

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

**TUESDAY, APRIL 4, 2023
5:30 P.M.**

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

TIME	#	TOPIC	PRESENTER	PAGE
5:30	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: March 21, 2023, Regular Meeting March 21, 2023, Closed Session		1
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8:00	15	ADJOURN		

AGENDA ITEM 2:

APPROVAL OF MINUTES:

March 21, 2023, Regular Meeting

March 21, 2023, Closed Session

DRAFT

MINUTES

**WATAUGA COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 21, 2023**

The Watauga County Board of Commissioners held a regular meeting, as scheduled, on Tuesday, March 21, 2023, at 5:30 P.M. in the Commissioners’ Board Room located in the Watauga County Administration Building, Boone, North Carolina.

Chairman Turnbow called the meeting to order at 5:30 P.M. The following were present:

- PRESENT:**
- Larry Turnbow, Chairman
 - Charlie Wallin, Vice-Chairman
 - Todd Castle, Commissioner
 - Braxton Eggers, Commissioner
 - Ray Russell, Commissioner
 - Andrea Capua, County Attorney
 - Deron Geouque, County Manager
 - Anita J. Fogle, Clerk to the Board

Commissioner Russell opened with a prayer and Commissioner Castle led the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Turnbow called for additions and/or corrections to the March 7, 2023, regular and closed session minutes.

Commissioner Wallin, seconded by Commissioner Eggers, moved to approve the March 7, 2023, regular meeting minutes as presented.

VOTE: Aye-5
Nay-0

Commissioner Wallin, seconded by Commissioner Eggers, moved to approve the March 7, 2023, closed session minutes as presented.

VOTE: Aye-5
Nay-0

APPROVAL OF AGENDA

Chairman Turnbow called for additions and/or corrections to the March 21, 2023, agenda.

Chairman Turnbow requested that a proposed grant award for the Senior Health Insurance Information Program (SHIIP) be added for the Project on Aging.

Commissioner Russell, seconded by Commissioner Castle, moved to approve the March 21, 2023, agenda as presented.

VOTE: Aye-5
Nay-0

WATAUGA COMPASSIONATE COMMUNITY INITIATIVE (WCCI) REQUEST TO PROCLAIM THE WEEK OF APRIL 29-MAY 6, 2023, AS “RESILIENT & THRIVING COMMUNITIES WEEK”

Dr. Kellie Reed Ashcraft, member of the Watauga Compassionate Community Initiative (WCCI), gave an update and presented a proposed proclamation proclaiming the week of April 29-May 6, 2023, as "Resilient & Thriving Communities Week."

Dr. Ashcraft stated that the WCCI started in 2017 as a collaborative community initiative to prevent recognize and treat trauma by creating safe, stable, and nurturing environments for children through education, advocacy, and policy change. Since then, WCCI is now one of over 60 local community collaboratives engaged in similar work throughout the state. Three years ago, the grassroots community collaboratives along with interested state-level staff and child-focused agencies formed a voluntary coalition; the Resilient North Carolina Collaborative Coalition (RNCCC). The RNCCC is focused on policy change, increasing awareness about, preventing, and treating trauma, as well as promoting well-being. The RNCCC has requested a statewide proclamation proclaiming the week of April 29-May 6, 2023, as "Resilient & Thriving Communities Week" from the Governor's Office and has asked local governments and Boards of Education for the same.

Dr. Ashcraft thanked the Board of Commissioners for support of the WCCI as well as support to other agencies with like goals.

Chairman Turnbow read the proposed proclamation.

Commissioner Wallin, seconded by Commissioner Russell, moved to adopt the proclamation naming the week of April 29-May 6, 2023, as "Resilient & Thriving Communities Week."

VOTE: Aye-5
Nay-0

PROPOSED RESOLUTION SUPPORTING A STEP PAY PLAN AND COMPRESSION RELIEF FOR DIVISION OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION STAFF

Commissioner Russell, on behalf of Ms. Melissa Johnson, Area Consultant, Community Programs Western Area Office, presented a proposed resolution supporting a pay increase for the Division of Juvenile Justice and Delinquency Prevention staff. Commissioner Russell stated that adult parole officers were granted a step pay to decompress salaries and help with retention. Juvenile counselors and court counselors were put into a separate division and, therefore, didn't qualify for

the step pay. Now there is a 50% vacancy rate for those positions across the state. Even though Watauga County is currently fully staffed with four positions, staff is affected by the shortage by being required to live and work in other counties for a month at a time which, in effect, leaves Watauga County understaffed as well. Commissioner Russell stated that over 20 counties had adopted a like resolution with approximately 50 counties considering adoption. This would be a State of North Carolina budget issue and would not impact the County's budget.

Commissioner Russell, seconded by Commissioner Castle, moved to adopt the resolution supporting a step pay plan and compression relief for division of Juvenile Justice and Delinquency Prevention staff as presented by Commissioner Russell.

VOTE: Aye-5
Nay-0

PROJECT ON AGING MATTERS

A. Requested Appointment of Home & Community Care Block Grant (H&CCBG) Advisory Committee and Lead Agency

Ms. Angie Boitnotte, Project on Aging Director, stated that each year a lead agency and advisory committee are required to be appointed to make recommendations on how to best expend the County's allocation from the Home and Community Care Block Grant (H&CCBG) funds. These funds were previously established by the Older American's Act and were administered by the North Carolina Division of Aging.

The following were recommended for appointment to the H&CCBG Advisory Committee: Commissioner Eggers; Zack Green, representing the Area Agency on Aging; Dustin Burleson, representing Vaya Health; Austin Combs, representing Daymark Recovery Services; Jennifer Greene, representing Appalachian District Health Department; Betsy Richards, representing Adult Services at the Department of Social Services; Skylar Taracido, representing High Country Community Health; Pat Coley, Senior Citizen and Senior Tar Heel Legislature Delegate; Kat Danner, Senior Citizen; Linda Marcoux, Senior Citizen; Mary Moretz, Senior Citizen and Senior Tar Heel Legislature Alternate; Carolyn Owens, Senior Citizen; and Dr. Ed Rosenberg, Senior Citizen.

Commissioner Wallin, seconded by Commissioner Russell, moved to waive the second reading, appoint Commissioner Eggers; Zack Green, representing the Area Agency on Aging; Dustin Burleson, representing Vaya Health; Austin Combs, representing Daymark Recovery Services; Jennifer Greene, representing Appalachian District Health Department; Betsy Richards, representing Adult Services at the Department of Social Services; Skylar Taracido, representing High Country Community Health; Pat Coley, Senior Citizen and Senior Tar Heel Legislature Delegate; Kat Danner, Senior Citizen; Linda Marcoux, Senior Citizen; Mary Moretz, Senior Citizen and Senior Tar Heel Legislature Alternate; Carolyn Owens, Senior Citizen; and Dr. Ed Rosenberg, Senior Citizen to the H&CCBG Advisory Committee and to appoint the Project on Aging as the Lead Agency.

VOTE: Aye-5
Nay-0

PROJECT ON AGING MATTERS

B. FY 2023 Senior's Health Insurance Information Program (SHIIP) Grant Award Request

Ms. Boitnotte stated that the Project on Aging was eligible to receive a grant from the Senior's Health Insurance Information Program (SHIIP) which was a division of the North Carolina Department of Insurance. Ms. Boitnotte stated that the grant, in the amount of \$7,096, did not require a local match. Ms. Boitnotte stated that funds would be used for outreach events, open enrollment for Medicare Part D, a volunteer recognition event, counseling clinics, expanding Low Income Subsidy (LIS) outreach and enrollment, and covering the cost of the SHIIP Coordinator's attendance at the SHIIP Coordinator's Training Conference.

Commissioner Eggers, seconded by Commissioner Russell, moved to accept the \$7,096 from the Senior's Health Insurance Information Program (SHIIP), with no local match, as presented by Ms. Boitnotte.

VOTE: Aye-5
Nay-0

BID AWARD REQUEST FOR CARPET REPLACEMENT AT WESTERN WATAUGA COMMUNITY CENTER

Mr. Robert Marsh, Maintenance Director, presented the following bids for carpet replacement at the Western Watauga Community Center:

Vendor	Location	Bid
Bonitz	Winston Salem, NC	\$30,501.00
PBI	Asheville, NC	\$30,975.73
H & A Carpet	Hickory, NC	No response

Mr. Marsh requested the bid be awarded to Bonitz, the lowest responsive bidder, in the amount of \$30,501.

Commissioner Eggers, seconded by Commissioner Wallin, moved to accept the bid for carpet replacement at the Western Watauga Community Center from Bonitz in the amount of \$30,501.

VOTE: Aye-5
Nay-0

TAX MATTERS

[Clerk's Note: Prior to Mr. Warren's presentation, Chairman Turnbow extended the Board's sympathy to Mr. Warren upon the recent death of his Uncle, Dr. Lee Warren. Dr. Warren served his community over the years, including as a School Board member. Commissioner Castle followed up by stating that Dr. Warren was a great community member and left a great legacy.]

A. Monthly Collections Report

Mr. Larry Warren, Tax Administrator, presented the Tax Collections Report for the month of February 2023. The report was presented for information only and, therefore, no action was required.

B. Refunds and Releases

Mr. Larry Warren, Tax Administrator, presented the Refunds and Releases Report for February 2023 for Board approval:

TO BE TYPED IN MINUTE BOOK

Commissioner Eggers, seconded by Commissioner Wallin, moved to approve the Refunds and Releases Report for February 2023 as presented.

VOTE: Aye-5
Nay-0

C. Request to Set Dates for Board of Equalization and Review (E&R) Hearings

Mr. Warren stated that the convening date for the Board of Equalization and Review (E&R) was set on April 4, 2023, and the adjourning date was set on April 17, 2023. Mr. Warren requested the Board set hearing dates as well.

After discussion, Commissioner Castle, seconded by Commissioner Eggers, moved to schedule hearing dates on April 19, 20, & 21, 2023, from 9:00 A.M. until 5:00 P.M. with a 1½ hour break for lunch each day.

VOTE: Aye-5
Nay-0

PROPOSED PROCLAMATION SUPPORTING APRIL 2023 AS NATIONAL FAIR HOUSING MONTH

Mr. Jason Walker, Planning and Inspections Director, presented a proposed proclamation supporting National Fair Housing Month for the month of April 2023.

Chairman Turnbow read the proclamation.

Commissioner Russell, seconded by Commissioner Wallin, moved to adopt the proclamation for April 2023 to be proclaimed as National Fair Housing Month.

VOTE: Aye-5
Nay-0

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. Second Ratification of the Proposed Amendment to Section XV of the Ambulance Franchise Ordinance Regarding the Membership of the EMS Advisory Board

County Manager Geouque presented the proposed amendment to Section XV of the Ambulance Franchise Ordinance for a second vote of ratification. The amendment reflected updated agency names and membership terms for the EMS Advisory Committee. The amendment was approved by the current EMS Advisory Committee at its February 2023 meeting.

The County Manager stated that North Carolina General Statute 153A-46 required a grant, renewal, extension, or amendment of any franchise to be passed at two regular meetings of the Board of Commissioners before it may be adopted. The first ratification was at the March 7, 2023, meeting; therefore, the Board will need a second ratification to adopt the amendment.

Staff recommended the Board ratify and adopt the amendment as presented as this was the second ratification and meets the requirements as set forth by North Carolina General Statute 153A-46.

Commissioner Castle, seconded by Commissioner Eggers, moved adopt by a second vote of ratification the amendment to Section XV of the Ambulance Franchise Ordinance regarding the membership of the EMS Advisory Board.

VOTE: Aye-5
Nay-0

B. Announcements

County Manager Geouque announced that Parks and Recreation will host an Easter Egg Extravaganza at the Community Recreation Center on Thursday, April 6, 2023, at 5:30 P.M.

County Manager Geouque gave an update on the County's Broadband project as follows:

Blue Ridge Energy's Update:

- Phase 1 – Powder Horn area is about complete. The Parkway crossing splicing is complete, the trunk fiber into that area will be finished within 2 weeks. SkyLine is busy in Powder Horn running the last mile fiber. SkyLine is also waiting on an easement before setting their building to serve that area.
- Phase 2 – Construction continues in Wildcat. Completion in that area will be later this year.
- Phase 3 – Trunk line construction on the Sampson side of the Parkway is complete. We are waiting for the Parkway crossing permit before being able to complete Phase 3 construction.
- Phase 4 – Construction is complete for the Blue Ridge portion of Phase 4 (Howards Creek area). SkyBest has set their building to serve this area, but final splicing is ongoing.

Blue Ridge Energy will be making huge gains to finalize all areas in 2023.

SkyLine's Update:

- Phase 1 – Construction around 50% complete. The survey for the land issue is complete and being wrapped up by their attorneys. Once that is done, we can have the survey of our site completed and then site work taken care of. Things are moving and should wrap up later this year.
- Phase 2 – SkyLine construction is complete and the building is set. Once Blue Ridge completes their construction, we can turn up the remote and test. Customer counts here should ramp up quickly.
- Phase 3 – Construction will start on Sampson in a couple of months. Survey is underway for remote site. Should wrap up later this year.
- Phase 4 – Currently wrapping up splicing and testing at Howards Creek.

Skybest/Skyline also stated that their vision regarding Heavenly Mt. specifically has not waived, once grant requirements were met and they are in the vicinity they will work with the community to gauge interests and commitments for their service. If the interest supports the investment they will be served as well.

PUBLIC COMMENT

Ms. Monica Caruso and Ms. Judith Phoenix both spoke in support of the proposed expansion of the Library. Ms. Caruso shared that she was applying for grant funding for the project as well.

CLOSED SESSION

At 6:35 P.M., Commissioner Wallin, seconded by Commissioner Russell, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3) and Economic Development, per G. S. 143-318.11(a)(4).

VOTE: Aye-5
Nay-0

Commissioner Wallin, seconded by Commissioner Eggers, moved to resume the open meeting at 9:06 P.M.

VOTE: Aye-5
Nay-0

ADJOURN

Commissioner Wallin, seconded by Commissioner Castle, moved to adjourn the meeting at 9:06 P.M.

VOTE: Aye-5
Nay-0

Larry Turnbow, Chairman

ATTEST: Anita J. Fogle, Clerk to the Board

AGENDA ITEM 3:

APPROVAL OF THE APRIL 4, 2023, AGENDA

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AGENDA ITEM 4:

PROPOSED RESOLUTION IN MEMORY OF OUR FALLEN OFFICERS

MANAGER’S COMMENTS:

In conjunction with the designation of April 24, 2023 through April 30, 2023 as First Responder Wellness Week, Chairman Turnbow will present a resolution in memory of our fallen officers and request citizens, businesses, nonprofits, and state and local governments observe a moment of remembrance on April 26, 2023.

Board action is requested to approve the resolution.

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

DRAFT

**RESOLUTION IN MEMORY OF
FALLEN LAW ENFORCEMENT OFFICERS
KILLED IN THE LINE OF DUTY IN WATAUGA COUNTY**

WHEREAS, the Watauga County Board of Commissioners proclaimed Monday, April 24, through Sunday, April 30, 2023 as “First Responder Wellness Week 2023” in Watauga County; and

WHEREAS, law enforcement officers throughout Watauga County risk their own lives to protect the lives of others; and

WHEREAS, law enforcement officers of Watauga County conduct themselves in a manner that supports, maintains, and defends the Constitution of the United States and the Constitution of the State of North Carolina; and

WHEREAS, the family members of our fallen officers, bear the most immediate and profound burden of the absence of their loved ones; and

NOW, THEREFORE, BE IT RESOLVED THAT THE WATAUGA COUNTY BOARD OF COMMISSIONERS stands in solidarity with the citizens of Watauga County as they celebrate the lives and mourn the loss of remarkable and selfless heroes who represented the best of their community and whose memory will serve as an inspiration for future generations; and

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT THE WATAUGA COUNTY BOARD OF COMMISSIONERS:

1. Requests all flags to be flown at half-staff during the week of April 24 through April 30, 2023.
2. Calls upon all of the citizens, businesses, nonprofits, and state and local governments in Watauga County to illuminate a blue light the week of April 24 through April 30, 2023.
3. Encourages the observance of the moment of remembrance to last for 1-minute beginning at 12:00 PM Eastern Daylight Time on Wednesday April 26, 2023.

ADOPTED this the 4th day of April, 2023.



Larry Turnbow, Chairman
Watauga County Board of Commissioners

ATTEST:

Anita J. Fogle, Clerk to the Board

AGENDA ITEM 5:**SUPPORT LETTER WITH NC DHHS AND GENERAL ASSEMBLY PROPOSAL FOR A STATEWIDE DSS CHILD & FAMILY SPECIALTY WAIVER****MANAGER'S COMMENTS:**

The North Carolina Department of Health and Human Services (NCDHHS) is proposing to place children in the DSS In-Home and Foster Care System, their caregivers and siblings into a single state-wide Medicaid Health Plan, instead of their assignments now with Vaya Health and other LME/MCO's across the State. Under the change, social services departments would lose their local relationship and connection with Vaya Health, along with the Vaya staff embedded in their departments, and contacts with local Vaya staff who support them in troubleshooting and problem solving on cases.

