

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

**TUESDAY, JUNE 18, 2013  
5:30 P.M.**

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

<b>TIME</b>	<b>#</b>	<b>TOPIC</b>	<b>PRESENTER</b>	<b>PAGE</b>
5:30	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: May 9, 2013, Special Meeting – Budget Work Session May 13, 2013, Special Meeting – Budget Work Session June 4, 2013, Regular Meeting June 4, 2013, Closed Session		1
	3	APPROVAL OF THE JUNE 18, 2013 AGENDA		15
5:35	4	PROJECT ON AGING MATTERS A. Proposed Allocation of Estimated FY 2014 Home and Community Care Block Grant (H&CCBG) Funds B. FY 2014 AppalCART Contract	MS. ANGIE BOITNOTTE	17 21
5:40	5	BUDGET AMENDMENTS	MS. MARGARET PIERCE	27
5:45	6	MISCELLANEOUS ADMINISTRATIVE MATTERS A. Request to Close Container Site on US Hwy 221 South B. Proposed Policy to Provide Preference to Local Vendors in Purchasing of Equipment and Supplies C. Proposed Policy for Naming County Facilities D. Debt Service Plan E. Boards & Commissions F. Announcements	MR. DERON GEOUQUE	31 43 47 53 55 63
5:50	7	PUBLIC COMMENT		64
6:50	8	BREAK		64
6:55	9	CLOSED SESSION Attorney/Client Matters – G. S. 143-318.11(a)(3)		64
7:00	10	ADJOURN		

**AGENDA ITEM 2:**

**APPROVAL OF MINUTES:**

May 9, 2013, Special Meeting – Budget Work Session  
May 13, 2013, Special Meeting – Budget Work Session  
June 4, 2013, Regular Meeting  
June 4, 2013, Closed Session

**DRAFT**

MINUTES

WATAUGA COUNTY BOARD OF COMMISSIONERS

SPECIAL MEETING, THURSDAY, MAY 9, 2013

The Watauga County Board of Commissioners held a budget work session on Thursday, May 9, 2013, in the Commissioners' Conference Room, Watauga County Administration Building. Those present were: Chairman Miller, Vice-Chairman Blust, Commissioner Kennedy, Commissioner Welch, Commissioner Yates, County Manager Geouque, and Finance Director Pierce. Also in attendance were Watauga County School Board Members: Dr. Lee Warren, Mr. Ron Henries, Ms. Delora Hodges, Ms. Barbara Kinsey, Ms. Brenda Reese, Dr. David Fonseca, Watauga County Schools Interim Superintendent; Dr. Stephen Martin, Human Resource Director, Ms. Ly Marze, Board of Education Finance Director; Dennis Ray, School Maintenance Director; Sheriff Len Hagaman, Captain Al Reed, Captain Kelly Redmon, and Captain Dee Dee Rominger with the Watauga County Sheriff's Office.

Chairman Miller called the meeting to order at 4:05 P.M.

*[Clerk's Note: Vice-Chairman Blust arrived at 4:30 P.M. Vice-Chairman Blust left at 7:20 P.M. due to a prior commitment.]*

The School Board reviewed their request and thanked the Board for contributions and support for the upcoming Fiscal Year 2013-2014.

The Sheriff and Command Staff reviewed their request and thanked the Board for contributions and support for the upcoming Fiscal Year 2013-2014.

County Manager Geouque and Finance Director Pierce reviewed the proposed Fiscal Year 2013/2014 budget for Board discussion.

The meeting was adjourned at 10:10 P.M.

---

Nathan Miller, Chairman

ATTEST:

---

Deron T. Geouque  
County Manager

**DRAFT**

MINUTES

WATAUGA COUNTY BOARD OF COMMISSIONERS

SPECIAL MEETING, MONDAY, MAY 13, 2013

The Watauga County Board of Commissioners held a budget work session on Monday, May 13, 2013, in the Commissioners' Conference Room, Watauga County Administration Building. Those present were: Chairman Miller, Vice-Chairman Blust, Commissioner Kennedy, Commissioner Welch, Commissioner Yates, County Manager Geouque, and Finance Director Pierce. Also in attendance was Craig Sullivan with Watauga Medics.

Chairman Miller called the meeting to order at 6:00 P.M.

County Manager Geouque and Finance Director Pierce continued review of the proposed Fiscal Year 2013/2014 budget.

The meeting was adjourned at 7:13 P.M.

