waterfalls, wildlife, pristine rivers and streams, rolling hills and pastureland; and

**WHEREAS**, working together to protect and conserve these natural resources is essential to the continued quality of life for the residents of the County; and

**WHEREAS**, the May 2012 observance of Community Pride Week provides a unique opportunity for individuals and groups to promote and raise awareness of environmental stewardship by setting goals and taking actions to lessen the negative impact on the environment; and

**WHEREAS**, the goal of Community Pride Week is to improve the appearance and character of Watauga County by removing litter and other debris from roadways, waterways and public and private lands; and

**WHEREAS**, residents will be allowed to dispose of brush, metal, furniture, appliances, tires, rocks, cement, cement blocks and asphalt at the Watauga County Landfill May 14 - 19 and dispose of household hazardous waste and over-the-counter and prescription medications on May 19 for no charge. *(This does not apply to commercial haulers or businesses.)*

**NOW, THEREFORE BE IT PROCLAIMED**, by the Watauga County Board of Commissioners that May 14 - 19, 2012, be declared **COMMUNITY PRIDE WEEK** throughout the County and encourage all County residents to work together to ensure the preservation of our natural resources now and for future generations.

**ADOPTED** this the 20<sup>th</sup> day of March, 2012.

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Nathan A. Miller, Chairman  
Watauga County Board of Commissioners

ATTEST:

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Anita J. Fogle, Clerk to the Board



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**AGENDA ITEM 10:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

***B. Proposed State Highway Patrol Lease Renewal***

**MANAGER'S COMMENTS:**

The current lease for office space with the North Carolina Highway Patrol at the Law Enforcement is set to expire April 1, 2012. The requested renewal is for \$12.49 per square foot for a period of five years. The space requested is 365 square feet.

Board action is requested to approve the renewal of the lease at \$12.50 per square foot for a five-year term

**THIS LEASE DOES NOT BECOME EFFECTIVE UNTIL EXECUTED BY THE  
STATE OF NORTH CAROLINA**

STATE OF NORTH CAROLINA

**LEASE AGREEMENT**

COUNTY OF WATAUGA

THIS LEASE AGREEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2012, by and between County of Watauga, hereinafter designated as Lessor, and the North Carolina Department of Public Safety, State Highway Patrol hereinafter designated as Lessee;

**WITNESSETH:**

THAT WHEREAS, authority to approve and execute this lease agreement was delegated to the Department of Administration by resolution adopted by the Governor and Council of State on the 1st day of September, 1981; and as amended on November 7, 1984; and

WHEREAS, the Department of Administration has delegated to this State agency the authority to execute this lease agreement by a memorandum dated the 11<sup>th</sup> day of March, 2003; and

WHEREAS, the parties hereto have mutually agreed to the terms of this lease agreement as hereinafter set out,

NOW THEREFORE, in consideration of the rental hereinafter agreed to be paid and the terms and conditions hereinafter set forth, Lessor does hereby let and lease unto Lessee and Lessee hereby takes and leases from Lessor for and during the period of time and subject to the terms and conditions hereinafter set out certain space in Town of Boone, County of Watauga, North Carolina, more particularly described as follows:

**Being +/- 365 square feet of office located at Watauga County Law Enforcement Center, 184 Hodges Gap Road, Boone, Watauga County, North Carolina.**

DEPARTMENT OF PUBLIC SAFETY-NC STATE HIGHWAY PATROL

CONDITIONS OF THIS LEASE AGREEMENT ARE AS FOLLOWS:

1. The term of this lease shall be for a period of three (3) years commencing on the **1st** day of **April, 2012**, or as soon thereafter as the leased premises are ceded to the Lessee and terminating on the **31<sup>st</sup>** day of **March, 2015**.

2. The Lessee shall pay to the Lessor as rental for said premises the sum of **\$4,560.00** Dollars per annum, which sum shall be paid in equal monthly installments of **\$380.00** Dollars, said rental to be payable within fifteen (15) days from receipt of invoice.

The Lessee agrees to pay the aforesaid rental to Lessor at the address specified, or, to such other address as the Lessor may designate by a notice in writing at least fifteen (15) days prior to the due date.

3. Lessor agrees to furnish to the Lessee, as a part of the consideration for this lease, the following services and utilities to the satisfaction of the Lessee.

- A. Heating facilities, air conditioning facilities, adequate electrical facilities, adequate lighting fixtures and sockets, hot and cold water facilities, and adequate toilet facilities.
- B. Janitorial services and cleaning services and supplies. This shall include maintenance of lawns, sidewalks, paved areas (this includes snow removal) and disposal of trash.
- C. All utilities, except telephone.
- D. Lessor to provide required fire extinguishers and servicing, and pest control, and outside trash disposal including provision for the handling of recyclable items such as aluminum cans, cardboard and paper.
- E. Elevator Service, if applicable
- F. Parking
- G. The leased premises are generally accessible to persons with disabilities. This shall include access into the premises from the parking areas (where applicable), into the premises via any common areas of the building and access to an accessible restroom.
- H. All fire/safety inspections fees and storm water fees shall be paid by Lessor.
- I. The number of keys to be provided to State for each lockset shall be reasonably determined by the State prior to occupancy, at no cost to the State.

4. During the lease term, the Lessor shall keep the leased premises in good repair and tenantable condition, to the end that all facilities are kept in an operative condition. Maintenance shall include, but is not limited to furnishing and replacing electrical light fixture ballasts, air conditioning and ventilating equipment filter pads, if applicable, and broken glass. In case Lessor shall, after notice in writing from the Lessee in regard to a specified condition, fail, refuse, or neglect to correct said condition, or in the event of an emergency constituting a hazard to the health or safety of the Lessee's employees, property, or invitees, it shall then be lawful for the Lessee in addition to any other remedy the Lessee may have, to make such repair at its own cost and to deduct the amount thereof from the rent that may then be thereafter become due hereunder. The Lessor

reserves the right to enter and inspect the leased premises, at reasonable times, and to make necessary repairs to the premises.

5. It is understood and agreed that Lessor shall, at the beginning of said lease term as herein above set forth, have the leased premises in a condition satisfactory to Lessee, including repairs, painting, partitioning, remodeling, plumbing and electrical wiring suitable for the purposes for which the leased premises will be used by Lessee.

6. The Lessee shall have the right during the existence of this lease, with the Lessor's prior consent, to make alterations, attach fixtures and equipment, and erect additions, structures or signs in or upon the leased premises. Such fixtures, additions, structures or signs so placed in or upon or attached to the leased premises under this lease or any prior lease of which this lease is an extension or renewal shall be and remain the property of the Lessee and may be removed there from by the Lessee prior to the termination of this lease or any renewal or extension thereof, or within a reasonable time thereafter. The Lessee shall have no duty to remove any improvement or fixture placed by it on the premises or to restore any portion of the premises altered by it. In the event Lessee elects to remove his improvements or fixtures and such removal causes damage or injury to the demised premises, Lessee will repair only to the extent of any such damage or injury.