Mr. Dustin Burleson, VAYA, will request the Board adopt the enclosed letter in support of VAYA.



County of Watauga

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

BOARD OF COMMISSIONERS

Larry Turnbow, Chairman
Charlie Wallin, Vice-Chairman
Todd Castle
Braxton Eggers
Ray Russell

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

COUNTY MANAGER
Deron T. Geouque

COUNTY ATTORNEY
Anthony di Santi

Secretary Kody H. Kinsley
N.C. Department of Health and Human Services
2001 Mail Service Center
Raleigh, NC 27699-2000

Dear Secretary Kinsley:

As County Commissioners in Watauga County, we recognize that caring for children and youth in foster care is one of the most important functions of government. As such, we applaud your attention to this important matter and look forward to working with you toward solutions to improving care for North Carolina's growing foster care population.

However, we write to share our concerns once again with the NCDHHS's proposed statewide Medicaid Child and Families Specialty Plan (CFSP). The plan is largely the same as the one introduced in 2022, but two major changes make the plan even less worthy of advancement now.

First, Vaya Health and the other five LME/MCOs banded together in May 2022 to address the issue of foster care youth in a collaborative effort they call the N.C. Child and Family Improvement Initiative (NCCFII). The initiative, led directly by LME/MCO CEOs, established measurable objectives to create a system that ensures seamless, timely, and appropriate access to quality behavioral health care for children, youth, and families involved in the child welfare system.

In less than one year, the progress of the NCCFII is remarkable. The LME/MCOs have:

- Implemented care manager co-location in more than half of county DSS offices to facilitate operations, communication, and placements for children and youth in foster care. Co-location is in process for 24 additional counties, and the LME/MCOs have designated DSS liaisons for those counties that have chosen not to have an embedded care manager.
- Implemented statewide, standardized policies and administrative processes to alleviate county DSS and provider agency administrative burden and facilitate access to care for the child welfare population.
- Enhanced network adequacy statewide with open enrollment and standardized in- and out-of-network reimbursement rates to ensure timely and appropriate placement in residential treatment, Psychiatric Residential Treatment Facilities, and crisis service facilities regardless of geographic location or the need for transitions of care in another part of the state.

The LME/MCOs have proven that they can quickly accomplish much to improve the parts of the system that are in their purview.

Second, the LME/MCOs are closer to the launch of Tailored Plan. As you know, NCDHHS years ago acknowledged, the General Assembly concurring, that the best way to ensure healthy outcomes for the state's complex and specialty populations was through a whole-person approach that came to be called Tailored Plans. Later this year, Medicaid beneficiaries with serious behavioral health needs, intellectual/developmental disabilities (I/DDs), and traumatic brain injuries (TBIs) will have access to an integrated health plan that serves their needs through a public managed care organization (one of the LME/MCOs) that provides access to care for members and budget predictability to the State.

If the best solution for the complex and, in many cases, vulnerable populations mentioned above is in a Tailored Plan operated by an LME/MCO and launching later this year, then why would the state's foster care population be treated any differently?

Why should the state's youth in foster care wait years for NCDHHS to spend a significant amount of taxpayer dollars to: have a waiver approved by the Centers for Medicaid and Medicare Services (CMS), issue a Request for Applications (RFA), score the applications and award the contract, deal with lawsuits from those who did not win the contract, and then begin to implement the transition of the population from Medicaid Direct to the new administrator?

From our perspective, having a new administrator for the foster youth population in Medicaid presents other concerns. As county commissioners, among our chief concerns is the governance voice we would lose were a national commercial health plan to win the specialty plan contract. Currently, we have seats on Vaya's Regional Board, which elects representatives to Vaya's governing Board of Directors. We have a direct say in the organization that, as an area authority, is in its essence a part of local government.

This local voice is important because there is no standard, "one-size-fits-all" approach to specialty care. We want to work with an organization that knows our communities and truly listens to its leaders and citizens. That is what we have with Vaya.

We recognize that improvements to the system for foster care can and should be made, and we ask NCDHHS to work with us and the LME/MCOs to address the upstream and downstream challenges that have little to do with who holds the contract for managed care of this population. At the same time, let us build on the solid foundation that counties have built through LME/MCOs—a legacy of stable, personalized care available through dedicated local providers who are deeply rooted in the communities they serve.

Utilizing those established foundations to develop a specialty plan for children and families served by the child welfare system will provide the time and support needed to succeed while retaining the local focus and community voice we hold dear.

Thank you for listening to our concerns.

Sincerely,

Larry Turnbow, Chairman
Board of Commissioners

Charlie Wallin, Vice-Chairman
Board of Commissioners

Todd Castle, Commissioner
Board of Commissioners

Braxton Eggers, Commissioner
Board of Commissioners

Ray Russell, Commissioner
Board of Commissioners



Watauga County Department of Social Services

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Tom Hughes
Director

March 29, 2023

Secretary Kody H. Kinsley
N.C. Department of Health and Human Services
2001 Mail Service Center
Raleigh, NC 27699-2000

Dear Secretary Kinsley:

As the director of the Watauga County Department of Social Services, the well-being of the children and families is more than my professional responsibility—it is my passion. Ensuring quality care for those served by the child welfare system is one of the most important functions of state government. Thank you for your commitment to improving the lives of all North Carolinians and for your continued focus on children and youth in foster care.

I am writing to share concerns about the proposed Medicaid Children and Families Specialty Plan (CFSP). Though there is little difference in this plan from the one introduced last year, other significant changes within the public health system—changes led by North Carolina’s LME/MCOs—demonstrate that there is a more stable, more expedient path forward than CFSP.

The N.C. Child and Family Improvement Initiative

Last spring, Vaya and the other LME/MCOs came together to address pressing service delivery challenges for children and youth in foster care. The resulting N.C. Child and Family Improvement Initiative (NCCFII) set measurable objectives for developing a statewide system that ensures seamless, timely, and appropriate access to quality behavioral health care for children, youth, and families involved in the child welfare system. In less than one year, the LME/MCOs have made significant progress through the NCCFII.

- Care managers are now co-located in more than half the county DSS offices in the state, with another 24 counties in process. Co-location is a winning strategy for all parties, facilitating more effective collaboration and expedited placements. DSS offices that choose not to utilize an embedded care manager have designated liaisons to work directly with the LME/MCOs.
- Standardized policies and administrative processes implemented statewide have helped alleviate administrative burden on county DSS offices and provider agencies and improve access to care for the child welfare population.
- Measures to improve and enhance provider networks statewide have helped ensure children receive timely and appropriate placement for treatment regardless of where they live.

Pathways to Permanency Project

On a local level, DSS offices in Vaya's region are working with the LME/MCO alongside Benchmarks and network providers to enhance and expand support of Vaya members connected to the foster care system. The Pathways to Permanency Project focuses on four key areas:

- An accessible quality continuum of behavioral health services
- Foster family recruitment and retention
- Suitable placements
- Common language and shared understanding

The vision statement for the project demonstrates the commitment to cross-agency collaboration and a shared focus on improving the child welfare system:

Every child has the right to a permanent family and while on that permanency journey, resources to meet their safety and well-being needs are critical and must be met.

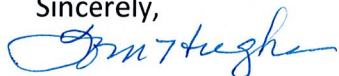
Behavioral Health and Intellectual/Developmental Disabilities Tailored Plan

The launch of the NC Medicaid Managed Care Behavioral Health and I/DD Tailored Plan will realize a long-held, shared vision of NCDHHS and the General Assembly: an approach to whole-person care that best ensures healthy outcomes for North Carolina's complex and specialty populations. Operated by the state LME/MCOs, the Tailored Plan offers individualized, integrated care to members as well as budget predictability to the State.

I believe that the children and families served by the child welfare system also deserve a health plan that can meet their unique needs and improve outcomes. **We maintain that the best solution for that is to build on the strong foundations established by the state LME/MCOs to develop a specialty plan for those served by the child welfare system.**

Your time and talent is appreciated.

Sincerely,



Tom Hughes, DSS Director

AGENDA ITEM 6:

PROPOSED AMENDMENTS TO THE VOLUNTARY FARMLAND PRESERVATION PROGRAM ORDINANCE

MANAGER'S COMMENTS:

Kelly Coffey, Watauga County Farmland Preservation Advisory Board, will request the Board make the necessary amendments to the Voluntary Farmland Preservation Program Ordinance to reflect the changes made by the North Carolina General Assembly. The Farmland Preservation Advisory Board has already adopted the recommended amendments.

Board action is required to adopt the recommended amendments as presented.

**WATAUGA COUNTY
VOLUNTARY FARMLAND PRESERVATION
PROGRAM ORDINANCE**

ARTICLE I
TITLE

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

ARTICLE II
AUTHORITY

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

ARTICLE III
PURPOSE

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

ARTICLE IV
JURISDICTION

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

ARTICLE V
DEFINITIONS

Advisory Board: The Watauga County Agricultural Advisory Board

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

Chairman: Chairman of the Watauga County Agricultural Advisory Board

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

ARTICLE VI
QUALIFICATIONS AND CERTIFICATION OF FARMLAND

Section 600. Requirements

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

- (1) The farmland shall be real property;
- ~~(2) The farmland shall be engaged in agriculture (as that word is defined in N.C.G.S. 106-581.1);~~ **Be real property that is used for bona fide farm purposes as defined in G.S. 106-743.4(a) and G.S. 160D-903.**
- (3) The property shall be certified by the Natural Resources Conservation Service of the United States Department of Agriculture, in consultation with the Cooperative Extension office, Watauga County Soil and Water District, and the Farm Service Agency, as being a farm on which at least two-thirds of the land is composed of soils that:
 - (a) are best suited for providing food, seed, fiber, forage, timber, and horticultural crops, including Christmas trees and ornamentals;
 - (b) have good soil qualities;
 - (c) are favorable for all major crops common to the county where the land is located;
 - (d) have a favorable growing season; and
 - (e) receive the available moisture needed to produce high yields for an average of eight out of ten years; or

Soils on which at least two-thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined in G.S. 105-277.2 (1, 2, 3) during each of the five previous years, measured from the date on which the determination must be made as to whether the land in question qualifies;
- (4) The property, if highly erodible land exists on the farm, is managed in accordance with the Natural Resources Conservation Service defined erosion control practices that are addressed to said highly erodible land; and

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

Section 601. Certification

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

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

Section 700. Creation of Voluntary Agricultural Districts

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

- (1) The district, when initially established, shall contain a minimum of 25 contiguous acres of qualified farmland, OR, two or more qualified farms which contain a minimum of 25 acres and are located within a mile of each other;
- (2) The landowner(s) requesting inclusion in the district shall execute an agreement with the county **as provided in G.S. 106-737(4)** to sustain agriculture in the district in accordance with Section 600(5) of this program. Said agreement shall be in a form which is reviewed and approved by the advisory board; and
- (3) ~~For each district created under the terms of this program, one of the existing advisory board members shall be assigned to represent the district.~~

Section 701. Application to Participate

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

Section 702. Approval Process

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

Section 703. Appeal

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

ARTICLE VI11
REVOCATION AND RENEWAL OF CONSERVATION AGREEMENTS

REVOCATION

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

RENEWAL

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

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

ARTICLE IX
AGRICULTURAL ADVISORY BOARD

Section 900. Creation

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

Section 901. Appointments and Membership

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

(1) Requirements

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

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

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

- (4) Removal for Cause. Any member of the Agricultural Advisory Board may be removed

for cause by the Board of Commissioners upon written charges and after a public hearing.

(5) Funding

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

Section 902. Procedures

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

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

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

Section 903. Duties

The Agricultural Advisory Board shall:

- (1) Review and approve applications for qualified farmland and voluntary agricultural districts. **The board of county commissioners may make decisions regarding the establishment and modification of voluntary agricultural districts or may delegate that authority to the agricultural advisory board. If the authority is delegated to the agricultural advisory board, the agricultural advisory board's decisions shall be appealable to the board of county commissioners by an owner of land that has been denied enrollment in a voluntary agricultural district or has been removed from a voluntary agricultural district by the agricultural advisory board.**
- (2) Hold public hearings pursuant to Article X of this program.
- (3) Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy or activities within the county and that will affect agricultural districts.
- (4) Perform other related tasks or duties assigned by the Board of Commissioners.
- (5) **Execute agreements with landowners necessary for enrollment of land in a voluntary agricultural district.**

ARTICLE X

PUBLIC HEARINGS ON CONDEMNATION OF FARMLAND

Section 1000. Purpose

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

Section 1001. Procedures

- (1) Establish Public Hearing. Upon receipt of a request for a public hearing, the Agricultural Advisory Board shall have 30 days to set a date for a public hearing on the proposed condemnation pursuant to N.C.G.S. 106-740. No formal initiation of condemnation shall be initiated while the proposed condemnation is properly before the board within the time limitations set forth in this section.
- (2) Notice of Public Hearing. The board shall run a notice of the public hearing in a newspaper having general circulation in Watauga County at least 10 days prior to the date established for the hearing. The notice shall contain the date, time and place of the hearing and shall provide the name of the agency requesting the hearing and the purpose of the condemnation.
- (3) Public Hearing. The board shall conduct the public hearing and receive information and comments from the agency requesting the condemnation action and the citizens of Watauga County. Additionally, the board shall review the following:
 - (a) Has the need for the project requiring the condemnation been satisfactorily shown by the agency requesting the action?
 - (b) Has a financial impact analysis been conducted by the agency seeking the action?
 - (c) Have alternatives been considered to the proposed action that are less disruptive to the agricultural activities and farmland base of the voluntary agricultural district within which the proposed action is to take place?

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

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

ARTICLE XI
LAND USE INCENTIVES TO VOLUNTARY
AGRICULTURAL DISTRICT FORMATION

Section 1100. Purpose

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

Section 1101. Public Notification

- (1) The Advisory Board, in cooperation with the county, shall take measures as set forth below to provide notification to property owners, residents, and other interested persons in and adjacent to any designated agricultural district with a goal of informing all current and potential residents and property owners in and adjacent to an agricultural district, that farming and agricultural activities may take place in this district any time during the day or night.
 - (a) Signs identifying approved agricultural districts shall be placed by the farmer upon the property and along the rights-of-way of major roads in a way calculated to reasonably notify the public and adjoining owners of the presence of the farm property.
 - (b) Information identifying approved districts shall be provided to the Register of Deeds office, the Watauga Soil and Water Conservation District, the Cooperative Extension office, the Farm Service Agency, the Watauga County Planning and Inspections Department, and the Watauga County Tax Department.
 - (c) The following notice shall be displayed in a prominent position in the office of the Register of Deeds and the public access area in the Watauga County Tax Department:

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

Watauga County has established agricultural districts to protect and preserve agricultural lands and activities. These districts have been developed and mapped to inform all purchasers of real property that certain agricultural activities, including but not limited to pesticide spraying, manure spreading, machinery and truck operations, livestock operations, sawing, and similar

activities may take place in these districts any time during the day or night. Maps and/or information on the location and establishment of these districts can be obtained from the Cooperative Extension office, County Planning and Inspections Department, Natural Resources Conservation Service, the Farm Service Agency office, and the County Tax Department.

(d) Land records shall include some form of notice reasonably calculated to alert a person researching the title of a particular tract that such tract is located within one-half mile of the property line of any tract of land enrolled in a voluntary agricultural district.

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

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

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

Section 1103. No Districts in Designated Growth Corridors

Agricultural districts will not be permitted in designated growth corridors, as delineated on the official county planning map without the approval of the Board of Commissioners. Districts located in growth corridors designated after the effective date of this program may remain, but shall not be expanded within the growth corridor area without the approval of the Board of Commissioners. Districts located in growth corridors designated after the effective date of this program may expand to include adjoining property purchased by a landowner presently participating in the Watauga County Voluntary Farmland Preservation Program Ordinance. The approval of the Board of Commissioners will be on a case by case basis.

Section 1104. Waiver of Water and Sewer Assessments

- (1) Purpose of Section. The purpose of this section is to help mitigate the financial impacts on farmers by some local and state capital investments unused by such farmers.
- (2) Procedure. The waiver procedure shall be as follows:
 - (a) Landowners belonging to voluntary agricultural districts shall not be assessed for, or required to connect to, water and/or sewer systems.
 - (b) Water and sewer assessments shall be held in abeyance, without interest, for farms inside a voluntary agricultural district, until improvements on such property are connected to the water or sewer system for which the assessment was made.
 - (c) When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.
 - (d) Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.
 - (e) Assessment procedures followed under G.S. 153A-185 et seq. shall conform to the terms of this article with respect to qualifying farms that entered into preservation agreements while such article was in effect.
 - (f) Nothing in this section is intended to diminish the authority of the county to hold assessments in abeyance under G.S. 153A-201.

ARTICLE XII

NORTH CAROLINA AGENCY NOTIFICATION

Section 1200. Consultation with N.C. Department of Agriculture and Other Agencies

The board may consult with the Cooperative Extension office, the Natural Resources Conservation Service office, the Farm Service Agency office, the N.C. Department of Agriculture, and any other such agency the board deems necessary to properly conduct its business.