---

Nathan Miller, Chairman

ATTEST:

---

Deron T. Geouque  
County Manager

**DRAFT****MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JUNE 4, 2013**

The Watauga County Board of Commissioners held a regular meeting on Tuesday, June 4, 2013, at 8:30 A.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

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

Chairman Miller called the meeting to order at 8:38 A.M.

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

**APPROVAL OF MINUTES**

Chairman Miller called for additions and/or corrections to the May 21, 2013, regular meeting and closed session minutes.

Commissioner Yates, seconded by Commissioner Welch, moved to approve the May 21, 2013, regular meeting minutes as presented.

VOTE: Aye-5  
Nay-0

Commissioner Yates, seconded by Commissioner Welch, moved to approve the May 21, 2013, closed session minutes as presented.

VOTE: Aye-5  
Nay-0

**APPROVAL OF AGENDA**

Chairman Miller called for additions and/or corrections to the June 4, 2013, agenda.

Commissioner Kennedy, seconded by Commissioner Yates, moved to approve the June 4, 2013, agenda as presented.

VOTE: Aye-5  
Nay-0

## ADOPTION OF THE FISCAL YEAR 2014 BUDGET ORDINANCE

County Manager Geouque presented the Fiscal Year 2014 Budget Ordinance for adoption. Below is a list of changes that were requested by the Board and incorporated into the proposed budget:

Revenues		
Occupancy Tax Admin Collection Fees	increase	\$300
Expenditures		
Governing Body	decrease salary and benefits	\$815
Information Technology	increase	\$10,000
Maintenance, Parks/Fields	increase	\$15,000
Special Allocations:		
Children's Playhouse	increase	\$2,500
Foscoe Community Center	increase	\$1,000
Valle Crucis Park	decrease	\$1,000
Green Valley Park	decrease	\$6,000
Foster Grandparent Program	decrease	\$1,100
WeCAN	increase	\$1,500
Hunger and Health Coalition	decrease	\$8,000
Community Care Clinic	decrease	\$5,500
Mountain Alliance	decrease	\$6,300
Western Youth Network	decrease	\$3,300
Transfers		
To Department of Social Services	decrease	\$15,814
To Capital Projects	increase	\$17,829

After discussion, Vice-Chairman Blust, seconded by Chairman Miller, moved to decrease the allocation to Smoky Mountain Center, the County's Local Management Entity for mental health services, by \$50,000.

Commissioner Welch requested that an additional work session be scheduled to allow for further discussion.

After discussion the following vote was taken on the above motion:

VOTE: Aye-3(Miller, Blust, Yates)  
Nay-2(Kennedy, Welch)

Vice-Chairman Blust recommended the following reallocations:

Foscoe/Grandfather Community Center	increase to	\$1,500
Mountain Alliance	increase to	\$10,000
Hunger Coalition	increase to	\$8,500
Green Valley Park	increase to	\$8,000

Commissioner Yates shared concerns that Green Valley Park had recently declined the acceptance of a \$1,000 donation from Wahoo's Water Adventures. Representatives from both entities were present.

County Attorney Eggers stated that the Board could receive comment from both entities if so desired, schedule a special meeting to further discuss the issue, or proceed with Board only discussion.

Commissioner Yates, seconded by Vice-Chairman Blust, moved to allow two speakers (one representing Green Valley Park and one representing Wahoo's Water Adventures) each three minutes to explain the events surrounding the \$1,000 check.

VOTE: Aye-3(Miller, Blust, Yates)  
Nay-2(Kennedy, Welch)

Ms. Virginia Roseman, on behalf of Mr. Jeff Stanly, with Wahoo's Water Adventures explained the events that lead to Mr. Stanly writing a \$1,000 check to Green Valley Park as a solution to parking issues at the park. Ms. Roseman stated that Wahoo's was in support of Green Valley Park; however, she requested the Board place stipulations which would prohibit the Park from allowing outside outfitters use of the parking area.

Ms. Janice Carroll, representing Green Valley Park, stated that the Park's Board chose to return the check because they did not want the headaches that came with the donation which was made after parking issues and alleged pirating by Wahoo's of permitted outfitters' customers.

After discussion, Vice-Chairman Blust, seconded by Commissioner Yates, moved to amend the Fiscal Year 2014 Budget for the following special allocations:

Foscoe/Grandfather Community Center	increase to	\$1,500
Mountain Alliance	increase to	\$10,000
Hunger Coalition	increase to	\$8,500
Green Valley Park	increase to	\$8,000

Commissioner Kennedy requested that a work session be scheduled to allow for additional discussion.