7. If the said premises be destroyed by fire or other casualty without fault of the Lessee, this lease shall immediately terminate and the rent shall be apportioned to the time of the damage. In case of partial destruction or damage by fire or other casualty without fault of the Lessee, so as to render the premises untenable in whole or in part, there shall be an apportionment of the rent until the damage has been repaired. During such period of repair, Lessee shall have the right to obtain similar office space at the expense of Lessee or the Lessee may terminate the lease by giving fifteen (15) days written notice to the Lessor.

8. Lessor shall be liable to Lessee for any loss or damages suffered by Lessee which are a direct result of the failure of Lessor to perform an act required by this lease, and provided that Lessor could reasonably have complied with said requirement.

9. Upon termination of this lease, the Lessee will peaceably surrender the leased premises in as good order and condition as when received, reasonable use and wear and damage by fire, war, riots, insurrection, public calamity, by the elements, by act of God, or by circumstances over which Lessee had no control or for which Lessor is responsible pursuant to this lease, excepted.

10. The Lessor agrees that the Lessee, upon keeping and performing the covenants and agreements herein contained, shall at all times during the existence of this lease peaceably and quietly have, hold, and enjoy the leased premises free from the adverse claims of any person.

11. The failure of either party to insist in any instance upon strict performance of any of the terms and conditions herein set forth shall not be construed as a waiver of the same in any other instance. No modification of any provision hereof and no cancellation or surrender thereof shall be valid unless in writing and signed and agreed to by both parties.



12. Any hold over after the expiration of the said term or any extension thereof, shall be construed to be a tenancy from month to month, and shall otherwise be on the terms and conditions herein specified, so far as applicable; however, either party shall give not less than sixty (60) days written notice to terminate the tenancy.

13. The parties to this lease agree and understand that the continuation of this lease agreement for the term period set forth herein, or any extension or renewal thereof, is dependent upon and subject to the appropriation, allocation or availability of funds for this purpose to the agency of the Lessee responsible for payment of said rental. The parties to this lease also agree that in the event the agency of the Lessee or that body responsible for the appropriations of said funds, in its sole discretion, determines, in view of its total local office operations that available funding for the payment of rents are insufficient to continue the operation of its local offices on the premise leased herein, it may choose to terminate the lease agreement set forth herein by giving Lessor written notice of said termination, and the lease agreement shall terminate immediately without any further liability to Lessee.

14. All notices herein provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows: To the Lessor at: **Watauga County Manager's Office, 814 West King Street, Suite 205, Boone, NC 28607**, and the Lessee at: **4701 Mail Service Center, Raleigh, North Carolina, 27699-4701**. Nothing herein contained shall preclude the giving of such notice by personal service. The address to which notices shall be mailed as aforesaid to either party may be changed by written notice.

“N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of this lease, Lessee attests, for the entire organization and its employees or agents, that you it is not aware that any such gift has been offered, accepted, or promised by any employees of your organization.”

IN TESTIMONY WHEREOF, this lease has been executed by the parties hereto, in duplicate originals, as of the date first above written.

LESSEE:

BY: \_\_\_\_\_  
Colonel Michael Gilchrist  
Commander of NC State Highway Patrol  
Department of Public Safety

BY: \_\_\_\_\_  
Marvin Melvin  
Fiscal Controller  
Department of Public Safety

BY: \_\_\_\_\_  
Reuben F. Young  
Secretary  
Department of Public Safety

LESSOR:

Watauga County

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for the  
County of \_\_\_\_\_ and State aforesaid, do hereby certify that  
\_\_\_\_\_, personally appeared before me this date and  
acknowledged the due execution by her of the foregoing instrument as for the  
purposes therein expressed.

WITNESS my hand and Notarial Seal, this the \_\_\_\_ day of  
\_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

My Commission Expires:  
\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for the County and State aforesaid, do hereby certify that **SECRETARY REUBEN F. YOUNG** personally came before me this day and acknowledged the due execution by him of the foregoing instrument as Secretary of the Department of Public Safety of the State of North Carolina for the purpose therein expressed.

WITNESS my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

My Commission Expires:

\_\_\_\_\_

THE STATE OF NORTH CAROLINA SHALL NOT BE RESPONSIBLE FOR ANY EXPENSES INCURRED BY THE PROPOSER IN THE PREPARATION OF THIS PROPOSAL. THE STATE RESERVES THE RIGHT TO REJECT ANY PROPOSAL FOR ANY REASON IT DEEMS WARRANTED. **FAXED OR E-MAILED PROPOSALS ARE NOT ACCEPTABLE.**

**PROPOSAL TO LEASE TO THE STATE OF NORTH CAROLINA - PO-28**

1. NAME OF LESSOR: \_\_\_\_\_ 2. LESSOR'S AGENT: \_\_\_\_\_, County Manager  
 County of Watauga

INDICATE EACH LESSOR'S BUSINESS CLASSIFICATION AS APPLICABLE:  A. PROPRIETORSHIP  B. PARTNERSHIP  C. CORPORATION  D. GOVERNMENTAL  E. NON-PROFIT  F. \*\*\* (HUB) HISTORICALLY UNDERUTILIZED BUSINESSES  G. OTHER: \_\_\_\_\_ TAX I.D. # \_\_\_\_\_

MAILING ADDRESS: 814 West King Street, Suite 205 MAILING ADDRESS \_\_\_\_\_  
 CITY: Boone ZIP: 28607 CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 PHONE#: ( ) FAX#: ( ) PHONE#: \_\_\_\_\_ FAX#: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

3. SPACE LOCATION:(including building name, floors involved & suite or room numbers unless entire floor)  
 Watauga County Law Enforcement Center

STREET ADDRESS CITY COUNTY ZIP CODE  
 184 Hodges Gap Road Boone Watauga 28607

4. ATTACH FLOOR PLAN TO SCALE SHOWING THE SIZE AND LAYOUT OF SPACE OFFERED)

5. GROSS SQUARE FOOTAGE BEFORE NET USAGE COMPUTED A. OFFICE 1085 SF B. WAREHOUSE N/A C. OTHER N/A

6. All proposals must be submitted on the basis of net square footage as defined on reverse side of this sheet and in Specifications (PO-27)

A. DESIRED PROPOSAL (See PO-27 Items VI and XII-A)

TYPE OF SPACE	TOTAL NET SQ. FT.	ANNUAL RENTAL	ANNUAL RENT PER SQ. FT.	UTILITIES	JANITOR. SERVICES	WATER / SEWER	REQUIRED PARKING SPACES
OFFICE	365	\$4,560.00	\$12.49	YES	YES	YES	
WAREHOUSE							
OTHER							
TOTALS			XXXX	XXXX			XXXX

Lessor agrees to provide all parking spaces as set forth in the specifications (PO 27 Item VI –Parking)at no additional cost to the State. (Please clearly explain any variance in number, type or location in Comments or Additional Information below or on a separate, attached sheet).