Section 1201. Recording the Program Ordinance

An official copy of this program ordinance shall be recorded with the North Carolina

Commissioner of Agriculture's office after adoption. At least once a year, the county shall submit a written report to the Commissioner of Agriculture, including the status, progress and activities of the county's farmland preservation program, and voluntary agricultural districting information regarding:

- (1) Number of landowners enrolled;
- (2) Number of acres applied;
- (3) Number of acres certified;
- (4) Number of acres denied; and
- (5) Date certified.

ARTICLE XIII LEGAL PROVISIONS

Section 1300. Severability, Conflict with Other Ordinances and Statutes, and Amendments

- (1) Severability. If any article, section, subsection, clause, phrase or portion of this ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
- (2) Conflict with other ordinances and statutes. Whenever the provisions of this ordinance conflict with other ordinances of Watauga County, this ordinance shall govern. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this ordinance, the provisions of such statute shall govern.
- (3) Amendments. This ordinance may be amended from time to time after a public hearing, notice of which will be given in accordance with the Public Meeting Laws, GS 143-318.12, and in consultation with the Agricultural Advisory Board to the Board of Commissioners.

ARTICLE XIV
ENACTMENT

The Watauga County Board of Commissioners hereby adopts and enacts the preceding articles and sections of this ordinance.

AGENDA ITEM 7:**SUPPORT LETTER FOR ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR KILL CHILL PROJECT****MANAGER'S COMMENTS:**

Mr. Kelly Coffey will request the Board authorize the applications for EDA and ARC grants in the combined amounts of \$600,000 for the Kill Chill facility. There are matching funds associated with these grants which will be covered via the previous grant commitments. The grant requires a \$517,558 match which will come from \$500,000 that the County has currently designated for the project. The remaining match will come from additional grants the County has already been awarded. As the grant application was due prior to the Board meeting, staff sent the attached letter. However, if the Board is not inclined to apply for the grants, the County may withdraw or reject the grants if awarded at a future date.

Board action is required to authorize the submittal of the grant and the required match.



WATAUGA COUNTY

OFFICE OF THE
COUNTY MANAGER

Administration Building, Suite 205 – 814 West King Street – Boone, NC 28607 – (828) 265-8000
TDD 1-800-735-2962 – Voice 1-800-735-8262 – FAX (828) 264-3230

March 29, 2023

Ms. Hillary Sherman
Economic Development Administration
401 West Peachtree Street, NW
Suite 1820
Atlanta, GA 30308-3510

Ms. Sherman,

The purpose of this letter is to certify matching funds in the amount of \$817,558 for an EDA grant.

Watauga County is applying to the Appalachian Regional Commission for \$300,000 to match the EDA grant. Awards will be made in September 2023. In addition, the County has committed \$517,558 for infrastructure construction directly and funds committed to the project through Goldenleaf grant award. Both of these sources are unencumbered for the purposes set forth in the EDA application.

In the event that the ARC grant application is not awarded, Watauga County hereby commits County funds to cover the required match for EDA and certifies that the funds are available as needed, and not conditioned or encumbered in any way that would preclude their use for the project.

Sincerely,

Deron Geouque
Watauga County Manager

AGENDA ITEM 8:

PROPOSED PROCLAMATION ESTABLISHING “GREENING MY PLATE” MONTH

MANAGER’S COMMENTS:

Ms. Courtney Wheeler, with Blue Ridge Women in Agriculture, and Ms. Margie Mansure, with Cooperative Extension, will request the Board to proclaim the month of April 2023 as “Greening My Plate Month.” The purpose of the proclamation is to bring awareness to the benefits of locally grown fruits and vegetables and recognize and celebrate the farmers who provide this produce.

Board action is requested to adopt the proclamation as presented.

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA



**Greening My Plate Month
Proclamation**

WHEREAS, purchasing local food supports local farm families and food producers who contribute to our community; and

WHEREAS, fresh, locally produced food is best for the health of our citizens; and

WHEREAS, building a local food system enhances the food security of our community; and

WHEREAS, supporting local family farms preserves genetic diversity, important for future generations.

NOW, THEREFORE, BE IT PROCLAIMED that the Watauga County Board of Commissioners thereby proclaims the month of April, 2023, as Greening My Plate Month, throughout which spring and our growing season will be celebrated through a variety of community events.

ADOPTED this the 4th day of April, 2023.



Larry Turnbow, Chairman
Watauga County Board of Commissioners

ATTEST:

Anita J. Fogle, Clerk to the Board

AGENDA ITEM 9:

REQUEST TO APPLY FOR A RURAL TRANSFORMATION GRANT

MANAGER'S COMMENTS:

Mr. Joe Furman, Economic Development Director for the Boone Chamber, will request permission from the Board to apply for a Rural Transformation Grant. The funds would be used to pay for preliminary engineering for a presumed multi-family housing project to be located on the County's Brookshire Road property. The work would complement the agreement between the County and the UNC-Development Finance Initiative.

Board action is required to authorize the application for the Rural Transformation Grant.

Rural Transformation Grant Fund Guidelines

*Rural Engagement and Investment Program***I. FUND OVERVIEW**

[NC Session Law 2021-180](#) and the associated appropriation committee report allocated \$50 million of Coronavirus State Fiscal Recovery Funds (SFRF) from the American Rescue Plan Act (ARPA) of 2021 to the North Carolina Department of Commerce, Rural Economic Development Division (REDD), to administer a new Rural Transformation Grant program. Accordingly, the REDD has established the Rural Transformation Grant Fund as part of its Rural Engagement and Investment (RE&I) Program. The RTGF (\$50 million in (ARPA) funding) will provide grant resources, training, technical assistance, and education programs to local governments to help communities acquire critical resources, advance project implementation, build local capacity, and respond to critical issues relating to COVID-19 pandemic and recovery. The RTGF will help rural communities revitalize main street and downtown districts, seed and advance initiatives that build local capacity, revitalize, and strengthen neighborhoods, foster small business recovery/sustainability, and support economic growth. REDD will administer RTGF in accordance with State law and the [US SFRF Treasury Guidance](#), such as the [Final Rule](#), [the FAQs](#), and [the Compliance and Reporting Guidance](#). RTGF and associated agreements will also follow compliance requirements of the [Uniform Guidance \(2 CFR 200\)](#) and [09 NCAC 03M](#).

II. PURPOSE OF THE FUND

The fund will support projects under four programs:

- **Downtown Revitalization**
- **Resilient Neighborhoods**
- **Community Enhancement for Economic Growth**
- **Rural Community Capacity Building**

These programs will support projects that:

- Provide **public improvements that help retain businesses** and attract customers to business districts.
- Support **downtown economic development** initiatives that are intended to help retain and create jobs, spur private investment, support small businesses, and leverage main street and downtown districts as economic engines.
- Facilitate **business building improvements** by allowing businesses to rehabilitate or restore buildings to support business growth and sustainability, and lead to the creation of full-time jobs.

- Create **resilient neighborhoods** through community development, neighborhood revitalization, community resiliency, economic investments, and quality of life improvements.
- Increase the **local government capacity** of rural and distressed communities through training, technical assistance, and educational programs that help units of government increase administrative efficiencies, enhance public service delivery, support COVID-19 pandemic recovery efforts, and create sustainability.
- Support **community enhancements for economic growth** through the acquisition of land and buildings, the preparation/development of neighborhood properties and business sites, and the removal of non-historic structural and physical barriers for the purpose of enhancing community growth and economic development opportunities.

III. ELIGIBLE APPLICANTS

Units of local government located within Tier 1 and Tier 2 Counties, and Rural Census Tracts in Tier 3 Counties, are eligible for this program. For the purposes of this program, units of local government are defined as municipal or county governments within the state of North Carolina. REDD shall prioritize disbursing grants to units of local government serving populations that are negatively impacted by the COVID-19 pandemic at a disproportionate level when compared to the rest of the State, or located in a [Qualified Census Tract](#) as defined by the United States Department of Housing and Urban Development.

REDD may also give special consideration to applicants requesting funding for projects located in designated [Main Street and Small-Town Main Street communities](#) in [Tier 1 Counties, Tier 2 Counties](#), or [Rural Census Tracts in Tier 3 Counties](#).

IV. ELIGIBLE ACTIVITIES

Projects funded by the RTGF may include the following types of activities:

Rural Transformation Grant Fund Eligible Activity – Downtown Revitalization Program	Description
Public Improvements	Improvements to publicly owned buildings for community wide use, lots, alleys, and streetscapes, parking facilities, restrooms, waterfront developments, and parks to address disproportionate public or private negative economic impacts from the pandemic in a downtown qualified census tract.

Mixed-Use Downtown Development	Improvements to publicly owned property for community wide use that will leverage the rehabilitation of privately owned existing buildings or new construction infill development to address disproportionate negative economic impacts from the pandemic, in areas zoned and developed for a mix of uses. The mix of uses may include two or more of the following: retail, restaurant, service, professional, nonprofit, governmental, institutional, or residential. Such public improvements may be made to any of the following: buildings, facades, lots, alleys, and streetscapes, parking, infrastructure, etc. in a downtown qualified census tract.
Small Business Improvements	Public Improvements and planning studies to address disproportionate private negative economic impacts from the pandemic, that will leverage the rehabilitation of privately owned downtown commercial and mill buildings that may house small businesses, including exterior and interior improvements, for the purpose of business retention, expansion or recruitment activities that retain or create jobs. Public improvements may be made to any of the following: buildings, facades, lots, alleys, and streetscapes, parking, infrastructure, historic preservation studies, ordinances, etc. in a downtown qualified census tract.
Training & Technical Assistance	Community, county or regional training and technical assistance, organized and sponsored by a local government, to address disproportionate private negative economic impacts from the pandemic and leverage asset based downtown economic development in a downtown qualified census tract. Such training and technical assistance may include small scale manufacturing cohort development, downtown revitalization, historic preservation, workforce or affordable housing, tourism-based destination development, etc., and may be conducted by private consultants.
Planning	The development of plans for the public sector to address disproportionate private negative economic impacts from the pandemic in a downtown qualified census tract, by furthering the development of historic preservation initiatives, public improvements, technology, and/or infrastructure in a qualified census tract. Such plans, which may be prepared by private consultants, are

	intended to help a community leverage other funding opportunities and resources.
Industry Improvements	The implementation of publicly owned improvements that will aid impacted industries in the travel, tourism and hospitality sector, or businesses that experienced at least 8% employment loss, to address disproportionate negative economic impacts from the pandemic. Such public improvements may include any of the following: buildings, facades, lots, alleys, and streetscapes, parking, infrastructure, etc., in a downtown qualified census tract.

Rural Transformation Grant Fund Eligible Activity - Resilient Neighborhoods Program	Description
Affordable Permanent Housing	Local government activities that support the development of new affordable housing and improvements to existing affordable housing, including permanent supportive housing. Housing may be single-family or multifamily. All activities must provide or improve housing for low-income households and communities.
Neighborhood Improvements and Facilities	Activities that will improve the health and safety of the neighborhood including a facility defined as a place open to the public that provides services that are traditionally provided by the government or owned and operated by a nonprofit. This category includes temporary residences for people experiencing homelessness.
Small Business Assistance	Assistance for-profit businesses with 100 or fewer employees that have been disproportionately impacted by COVID-19. Businesses must commit to creating LMI jobs or be owned by LMI person(s) if a microenterprise business with 5 or fewer persons.
Nutritional and Healthy Initiatives	Creation of healthy living initiatives, development of health and nutrition educational programming; and elimination of food deserts.
Mixed-use Development	The rehabilitation of an existing building to allow mixed use of residential and commercial spaces. The focus is on small scale developments defined as 30 residential units or less; however, larger developments will be reviewed for consideration.

Rural Transformation Grant Fund Eligible Activity - Community Enhancement for Economic Growth Program	Description
Property Acquisition	Costs associated with acquiring and securing legal title of vacant or abandoned properties and other costs by the public sector, to position the property for current or future productive use.
Secure Abandoned Properties	Rehabilitation, renovation, maintenance, or costs to make secure vacant or abandoned properties by the public sector, to reduce their negative impact.
Environmental Remediation	Removal and remediation of environmental contaminants or hazards from vacant or abandoned properties by the public sector, when conducted in compliance with applicable environmental laws or regulations
Demolition Paired with Neighborhood Revitalization	Demolition or deconstruction of non-historic vacant or abandoned buildings (including residential, commercial, or industrial buildings) by the public sector, paired with greening or other lot improvements as part of a strategy for neighborhood revitalization.
Lot Cleanup and Greening	Greening or cleanup of vacant lots, as well as other efforts to make vacant lots safer for the surrounding community.

Rural Transformation Grant Fund Eligible Activity – Rural Community Capacity Building Program	Description
Best Practices Research Activities	Communities learn from other communities that are similarly sized and/or situated who have been engaged in growing their local economies through a variety of public/private partnerships and initiatives (e.g., greenway development, outdoor recreation facilities, place-based economic development programs, etc.)
Branding and Marketing	Use of a consultant to produce community branding to include a brand logo or image, a marketing plan for the commercial district or downtown, and social media with the purpose of attracting visitors and tourists to communities.
Schematic/Conceptual Renderings	Development of visual renderings of proposed projects to advance investment and funding opportunities. For example, to capture ideas offered by participants in a community planning session or charette.

Training & Technical Assistance	The development of community, county or regional training and technical assistance for communities to leverage asset based economic development. Training should convey the concept that a diversified local economy helps communities become more resilient. It should also emphasize the vital roles that local governments (and associated organizations) play in supporting existing business communities and the growth of new businesses/entrepreneurs.
Strategic Planning and Implementation of Local Projects	The development of plans for local units of government that will further the development public improvements, technology, and infrastructure that promote economic development. Plans are intended to leverage a community's ability to apply for funding opportunities. Locally identified projects that advance strategic goals and priorities are also eligible for funding.

V. ELIGIBLE PROJECT AREAS

Projects located within [Tier 1 and Tier 2 Counties](#), and [Rural Census Tracts in Tier 3 Counties](#), are eligible for funding. Funding prioritization will be given to proposals which demonstrate that activities will benefit communities negatively impacted by the COVID-19 pandemic at a disproportionate level when compared to the rest of the State (as defined in Section III. Eligible Applicants) or located in a [qualified census tract](#), as defined by the United States Department of Housing and Urban Development. Applicants must describe how a specific community has been more disproportionately impacted by the COVID-19 pandemic as compared to the rest of the State.

VI. FUNDING AMOUNTS

The maximum grant amount is **\$950,000 per grantee**, with some restrictions for specific activities. There is no minimum grant amount. Applicants should consider feasibility as it relates to the overall cost of any project. Grant administration costs are limited to five percent (5%) of the awarded grant total. Applicants that receive funding approval for project(s) may charge the cost of application preparation to a current RTGF program if procurement procedures consistent with [Uniform Guidance \(2 CFR 200\)](#) and [09 NCAC 03M](#) are followed. No more than \$3,500 may be charged to the RTGF for the preparation of the application if a grant is awarded. This cost would be included in the maximum of five percent (5%) allowed for administration. No other costs incurred prior to grant awards are eligible for reimbursement.

VII. APPLICATION PROCESS

Units of local government seeking funds from the RTGF are required to submit a formal application to the North Carolina Department of Commerce through the online grants management portal, [Rural Connect Portal](#).

A full and complete application, including all necessary supporting documentation, should be submitted by 5:00 p.m. on published due dates found at <https://nccommerce.com/grants-incentives/rural-transformation-grants>.

Upon receipt of a full application and consideration of it relative to criteria set forth in [NC Session Law 2021-180](#), the Rural Economic Development Division shall determine whether or not the proposed project should receive an award of a grant under this program.

Applications will be notified in writing if their project has been awarded. Following award, the REDD will provide grantees with grant administration contracts in order to execute the terms of the grant. Projects must be completed within 36 months of award.

March 23, 2022	Open Grant Cycle 1
May 2, 2022	Close Grant Cycle 1
June 15, 2022	Announce Grant Awards 1
September 1, 2022	Open Grant Cycle 2
November 1, 2022	Close Grant Cycle 2
December 16, 2022	Announce Grant Awards 2
March 22, 2023	Open Grant Cycle 3
May 3, 2023	Close Grant Cycle 3
June 13, 2023	Announce Grant Awards 3

VIII. APPLICATION REQUIREMENTS –

In the Rural Connect Portal, grantees should use the following as guidance to complete the RTGF application.

DESCRIBE THE COVID-19 IMPACTS ON YOUR COMMUNITY:

Provide a detailed description of the negative impacts caused by the COVID-19.

- Description should include COVID-19 public health or economic impacts that have disproportionately impacted households, businesses, or nonprofits in your community, and why the harm or need was exacerbated or caused by the pandemic.

DESCRIBE HOW THIS IS THE SOLUTION ADDRESSES THIS COVID-19 IMPACTS:

Explain how the proposed project could help mitigate the COVID-19 public health and economic impacts.

DEFINE THE PROJECT AREA: (Submit as an Attachment)

Clearly and fully describe the scope of the project area.