After discussion, the following vote was taken on the above motion:

VOTE: Aye-3(Miller, Blust, Yates)  
Nay-2(Kennedy, Welch)

Commissioner Welch, seconded by Commissioner Kennedy, moved to make the following reallocations to the Fiscal Year 2014 Budget:

Capital Projects	decrease by	\$17,800	
Beech Mountain Parks & Recreation	decrease by	\$500	transfer to WeCAN
Blowing Rock Parks & Recreation	decrease by	\$1,500	transfer to Green Valley Park
Green Valley Park	increase by	\$1,500	transferred from BR P&R
Foster Grandparents Program	increase by	\$1,000	transferred from Cap. Projects
Hunger Coalition	increase by	\$3,500	transferred from Cap. Projects
Community Care Clinic	increase by	\$2,000	transferred from Cap. Projects
Mountain Alliance	increase by	\$2,500	transferred from Cap. Projects
Children's Playhouse	increase by	\$500	transferred from Cap. Projects
Hospitality House	increase by	\$4,000	transferred from Cap. Projects
WeCAN	increase by	\$1,800	transferred from Beech Mtn. P&R (\$500) & Cap. Projects (\$1,300)
Western Youth Network	increase by	\$3,000	transferred from Cap. Projects

After discussion, the following vote was taken on the above motion:

VOTE: Aye-2(Kennedy, Welch)  
Nay-3(Miller, Blust, Yates)

Chairman Miller, seconded by Commissioner Yates, moved to reallocate \$36,700 (the remainder between the decrease to Smoky Mountain and the increases to various non-profits) to the Sheriff's Office to be used for uniforms and equipment.

After discussion, the following vote was taken on the above motion:

VOTE: Aye-3(Miller, Blust, Yates)  
Nay-0

Commissioner Yates, seconded by Vice-Chairman Blust, moved to adopt the Fiscal Year 2014 Budget Ordinance as amended in the above actions to include the \$50,000 decrease to Smoky Mountain Center and subsequent increases to non-profits, in the total amount of \$13,300, and the Sheriff's Office in the amount of \$36,700.

VOTE: Aye-3(Miller, Blust, Yates)  
Nay-2(Kennedy, Welch)

## **SHERIFF'S OFFICE MATTERS**

### ***A. Request to Reassign Competent Correctional Care, Inc., Contract to JLW Enterprises, Inc.***

The County currently contracts with Competent Correctional Care, Inc. for jail inmate medical services. Competent Correctional Care, Inc. has requested to assign their contract with the County to JLW Enterprises, Inc. The County Attorney prepared an assignment agreement in which both Competent Correctional Care, Inc. and JLW Enterprises, Inc. have signed. Sheriff Hagaman stated that there would be no changes in the terms and conditions of the existing contract or services due to the assignment to JLW Enterprises, Inc. All medical staff was to remain the same as well. The Sheriff supported and recommended approval of the assignment.



Commissioner Yates, seconded by Commissioner Welch, moved to approve the assignment of the Competent Correctional Care, Inc. contract to JLW Enterprises, Inc. as prepared by the County Attorney.

VOTE: Aye-5  
Nay-0

***B. Request to Accept Donation of Two Service Dogs from Mount Vernon Church***

Sheriff Hagaman requested the Board accept a donation of two K-9 service dogs from Mount Vernon Church. Both dogs, a German Shepherd and Belgium Malinois, were dual purpose service dogs trained for patrol and narcotics. The Sheriff stated that the dogs were currently in training which was also provided. Funds were budgeted for FY 2014 to covered associated expenses.

Vice-Chairman Blust, seconded by Commissioner Welch, moved to accept the donation of the two K-9 service dogs from Mount Vernon Church as requested by the Sheriff.

VOTE: Aye-5  
Nay-0

**ECONOMIC DEVELOPMENT COMMISSION (EDC) FUNDING RECOMMENDATION**

Mr. Rob Hudspeth and Mr. Tim Ford, representatives from the Appalachian Regional Healthcare System (ARHS), shared details on the new Appalachian Place project at Chestnut Ridge. The new facility was to be constructed on property near the Blue Ridge Parkway in Blowing Rock and would replace Blowing Rock Hospital. Total estimated cost for the project is \$20 million. ARHS requested assistance, in the amount of \$150,000 from Economic Development funds, for water and sewer infrastructure needs as the project would bring several new jobs to the County.