Comments:

**ERRORS BY PROPOSERS IN CALCULATING NET SQUARE FOOTAGE WILL REDUCE THE ANNUAL RENTAL WITHOUT CHANGING THE PROPOSED RATE PER SQUARE FOOT IN THE PROPOSAL**

B. OPTIONAL ALTERNATE PROPOSAL NO. 1 (See PO-27 ITEMS VI AND XII-B)

(FOR PROPOSALS NOT INCLUDING UTILITIES AND/OR JANITORIAL SERVICES)

TYPE OF SPACE	TOTAL NET SQ. FT.	ANNUAL RENTAL	ANNUAL RENT PER SQ. FT.	UTILITIES	JANITOR. SERVICES	WATER / SEWER	REQUIRED PARKING SPACES
OFFICE							
WAREHOUSE							
OTHER							
TOTALS			XXXX	XXXX			XXXX

Lessor agrees to provide all parking spaces as set forth in the specifications (PO 27 Item VI-Parking) at no additional cost to the State. (Please clearly explain any variance in number, type or location in Comments or Additional Information below or on a separate, attached sheet).

Comments:

7. LEASE TERM : 3 Years YEARS BEGINNING DATE: 4-1-2012

8. RENEWAL OPTIONS, IF ANY: TERMS AND CONDITIONS:

*NOTE: RATES THAT INCLUDE INDETERMINABLE PERCENTAGE INCREASES, SUCH AS UNCAPPED CPI INCREASES ETC., ARE NOT ACCEPTABLE DURING EITHER THE INITIAL TERM OR ANY RENEWAL PERIOD(S)*

**The State of North Carolina supports the use of products and materials having recycled content in renovation and construction. The proposed building must have facilities for handling materials to be recycled such as plastics, aluminum, waste paper and cardboard.**

**THE PROPOSED BUILDING MUST BE COMPLETELY FREE OF ANY HAZARDOUS ASBESTOS OR HAZARDOUS LEAD PAINT THROUGHOUT THE STATE'S TENANCY.**

Is the proposed building free of hazardous asbestos? YES X NO \_\_\_\_\_  
 Is the proposed building free of hazardous lead paint? YES X NO \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DIVISION: \_\_\_\_\_  
 CITY: \_\_\_\_\_ SQUARE FEET: AGENT: \_\_\_\_\_

CUT-OFF FOR RECEIVING PROPOSALS IS 4:00 PM DATE: \_\_\_\_\_

LESSOR:

032012 BCC Meeting

9. ADDITIONAL INFORMATION

10. Does this space comply with local and State Building safety and zoning codes specifically including OSHA provisions for the handicapped and applicable sections of the State Building Code Volumes I-V?

X YES NO PARTIALLY

EXPLAIN IF OTHER THAN "YES" IS CHECKED ABOVE:

11. This proposal is made in compliance with the specifications furnished by the Department of ... I realize that the State reserves the right to reject this proposal for any reason it deems warranted. This proposal is good until ... I ACKNOWLEDGE AND FURTHER AFFIRM THAT I am aware of and familiar with the Americans with Disabilities Act of 1990 (42 United States Code, Section 12101 et seq.) and if the above firm is awarded the contract, it will comply with the provisions of said Act.

I am aware that annual per square foot rental rate(s) which include indeterminable percentage increase(s) such as uncapped Consumer Price Index increases etc., are not acceptable during either the initial term or any renewal period(s):

\*\*\*(HUB) HISTORICALLY UNDERUTILIZED BUSINESSES (HUB) CONSIST OF MINORITY, WOMEN AND DISABLED BUSINESS FIRMS THAT ARE AT LEAST FIFTY-ONE PERCENT OWNED AND OPERATED BY AN INDIVIDUAL(S) OF THE AFOREMENTIONED CATEGORIES. ALSO INCLUDED IN THIS CATEGORY ARE DISABLED BUSINESS ENTERPRISES AND NON-PROFIT WORK CENTERS FOR THE BLIND AND SEVERELY DISABLED.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of this proposal, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Printed Name of Lessor

Signature of Lessor

Date

MAILING /DELIVERY INSTRUCTIONS

To be considered this proposal must be received by the State Property Office prior to 4:00 PM on the cutoff. No faxed or e-mailed proposals will be accepted. PHONE: 919-807-4650

Delivery Address If Delivered In Person: Director, State Property Office, Room 4055, Administration Building, 116 West Jones Street, Raleigh, North Carolina

Mailing Address If Sent Through Mail Service: State Property Office, 1321 Mail Service Center, Raleigh, North Carolina 27699-1321

ENVELOPE SHOULD BE MARKED:

- (a) Lease proposal Enclosed
(b) Cutoff Date for Receiving Proposals
(c) Name of State Agency involved.

NOTE: Net square footage is a term meaning the area to be leased for occupancy by State Personnel and/or equipment. To determine net square footage:

- 1. Compute the inside area of the space by measuring from the normal inside finish of exterior walls or the roomside finish of fixed corridor and shaft walls, or the center of tenant separating partitions.
2. Deduct from the Inside area the following:
\*a. Toilets and lounges
\*b. Entrance and elevator lobbies
\*c. Corridors
\*d. Stairwells
\*e. Elevators and escalator shafts
\*f. Building equipment and service areas
\*g. Stacks, shafts, and interior columns
\*h. Other space not usable for State purposes

\*Deduct if space is not for exclusive use by the State. Multiple State leases require a, b, and c to be deducted. The State Property Office may make adjustments for areas deemed excessive for State use.

DEPARTMENT:

DIVISION:

CITY:

SQUARE FEET: AGENT:

CUT-OFF FOR RECEIVING PROPOSALS IS 4:00 PM DATE:

FORM (PO-28)

(11/2009)

**AGENDA ITEM 10:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

***C. Public Hearing Request to Allow Citizen Comment on Proposed Refinancing for the New High School***

**MANAGER'S COMMENTS:**

As part of the refinancing of the high school debt, a public hearing is required to allow citizen comment. Upon closing of the public hearing, the Board will be asked to adopt a resolution which authorizes the financing and other relevant matters pertaining to the financing. A tentative schedule of the proposed refinancing has been included.

Staff is requesting the Board set a public hearing for April 17, 2012, at 6:00 PM to allow citizen comment on the proposed refinancing of the high school debt.