- Description should identify the local government where the proposed project will take place.
- Identify the qualified census tract and the NC Department of Commerce County tier designation.
- Attach detailed color maps or schematics that show the project area. This may include the route of utility systems, diagrams of building sites, and floorplans of buildings to be constructed/improved.
- Label the map appropriately so that it clearly shows areas that are served versus areas that are unserved or underserved.
- On the map, clearly identify any properties listed on the National Register of Historic Places, National Register Districts, downtown district boundaries, neighborhood boundaries, etc. that are in the project area.
- Include details, such as linear feet to be constructed, square footage built, acreage served, and timelines for starting and completing each component.
- Please attach any historical and current photographs that are pertinent to the project area.

DESCRIBE THE SCOPE OF THE PROPOSED PROJECT:

Provide a detailed work plan that includes a description of all major project activities. Describe in detail how the anticipated investments will promote improved community and economic vitality in the project area.

- Include a detailed description of all programs, services, or capital expenditures.
- Include a detailed description of all major construction components.
- For industrial sites or community facilities, describe approaches to marketing the project to potential users and beneficiaries, including strategic sectors to be pursued and an explanation of who will be responsible for marketing activities.

DESCRIBE THE PROJECT TIMELINE: (Submit as an Attachment)

Please provide a timeline that includes a description of all major project activities.

DESCRIBE THE PROJECT TEAM: (Submit as an Attachment)

Demonstrate the ability for the project team to undertake/accomplish the proposed scope of work including, but not limited to, the project teams' qualifications and experience managing sizeable grants and federal awards; familiarity with federal grant regulations; and organizational policies, procedures, and systems.

DESCRIBE THE ANTICIPATED OUTCOMES:

Identify the anticipated outcomes that will result in improved community and economic impacts, as a direct result of the project.

- Outcomes could include but not limited to the number of acres of developable land, amount of linear feet of streetscape improvements, number of small businesses improved/assisted, number of households improved, number of individuals with increased access to healthy food, number of publicly owned priorities improved, number of strategic plans developed etc.

DESCRIBE THE PROJECT SUSTAINABILITY:

Describe the commitment of the proposed project's stakeholders/partners to sustaining activities and impacts beyond this investment. Describe if this project will provide a long-term a sustainable solution for the disproportionately impacted households, businesses, or nonprofits in your community.

IX. COMPLIANCE REQUIREMENTS

Administration of awards is also subject to the same regulations, restrictions, and requirements as other state awards. These include but are not limited to [Uniform Guidance \(2 CFR 200\)](#) and [09 NCAC 03M](#):

- **Single Audit Requirement** - Grantees must comply with [2 CFR 200.501](#) and [09 NCAC 03M .0205\(a\)\(3\) and \(b\)\(4\)](#). RTGF can be used to pay for the RTGF portion of the audit provided the grantee has expended more than \$750,000 in the fiscal year in total federal awards (RTGF). If the grantee has expended less than \$750,000 in total federal awards, the grantee may budget local funds in the administrative line item in the RTGF application to pay for the RTGF portion of the audit and claim the local administrative funds as local commitment.
- **Environmental Review** - Recipients of RTGF are required to comply with the requirements of the [NC State Environmental Policy Act](#). After award, grantees will be required to complete an Environmental Review (ER). The ER form can be secured from REDD after the grant award. Applicants are encouraged to review the [National Environmental Policy Act of 1969 \(NEPA\)](#).
- **Labor Standards** - Grantees will be encouraged to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer

wages at or above the prevailing rate and include local hire provisions. They should prioritize in their procurements procedures employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws. Grantees should consider the alternatives of improving existing capital assets already owned or leasing other capital assets.

- **Conflict of Interest** - The following people or their immediate family members shall not have any direct or indirect financial interest in any contract, subcontract, or the proceeds thereof for work to be performed in connection with the grant during their tenure or for one year thereafter: (1) employees or agents of the recipient who exercise any function or responsibility for the RTGF project, and (2) officials of the recipient including members of the governing body.
- **System Award Management (SAM) ID** – Applicants must provide a Unique Entity ID to submit an application for funding. The Unique Entity ID is a 12-character alphanumeric ID assigned to an entity by SAM.gov. If the applicant does not have a SAM unique ID, they must register at www.SAM.gov. Applicants must provide the Unique Entity ID at time of application.
- **Certification Regarding Debarment, Suspension and Other Responsibility Matters** – Applicants will be required to complete the Certification Regarding Debarment as required by [Executive Order 12549](#).
- **Civil Rights** – Grantees will be required to ensure that they do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: [Title VI of the Civil Rights Act of 1964 \(Title VI\) Public Law 88-352, 42 U.S.C. 2000d-1 et seq.](#), and the Department's implementing regulations, [31 CFR part 22](#); [Section 504 of the Rehabilitation Act of 1973 \(Section 504\), Public Law 93-112, as amended by Public Law 93-516, 29 U.S.C. 794](#); [Title IX of the Education Amendments of 1972 \(Title IX\), 20 U.S.C. 1681 et seq.](#), and the Department's implementing regulations, [31 CFR part 28](#); [Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101 et seq.](#), and the Department implementing regulations at [31 CFR part 23](#).

X. PROCUREMENT

The grantee must have a written Procurement Policy that meets the requirements specified in [Uniform Guidance \(2 CFR 200\)](#) and [09 NCAC 03M](#). The procurement procedures must reflect applicable State and local laws, should promote free and open competition, and describe efforts to encourage minority and female owned businesses to submit bids/proposals. Grantees must contract for the procurement of goods, services, and construction projects including design services.

Grantees must enter procurement solicitation for any contract over \$50,000 in the [Statewide Interactive Purchasing System](#) (IPS) as well as provide the information to the REDD Compliance Office. All notices must be posted in IPS at least three days before the procurement process begins. Only the local government must set-up in IPS to post solicitation documents electronically.

XI. MONITORING PROCESS

REDD will monitor the project through mechanisms, including review of annual reports received from the grant recipient, through phone/email/letter correspondence, through receipt of all published press articles about the project as provided to REDD by the local government, and through on-site monitoring visits.

REDD staff will notify the grantee at least 30 days before on-site monitoring visits and the monitoring forms are located on the website. Complete the monitoring forms per the approved application activities and have the prepared forms ready for the monitoring visit. Any performance findings or administrative concerns resulting from the monitoring review must be mutually resolved before a grant can be formally closed.

XII. REPORTING REQUIREMENTS

REDD staff will provide grantees with detailed reporting requirements when a project grant agreement is issued.

XIII. LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

The local government is responsible for managing the day-to-day operations of the activities funded by the RTGF to ensure the funds are used in accordance with all program requirements and written agreements and taking action when performance problems arise. Specifically, the local government is responsible for the following:

- **Management and Oversight:** The elected officials are legally, financially, contractually, and programmatically responsible for the project. The local government is responsible to the State of North Carolina and the Federal government even if they have a contract administrator or sub-recipient relationship.
- **Financial Management:** The local government must ensure proper accounting of funds to avoid disallowed costs. This includes accurate identification of project costs and cash balances and proper internal controls.
- **Statement of Assurances and Certifications:** The local government elected officials and administrators should read and understand these documents and the implementation obligations.

- **Grant Agreement:** If awarded, the local government will receive a grant agreement and funding approval from the State. These documents are contractually binding and cannot be changed without State approval.

XIV. PROGRAM AMENDMENTS, BUDGET AMENDMENTS AND BUDGET REVISIONS

When making any change to the approved application, grantees should contact the representative assigned to the grant to discuss the proposed changes. The representative will assist the grantee with the program amendment, budget amendment, and/or budget revision process.

When changing activities or scope of the project, the environmental review record must be updated. After revisions, the environmental review must be submitted to the REDD Compliance Specialist.

XV. FINANCIAL MANAGEMENT REQUIREMENTS

REDD will monitor the grantee to determine compliance with the financial management requirements. The review will determine if records are maintained in compliance with the [Uniform Guidance \(2 CFR 200\)](#), and State of North Carolina requirements. This monitoring is performed through a desktop audit and at least one on-site visit. Typically, ledgers, invoices, canceled checks, bank statements and requisitions are reviewed to see that the grantee has an adequate system of financial management. REDD staff may also make specific requests to review information or documentation relating to financial management of a grant.

XVI. RECORDKEEPING REQUIREMENTS

If awarded, grantees must provide access to all records. Records must be retained for 5 years after the RTGF closes. Financial records must comply with [2 CFR 200.302](#)

XVII. CONTRACTING WITH SMALL AND MINORITY-OWNED BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS.

Grantees must ensure actions are taken to use minority businesses, women's business enterprise and labor surplus area firms when possible.

XVIII. USE OF NC LICENSED PROFESSIONALS

While not mandatory, REDD strongly recommends the use of North Carolina licensed professionals on construction projects. This includes housing inspectors, electricians, HVAC installers and repairers, plumbers, and general contractors. However, it is important to note that bids and dwellings that are \$30,000 and greater can ONLY BE ACCEPTED BY A LICENSED GENERAL CONTRACTOR, licensed by the [State of North Carolina per Article 1 of Chapter 87 of the General Statute](#).

XIX. COMMUNITY ENGAGEMENT REQUIREMENTS

Annually, grantees should provide a summary of community engagement and public participation activities conducted to solicit input from and/or partner with communities from the past year that informed the definition of critical need for program(s) and projects. Summary should also provide for future community engagement and public participation activities planned for the upcoming year that will continue to shape program and project selection, implementation, and operation.

XX. OTHER REQUIREMENTS AND ATTACHMENTS

Recipients will also be required to comply with any subsequent requirements issued by REDD. Consult the Required Attachments section in the application. Please note that if key items are not submitted with the application, it will be returned to the local government.

XXI. APPLICATION CHECKLIST

Applicants should review the Grant Application Checklist to verify the information and documentation needed to apply for funds.

1. Local Government Information

- Local Government name
- Local Government contact name, title, telephone, address, email
- Unique Entity ID

2. External Administrator Information (if applicable)

- Project Administrator name
- Project Administrator title, telephone, address, email

3. Project Information

- Project Title
- Project Description (refer to section VIII)

4. Property Information (if applicable)

- Census Tract Number
- Property Address
- Legal Name of Property Owner
- Listed on National Register of Historic Places?
- Month/Date/Year of Building/Lot Became Vacant
- Building Square Footage
- Lot Size
- Year Constructed
- Description of property's condition

5. Narrative Questions

Refer to section VIII for details that should be included in the narrative answers.

- What are the economic conditions of the project area? (1000 words max)
- Describe how your community was impacted by COVID- 19. This narrative description could include impact data such as, number of jobs lost, reduction in business revenue, number of business closures including storefront vacancies,

number of canceled events, amount of lost tax revenue and/or number of public employee layoffs, impacts to affordable housing and access to healthy foods, etc. (1000 words max)

- Does this project improve or mitigate any Covid-19 impacts? Please describe. This narrative description could include impact data such as increased business revenue, increased private investment, improved health impacts, businesses opened/saved, storefronts occupied, events scheduled, tax revenue increased, public staff rehired, increased access to affordable housing, access to healthy foods, etc. (1000 words max)
- For Rural Community Capacity Category only - Describe any issues, opportunities, or local/regional demand that capacity building training could address for your community, county, or staff. In the description, include how your community, county, or staff will benefit from capacity building training. (1000 words max)
- Provide a detailed summary of your proposed project. (1000 words max) (Not required for Rural Community Capacity category)

6. Budget

	Cost Category	Activity	Other Federal	State	Local	Total
1	Acquisition					
2	Construction					
	Rehabilitation					
	Historic Preservation					
3	Clearance activities					
4	Public facilities and improvements					
	Parks, playgrounds, recreation facilities					
	Neighborhood facilities					
	Fire protection and equipment					
	Parking facilities					
	Street Improvements					
	Flood and drainage improvements					
	Pedestrian improvements					
	Public sewer improvements					
	Public water improvements					
5	Public services					
6	Equipment					
7	Contractual					
8	Planning					
9	Administration					
10	Other Activities					
	TOTAL					

	Project Activities	Amount Requested	Other Federal	State
1	Acquisition			
2	Construction			
a.	Rehabilitation			
b.	Historic Preservation			
3	Clearance activities			
4	Public facilities and improvements			
a.	Parks, playgrounds, and recreation facilities			
b.	Neighborhood facilities			
c.	Fire protection and equipment			
d.	Parking facilities			
e.	Street Improvements			
f.	Flood and drainage improvements			
g.	Pedestrian improvements			
h.	Public sewer improvements			
i.	Public water improvements			
5	Public services			
6	Equipment			
7	Contractual			
8	Planning			
9	Administration			

10

Other Activities

7. Upload Documents

All Categories

- List of names and duties for the Local Government Staff for the proposed project and other essential players
- Resume for each identified person associated with the proposed project
- Describe applicant's capacity to undertake proposed project (refer to section VIII under Describe the Project Team)
- Map of project area (refer to section VIII under Define the Project Area)
- Project Timeline (refer to section VIII under Describe the Project Timeline)
- Evidence of Site Control (Property Deed, Purchase Contract, Option) - if applicable
- Cost Estimates - Detailed project budget including all revenue and expenditures allocated
- Local Government Resolution
- Photos -Additional uploads for each category

Downtown Revitalization

- 10-year Pro Forma for Construction
- Architectural/Design/Construction Documents
- Planning Studies if applicable to the project
- Copies of legal commitments related to the project
- National Register documentation for the project area

Resilient Neighborhood

- 10-year Pro Forma for new construction
- Architectural Renderings for New Construction
- Preliminary Engineering Report (PER) for Public Infrastructure

Rural Community Capacity - Campus Based Training

- List of strategic priorities for your community or a recent strategic plan if one is available.
- Letter of commitment from local government

Rural Community Capacity – Implementation

- Letters from partner organizations that support the project
- Project design plans

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AGENDA ITEM 10:**BID AWARD REQUEST FOR SEALING AND STRIPING PARKING LOTS****MANAGER'S COMMENTS:**

Mr. Robert Marsh, Maintenance Director, will request the Board award a bid to Carolina Pavement Technology in the amount of \$48,479 for sealing and striping County parking lots. Carolina Pavement Technology was the lowest responsive bidder. The Humane Society was included in the bid to provide the benefit of the County volume discount and accounts for 14.8% of the overall project. Staff estimates the cost at approximately \$7,175 but has requested a formal amount from the contractor. The Humane Society will be billed for their portion if they so choose to participate.

Staff recommends the Board award the bid to Carolina Pavement Technology in the amount of \$48,479 with the Humane Society to be responsible for their portion of the project.



WATAUGA COUNTY MAINTENANCE DEPARTMENT

274 Winklers Creek Road, Suite B, Boone, NC 28607 - Phone (828) 264-1430

Fax (828) 264-1473

TO: Deron Geouque, County Manager

FROM: Robert Marsh, Maintenance Director *RM*

DATE: March 28, 2023

RE: Bid Award Recommendation for Sealing and Striping Parking Lots

BACKGROUND

Maintenance staff recently emailed a Bid Advertisement to twelve asphalt sealing contractors for the purpose of soliciting bids for a sealing and striping project. In addition, a Bid Advertisement was placed on the County's website to notify others of the bidding opportunity. The scope of work included sealing and striping at Watauga County parking lots including: Administration Building, Courthouse Complex, Community Recreation Center, Rocky Knob Park, Watauga Gorge Park, Western Watauga Community Center and the Watauga County Humane Society.

BID SUMMARY

Carolina Pavement Care	No Response
CACTX Surfaces	\$62,200
Carolina Sealing and Striping	No Response
Carolina Pavement Technology	\$48,479
Main And main Paving	No Response
Champion Paving	No Response
RAM Pavement	No Response
Williams Sealcoating	No Response
Hickory Sealing and Striping	No Response

RECOMMENDATION

Staff recommends the County accept the bid of \$48,479 and award the work to Carolina Pavement Technology, Cary, NC. Carolina Pavement will complete the work by July 1, 2023, weather permitting. Carolina Pavement has successfully bid this work for the County, and in both instances performed the work in an excellent fashion.

FISCAL IMPACT

This project was identified in the CIP and funded in the FY 22-23 budget.

**SPECIFICATIONS AND CONTRACT DOCUMENTS
COUNTY OF WATAUGA
2023 PARKING LOT SEALCOAT &
PAVEMENT MARKING PROJECTS**

Contents

Section

A	Notice to Contractors (Advertisement)
B	Instructions to Bidders and General Conditions
C	Specifications and Project Description
D	Proposal Form
E	Contract Form

COUNTY OF WATAUGA
ADVERTISEMENT FOR BIDS
PARKING LOT SEALCOAT AND PAVEMENT MARKING PROJECTS
SECTION A

Watauga County Building Maintenance Department is seeking bids from persons or firms interested in submitting bids for sealing and marking parking lots at the following Watauga County properties: Administration Building, Community Recreation Center, Courthouse Complex, Rocky Knob Park, Watauga Gorge Park, Western Watauga Community Center and Watauga Humane Society. The scope of this work includes the seal coating of approximately 26,152 SY of asphalt surface and restriping of 480 parking spaces, 4 crosswalks and 1 Do Not Park zone. Bids may be delivered to Watauga County Building Maintenance Department, 274 Winklers Creek Road, Suite B, Boone, NC 28607. Bids will be accepted until 2:00 p.m. on Thursday, March 23, 2023. Contact Robert Marsh, Maintenance Director, at (828) 264-1430 for more information concerning this project.