Mr. Keith Honeycutt, Chairman of the Watauga County Economic Development Commission (EDC), recommended the Board approve the \$150,000 for water and sewer infrastructure with \$75,000 to be allocated from EDC funds and \$75,000 from County funds. The full \$150,000 was recommended to be paid up front with \$75,000 to be tied to Phase II of the project. Should Phase II not begin within five (5) years, that \$75,000 was required to be repaid to the County.

Mr. Keith Tester, Chairman of the Appalachian Regional Healthcare System Board, encouraged the Board to show strong support by allocating Economic Development funds for infrastructure needs with jobs to be created by the addition to the local healthcare system.

After lengthy discussion, Commissioner Welch, seconded by Commissioner Kennedy, moved to allocate \$75,000 from Economic Development funds to the Appalachian Regional Healthcare System for water and sewer infrastructure needs associated with the Chestnut Ridge project with talks to continue regarding the additional funding from the County.

VOTE: Aye-2(Kennedy, Welch)  
Nay-3(Miller, Blust, Yates)

## **JUVENILE CRIME PREVENTION COUNCIL (JCPC) MATTERS**

### ***A. FY 2013 JCPC Revised Funding Allocation***

Ms. Karee Mackey, Chair of the Juvenile Crime Prevention Council (JCPC), presented a revised funding allocation for FY 2013.

Commissioner Welch, seconded by Commissioner Yates, moved to approve the Juvenile Crime Prevention Council FY 2013 funding allocation revisions as presented by Ms. Mackey.

VOTE: Aye-5  
Nay-0

### ***B. FY 2014 JCPC Certification, Membership, and County Plan***

Ms. Mackey presented the Juvenile Crime Prevention Council (JCPC) Certification and County Plan as well as the membership roster for FY 2014.

Vice-Chairman Blust, seconded by Commissioner Welch, moved to approve certification, County Plan and membership as presented by Ms. Mackey.

VOTE: Aye-5  
Nay-0

## **TAX MATTERS**

### ***A. Monthly Collections Report***

Tax Administrator Larry Warren presented the Tax Collections Report for the month of May 2013. This report was presented for information only and, therefore, no action was required.

### ***B. Refunds and Releases***

Mr. Warren presented the following Refunds and Releases for May 2013 for Board approval:

TO BE TYPED IN MINUTE BOOK

Vice-Chairman Blust, seconded by Commissioner Welch, moved to approve the Refunds and Releases Report for May 2013, as presented.

VOTE: Aye-5  
Nay-0

### ***C. County Tax Records Retention & Disposition Schedule***

Mr. Warren requested the Board adopt the County Tax Records Retention and Disposition Schedule from the North Carolina Department of Cultural Resources. Adoption of the schedule

allows the Tax Office to be compliant with state requirements for retention and disposal of their records.

County Manager Geouque recommended the local policy for administrative value be set at twenty-four (24) hours.

County Attorney Eggers stated that documents could, however, be kept longer than the 24 hour time period.

Commissioner Yates, seconded by Commissioner Welch, moved to adopt the County Tax Records Retention and Disposition Schedule as presented with the local administrative value policy to be set at twenty-four (24) hours.

VOTE: Aye-5  
Nay-0

## **FINANCE MATTERS**

### ***A. Smoky Mountain Quarterly Report***

Ms. Margaret Pierce, Finance Director, presented the Smoky Mountain Center Quarterly Reports as required by Statute.

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

### ***B. Budget Amendments***

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

<b>Account #</b>	<b>Description</b>	<b>Debit</b>	<b>Credit</b>
283102-312119	Tax Revenue Meat Camp/Creston Fire District		\$2,600
284340-469919	Payment to Meat Camp/Creston Fire District	\$2,600	
283102-312112	Tax Revenue Blowing Rock Fire District		\$4,300
284340-469912	Payment to Blowing Rock Fire District	\$4,300	
283102-312111	Tax Revenue Todd Fire District		\$2,010
284340-469911	Payment to Todd Fire District	\$2,010	
283102-312110	Tax Revenue Deep Gap Fire District		\$13,700
284340-469910	Payment to Deep Gap Fire District	\$13,700	
283102-312108	Tax Revenue Shawneehaw Fire District		\$4,615
284340-469908	Payment to Shawneehaw Fire District	\$4,615	
283102-312107	Tax Revenue Cove Creek Fire District		\$10,800
284340-469907	Payment to Cove Creek Fire District	\$10,800	
283102-312106	Tax Revenue Zionville Fire District		\$7,110
284340-469906	Payment to Zionville Fire District	\$7,110	
283102-312105	Tax Revenue Stewart Simmons Fire District		\$10,500
284340-469905	Payment to Stewart Simmons Fire District	\$10,500	
283102-312104	Tax Revenue Beaver Dam Fire District		\$9,000
284340-469904	Payment to Beaver Dam Fire District	\$9,000	
283102-312101	Tax Revenue Foscoe Fire District		\$15,700