**County of Watauga, North Carolina**  
**Refunding Series 2012**  
**Timeline as of March 9, 2012**

Mar-12							Apr-12							May-12							Jun-12						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7	6	7	8	9	10	11	12	3	4	5	6	7	8	9
4	5	6	7	8	9	10	8	9	10	11	12	13	14	13	14	15	16	17	18	19	10	11	12	13	14	15	16
11	12	13	14	15	16	17	15	16	17	18	19	20	21	20	21	22	23	24	25	26	17	18	19	20	21	22	23
18	19	20	21	22	23	24	22	23	24	25	26	27	28	27	28	29	30	31	24	25	26	27	28	29	30		
25	26	27	28	29	30	31	29	30																			

<u>Date</u>	<u>Event</u>	<u>Responsibility</u>
Tuesday, March 20 <sup>th</sup>	• Call for Public Hearing	C
Monday, March 26 <sup>th</sup>	• 3:00 p.m. Organizational Conference Call Selection of Printer	All UW, C
Monday, April 2 <sup>nd</sup>	• Application due to LGC County completes "County" section of info for POS	C C
Monday, April 9 <sup>th</sup>	• Receive 1 <sup>st</sup> draft of all documents	All
Tuesday, April 17 <sup>th</sup>	• Hold Public Hearing and Adopt Approving Resolution	C
Wednesday, April 18 <sup>th</sup>	• LGC Document and Plan of Finance Review (TBD)	All
Monday, April 23 <sup>rd</sup>	• Receive 2 <sup>nd</sup> draft of documents	All
Tuesday, April 24 <sup>th</sup>	• Send Rating Agency packets	U
Thursday, April 26 <sup>th</sup>	• 3:00 p.m. Conference Call 2 <sup>nd</sup> Draft Document Review	All
By April 30 <sup>th</sup>	• Adoption of Resolution by Non-Profit Corporation	C
Tuesday, May 1 <sup>st</sup>	• LGC Approval	C
Week of May 7 <sup>th</sup>	• Rating Agency Calls	C, UW
Monday, May 7 <sup>th</sup>	• Board Approval of Financing Documents	C
	• Receive 3 <sup>rd</sup> draft of documents	All
Monday, May 14 <sup>th</sup>	• 1:00 p.m. Conference Call Final Document Review	All
Friday, May 18 <sup>th</sup>	• Receive Rating Confirmation	U
Thursday, May 24 <sup>th</sup>	• POS to Printer	UC
Tuesday, May 29 <sup>th</sup>	• Mail POS	U
Thursday, June 7 <sup>th</sup>	• COPs Pricing	U
Week of June 11 <sup>th</sup>	• Finalize Official Statement, Closing Documents	UC, BC, C, UW
Wednesday, June 27 <sup>th</sup>	• Pre-Closing	All
Thursday, June 28 <sup>th</sup>	• Bond Closing	All



**AGENDA ITEM 10:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

***D. Proposal for Lease of Parking Spaces at the Old High School***

**MANAGER'S COMMENTS:**

The Art of Living Foundation International Center for Meditation and Well Being is requesting to rent the parking lot at the Old High School. The Center will have a grand inauguration of its new facility on June 29, 2012.

The Center identified the Old High School as a viable off-site parking facility due to its proximity to the Center. The plan is to have parking begin on June 28<sup>th</sup> and end the morning of July 4<sup>th</sup>.

The Center proposes that their members/volunteers be on site at the lot from the afternoon into the evening of June 28<sup>th</sup> and again on Wednesday July 4<sup>th</sup>. The gates will be closed during the rental days between June 28<sup>th</sup> and the morning of July 4<sup>th</sup>.

The proposal is to lease the parking space at the Old High School for \$300 a day for a total of \$1,800.

Staff seeks direction from the Board.

**From:** Bonnie Rosen [<mailto:bonnie.rosen@artofliving.org>]

**Sent:** Monday, March 05, 2012 4:22 PM

**To:** Deron.Geouque

**Subject:** Proposal for Lease of Parking Spaces at the Old High School on Highway 105 June 28 - morning of July 4th

**Importance:** High

Hello Deron,

As a follow-up to our phone conversation late last week, I am forwarding for your review and presentation to the County Board a proposal regarding rental of parking space at the Old High School Building on Route 105.

The International Center for Meditation and Well Being - a 501c3 non-profit organization , recently purchased a world class retreat facility, located on a 381 acre mountaintop in Boone, NC.

The center will soon be offering a variety of Holistic programs for all ages that include yoga, meditation, accompanied by self-development programs, corporate retreats, youth leadership development, summer camps for family and children as well as specialized programs for returning veterans.

A grand inauguration of the facility is planned on June 29th 2012. Simultaneously from June 28th evening- July 04 AM, a variety of holistic programs catered to adults, youth, children will be offered at the Center. This will culminate with a grand celebration on July 03<sup>rd</sup> and then participants will begin leaving that evening and on the morning of July 4<sup>th</sup>.

Currently there is limited parking at the International Center for Meditation and Well Being and thus our request to rent space at the Old School building.

To accommodate our visitors we anticipate the following parking needs at an off-site parking location:

1. 800 parking spaces on June 28th, June 29th, June 30th, July 1st and July 2nd.
2. 2000 parking spaces on July 03rd.

We have identified the Old High School as a very viable off-site parking facility due to its proximity to the Center. Additionally, with the available 400-500 parking spots at the Old School, we would plan to have parking begin on June 28<sup>th</sup>, without much "in and out" traffic until the end of our session which is morning of July 4<sup>th</sup>.

- 1) We propose that we could have our members/volunteers on sight at the lot the afternoon into evening of June 28<sup>th</sup>. And again on Wednesday July 4<sup>th</sup> so that the location gates could be opened and then closed leaving no worries for your County staff. We would have the gates closed during the rental days between June 28<sup>th</sup> and morning of July 4<sup>th</sup>. That is our plan at this time. We want to keep it simple and make it easy for any concerns you might have due to the gated environment.
- 2) We propose leasing the parking space at the Old High School and wish to offer \$300 a day. Please consider this as a proposal for leasing parking spaces forward it to appropriate authorities for approval. (I assume this would be at the next County Board Meeting scheduled on 3/20. However, we are open to hearing sooner so that we firm up our parking master plan.)

If you have any questions or need additional information please email or contact me at 928-282-1142. Look forward to hearing from you soon.

Sincerely,

*Bonnie*

Bonnie Rosen

ART OF LIVING FOUNDATION

INTERNATIONAL CENTER FOR MEDITATION & WELL BEING

National Executive Assistant

928-282-1142

[Bonnie.Rosen@artofliving.org](mailto:Bonnie.Rosen@artofliving.org)

## **AGENDA ITEM 10:**

### **MISCELLANEOUS ADMINISTRATIVE MATTERS**

#### *E. Boards and Commissions*

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

During the regular Town Council meeting held on February 14, the Blowing Rock Town Council recommended Ms. Brenda Fairbetter to serve as the ETJ member of their Planning Board and Mr. Terry Story to serve as the ETJ member of their Board of Adjustment.