Each bid must be accompanied by a certified check or Bid Bond in the amount of 5% of the total amount of the bid. The certified check or Bid Bond is a guarantee that the bidder will honor his bid and he agrees to forfeit the same should a contract be offered, based upon his bid and the contract documents, and which the bidder fails to execute within ten (10) days of the offer.

No bid may be withdrawn for thirty (30) days from the date bids are opened.

Each bidder agrees by the submission of his bid to commence work within ten (10) days of the issuance by the County of a "Written Notice to Proceed" and to fully complete the work within twenty (20) calendar days from the date of the Notice to Proceed.

Contract documents and other bidding information may be obtained from the Maintenance Director at Watauga County Maintenance Department, 274 Winklers Creek Road, Suite B, Boone, NC 28607.

COUNTY OF WATAUGA

INSTRUCTIONS TO BIDDERS AND GENERAL CONDITIONS
PARKING LOT SEALCOAT AND PAVEMENT MARKING PROJECTS

SECTION B

1. Defined Terms:

- 1.1. The term "County" means the Owner, the County of Watauga.
- 1.2. The term "Bidder" means one who submits a Bid directly to the County, as distinct from a sub bidder who submits a bid to a Bidder.
- 1.3. The term "Successful Bidder" means the lowest, qualified, responsible and responsive Bidder to whom the County shall make an award of the Contract.
- 1.4. The term "Bidding Documents" includes the Advertisement, these Instructions, the Bid Form, and the proposed Contract Documents.
- 1.5. The term "Engineer" means the Maintenance Director or the Director's designee assigned to this project as the Contract Administrator.

2. Bidding Documents:

- 2.1. Complete sets of the Bidding Documents may be obtained from the Maintenance Director's office at Watauga County Maintenance.
- 2.2. Complete sets of Bidding Documents must be used in the preparations of bids. The County assumes no responsibility for errors or misinterpretations resulting from the use of incomplete sets of the Bidding Documents.
- 2.3. The County, in making copies of the Bidding Documents available on the above terms, does so only to obtain bids on the Work, and does not confer a license or grant for any other use.

3. Qualifications of Bidders:

- 3.1. Each Bidder must be prepared to submit upon request such written evidence as may be requested to demonstrate the Bidders qualifications to perform the Work. Such evidence may include financial data, previous experience and references, present commitments, and proposed contractors and suppliers. By submitting a bid, the Bidder certifies that he has the proper license to do the work within and/or for the County of Watauga, including contractors and business license.

4. Examination of the Contract Documents and Project Sites:

4.1. It is the responsibility of the Bidder to:

1. Thoroughly examine the Contract Documents,
2. Visit the sites and become familiar with the existing conditions and the scope of the project work; verify quantities and become familiar with the surrounding conditions that may affect the cost, progress, performance or furnishing of the work,
3. Consider all federal, state and/or local laws and regulations that may affect the cost, progress, performance or furnishing of the Work,
4. Study and carefully correlate the Bidders observations with the Contract Documents, and
5. Notify the Engineer of all conflicts, errors or discrepancies found in the Contract Documents.

4.2. The submission of a bid will constitute an incontrovertible representation by the Bidder that the Bidder has complied with every requirement of this section, that without exception, the bid is premised upon performance and furnishing the work required by the Contract Documents, using the products, means, methods, techniques, sequences and/or procedures contained therein, and that the Contract Documents are sufficient in scope and detail and convey understanding of all specific products, materials or methods are specified, it is done to establish a standard of quality, function, dimension or appearance, and is not to restrict competition. Other products, materials and methods may be used, if approved in advance by the County.

5. Bid Form:

- 5.1. The Bid Form is included in the Bidding Documents.
- 5.2. All blanks on the Bid Form must be completed, either in ink or typewritten.
- 5.3. Bids by corporations must be executed in the corporate name by the President or Vice-President, or other corporate officer, when proper authorization to sign is attached to the bid.
- 5.4. Bids by a partnership must be signed by all partners.

5.5. Bids submitted on uncompleted bid forms or bids, which contain conditions, can be deemed to be unresponsive and may be rejected.

6. Submission of Bids:

6.1. Bids shall be submitted at or before the time indicated in the Advertisement and at the place therein stated. Bids sent through the mail shall be enclosed in a second envelope, both of which shall have the notation "Bid Enclosed" on the exterior.

6.2. All bids shall be enclosed in an opaque envelope, on the exterior of which, in addition to the notation "Bid Enclosed", is noted the name of the project, the time and place of the bid opening, the Bidder's name, license number (if applicable), classification and expiration date.

7. Modifications and Withdrawal of Bid:

7.1. Bids may be modified or withdrawn by an appropriate document executed and delivered to the place where the bids are to be submitted at any time prior to the opening of bids.

8. Bid Opening:

8.1. All Bids will be opened and, unless obviously non-responsive or otherwise irregular, read publicly aloud. All bids are then available for inspection by the public and the other Bidders.

9. Bids Acceptance and Bonds:

9.1 All bids will remain subject to acceptance for 7 days after bid opening.

9.2 Bonds. Each bid must be accompanied by a certified check or Bid Bond in the amount of 5% of the total amount of the bid. The certified check or Bid Bond is a guarantee that the bidder will honor his bid and he agrees to forfeit the same should a contract be offered, based upon his bid and the contract documents, and which the bidder fails to execute within ten (10) days of the offer.

10. Award of the Contract:

10.1. The County reserves the right to reject any and all bids, to waive any and all informalities, not involving price, time or changes in the work, and to negotiate contract terms with the Successful Bidder, and the right to disregard all non-conforming, non-responsive, unbalanced or conditioned bids. Also, the County reserves the right to reject in whole or in part the bid of any Bidder if the County when, in the County's sole opinion, believes that it would not be in the best

interest of the project or the County to make an award either in whole or in part to that Bidder, whether because the bid is not responsive, the Bidder is not qualified, of doubtful financial ability, has a history of poor performance and/or difficulty with previous County work, or fails to meet any other pertinent standard or criteria established by the County.

- 10.2. In evaluating bids, the County will consider the qualifications of the Bidders, whether or not the bids comply with the prescribed requirements, and such alternates, unit prices and other data, as may be requested in the bid form or prior to the Notice of Award.
- 10.3. The County recognizes that award of the Contract is dependent on the availability of funding and, therefore, the County makes no guarantees as to an award of a contract, to any Bidder. If the contract is to be awarded, it will be awarded to the lowest Bidder whose evaluation by the County indicates to the County that the award will be in the best interest of the County.

11. Signing of the Agreement:

- 11.1. When the County submits to the Successful Bidder the "Notice of Award" and Agreement for execution, it will be in the number of copies necessary, all of which shall be signed and shall constitute an original Agreement. Within five days thereafter, the Successful Bidder shall sign and deliver all copies of the Agreement to the County, accompanied by a certificate of insurance. The County, within three days thereafter, shall return to the Successful Bidder a fully executed copy of the agreement.

12. Notice of Award:

- 12.1. The County may give the Successful Bidder a Notice of Award at any time within the (10) days from the date of opening of bids. The Successful Bidder shall begin the Work no less than ten (10) days from the receipt of the Notice of Award.

13. Indemnity

- 16.1 The contractor will indemnify and save harmless the County, its officers, agents, servants, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorneys' fees to the extent resulting from a willful or negligent act or omission of the Contractor, its officers, agents, servants, and employees in the performance of this Contract; provided, however, that the Contractor shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorneys' fees arising out of the award of this Contract or a willful or negligent act or omission

of the County, its officers, agents, servants and employees.

17. Insurance

17.1 The Contractor shall at all times during the Contract maintain in full force and effect Employer's Liability, Workmen's Compensation, Public Liability and Property Damage Insurance, including contractual liability coverage for the provisions of Indemnity. All insurance shall be by insurers and for policy limits acceptable to the County and before commencement of work hereunder the Contractor agrees to furnish the County certificates of insurance or other evidence satisfactory to the County to the effect that such insurance has been procured and is in force.

COUNTY OF WATAUGA

SPECIFICATIONS AND PROJECT DESCRIPTION
PARKING LOT SEALCOAT & PAVEMENT MARKING

SECTION C

1. Scope of the Work:

The work described in these specifications consists of furnishing all labor, materials, tools, equipment and services and performing all work required to (1) apply a sealcoat to public parking lots and (2) to apply markings for parking spaces on the public parking lots.

2. Specifications:

- 2.1 Preparation. Paved surfaces on which the emulsified asphalt sealcoat is to be placed shall be swept and/or blown clean and dry, and be free of loose foreign materials before placing the seal coat. Grease, oil and gas spots and stains shall be pre-treated.
- 2.2. Emulsified Asphalt Sealcoat. The sealcoat shall consist of a mixture of emulsified asphalt, mineral aggregate, additives and water properly proportioned, mixed and uniformly spread over the surfaces areas to be treated. The mixture shall contain no asbestos. The cured sealcoat shall have a homogeneous appearance, adhere firmly to the surface and provide a skid-resistant texture. The sealcoat product shall meet ASTM D-2939 standards or equivalent. Sealcoat product shall be approved by the Town of Boone.
- 2.3. Placing the sealcoat. Mixing and spreading equipment shall conform to manufacturer's requirements. Mixes are generally in the range of 100 gallons of emulsified asphalt sealer, 20 gallons of water, 2 gallons of additive and 300-500 pounds of sand (Portland cement or fly ash may be substituted depending on manufacturer's requirements). When properly mixed with water, additive and aggregate, and applied, one gallon of emulsified asphalt sealant will cover 11-13 square yards in one coat of application. All work shall be performed only when the surface and ambient air temperatures are at least 50 degrees F and rising and no rain is anticipated. Ideally, the surface temperature should not drop below 50 degrees in a 24-hour period following application. The mix shall be spread in a manner to fill cracks and achieve a uniform skid-resistant surface. Sealcoat shall be applied in two coats.
- 2.4. Equipment. A mixing machine equipped with a fines feeder, mixer, water pressure system and fog type sprayer and the ability to control the application rate is recommended. The sealcoat application shall be applied by either pressurized

spray application equipment or self-propelled squeegee equipment. Pressurized spray equipment shall be capable of spraying pavement sealer with sand (or other mineral aggregate) added. Equipment shall have continuous agitation or mixing capabilities to maintain a homogeneous consistency throughout the application process.

- 2.5. Pavement Markings. Public parking lots will be marked to maximize the number of spaces for automobile parking. Parking stalls will be marked for stall widths of 9 feet and stall lengths of 19 feet. Handicapped parking shall be marked. The minimum number of handicap parking spaces is 1 space for a lot serving up to 25 cars; 2 spaces for a lot serving 26 –50 cars.

- 2.5.1. Marking Materials. Duron DU9948500, DU1LZM100, DU1YZ100 or equivalent, applied per manufacturer's instructions.

3. Method of Measurement

- 3.1 Upon completion and acceptance of work performed in accordance with the specifications, and upon presentation of invoices showing quantity of emulsified asphalt sealcoat applied, payment shall become due and payable Payment shall constitute full compensation for furnishing, transporting, and placing the emulsified asphalt sealcoat and pavement markings for parking spaces and for all labor, tools, equipment and incidentals necessary to complete the work in full accordance with the specifications.

COUNTY OF WATAUGA
 Proposal for Parking Lots Sealcoat and Pavement Marking Project

SECTION D

Carolina Pavement Technology, Inc.
 Name of Bidder

In compliance with your legal Notice to Bidders for the County of Watauga 2021 Paving Project, the undersigned bidder, a corporation organized and existing under the laws of the State of NC, or a partnership of _____, or an individual doing business as Carolina Pavement Technology, Inc. of the City of, State of NC, having examined the specifications and contract forms thereto attached, and being fully advised as to the extent and character of the work to be performed, and the equipment to be furnished, hereby proposes to furnish all labor, tools, material, plant and equipment necessary for the Project.

The undersigned further proposes to perform all work and furnish all equipment in accordance with the specifications and contract stipulations thereof, within the time limit specified, for the price so stated below.

COUNTY OF WATAUGA
 Proposal for Parking Lot Sealcoat and Pavement Marking Projects

Location	Area (S.Y.)	No. Parking Spaces	Gallons of Sealant	No. of Coats
Administration Building 814 West King Street Boone, NC 28607	304	5 Regular Spaces 1 H/C Space 1 Crosswalk	Squeegee 106 Spray 55	2
Community Recreation Center 231 Complex Drive Boone, NC 28607	12,000	274 Regular Spaces 7 H/C Spaces 1 Loading Zone 3 Crosswalks	4200/ 2181	2
Courthouse Complex 842 West King Street Boone, NC 28607	2,413	50 Regular Spaces 5 H/C Spaces	844/ 438	2
Rocky Knob Park 333 Mtn. Bike Way Boone, NC 28607	4,791	53 Regular Spaces 3 H/C Spaces	1676/ 871	2
Watauga Gorge Park 2531 Old Watauga River Road Sugar Grove, NC 28679	880	10 Regular Spaces 1 H/C Space	308/ 160	2

Western Watauga Comm. Center 1081 Old US Hwy. 421 Sugar Grove, NC 28679	1,900	31 Regular Spaces 3 H/C Spaces 1 Do Not Park Zone	665 / 345	2
Watauga Human Society 312 Paws Way Boone, NC 28607	3,864	34 Regular Spaces 3 H/C Spaces	1352 / 702	2
Total	26,152	480 No. spaces 4 Crosswalks 1 Do Not Park Zone	9153 / 4754 Gallons of Sealant	2

TOTAL BID

TOTAL BID PRICE FOR SEALCOATING AND PAVEMENT MARKING

$$\begin{array}{r} \text{Squeegee} \\ 2 \text{ Spray} \end{array} \begin{array}{r} \$ 48,479 \\ \$ 39,327, \end{array}$$
 DOLLARS AND $\frac{00}{100}$ CENTS

BIDDER understands that the County reserves the right to reject any or all bids and to waive any informality in bidding.

The bidder agrees that his bid shall be good and may not be withdrawn for a period of FIFTEEN (15) days after the scheduled closing time for receiving bids.

Upon receipt of written notice of acceptance of this bid, Bidder will execute the formal contract attached within FIVE (5) days and deliver insurance coverage as required by the Instructions to Bidders.

BY: Carolina Pavement Technology, Inc.
Contractor's Name

Ken Clark President
Signature Title

Ken Clark
Printed or Typed Name

930 West Chatham St., Cary, NC 27511
Business Address

Seal--if bid is by a corporation.

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AGENDA ITEM 11:

MISCELLANEOUS ADMINISTRATIVE MATTERS

A. RTI International Proposal for “Watauga County Groundwater Vulnerability Assessment and Planning Tool”

MANAGER’S COMMENTS:

The County recently completed an update to the well study that was compiled in 2010/2011. As part of the plan to research and understand water resources in the County, the next step in the process is to assess and develop a planning tool for groundwater vulnerability.

RTI International has provided a proposal in the amount of \$149,370 to develop a groundwater vulnerability assessment and planning tool.

The Board may wish to seek funding assistance from the County TDA, Boone Chamber, or request High Country Council of Governments to research possible grants to fund the project.

Staff seeks direction from the Board.



March 20, 2023

Watauga County Board of Commissioners
Attn: Deron Geouque, Watauga County Manager
E-mail: deron.geouque@watgov.org

Subject: RTI International Proposal – “Watauga County Groundwater Vulnerability Assessment and Planning Tool”

Dear Mr. Geouque:

Research Triangle Institute, under the trade name RTI International (RTI), a North Carolina non-profit corporation, is pleased to submit the subject proposal. RTI proposes to perform these services for a price of \$149,370 over a base performance period of twelve (12) months commencing upon award. For your consideration, please find our formal proposal for your review.

This offer is predicated upon the following labor categories and rates:

Labor Category	4/2023-3/2024	4/2024-12/2024
Professional 4	\$173.49	\$181.30
Senior Professional 2	\$220.31	\$230.22
Professional 2	\$127.16	\$132.88
Professional 3	\$146.72	\$153.32
Senior Professional 2	\$220.31	\$230.22
Senior Professional 4	\$273.16	\$285.45
Senior Professional 1	\$188.98	\$197.48

If this offer is accepted, RTI would be pleased to authorize this effort pursuant to a Time and Materials (T&M) contract containing mutually agreeable terms and conditions as well as payment terms of Net 30 days upon receipt of an RTI invoice. This offer shall remain firm for your acceptance for a period of ninety (90) days from the date of submission.

We appreciate the opportunity to submit this proposal for your consideration, and we look forward to working with you on this project. Should you have any questions regarding our proposal, please feel free to contact me directly at (919) 541-6451 or via email at sbrodish@rti.org.

Thank you for your consideration.