284340-469901	Payment to Foscoe Fire District	\$15,700	
283102-312101	Tax Revenue Foscoe Fire District		\$3,380
284340-469901	Payment to Foscoe Fire District	\$3,380	
283102-312108	Tax Revenue Shawneehaw Fire District		\$375
284340-469908	Payment to Shawneehaw Fire District	\$375	
283102-312105	Tax Revenue Beech Mountain Fire District		\$245
284340-469998	Payment to Beech Mountain Fire District	\$245	

The amendment recognized additional estimated fire district tax revenues and payments due to departments.

Account #	Description	Debit	Credit
103980-398121	Transfer from Capital Projects Fund		\$52,085
104920-469199	EDC-Professional Services	\$52,085	
213991-399101	Fund Balance Appropriation		\$52,085
219800-498010	Transfer to the General Fund	\$52,085	

The amendment transferred funds from the Capital Projects Fund to the General Fund to be used for the due diligence associated with the potential land purchase for economic development per May 21, 2013, Board approval.

Account #	Description	Debit	Credit
103200-326600	ABC Bottle Tax		\$750
105890-469848	Restorative Justice Drug Court	\$750	

The amendment recognized estimated additional revenue and expenditures for Alcohol Beverage Control Bottle Tax funds.

Commissioner Kennedy, seconded by Commissioner Yates, moved to approve the budget amendments as presented by Ms. Pierce.

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

## **MISCELLANEOUS ADMINISTRATIVE MATTERS**

### ***A. Proposed Renewal of Ambulance Agreement with Avery County***

County Manager Geouque stated that the agreement between Avery and Watauga Counties to provide ambulance service to the Beech Mountain section of Watauga County and the Avery County section of the Flat Springs area on the back side of Beech Mountain was to expire June 30, 2013. The County Manager presented a proposed five-year renewal which was drafted by the County Attorney and has been approved by Avery County. The adjusted amount for the FY 2014 payment to Avery County was \$64,058.13 with the amount to be adjusted each year based on the consumer price index (CPI) for the previous year.

Commissioner Kennedy, seconded by Vice-Chairman Blust, moved to approve the renewal of the ambulance agreement with Avery County as presented.

VOTE: Aye-5  
Nay-0

***B. County Management Records Retention and Disposition Schedule***

The County Manager presented an updated County Management Records Retention and Disposition Schedule from the North Carolina Department of Cultural Resources. Adoption of the schedule allows the County Manager's Office to be compliant with state requirements for retention and disposal of their records. The County Manager recommended the local policy for administrative value be set at twenty-four (24) hours. The County Attorney stated that documents could be held longer than the twenty-four (24) hour period.

Vice-Chairman Blust, seconded by Commissioner Yates, moved to adopt the County Management Records Retention and Disposition Schedule with the local policy for administrative value to be set at twenty-four (24) hours.

VOTE: Aye-5  
Nay-0

***C. Boards & Commissions***

County Manager Geouque stated that an appointment to the Economic Development Commission was tabled at the May 21, 2013, meeting to allow for a second reading. The two applicants are Ms. Evelyn Asher, Coordinator of Caldwell Community College & Technical Institute's Small Business Center and Mr. Robert Olsen, a local business owner.

Chairman Miller, seconded by Vice-Chairman Blust, moved to appoint Mr. Robert Olsen as a member of the Economic Development Commission.