*[Clerk's Note: The Blowing Rock Town Clerk is in the process of requesting applications from Ms. Fairbetter and Mr. Story. If the applications are not received by the meeting time, the Board may choose to table appointments until the next meeting scheduled for April 3, 2012.]*

At their February 2012 meeting, the AppalCART Advisory Board recommended the attached slate of officers be officially appointed/reappointed to their Board: Mr. Jerry Moretz (at-large member); Mr. Greg Lovins (ASU representative); Ms. Angie Boitnotte (at-large member); Mr. David Blust (Board of Commissioners representative); Mr. Donald Ray (user representative); Mr. Barry Sauls (ASU representative); Mr. Andy Ball (Town of Boone representative); and Ms. Jeannine Taylor (Human Service Agency representative).

The above are second readings; therefore, action may be taken if so desired.

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**From:** Anita.Fogle  
**Sent:** Wednesday, February 22, 2012 10:26 AM  
**To:** 'Sharon Greene'  
**Subject:** RE: Recommendations

Thanks Sharon!

I will place these recommendations on the agenda for our next meeting. We just had a meeting last night, so our next one is March 6<sup>th</sup>. Our Board traditionally holds two readings prior to voting on Boards & Commissions appointments, so that may occur at their 2<sup>nd</sup> meeting in March, which will be the 20<sup>th</sup>. I will let you know as soon as action is taken.

I hope you are having a great week!

Thanks,  
Anita

Anita J. Fogle, Clerk to the Board  
Watauga County  
814 West King Street, Suite 205  
Boone, North Carolina 28607  
828.265.8000 Phone  
828.264.3230 Fax  
[Anita.Fogle@watgov.org](mailto:Anita.Fogle@watgov.org)  
[www.WataugaCounty.org](http://www.WataugaCounty.org)

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**From:** Sharon Greene [<mailto:brtownclerk@bellsouth.net>]  
**Sent:** Tuesday, February 21, 2012 5:18 PM  
**To:** [anita.fogle@ncmail.net](mailto:anita.fogle@ncmail.net)  
**Subject:** Recommendations

Hi Anita,

I'm not sure who I need to let know, but... the following people were recommended to serve at the ETJ members of our Planning Board and Board of Adjustment during the regular Town Council meeting held on February 14, 2012. Brenda Fairbetter was recommended to serve at the ETJ member of the Planning Board and Terry Story was recommended to serve on the Board of Adjustment. If you need further information, please let me know.

Thanks  
Sharon

Revised Feb 2012

## AppalCART Board Members

**Jerry Moretz, Chair**    **At Large Rep**    began 07/98    began as Chair 1/00, relected as Chair 2/20/12

expires when the County Commissioners unanimously votes to remove

POB 1363

Boone, NC 28607

Home = 264-4612    cell 828.964-2572    [nancynjerry@charter.net](mailto:nancynjerry@charter.net)

\*\*\*\*\*

**Greg Lovins, Vice Chair**    **ASU Rep**    sworn in 8/28/0, relected as ViceChair 2/20/12

expires when the County Commissioners unanimously votes to remove

ASU Vice Chancellor for Business Affairs

Dougherty Administration Building

Boone, NC 28608    -----828.773.7930 cell

262-2030    262-6433 Diane's phone secretary    262-6472    [lovinsgm@appstate.edu](mailto:lovinsgm@appstate.edu)

\*\*\*\*\*

**Angie Boitnotte**    **At Large Rep**    sworn in 8/30/04

expires when the County Commissioners unanimously votes to remove

Project on Aging

132 Poplar Grove Connector, Suite A

Boone, NC 28607

265-8092 phone    264-2060 fax    [Angie.Boitnotte@watgov.org](mailto:Angie.Boitnotte@watgov.org)

\*\*\*\*\*

**David Blust**    **County Commissioner**    Sworn in Jan 19, 2012

expires when the County Commissioners unanimously votes to remove

8142 Hwy 105 South

sworn in at AppalCART ?

Boone, NC 28607

(H) 828-773-0171    [davidblust@gmail.com](mailto:davidblust@gmail.com)

\*\*\*\*\*

**Donald Ray User Rep** began 4/01  
expires when the County Commissioners unanimously votes to remove  
ASU student  
309 Meadow Hill Dr Apt 25  
Boone, NC 28607  
264-7603 home 268-6610 work [donaldray10@netzero.net](mailto:donaldray10@netzero.net) e-mail

\*\*\*\*\*

**Barry Sauls ASU Rep** sworn in 1/7/99  
expires when the County Commissioners unanimously votes to remove  
ASU Parking and Traffic Director  
POB 32124  
Boone, NC 28608-----828.773.6177 cell  
262-2878 and 262-2518 262-2649 fax [saulsbd@appstate.edu](mailto:saulsbd@appstate.edu) e-mail

\*\*\*\*\*

**Andy Ball - Boone Town Council Rep** sworn in - Jan 19, 2012  
expires when the County Commissioners unanimously votes to remove  
Boone Town Council  
550 Queen St  
Boone, NC 28607  
828-406-2408 [andy.ball@townofboone.net](mailto:andy.ball@townofboone.net)

\*\*\*\*\*

**Jeannine Taylor Human Agency Rep** began 1/06  
expires when the County Commissioners unanimously votes to remove  
Social Services - Work First Social Worker  
132 Poplar Grove Connector, Suite C  
Boone, NC 28607  
265-8100 265-7638 fax [jeannine.taylor@watgov.net](mailto:jeannine.taylor@watgov.net)

**Anita.Fogle**

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**From:** Anita.Fogle  
**Sent:** Thursday, January 26, 2012 8:52 AM  
**To:** 'Info at AppalCART'  
**Subject:** RE: AppalCART Board members

Thanks Joanna!