Sincerely,

Skye Brodish
Sr. Contracting Officer

[0282300.217]



Watauga County Groundwater Vulnerability Assessment and Planning Tool

Prepared for:

Watauga County Board of Commissioners

March 20, 2023



March 20, 2023

Watauga County Groundwater Vulnerability Assessment and Planning Tool

Submitted by:

<p>Research Triangle Institute (RTI) International 3040 East Cornwallis Road Research Triangle Park, NC, 27709, USA www.rti.org/cwr</p>	<p>RTI Point of Contact Skye Brodish Office of Contract Management E-mail: sbrodish@rti.org</p>	<p>RTI Technical Point of Contact Katie van Werkhoven Center for Water Resources E-mail: kvanwerkhoven@rti.org</p>
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Submitted To:

Deron Geouque, Watauga County Manager
 E-mail: deron.geouque@watgov.org

This proposal includes data that shall not be duplicated, used, or disclosed—in whole or in part—for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of—or in connection with—the submission of these data, the Client shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Client’s right to use information contained in these data if obtained from another source without restriction. The data subject to this restriction are contained in the entire proposal.



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Technical Proposal

1 Introduction

Domestic water supply in rural areas of Watauga County is heavily dependent on groundwater extracted from onsite wells. This dependency, along with the growing population and associated housing development with new well construction, has raised concern among county leaders about the sustainability of the county's groundwater supply. In October of 2021, the High Country Council of Governments (HCCOG) convened a meeting with county officials, Appalachian State University (App State) and RTI International (RTI) to discuss the county's water supply concern. In the meeting, the county expressed an interest in finding ways to better understand their rural water supply vulnerability and total potential yield ('carrying capacity'). As a first step, App State updated a 2008 United States Geological Survey (USGS) well study to obtain a more complete assessment of existing wells across the county. The App State study was completed in the summer of 2022 and provided useful insight about the distribution of wells and possible relationships between geologic units and well efficiency. The resulting data, however, did not characterize the full potential supply (i.e., maximum yield) at each location since the wells were drilled only to meet a given target yield (Haven et. al, 2022). In addition, the highly variable nature of the region's fractured rock aquifers makes it difficult to infer estimates of yield for proposed new well locations from the data.

Following the completion of the study, HCCOG convened follow-up meetings with Watauga County officials, App State and RTI to discuss possible next steps. RTI proposed an approach to collect additional related data (e.g., fracture maps), perform empirical analyses, and develop a screening-level vulnerability tool to estimate the potential impact of proposed new wells on other wells in the surrounding area. This document outlines RTI's proposed scope and costs for this work.

2 Proposed Project Scope

The proposed project scope is broken into two primary tasks – 1) data inventory and tool design and 2) screening-level tool development. An additional optional Task 3 (targeted data collection for tool enhancement) is also described. However, since the level of effort for Task 3 would be highly dependent on the outcomes of Tasks 1 and 2, a cost estimate is not included at this time. If the county is interested in proceeding with Task 3 after the completion of Tasks 1 and 2, RTI would provide a new cost proposal for that task.

2.1 Task 1 – Data Inventory and Tool Design

For Task 1, RTI will perform a complete inventory of all relevant and currently available information that could provide more insight (beyond the App State well study) about the characteristics of the County's aquifer system and groundwater supply. This may include detailed fracture maps of the region's geologic units, additional data from USGS or North Carolina Department of Water Resources (DWR), studies from similar aquifer systems in the region (or elsewhere), and other to-be-determined sources. Based on the type and quality of information that is available, RTI will then design a technical approach to spatially overlay the different datasets and identify any meaningful relationships and trends. As part of the technical approach, RTI will review and recommend appropriate empirical equations used in

practice to further estimate physical behavior of the aquifer (e.g., drawdown). The outcome of these steps will guide how the available information could be combined into a vulnerability assessment tool.

The primary aim of the tool would be to allow county officials to test ‘what if’ scenarios of well construction around the county and obtain coarse estimates of potential impacts on other surrounding wells in the area. If sufficient quality data exists, one possible option might be to use the information compiled to generate a rough estimate of total groundwater volume in the county’s aquifers (i.e., total ‘carrying capacity’). Assuming carrying capacity can be reasonably estimated, the impact of ‘what if’ scenarios might also be extended to predicting changes in that capacity.

At the completion of Task 1, RTI will create and share with the county a suggested design for a groundwater vulnerability tool and solicit feedback. We will thoroughly discuss with the county how the tool would work and the level of uncertainty that would be associated with the tool’s groundwater impact estimates. We will iterate on the design with the county, taking into account the target users, functionality, intuitive layout and overall usability for the intended objective until we have jointly agreed upon a final design.

2.2 Task 2 – Tool Development

For Task 2, RTI will build out the interactive, web-based groundwater vulnerability tool, incorporating the design, methods, and data defined in Tasks 1. The tool would be cloud hosted with controlled access as determined by the county. Ownership and maintenance of the tool would be transferred to the county with the option of RTI providing ongoing or periodic support if desired. *Figure 1* (next page) depicts a conceptual mock-up of the basic functionality of the tool *for depiction purposes*. The final design would reflect a modern web-based dashboard look and feel.

Upon completion of Tasks 1 and 2, RTI will summarize remaining data gaps and the extent to which some basic data collection efforts (e.g., pump tests) could reduce uncertainty in the tool’s predictions. With this information, the county can make an informed decision whether or not they would like to proceed with Task 3.

2.3 Task 3 – Targeted Data Collection for Tool Enhancement

If the county decides to proceed, Task 3 would involve identifying and collecting additional data to enhance the utility of the vulnerability tool. To limit costs, we would focus only on data that can be collected from existing wells, rather than drilling new wells. Priority data types would depend on what is learned about the aquifer system in Task 1. Possible examples include pumping tests (to collect transmissivity and storage), groundwater elevations, and well injections. Given the dependency on existing data and nature of the aquifer system, the cost for Task 3 cannot be estimated until the completion of Task 1. If the county decides to proceed, RTI would provide a new cost proposal to execute Task 3.

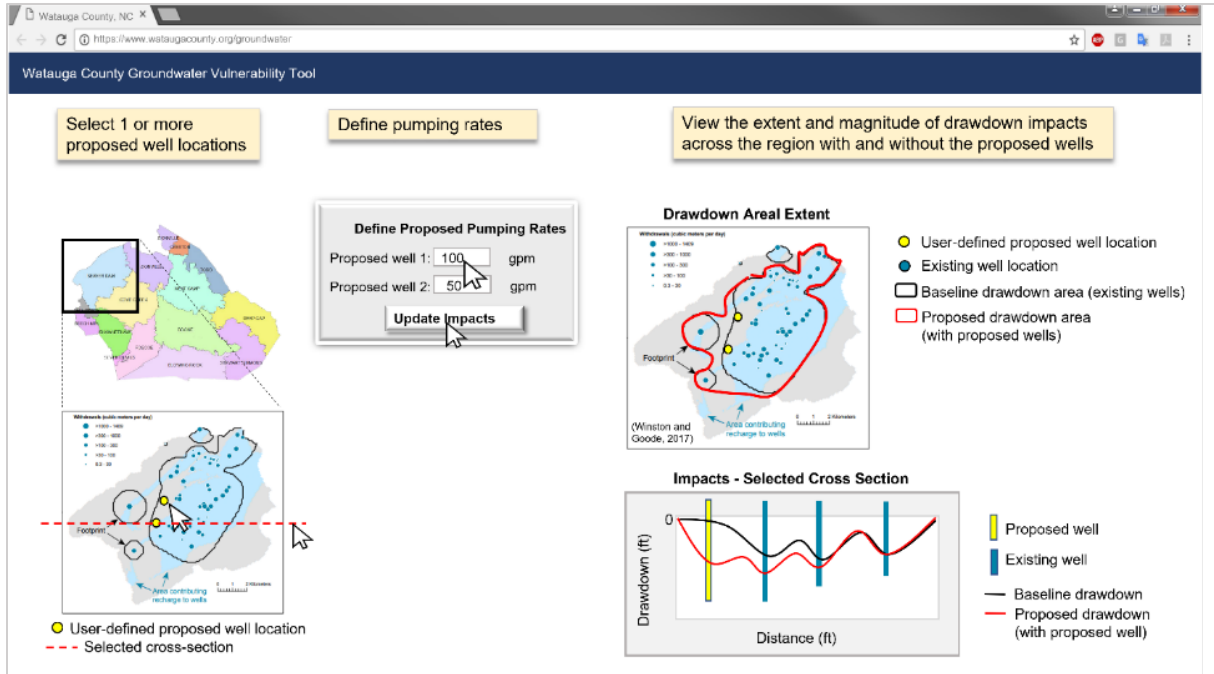


Figure 1 Conceptual mock-up of a groundwater vulnerability tool that would enable users to select an area of interest, view existing well information and geology within the area, add proposed well(s) with specified pumping rates, and view the baseline and impacted drawdown scenarios across the region and for a given cross section. This is a mock-up depiction only - it is not based on real data and not a proposed design for the tool.

3 Schedule

RTI’s proposes to complete the Tasks 1 and 2 following the schedule in **Table 1**.

Table 1 – Proposed schedule

	Month from Contract Execution											
	1	2	3	4	5	6	7	8	9	10	11	12
Task 1 - Data Inventory and Tool Design												
Task 2 - Tool Development												

4 Pricing

Table 2 outlines the estimated costs for Tasks 1 and 2 described above. Given the uncertainty regarding data quality, a time and materials contract would be most appropriate for this project.

Table 2 – Cost Breakdown

	Cost
Task 1 - Data Inventory and Tool Design	\$68,361
Task 2 - Tool Development	\$81,009
Total Cost Tasks 1 and 2	\$149,370

4.1 Indirect Costs

RTI's Indirect Cost Rates are business confidential.

4.2 Other Business Credentials

RTI has an approved Contractor Purchasing System with the United States federal government, approved by the Department of Health and Human Services (DHHS) on March 9, 2022. RTI solicits and executes subcontracts in accordance with this approved system.

RTI has an approved Accounting System determined by the CMS Division of Financial Services on March 26, 2020.

RTI has an acceptable and approved Property Management System determined by Defense Contract Management Agency (DCMA) on September 1, 2020.

5 References

Haven, K., Bland, T., Anderson, W., Andersen, L., (2022). *Inventory of Water-Supply Wells in Watauga County, North Carolina, 1964-2021*. Appalachian State University.

AGENDA ITEM 11:

MISCELLANEOUS ADMINISTRATIVE MATTERS

B. Proposed Public Event and Tournament Memorial Naming & Memorial Bench Donation Policy

MANAGER'S COMMENTS:

Per Board direction from the Annual Retreat held February 9th and 10th, the proposed Public Event and Tournament Memorial Naming & Memorial Bench Donation Policy is presented for Board consideration. The policy would replace the County's existing naming policy.

Board action is required to adopt the policy as presented.

Watauga County Facilities and Property Naming Policy

Vs.

Watauga County Public Event and Tournament Naming & Memorial Bench Donation Policy

The following are section by section changes to this policy, outlining the specific differences in the two. Items listed below with the term "simple verbiage changes" will reflect simple changes made to better align the new policy for event and tournament naming & bench donations as opposed to facility and property naming.

I. PURPOSE

- a. Simple verbiage changes

II. AUTHORIZATION

- a. Simple verbiage changes

III. OBJECTIVES

- a. Removal of section due to directly relating to only facilities and property

IV. QUALIFYING NAMES

- a. Changes listed below

- i. Removed the following from the old policy:

1. Geographic location of the facility
2. A geological, historical, botanical, horticultural, or scientific feature inherent to the area
3. An outstanding feature of the facility
4. The adjoining subdivision, school or street
5. Commonly recognized historical event, group or individual
6. Individual, donor or group who contributed significantly to the acquisition or development of the individual facility

- ii. Kept the following from the old policy:

1. Memorial naming is requested on behalf of an individual who is no longer living
2. Memorial naming is requested on behalf of an individual who was of good standing and reverence in the Watauga County Community

- iii. Added for the new policy:

1. Memorial naming is appropriate and recommended by Watauga County staff
2. Memorial benches are purchased from a pre-selected design from an approved vendor
3. Memorial plaque verbiage is appropriate and approved by Watauga County staff
4. Memorial bench location is approved and recommended by Watauga County staff.

- b. Removed this section entirely requiring an individual to be deceased for more than one year and that individuals can not hold any elected or appointed position with the county.

V. PROCESS OF CONSIDERATION

- a. Simple verbiage changes and removal of policies directly relating to facilities and property

VI. APPLICABILITY

- a. Removal of section from due to directly relating to only facilities and property

VII. LIMITATION

- a. Simple verbiage changes

VIII. RESPONSIBILITY

- a. Simple verbiage changes
- b. Removal of the public input requirement
- c. Removal of the County Board of Commissioners requirement to review all applications for naming, renaming, and donation

PROPOSED POLICY

WATAUGA COUNTY PUBLIC EVENT AND TOURNAMENT MEMORIAL NAMING & MEMORIAL BENCH DONATION POLICY

I. PURPOSE

- a. The purpose of this policy is to establish a process for naming public events and tournaments hosted by Watauga County and to establish a process for accepting donated memorial benches to be placed on property owned by Watauga County.

II. AUTHORIZATION

- a. The Board of County Commissioners shall accept or reject all proposed event and tournament naming requests. County staff may make initial recommendations for naming.
- b. The Board of County Commissioners shall accept or reject, and designate placement of all donated memorial benches. County staff may make initial recommendations for placement.

III. QUALIFYING NAMING REQUESTS AND MEMORIAL BENCH DONATIONS

- a. Public event and tournament memorial naming will only be considered for acceptance by the Board of County Commissioners based on the following:
 - i. Memorial naming is requested on behalf of an individual who is no longer living.
 - ii. Memorial naming is requested on behalf of an individual who was of good standing and reverence in the Watauga County community.
 - iii. Memorial naming is appropriate and recommended by Watauga County staff.
- b. Donated memorial benches will only be considered for acceptance by the Board of County Commissioners based on the following:
 - i. Memorial benches are donated on behalf of an individual who is no longer living.
 - ii. Memorial benches are donated on behalf of an individual who was of good standing and reverence in the Watauga County community.
 - iii. Memorial benches are purchased from a pre-selected design from an approved vendor.
 - iv. Memorial Plaque verbiage is appropriate and approved by Watauga County staff.
 - v. Memorial Bench location is recommended by Watauga County staff.

IV. PROCESS OF CONSIDERATION FOR MEMORIAL EVENT OR TOURNAMENT NAMING

- a. Recommending a memorial naming for an event or tournament must originate in the following manner: An individual or an organization may file an application requesting the naming of an event or tournament. The format is shown on the Watauga County Public Event or Tournament Memorial Request Form.

PROPOSED POLICY

- b. The request form must be supported by official documentation including but not limited to:
 - i. List of services/volunteer activities including dates of involvement
 - ii. List of professional accomplishments
 - iii. List of honors or rewards received
 - iv. Information regarding any significant donations, gifts, financial support or contributions made by the individual to the County.
 - v. Proof of site meeting with the appropriate County Department Head and recommended naming or renaming of an event.
- c. The burden of supporting documents along with the request form rests with the individual or group making the request.
- d. Watauga County Public Event or Tournament Memorial Request Form and all supporting documentation shall be submitted to the Watauga County Manager, 814 West King Street, Suite 205, Boone, NC 28607.
- e. A 15-business day verification period will immediately follow the request submittal.
- f. At the end of the verification period, the County Manager will place the application on the agenda of the next regularly scheduled meeting of the Board of County Commissioners for consideration.
- g. The Board of County Commissioners will review and consider the application for acceptance or rejection.
- h. The County will make every effort to preserve the name of the event or tournament. If necessary, due to the nature of the event or any confusion a naming or renaming may cause, the County reserves the right to change the name at any time.
- i. The County Commissioners may waive or modify any requirement of this policy as they deem appropriate on a case-by-case basis.

V. PROCESS OF CONSIDERATION FOR MEMORIAL BENCH DONATION

- a. Donating a memorial bench shall originate in the following manner: An individual or an organization may file an application requesting acceptance of a donated memorial bench. The format is shown on the Watauga County Memorial Bench Donation Request Form.
- b. The request form must be supported by official documentation including but not limited to:
 - i. List of services/volunteer activities including dates of involvement
 - ii. List of professional accomplishments
 - iii. List of honors or rewards received
 - iv. Information regarding any significant donations, gifts, financial support or contributions made by the individual to the County.
 - v. Proof of site meeting with the appropriate County Department Head and recommended location placement of donated memorial bench.
- c. The burden of supporting documents along with the request form rests with the individual or group making the request.

PROPOSED POLICY

- d. The Watauga County Memorial Bench Donation Request Form and all supporting documentation shall be submitted to the Watauga County Manager, 814 West King Street, Suite 205, Boone, NC 28607.
- e. A 15-business day verification period will immediately follow the request submittal.
- f. At the end of the verification period, the County Manager will place the application on the agenda of the next regularly scheduled meeting of the Board of County Commissioners for consideration.
- g. The Board of County Commissioners will review and consider the application for acceptance or rejection.
- h. The County will make every effort to preserve the memorial bench and plaque. If necessary, due to repair of the surrounding areas, construction or redesign of an area or facility, the memorial bench and plaque may be relocated. If the memorial bench and plaque cannot continue to be maintained or after a reasonable period of time, it may be removed by the County.
- i. The County Commissioners may waive or modify any requirement of this policy as they deem appropriate on a case-by-case basis.

VI. LIMITATIONS

- a. The use and ownership of any County owned property or events may change. The memorial name of an event or tournament is not guaranteed in perpetuity.
- b. The memorial naming of an event shall not create a property interest in the event or tournament or the location of the event or tournament.
- c. All events and tournaments are the sole property of the County.

VII. RESPONSIBILITY

- a. The County Manger is responsible for monitoring and ensuring regular review of this policy.
- b. All costs associated with this process is the responsibility of the requester.
- c. All memorial benches and plaques donated to the County must be purchased by the donor from a preferred vendor and benches must be of an approved, specific design.
- d. The County will make every effort to preserve any memorial naming of an event or tournament.
- e. The County Commissioners may waive or modify any requirement of this policy as they deem appropriate on a case-by-case basis.

**WATAUGA COUNTY
MEMORIAL EVENT NAMING AND BENCH DONATION REQUEST FORM**

Before submitting, please review the Watauga County Public Event and Tournament Memorial Naming & Memorial Bench Donation Policy.

Do you wish to:

Name and/or rename an event after a deceased individual YES / NO

Donate a memorial bench in honor of a deceased individual YES / NO

Per Section IV of the Public Event and Tournament Memorial Naming and Memorial Bench Donation Policy, please provide the following information with this form:

_____ Narrative describing why the individual should be honored by naming or renaming an event or tournament OR placing a donated memorial bench on County Property

_____ List of services/volunteer activities including dates of involvement

_____ List of professional accomplishments

_____ List of honors or rewards received

_____ Information regarding any significant donations, gifts, financial support or contributions made by the individual to the County

_____ Proof of site meeting with the appropriate County Department Head and recommended naming or renaming of event OR location of dedicated memorial bench

Applicant Information:

Name: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email: _____

Date of Submittal: _____

Please deliver this application with accompanying documents to:

In Person Delivery:

Watauga County Manager
814 West King Street
Boone, NC 28607

Mail:

Watauga County Manager
814 West King Street, Suite 205
Boone, NC 28607

**WATAUGA COUNTY
MEMORIAL EVENT NAMING AND BENCH DONATION REQUEST FORM**

If applicant is requesting to name a NEW event in honor of an individual, please describe the event below:

If the applicant is requesting to rename an existing event in honor of an individual, please identify the event and provide justification below:

If the applicant is requesting to donate a memorial bench in honor of an individual to be placed on County owned property, please describe the location and verbiage to be placed on the plaque below:

By signing below, the applicant agrees that:

- The applicant has reviewed the Watauga County Public Event and Tournament Memorial Naming & Memorial Bench Donation Policy.
- If donating a memorial bench, the applicant will purchase the bench from an approved Watauga County Vendor and the bench will be a design approved by Watauga County.
- The appropriate Watauga County employees will provide a recommendation to the County Manager and/or the Watauga County Board of Commissioners for approval or denial of any part of this request.
- Submission of this request and all accompanying documentation does not guarantee approval of requests.
- The Watauga County Board of County Commissioners will be the final decision making body on all requests.

Applicant Signature: _____

Printed Name: _____

Date: _____

OFFICE USE ONLY

Amount Paid: \$ _____ Cash: ___ Check #: ___ CC: ___ Date Paid: _____ Accepted By: _____

PROPOSED POLICY

WATAUGA COUNTY ~~FACILITIES~~ PUBLIC EVENT AND PROPERTY TOURNAMENT MEMORIAL NAMING & MEMORIAL BENCH DONATION POLICY

I. I. — PURPOSE

- a. ~~The purpose of this policy is to establish a process for the naming, renaming or dedication of public buildings, structures, memorials, areas, events and facilities~~ tournaments hosted by Watauga County and to establish a process for accepting donated memorial benches to be placed on property owned by the Watauga County.

II. H. — AUTHORIZATION

- a. The Board of County Commissioners shall accept or reject all proposed event and tournament naming requests. County staff may make initial recommendations for naming.
- b. The Board of County Commissioners shall name, rename, and dedicate all public buildings, structures, memorials, areas, and facilities. County staff may name initial construction projects to identify the site accept or reject, and location for delivery designate placement of all donated memorial benches. County staff may make initial recommendations for placement.

III. QUALIFYING NAMING REQUESTS AND MEMORIAL BENCH DONATIONS

- a. Public materials, services, event and inspections. tournament memorial naming will only be considered for acceptance by the Board of County Commissioners based on the following:

III. — OBJECTIVES

~~The following objectives have been established for Memorial naming, renaming or dedication~~ is requested on behalf of public buildings, structures, memorials, areas, and facilities:

- ~~1. Provide appropriate name identification for public buildings, structures, memorials, areas, and facilities in the County.~~
- ~~2. Provide citizen input into the process of naming, renaming and dedication of public buildings, structures, memorials, areas, and facilities in the County.~~
- ~~3. Ensure control for the naming, renaming and dedication of public buildings, structures, memorials, areas, and facilities in the County~~

IV. — QUALIFYING NAMES

PROPOSED POLICY

- ~~A.i. Public buildings, structures, memorials, areas, and facilities shall be named in a manner that will provide an easy and recognizable reference and individual identity of the area or facility for the citizens of the County. Potential options include: who is no longer living.~~
- ~~1. The geographic location of the facility.~~
 - ~~2. A geologic, historical, botanical, horticultural, or scientific feature inherent to the area.~~
 - ~~3. An outstanding feature of the facility.~~
 - ~~4. The adjoining subdivision, school, or street.~~
 - ~~5. Commonly recognized historical event, group or individual.~~
 - ~~ii. An Memorial naming is requested on behalf of an individual who was of good standing and reverence in the Watauga County community.~~
 - ~~iii. Memorial naming is appropriate and recommended by Watauga County staff.~~
- ~~b. Donated memorial benches will only be considered for acceptance by the Board of County Commissioners based on the following:~~
- ~~i. Memorial benches are donated on behalf of an individual, donor or group who contributed significantly to the acquisition or development of the who is no longer living.~~
 - ~~ii. Memorial benches are donated on behalf of an individual facility, who was of good standing and reverence in the Watauga County community.~~
- ~~7. An individual or group who demonstrated exceptional service (s) or outstanding achievement(s) in the interest of the community as a whole.~~
 - ~~8. A resident of the County with sound moral and social character and whose life was exemplary and worthy of recognition.~~
- ~~B. Public buildings, structures, memorials, areas, and facilities may be named, renamed or dedicated for an individual only after that individual has been deceased for at least one (1) year. A person currently holding a local elected office or serving on a County advisory board may not be considered for the naming, renaming, and dedication of public buildings, structures, memorials, areas, and facilities.~~
- ~~iii. V. Memorial benches are purchased from a pre-selected design from an approved vendor.~~
 - ~~iv. Memorial Plaque verbiage is appropriate and approved by Watauga County staff.~~
 - ~~v. Memorial Bench location is recommended by Watauga County staff.~~

IV. PROCESS OF CONSIDERATION FOR MEMORIAL EVENT OR TOURNAMENT NAMING

~~Naming, renaming, and dedication of public buildings, structures, memorials, areas, and facilities proposals shall~~

Recommending a memorial naming for an event or tournament must originate in the following manner: ~~An individual or an organization may file an application recommending the naming, renaming and dedication of public buildings, structures, memorials, areas, and facilities.~~ requesting the naming of an event or tournament. The format is shown ~~in the County~~

PROPOSED POLICY

~~Facility, Property, or Space Naming Application. County public buildings, structures, memorials, areas, and facilities to be named must not currently be named.~~

~~A. Making an Application:~~

~~1.a. All Applications must be submitted on the form entitled "Watauga County Public Facilities, Property, and Space Naming and Renaming Application," which may be obtained on the County website (www.wataugacounty.org) or in person at on the Watauga County Manager's Office located at 814 West King Street, Boone, NC 28607~~Public Event or Tournament Memorial Request Form.

~~2.b. The Application~~request form must be supported by official documentation including but not limited to:

~~i. Naming for an individual:~~

~~a. Current resume, if living; source identified, dated copy of obituary, if deceased (the resume may cover b-d below)~~

~~b.i. List of services/volunteer/service activities, including dates of involvement ~~and offices held.~~~~

~~e.ii. List of professional accomplishments.~~

~~d.iii. List of honors/awards, both volunteer and professional, including dates awarded.~~or rewards received

~~e. Narrative as to why the individual should be honored with the naming, renaming or dedication of a County public building, structure, memorial, or area.~~

~~f.iv. Information regarding any significant donations, gifts, financial support or contributions made by the individual to the County.~~

~~ii. Naming for an organization:~~

~~a. A copy Proof of the Charter of the organization, including mission statement.~~

~~b.v. A copy of the Minutes of the site meeting with the appropriate County Department Head and recommended naming or authentic copy of the proclamation made that substantiates the organization's desire to seek a naming, renaming or dedication of public building, structure, memorial, area, or facility opportunity of an event.~~

~~c. The burden of supporting documents along with the request form rests with the individual or group making the request.~~

~~d. Watauga County Public Event or Tournament Memorial Request Form and all supporting documentation shall be submitted to the Watauga County Manager, 814 West King Street, Suite 205, Boone, NC 28607.~~

PROPOSED POLICY

- e. A 15-business day verification period will immediately follow the request submittal.
- f. At the end of the verification period, the County Manager will place the application on the agenda of the next regularly scheduled meeting of the Board of County Commissioners for consideration.
- g. The Board of County Commissioners will review and consider the application for acceptance or rejection.
- h. The County will make every effort to preserve the name of the event or tournament. If necessary, due to the nature of the event or any confusion a naming or renaming may cause, the County reserves the right to change the name at any time.
- i. The County Commissioners may waive or modify any requirement of this policy as they deem appropriate on a case-by-case basis.

V. PROCESS OF CONSIDERATION FOR MEMORIAL BENCH DONATION

- a. Donating a memorial bench shall originate in the following manner: An individual or an organization may file an application requesting acceptance of a donated memorial bench. The format is shown on the Watauga County Memorial Bench Donation Request Form.
- b. The request form must be supported by official documentation including but not limited to:
 - ~~e.i. List of service to community, both services/volunteer and monetary activities including dates of involvement and results.~~
 - ~~d. Authentic copies of recognitions awarded by national organization of which the local organization is an affiliate.~~
 - ~~ii. List of other professional accomplishments~~
 - ~~e.iii. List of honors/awards earned by organization. or rewards received~~
 - ~~f. Narrative as to why the organization should be honored with the naming, renaming or dedication of public building, structure, memorial, area, or facility.~~
 - ~~g.iv. Information regarding any significant donations, gifts, financial support or contributions made by the organization/individual to the County.~~
 - ~~v. Proof of site meeting with the appropriate County Department Head and recommended location placement of donated memorial bench.~~
- c. The burden of supporting the application documents along with the request form rests with the individual or group submitting/making the application request.
- ~~B.d. The Watauga County Public Facilities, Property, and Space Naming Memorial Bench Donation Request Form and Renaming Application shall be submitted with all required supporting documentation shall be submitted to the Watauga County Manager, 814 West King Street, Suite 205, Boone, NC 28607.~~

PROPOSED POLICY

- ~~C. During the 15 business days following the filing of an application, the County Manager will verify the documentation presented with the application.~~
- ~~e. A 15-business day verification period will immediately follow the request submittal.~~
- ~~D.f.~~ At the end of the verification period, the County Manager will place the application on the agenda of ~~athe next~~ regularly scheduled meeting of the Board of County Commissioners for ~~its~~ consideration.
- ~~E. The Board of County Commissioners will review and consider the application. After review and consideration of the application, the Board will schedule a public hearing to seek comments and input on the application from County citizens.~~
- ~~F. Once the public hearing has been completed, the Board will vote in favor or against the application. Upon a unanimous vote of the Board, the naming, renaming or dedication of the public building, structure, memorial, area, or facility will be initiated.~~
- ~~G. The renaming of a public building, structure, memorial, area, or facility is strongly discouraged. It is recommended that efforts to change a name be subject to the most critical examination so as not to diminish the original justification for the name or discount the value of the prior contributions.~~
- ~~1. Public buildings, structures, memorials, areas, and facilities named after individuals should not be changed unless it is found that the individual's personal character is or was such that the continued use of his/her name would not be in the best interest of the community.~~
 - ~~2. In order for a public building, structure, memorial, area, and facility to be considered for renaming the recommended name must qualify according to this Policy.~~
- ~~H.g. _____ Public buildings, structures, memorials, areas, or facilities donated to the County can be named by deed restrictions by the donor. The naming and acceptance is subject to approval by the Board of Commissioners. or rejection.~~
- ~~I. In lieu of naming a facility, plaques, markers, and memorials may be considered and are subject to the requirements and standards as set forth in this policy. The Board of Commissioners shall determine the style, size, and placement on a case by case basis. In general, the plaque, signs, or markers shall blend or compliment the facility or area.~~
- ~~J.h.~~ The County will make every effort to preserve ~~any dedication plaque or other dedicated object such as a tree, bench, etc.~~ the memorial bench and plaque. If necessary, due to repair of the surrounding areas, construction or redesign of an area or facility, the memorial bench and plaque ~~or dedication object~~ may be relocated. If the memorial

PROPOSED POLICY

~~bench and plaque or other dedication object~~ cannot continue to be maintained or after a reasonable period of time, it may be removed by the County.

~~K.i.~~ The County Commissioners may waive or modify any requirement of this policy as ~~it~~ deemsthey deem appropriate on a case-by-case basis.

VI. APPLICABILITY

~~This policy governs only those applications made to request Watauga County facilities, property, and spaces naming or renaming opportunities.~~

VII.

VI. LIMITATIONS

~~A. Although the Board of County Commissioners should be sensitive to the need for continuity in designating Naming Opportunities and to the recognition given to generous donors throughout its history, it cannot guarantee the continued designation of a Naming Opportunity.~~

~~B. Designation of a Naming Opportunity will only apply to that particular County facility, property, or space and the name cannot be transferred to another County facility, property, or space without being proposed using the formal process outlined in the Policy.~~

~~C.a.~~ _____ The use and ownership of any County facility,owned property, or spaceevents may change; ~~consequently, the designation of a Naming Opportunity is not a guarantee that the use or ownership of the County facility, property, or space will remain the same.~~ The memorial name of an event or tournament is not guaranteed in perpetuity.

~~D.b.~~ _____ The memorial naming of any County facility, property, or space by the Board of County Commissionersan event shall not create a property interest in the Naming Opportunityevent or tournament or the location of the event or tournament.

~~c. VIII.~~ All events and tournaments are the sole property of the County.

VII. RESPONSIBILITY

~~A.a.~~ _____ The County ManagerManger is responsible for monitoring and ensuring regular review of this Policypolicy.

~~B.b.~~ _____ All costs associated with the publication of the notice shall be paid by the applicant. ~~If the designation this process is approved by the County Commissioners, all costs associated with the signage and installation shall be the responsibility of the applicantrequester.~~

PROPOSED POLICY

- ~~C. Any individual, family, group or organization sponsoring a dedication or memorial must provide sufficient funds to purchase, install and maintain any plaque or other form of label associated with the recognition.~~
- c. All memorial benches and plaques donated to the County must be purchased by the donor from a preferred vendor and benches must be of an approved, specific design.
- ~~D.d.~~ _____ The
County will make every effort to preserve any ~~dedication plaque or other dedicated object such as a tree, bench, etc.~~ memorial naming of an event or tournament.
- ~~E. If the dedication includes the gift of a tree or other plant the County will provide its regular standard of landscape care for the planting. If the planting does not survive, the County is not obligated to provide a replacement.~~
- ~~F.e.~~ The County Commissioners may waive or modify any requirement of this policy as ~~it~~ deems they deem appropriate on a case-by-case basis.