Anita J. Fogle, Clerk to the Board  
 Watauga County  
 814 West King Street, Suite 205  
 Boone, North Carolina 28607  
 828.265.8000 Phone  
 828.264.3230 Fax  
[Anita.Fogle@watgov.org](mailto:Anita.Fogle@watgov.org)  
[www.WataugaCounty.org](http://www.WataugaCounty.org)

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**From:** Info at AppalCART [<mailto:info@appalcart.com>]  
**Sent:** Wednesday, January 25, 2012 1:26 PM  
**To:** Anita.Fogle  
**Cc:** Chris Turner  
**Subject:** Re: AppalCART Board members

*you may wish to send a full slate of members and request reappointments for them all as you have in the past.*

Anita,  
 I will do that after our Feb 2012 meeting when we have our annual Board elections for officers  
 (will likely remain the same but...)  
 Thank you, Joanna

**From:** [Anita.Fogle](mailto:Anita.Fogle)  
**Sent:** Tuesday, January 24, 2012 12:06 PM  
**To:** [Info at AppalCART](mailto:Info at AppalCART)  
**Subject:** RE: AppalCART Board members

Hi Joanna,

According to the Resolution that established AppalCART, "The Authority shall consist of eight (8) members who shall be appointed by the Board of Commissioners of Watauga County." Those eight members are determined as follows: one (1) Board of Commissioner; one (1) Boone Town Council Member; two (2) ASU representatives; one (1) Human Service Agency representative; one (1) user representative; and two (2) at-large community representatives. The resolution also states that "Any member of the Authority may be removed by unanimous vote of the Watauga County Board of Commissioners, with or without cause."

Regarding the terms of the members, the resolution states, in part, the following:

"The term of any member of the Authority who shall also be a member of the Watauga County Board of Commissioners or of the Boone Town Council shall expire upon the expiration of the appropriate term as a member of the Authority as above set forth or upon the expiration of that member's term as a member of the Watauga County Board of Commissioners or the Boone Town Council, as the case may be, without being re-elected as a member of the Watauga County Board of Commissioners or the Boone Town Council, as the case may be, whichever shall first occur. The terms of any member of the Authority who shall have

032012 BCC Meeting  
been nominated by Appalachian State University shall expire upon the expiration of said member's employment by the said University. The term of any member of the Authority who shall have been nominated by the participating human services agencies shall expire upon the expiration of said member's employment try or membership on the governing body of any such participating human services agencies. All members shall continue to serve until their successors are named and qualified, and all present members of the Watauga County Transportation Authority shall continue to serve until their successors are named and qualified."

So, the Board of Commissioners, Boone Town Council, ASU, and Human Service Agency representatives' terms technically expire when they are no longer in their position (with the agency they represent) or until the Board of Commissioners unanimously votes to remove them.

The Board of County Commissioners (BCC) appoints or reappoints their BCC representative each December as a part of their organizational meeting. Also, historically, AppalCART has occasionally sent requests for appointments and/or reappointments as necessary. I have attached an example such a request. The last time AppalCART sent such a request and action was taken to make appointments was in 2006.

With all of that said, the only member on the list that you sent me that has not been officially appointed by the Board of Commissioners is the Town of Boone representative, Andy Ball. Since the Town of Boone representative needs to come to our Board for consideration, you may wish to send a full slate of members and request reappointments for them all as you have in the past.

Let me know if this answers your questions regarding expiration of terms and/or if you need anything else.

Thanks,  
Anita

Anita J. Fogle, Clerk to the Board  
Watauga County  
814 West King Street, Suite 205  
Boone, North Carolina 28607  
828.265.8000 Phone  
828.264.3230 Fax  
[Anita.Fogle@watgov.org](mailto:Anita.Fogle@watgov.org)  
[www.WataugaCounty.org](http://www.WataugaCounty.org)

---

**From:** Info at AppalCART [<mailto:info@appalcart.com>]  
**Sent:** Monday, January 23, 2012 9:39 AM  
**To:** Anita.Fogle  
**Subject:** AppalCART Board members

expiration?  
see attached

Thx, Joanna

Joanna Wilcox  
AppalCART  
[info@appalcart.com](mailto:info@appalcart.com)  
264.2280



**AGENDA ITEM 10:****MISCELLANEOUS ADMINISTRATIVE MATTERS*****F. Announcements*****MANAGER'S COMMENTS:**

The North Carolina Association of County Commissioners' (NCACC) District Meeting is scheduled for April 12, 2012, at the Holiday Inn Express in Wilkesboro. Tentative meeting times are 5:30 P.M. to 8:00 P.M. Should you wish to attend, please notify Anita who will confirm your reservation for dinner.

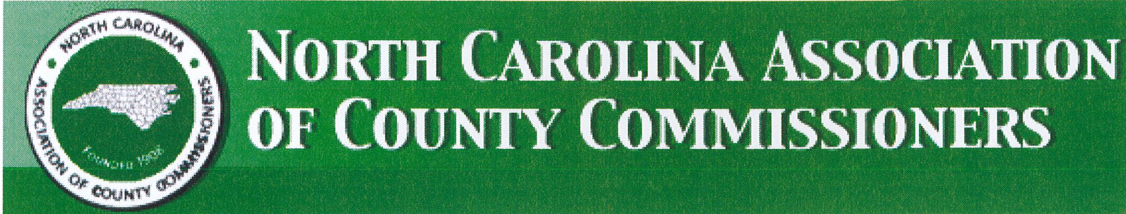
Aaron's of Boone wishes to host a "Council Night" to allow the Boone Town Council and the Watauga County Board of Commissioners to become acquainted with Aaron's Sales and Lease and see first-hand the services they provide to the community. Tentative dates suggested are: April 3<sup>rd</sup> @ 7:00 P.M., April 4<sup>th</sup> @ 5:00 P.M., April 13<sup>th</sup> @ 7:00 P.M., and April 14<sup>th</sup> @ 7:00 P.M. Direction from the Board is requested.

The Appalachian District Health Department invites the Board to attend a pre-event and event on Thursday, March 22, 2012, featuring a presentation regarding aerobic exercise and its relationship to the brain. The event is sponsored through the "Communities Putting Prevention to Work" grant.



An Incident Command System (ICS) Overview for Executives/Senior Officials training is scheduled on March 28, 2012, from 4:00 P.M. to 6:00 P.M. in the Commissioners' Board Room.

At your last meeting, you selected the date of April 23, 2012, from 12:00 noon to 1:30 P.M. to tour the new Humane Society facility which was recently constructed through a partnership with the County. Humane Society staff are not available on that date and have suggested the dates of April 27<sup>th</sup> or 28<sup>th</sup> to conduct the tour.

Appalachian State would like to invite the Commissioners, School Board members, and Town Council members, to campus on May 7, 2012, from 9:00AM to 2:00 PM. The purpose of the meeting would be to provide an update on major activities taking place on campus such as construction projects, strategic priorities, state funding and its impact on the campus and major initiatives involving the local community. The day would consist of a tour, lunch, and meeting with University officials. They would like for this to become an annual event.



# NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS

- Home
- What is the NCACC
- Current Issues
- Legislative Information
- Legislative Bulletin
- Risk Management
- Report A Claim (members)
- Projects
- Research and Survey
- Links to Counties
- Classifieds 
- Staff
- Publications and Lists
- Links
- Recent Mailings
- Calendar of Events 
- Annual Conference

NCACC  
P.O. Box 1488  
Raleigh, NC 27602-1488  
Tel: (919) 715-2893  
Fax: (919) 733-1065  
E-mail:  
ncacc@ncacc.org

## NCACC April district meetings

The Association has announced locations for its series of six district meetings to be held this April. The tentative times for each meeting are 5:30 - 8 p.m. Dinner will be included.