PROPOSED POLICY

~~Watauga County Public Facilities, Property, and Space Naming and Renaming Application~~

Before submitting, please review the ~~County Facilities, Property, and Spaces Naming and Renaming Policy.~~

Name of proposed honoree(s): _____

Proposed facility and location to be named: _____

If the proposed honoree(s) is a **living individual** please attach:

- a) ~~Current resume (may include items b-d below).~~
- b) ~~List of volunteer and/or service activities, including dates of involvement and offices held.~~
- c) ~~List of professional accomplishments.~~
- d) ~~List of honors and/or awards, both volunteer and professional, including dates awarded.~~
- e) ~~Information regarding any significant donations, gifts, financial support or contributions made by the individual to Watauga County.~~
- f) ~~Additional documents that support the proposal (optional)~~

If the proposed honoree(s) is a **deceased individual**, please attach:

- a) ~~Source identified, dated copy of obituary.~~
- b) ~~List of volunteer and/or service activities, including dates of involvement and offices held.~~
- c) ~~List of professional accomplishments.~~
- d) ~~List of honors and/or awards, both volunteer and professional, including dates awarded.~~
- e) ~~Information regarding any significant donations, gifts, financial support or contributions made by the individual to Watauga County.~~
- f) ~~Additional documents that support the proposal (optional).~~

If the proposed honoree(s) is an **organization**, please attach:

- a) ~~A copy of the charter for the organization, including mission statement.~~
- b) ~~A copy of the minutes of the meeting or authentic copy of the proclamation made that substantiates the organization's desire to seek a County facility, property, or space naming or renaming opportunity.~~
- c) ~~List of service to community, both volunteer and monetary, including dates of involvement and results.~~
- d) ~~Authentic copies of recognitions awarded by national organization of which the local organization is an affiliate.~~

PROPOSED POLICY

- ~~e) List of other honors/awards earned by organization.~~
- ~~f) Narrative as to why the organization should be honored with the naming of a library facility.~~
- ~~g) g) Information regarding any significant donation, gifts, financial support or contributions made by the organization to the County.~~

Narrative describing why the individual should be honored with the naming or renaming of a County facility, property, or space:

Attach additional pages if more space is required.

Please note: honoree will be subject to a background check.

Applicant signature: _____ Date: _____

Applicant information:

Name: _____

Organization: _____

Address: _____

City: _____ State: _____

Telephone: _____

E-mail: _____

Please submit this application and all attachments to:

Watauga County Manager

814 West King Street

Boone, NC 28607

Office Use Only

Date Received: _____ **By:** _____

Notes:

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AGENDA ITEM 11:

MISCELLANEOUS ADMINISTRATIVE MATTERS

C. Proposed Lease of County Property to Skyline Telephone Membership Corporation

MANAGER'S COMMENTS:

Skyline/SkyBest currently leases a .057-acre parcel of land located at the entrance of Watauga High School. The County is the owner of record as the property serves as collateral for the loan the County incurred. Property owned by the County may be leased or rented for such terms and upon such conditions as the Board may determine, for up to ten (10) years. Property may be rented or leased only pursuant to a resolution of the Board authorizing the execution of the lease or rental agreement adopted at a regular Board meeting upon a 30-day public notice. Notice shall be given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the Board's intent to authorize the lease or rental at a future meeting.

However, North Carolina General Statute 160A-272 section (c) Notwithstanding subsection (b1) of this section, the council may approve a lease without treating that lease as a sale of property for any of the following reasons:

(1) For the siting and operation of a renewable energy facility, as that term is defined in G.S. 62-133.8(a)(7), for a term up to 25 years.

(2) For the siting and operation of a tower, as that term is defined in G.S. 146-29.2(a)(7), for communication purposes for a term up to 25 years.

(3) For the operation and use of components of a wired or wireless network, for a term up to 25 years; provided, however, that the lease is entered into with a private broadband provider or a cooperative in connection with a grant agreement pursuant to G.S. 143B-1373 and is for a discrete and specific project located in an unserved area of an economically distressed county seeking to provide broadband service to homes, businesses, and community anchor points not currently served.

Skyline/SkyBest is requesting the twenty-five (25) year term to continue their expansion to provide coverage to unserved and underserved areas of the County. The Board may adopt the lease with Skyline/SkyBest upon the 30-day public notice. Notice shall be given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the Board's intent to authorize the lease or rental at a future meeting.

The 30-day public notice and advertisement has been met and the Board may take action on the proposed lease.

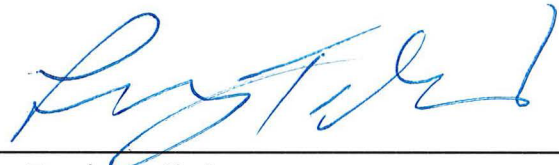
STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

Resolution of Watauga County Board of County Commissioners

Pursuant to NCGS 160A-272, notice is hereby given that at the regular commissioner meeting of the Watauga County Board of County Commissioners on February 21, 2023, the Watauga County Board of County Commissioners adopted a resolution which authorized Deron T. Geouque, County Manager, of Watauga County to lease to SKYLINE TELEPHONE MEMBERSHIP CORPORATION and its subsidiary, SKYBEST COMMUNICATIONS, INC., a 0.057 acre of property located at the entrance of the Watauga County High School, for a term of twenty-five (25) years. The rent to be paid by SKYLINE TELEPHONE MEMBERSHIP CORPORATION and its subsidiary, SKYBEST COMMUNICATIONS, INC. to Watauga County during the term of the lease is One Dollar (\$1.00) per annum. The lease shall become effective thirty (30) days after the publication of this notice and formal adoption of the lease by the Board of Commissioners.

ADOPTED this the 21st day of February, 2023.



Larry Turnbow, Chairman
Watauga County Board of County Commissioners

ATTEST:



Anita J. Fogle, Clerk to the Board

§ 160A-272. Lease or rental of property.

(a) Any property owned by a city may be leased or rented for such terms and upon such conditions as the council may determine, but not for longer than 10 years (except as otherwise provided in subsection (b1) of this section) and only if the council determines that the property will not be needed by the city for the term of the lease. In determining the term of a proposed lease, periods that may be added to the original term by options to renew or extend shall be included.

(a1) Property may be rented or leased only pursuant to a resolution of the council authorizing the execution of the lease or rental agreement adopted at a regular council meeting upon 30 days' public notice. Notice shall be given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the council's intent to authorize the lease or rental at its next regular meeting.

(b) No public notice as required by subsection (a1) of this section need be given for resolutions authorizing leases or rentals for terms of one year or less, and the council may delegate to the city manager or some other city administrative officer authority to lease or rent city property for terms of one year or less.

(b1) Leases for terms of more than 10 years shall be treated as a sale of property and may be executed by following any of the procedures authorized for sale of real property.

(c) Notwithstanding subsection (b1) of this section, the council may approve a lease without treating that lease as a sale of property for any of the following reasons:

- (1) For the siting and operation of a renewable energy facility, as that term is defined in G.S. 62-133.8(a)(7), for a term up to 25 years.
- (2) For the siting and operation of a tower, as that term is defined in G.S. 146-29.2(a)(7), for communication purposes for a term up to 25 years.
- (3) For the operation and use of components of a wired or wireless network, for a term up to 25 years; provided, however, that the lease is entered into with a private broadband provider or a cooperative in connection with a grant agreement pursuant to G.S. 143B-1373 and is for a discrete and specific project located in an unserved area of an economically distressed county seeking to provide broadband service to homes, businesses, and community anchor points not currently served.

(d) Notwithstanding subsection (a) of this section, any lease by a city of any duration for components of a wired or wireless network shall be entered into on a competitively neutral and nondiscriminatory basis and made available to similarly situated providers on comparable terms and conditions and shall not be used to subsidize the provision of competitive service. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 26; 2009-149, ss. 2, 3; 2010-57, s. 2; 2010-63, s. 2(b); 2011-150, s. 1; 2014-120, s. 34; 2015-246, s. 9; 2018-5, s. 37.1(c).)

FILED Amy J. Shook
Register of Deeds, Watauga Co, NC
Fee Amt: \$26.00

Bk 1970 Pg 287 (3)
Recorded: 04/27/2018 at 11:53:42 AM
Doc No: 668182 Kind: LEASE



✓
RETURNED TO ERIC HOLT
AT THE TIME OF RECORDING

**STATE OF NORTH CAROLINA
COUNTY OF WATAUGA**

LEASE AGREEMENT

This contract of Lease, made this 5th day of September, 2017 by and between **WATAUGA COUNTY**, party of the first part, hereinafter called "Lessor"; and **SKYLINE TELEPHONE MEMBERSHIP CORPORATION and its subsidiary, SkyBest Communications, Inc.**, party of the second part, hereinafter called "Lessee";

The designation Lessor and Lessee, party of the first part, and the party of the second part as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

WITNESSETH:

That the Lessor has hereby leased to the Lessee and the Lessee has hereby accepted as Lessee the following described property:

See attached plat on Page 4.

This lease is executed upon the following terms and conditions:

- (1) It is agreed that this lease is for a term of ten (10) years (as approved by the Watauga County Board of Commissioners in its regular meeting on September 5, 2017) beginning on the 6th day of September, 2017, and running through the 5th day of September, 2027.
- (2) The rent for said term is to be the sum of \$1 and other valuable considerations, payable in advance, the receipt of which is hereby acknowledged by the Lessor.
- (3) Lessee shall use the demised premises for the purpose of installing and maintaining equipment necessary to provide communications services to the property of the Lessor and the surrounding general area, said equipment to be housed in weatherproof cabinets or in a one (1) story structure, and no part of the demised premises shall be used for any other purpose without the prior written consent of the Lessor.

(4) Lessee shall keep the demised premises in a state of good repair, maintenance and cleanliness, including all buildings, structures and equipment thereon.

(5) No waiver of any breach or breaches of any provision of this Lease shall be construed to be a waiver of any preceding or succeeding breach of such provision or of any other provision hereof.

(6) This lease may be modified or amended only by a writing duly authorized and executed by both the Lessor and Lessee. It may not be amended or modified by oral agreements or understandings between the parties unless the same shall be reduced to writing duly authorized by and executed by both Lessor and Lessee.

IN TESTIMONY WHEREOF, the said party of the first part has hereunto set his hand and seal, and the party of the second part has caused this lease to be executed in its corporate name by its President and attested by its Secretary, the day and year first above written.

LESSOR:

Watauga County, a North Carolina corporate body politic

By: *Deron Geouque*
Deron Geouque, County Manager
Watauga County

Attest:

Anita Fogle

Anita Fogle, Clerk to the Board of County Commissioners

(CORPORATE SEAL)

**STATE OF NORTH CAROLINA
COUNTY OF WATUAGA**

I, a Notary Public of the County and State aforesaid, certify that Anita Fogle, personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners for the County of Watauga, North Carolina, and that by authority duly given and as the act of said County, the foregoing instrument was signed in its name by the Chairman of the Board of County Commissioners and attested by her as Clerk to the Board of Commissioners.

The signatory acknowledged to me that she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

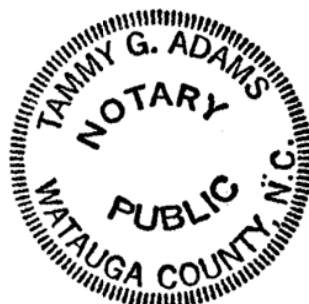
Witness my hand and official stamp or seal, this the 13th day of ~~September~~^{October}, 2017.

Tammy G. Adams
Notary Public

Print: Name: Tammy G. Adams

My Commission Expires: August 5, 2022

August 5, 2022
My Commission Expires



Bk 1970 Pg 289
Doc No: 668182 Kind: LEASE

Page Three

Lessee:

SKYLINE TELEPHONE MEMBERSHIP CORPORATION

By: *R. C. Mitchell*
President
PARTY OF THE SECOND PART

ATTEST:

James L. Shepherd
Secretary

**NORTH CAROLINA
ASHE COUNTY**

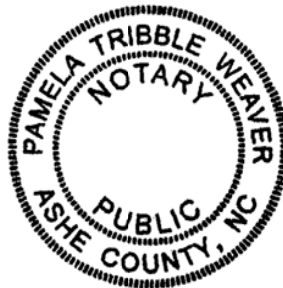
Personally appeared before the undersigned Notary Public in and for the County and State aforesaid, Jim Shepherd, and acknowledged that he is Secretary of Skyline Telephone Membership Corporation, a North Carolina Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed by its President, sealed with its corporate seal, and attested by him as its Secretary.

WITNESS my hand and notarial seal, this 7 day of November, 2017.

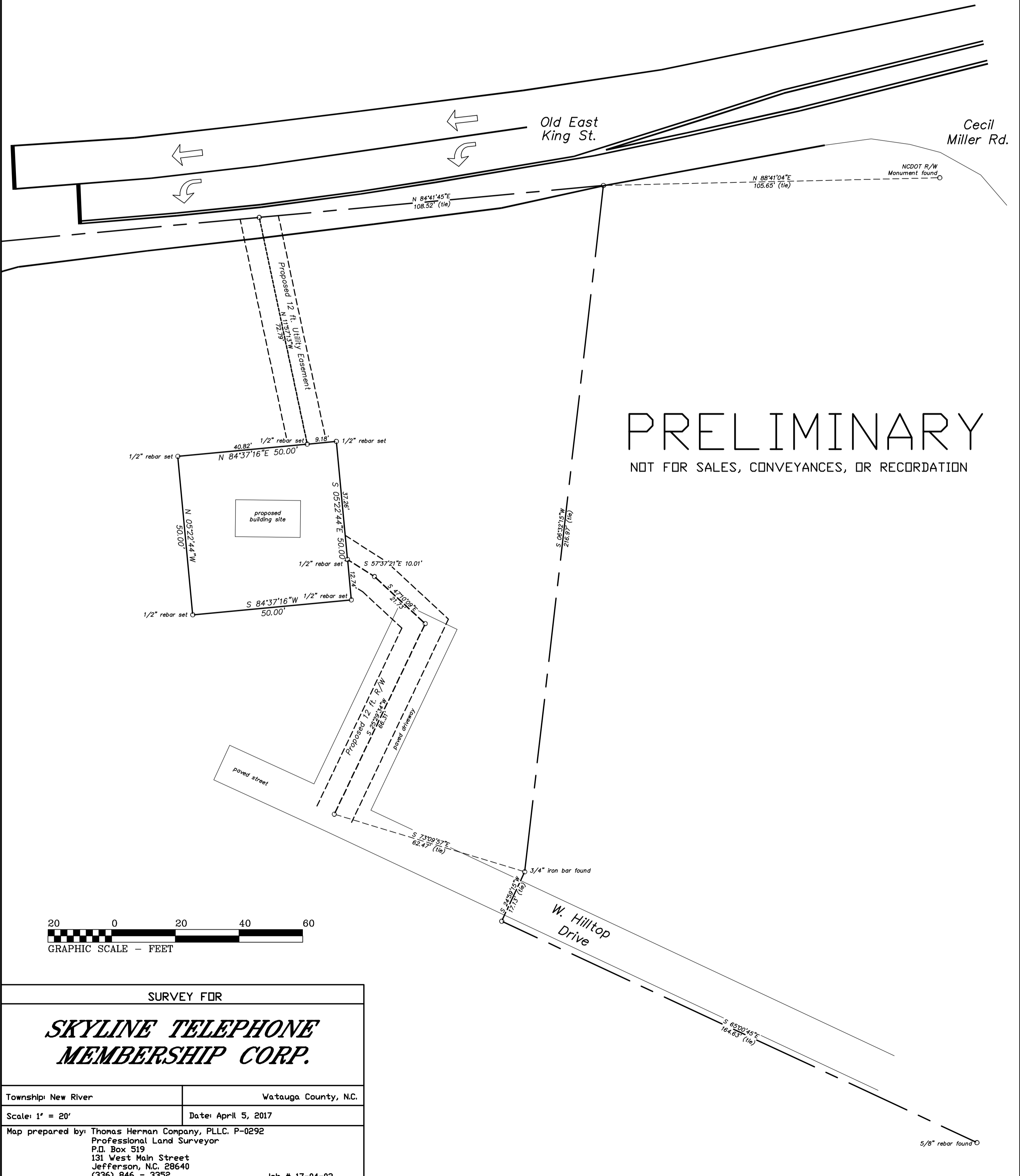
Pamela Tribble Weaver
NOTARY PUBLIC

7-24-21

My Commission Expires



Total Area: 0.057 Acres
2500 sq.ft.



PRELIMINARY
NOT FOR SALES, CONVEYANCES, OR RECORDATION



SURVEY FOR	
SKYLINE TELEPHONE MEMBERSHIP CORP.	
Township: New River	Watauga County, N.C.
Scale: 1" = 20'	Date: April 5, 2017
Map prepared by: Thomas Herman Company, PLLC, P-0292 Professional Land Surveyor P.O. Box 519 131 West Main Street Jefferson, N.C. 28640 (336) 846 - 3352	
Job # 17-04-02	

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AGENDA ITEM 11:

MISCELLANEOUS ADMINISTRATIVE MATTERS

D. Boards and Commissions

MANAGER’S COMMENTS:

Jury Commission

Biannually, a Jury Commission is empaneled for a two-year term. Of the three-member panel, one member is appointed by the Board of Commissioners. The current term expires June 30, 2023. The new term for the appointment will be July 1, 2023, through June 30, 2025.

Assistant Clerk of Court Stephanie Dalton has recommended Mr. Thomas Redmond, retired from the Boone Police Department, be appointed to fill the position. This is a first reading and, therefore, no action is required at this time.

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AGENDA ITEM 11:

MISCELLANEOUS ADMINISTRATIVE MATTERS

E. Announcements

MANAGER'S COMMENTS:

AGENDA ITEM 12:

PUBLIC COMMENT

AGENDA ITEM 13:

BREAK

AGENDA ITEM 14:

CLOSED SESSION

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

Land Acquisition – G. S. 143-318.11(a)(5)(i)

Personnel Matters – G. S. 143-318.11(a)(6)