There is no registration fee to attend the meeting, but county officials are asked to register in advance so the Association will have accurate meals counts. You must register on-line for the meetings.

### Dates and venues

Date(s)	Day	County	Venue
April 11	Wednesday	Buncombe	<u>Doubletree Biltmore</u> , Asheville
April 12	Thursday	Wilkes	<u>Holiday Inn Express</u> , Wilkesboro
April 19	Thursday	Cabarrus	<u>Embassy Suites</u> , Concord
April 24	Tuesday	Person	<u>Piedmont Community College</u> , Roxboro
April 25	Wednesday	Duplin	Mad Boar Restaurant, Wallace
April 26	Thursday	Martin	<u>Bob Martin Eastern Ag Center</u> , Williamston

Attendees will earn three credits toward the Practitioner, Master or Mentor recognition levels through the Local Elected Leaders Academy (LELA) Recognition Program. To learn more about LELA, click here.

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**From:** Aaron's F-1136 <aaronsboone@gmail.com>  
**Sent:** Wednesday, March 07, 2012 9:37 AM  
**To:** Anita.Fogle  
**Subject:** Re: City Council Night

Mrs. Fogle,

Thank you for the response. We were thinking about doing the council night at the beginning of April.

Tentative dates that would work for us are:

April 3rd- 7 pm

April 4th- 5 pm

April 13th- 7 pm

April 14th- 7 pm

Let me know if any of these dates work will for the commissioners.

Thank you!

Chad Thomas

On Mon, Feb 27, 2012 at 10:50 AM, Anita.Fogle <[Anita.Fogle@watgov.org](mailto:Anita.Fogle@watgov.org)> wrote:

Hi Mr. Thomas,

The Watauga County Board of Commissioners regularly meet on the 1<sup>st</sup> Tuesday of each month at 8 am and the 3<sup>rd</sup> Tuesday of each month at 5:30 pm; therefore, these times would not work for the Commissioners. If you want to send a tentative date to me first, to see if our Board has any special meetings or work sessions already scheduled for the date you are considering, I will be glad to let you know.

We would appreciate it if you can give at least a two week notice, prior to the event, so that we may announce publically at one of our regular meetings that our Board members have been invited to attend your function. I will be glad to let you know if our Board members plan to attend, although some of them may wish to RSVP directly to you.

Once you have chosen a date and time for your event, feel free to send invitations for the Watauga County Board of Commissioners to my attention. You are welcome, of course, to also send invitations to the Commissioners individually. Their contact information can be found on our website at: [http://www.wataugacounty.org/main/App\\_Pages/Dept/BOC/members.aspx](http://www.wataugacounty.org/main/App_Pages/Dept/BOC/members.aspx)

Of course, I can only speak for the County. You will need to contact the Town of Boone to learn of the Town Council's procedures at:

Town Clerk

032012 BCC Meeting

Town of Boone

PO Box 192

Boone NC 28607

[\(828\) 268-6204](tel:(828)268-6204)

[kim.brown@townofboone.net](mailto:kim.brown@townofboone.net)

Please let me know if you need any additional information.

Thank you,

Anita J. Fogle, Clerk to the Board

Watauga County

814 West King Street, Suite 205

Boone, North Carolina 28607

[828.265.8000](tel:828.265.8000) Phone

[828.264.3230](tel:828.264.3230) Fax

[Anita.Fogle@watgov.org](mailto:Anita.Fogle@watgov.org)

[www.WataugaCounty.org](http://www.WataugaCounty.org)

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**From:** Joe Furman

**Sent:** Thursday, February 16, 2012 4:41 PM

**To:** Aaron's F-1136

**Cc:** Anita.Fogle

**Subject:** RE: City Council Night

Chad,

I am cc-ing my reply to you to Anita Fogle, Clerk to the County Board of Commissioners. She is who you need to contact for the County. Thanks.

Joe

Director, Watauga County Planning & Inspections and Economic Development

331 Queen Street, Suite A

Boone, NC 28607

[\(828\) 265-8043](tel:8282658043)

[\(828\) 265-8080](tel:8282658080) (fax)

[joe.furman@watgov.org](mailto:joe.furman@watgov.org)

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**From:** Aaron's F-1136 [\[mailto:aaronsboone@gmail.com\]](mailto:aaronsboone@gmail.com)  
**Sent:** Thursday, February 16, 2012 1:48 PM  
**To:** Joe Furman; [jamespdunn@yahoo.com](mailto:jamespdunn@yahoo.com); [f1136@aarons.com](mailto:f1136@aarons.com)  
**Subject:** City Council Night

Mr. Furman,

Aaron's of Boone would like to host a council night for the council members for The Town of Boone, NC and Watauga, NC. Many people are unaware of what Aaron's Sales and Lease actually does. This would be an opportunity for the council members to become acquainted with Aaron's Sales and Lease to see first hand the service we provide to the community.

The event would be after normal business hours and include a tour of the facility, refreshments, and a question and answer session for the council members.

I was wondering what the correct protocol is to proceed in regards to inviting the members to the event? Any assistance would be appreciated.

Thank you

Chad Thomas

Sales Manger



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**From:** Deron.Geouque  
**Sent:** Monday, February 20, 2012 12:53 PM  
**To:** Anita.Fogle  
**Subject:** FW: Dr. John Ratey - Save the Date  
**Attachments:** Dr. John Ratey event\_Save the Date.FINAL.PDF; Dr. John Ratey event\_Save the Date.FINAL.PDF

Anita:

For tomorrow night's meeting and the first meeting in March under announcements.

Thank you.

Deron Geouque  
Watauga County Manager  
814 West King Street  
Boone, NC 28607  
(P) 828-265-8000  
(F) 828-264-3230  
Email [Deron.Geouque@watgov.org](mailto:Deron.Geouque@watgov.org)

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**From:** Beth Fornadley [<mailto:bethf@apphealth.com>]  
**Sent:** Friday, February 17, 2012 11:39 AM  
**To:** Deron.Geouque  
**Subject:** Dr. John Ratey - Save the Date

Good afternoon, Deron,

Thank you for speaking with me earlier today. Through a grant the Appalachian District Health Department received called Communities Putting Prevention to Work which encourages increased physical activity opportunities and healthier eating community wide for our three county area, we have invited Dr. John Ratey, Harvard University professor, researcher and public speaker to come present to our communities on Thursday, March 22 regarding aerobic exercise and its relationship to the brain. Appalachian State University has agreed to endorse this event as his presentation will be held at Appalachian State University campus – please see the attached Save the Date for more details regarding the event.

**I would like to invite Watauga County Commissioners to the Pre Event noted on the attached Save the Date – the Pre Event is only open to elected officials, school administration and ASU faculty as food will be provided, we could not open this portion of the evening to the entire community. Please encourage all commissioners to RSVP to me via email – [bethf@apphealth.com](mailto:bethf@apphealth.com) if they would like to attend either the Pre Event or both the Pre Event and presentation.**

To learn more about Dr. John Ratey, Harvard University professor and researcher, and his work, please visit his website: <http://www.johnratey.com/newsite/index.html>.

On his website, you can access a testimonial video that shares some of his research regarding fitness/exercise programs and how they enable the brain to learn– this video in particular shares a story about students in a school with behavior issues and how the school administration attempted to use a physical activity approach to the problem – and the remarkable academic progress the students made because of it. **You can download and view the video directly from his website, it is titled 'Brain Gains' (you will find it at the top left corner of the main page of the website).**

Also on his website, you will see a picture of his book titled 'Spark – The Revolutionary New Science of Exercise and the Brain' – his website offers the opportunity to click on the picture of the book and you can 'take a look inside' via the Amazon.com books feature to read some of the information. I also have a copy of his book that I am more than willing to lend to you or anyone interested in reading more than the website offers.

\*\*I have an extra copy of his book and do not mind dropping one by your office for a further look prior to his presentation if you are interested.

If you would prefer me to come share this information regarding this remarkable opportunity for our community at your next meeting, I am more than willing to do so. **Please call me or email with questions you or anyone else may have. My cell # is (828) 406-8116 if I am out of the office.**

Thank you!

Beth

[www.johnratey.com](http://www.johnratey.com)

Beth Fornadley, Health Promotion Coordinator

Appalachian District Health Department

126 Poplar Grove Connector

Boone, NC 28607

phone: 828.264.4995

fax: 828.264.4997

[www.apphealth.com](http://www.apphealth.com)

Appalachian District Health Department

Health for All: Promote. Prevent. Empower.

Communities Putting Prevention to Work

Preventing Chronic Disease Through Policy, Systems, and Environmental Change.



# ***SAVE THE DATE***

032012 BCC Meeting

*Join Appalachian District Health Department,  
the Be Active-Appalachian Partnership  
and the College of Health Sciences of Appalachian State University  
for*

## **An Evening with Dr. John Ratey**

*Learning how the brain can be transformed with aerobic exercise for Peak Performance*

**Thursday, March 22, 2012**

**Location: Appalachian State University, *specific location TBA***

**Pre-Event (meet & greet Dr. Ratey): 4:30-5:15pm; heavy hors d'oeuvres buffet**

**Event: 6:00—8:00pm; doors to open at 5:30pm**

***In order to participate in the Pre-Event, you must RSVP by  
Wednesday, March 14 to Beth Fornadley, [bethf@apphealth.com](mailto:bethf@apphealth.com)***

*Author and researcher Dr. John Ratey, a Harvard University professor, will share his latest research and offer real life stories about the schools who have chosen his no-cost approach to integrating regular aerobic exercise into the school environment and its impact on student academic performance.*

**For more information regarding this event contact Susan Tumbleston, [beactive@appstate.edu](mailto:beactive@appstate.edu)**

**For more information regarding John Ratey: [www.johnratey.com](http://www.johnratey.com)**

**Anita.Fogle**

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**From:** Seth Norris <norrissa@appstate.edu>  
**Sent:** Thursday, February 09, 2012 4:11 PM  
**To:** greg.young@townofboone.net; brtownmanager@townofblowing.com;  
townmanager@sevendevels.net; manager@townofbeechmountain.com  
**Cc:** Deron.Geouque; Anita.Fogle; Steve.Sudderth; jimmy.isaacs@townofboone.net;  
Dana.Crawford@townofboone.net; 'Kent Graham'; ebrown303@bellsouth.net;  
policechief@sevendevels.net; chief@townofbeechmountain.com;  
rpudney@beechmountainvfd.org  
**Subject:** ICS Workshop for Executives/Senior Officials

Good afternoon,

Last fall Watauga County Emergency Management hosted a workshop for local government managers and elected officials to discuss the emergency management program in North Carolina. During that workshop, several attendees discussed the implications that the National Incident Management System (NIMS) and Incident Command System (ICS) have on local government. Although the federal government expects local governments to comply with NIMS, the content is relatively unfamiliar. I am offering a workshop to provide you and your elected officials with information pertaining to NIMS, ICS, and how these concepts apply to us locally.

On Wednesday, March 28, 2012 from 4 p.m. – 6 p.m. you and your council members are invited to attend the Federal Emergency Management Agency's ***G402 Incident Command System (ICS) Overview for Executives/Senior Officials***. Among other topics, the course objectives include:

- Describe the Incident Command System (ICS).
- Describe the various ways ICS can be applied.
- Define the role of an Executive/Senior Official relative to the ICS.
- Describe the major responsibilities of an Executive/ Senior Official as related to an incident.
- Demonstrate basic familiarity with ICS terminology.
- Describe the basic organization of ICS and know the functional responsibilities of the Command and General Staffs.
- Describe issues that influence incident complexity and the tools available to analyze complexity.
- Describe the differences between on-incident ICS organizations and activities and the activities accomplished by Emergency Operations Centers (EOCs), Area Commands, and Multiagency Coordination Systems (MACS).
- Explain the administrative, logistical, financial, and reporting implications of large incident operations.
- Describe the sources of information regarding the incident and how to access them.
- Describe types of agency(ies) policies and guidelines that influence management of incident or event activities.

Of course, we will also discuss the local context and how these regulations apply. Many of your police officers, firefighters, and others have completed ICS courses, some even committing 40 hours or more to the training. This 2-hour workshop provides you with a practical overview.

The target audience includes managers, council members, fire chiefs, and police chiefs. I recommend that you bring a team from your municipality. The training is scheduled in the Watauga County Board Room, 814 West King Street.

**Please RSVP no later than Wednesday, March 14, 2012.** You are welcome to ask any questions prior to the workshop by emailing me ([norrissa@appstate.edu](mailto:norrissa@appstate.edu)) or calling my cell phone at (828) 773-4609.

I look forward to hearing from you soon.

Thank you,  
Seth Norris, MPA, CEM  
Director

Environmental Health, Safety, & Emergency Management  
Appalachian State University  
828.262.8081 [o]  
828.406.7610 [m]  
[norrissa@appstate.edu](mailto:norrissa@appstate.edu)

**AGENDA ITEM 11:**

**PUBLIC COMMENT**

**MANAGER'S COMMENTS:**

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

**AGENDA ITEM 12:**

**BREAK**

**AGENDA ITEM 13:**

**CLOSED SESSION**

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