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

County Manager Geouque stated that the Region D Development Corporation was a Certified Development Company that assisted the US Small Business Administration in delivering small business loans to the region. They also assisted in marketing and packaging loans for small businesses throughout the region. Per their bylaws, each county was required to appoint four persons to serve as members of the Development Corporation in May of each year. Representative categories were local government (1), private lending institution (1), and a community organization or a business organization (2). Current appointees are as follows: Mr. John Spear (Local Government); Mr. Brian Crutchfield (Community Organization); Mr. Jim Furman (Business Organization); and Mr. Brian Riggins (Private Lending Institution). You may wish to reappoint those serving or appoint new members.

Vice-Chairman Blust, seconded by Commissioner Yates, moved to reappoint the following to the Region D Development Corporation as Watauga County representatives: Mr. John Spear (local government), Mr. Brian Crutchfield (community organization), Mr. Jim Furman (business organization), and Mr. Brian Riggins (lending institution).

VOTE: Aye-5  
Nay-0

County Manager Geouque stated that the Voluntary Farmland Preservation Program Advisory Board recently nominated Ms. Jennifer Miller for an appointment to their Board.

The above was a first reading and, therefore, no action was required at this time.

***D. Announcements***

County Manager Geouque stated that, historically, the Board cancelled the first regular meeting in July due to the recent adoption of the annual budget and the beginning of a new fiscal year.

By consensus, the Board agreed to cancel the first regular meeting in July.

County Manager Geouque stated that the Watauga Humane Society had requested a liaison be appointed to their Board.

Commissioner Yates, seconded by Chairman Miller, moved to appoint Commissioner Kennedy as the Board of Commissioner representative on the Watauga Humane Society's Board of Directors.

VOTE: Aye-5  
Nay-0

Commissioner Kennedy requested to officially change his vote to "Aye" for an earlier vote as corrected below:

After discussion, Vice-Chairman Blust, seconded by Commissioner Yates, moved to amend the Fiscal Year 2014 Budget for the following special allocations:

Foscoe/Grandfather Community Center	increase to	\$1,500
Mountain Alliance	increase to	\$10,000
Hunger Coalition	increase to	\$8,500
Green Valley Park	increase to	\$8,000

After discussion, the following vote was taken on the above motion:

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

Commissioner Yates, seconded by Vice-Chairman Blust, moved to allow Commissioner Kennedy to officially change his vote as requested above.

After discussion the following vote was taken on the above motion:

VOTE: Aye-5  
Nay-0

**PUBLIC COMMENT**

The following spoke during public comment:

Ms. Virginia Roseman thanked the Board for the additional allocation to Green Valley Park and shared concerns regarding the relationship between Wahoo's Water Adventures and Green Valley Park.

Ms. Joan Bathanti shared concerns regarding budget cuts to Smoky Mountain Center.

Ms. Anne-Marie Yates thanked County staff for their work during the budget process.

**CLOSED SESSION**

At 11:23 A.M., Vice-Chairman Blust, seconded by Commissioner Kennedy, moved to enter Closed Session to discuss Attorney/Client Matters.

VOTE: Aye-5  
Nay-0

Commissioner Yates, seconded by Vice-Chairman Blust, moved to resume the open meeting at 11:49 A.M.

VOTE: Aye-5  
Nay-0

**ADJOURN**

Commissioner Kennedy, seconded by Chairman Miller, moved to adjourn the meeting at 11:49 A.M.

VOTE: Aye-5  
Nay-0

\_\_\_\_\_  
Nathan A. Miller, Chairman

ATTEST:

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

**AGENDA ITEM 3:**

**APPROVAL OF THE JUNE 18, 2013, AGENDA**



Blank Page

**AGENDA ITEM 4:**

**PROJECT ON AGING MATTERS**

***A. Proposed Allocation of Estimated FY 2014 Home and Community Care Block Grant (H&CCBG) Funds***

**MANAGER'S COMMENTS:**

Ms. Angie Boitnotte will recommend accepting \$253,085 in Home and Community Care Block Grant (H&CCBG) funds for FY 2014. The required local match is \$28,121 and is present in the adopted Project on Aging's FY 2014 budget. The allocation is as detailed in Ms. Boitnotte's memo.

Board approval is requested.



# Watauga County Project on Aging

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

Website: [www.wataugacounty.org/aging](http://www.wataugacounty.org/aging) [angie.boitnotte@watgov.org](mailto:angie.boitnotte@watgov.org)

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

## MEMORANDUM

**TO:** Deron Geouque, County Manager

**FROM:** Angie Boitnotte, Director

**DATE:** June 7, 2013

**SUBJ:** Request for Board of County Commissioners' Consideration: Allocation of Estimated FY2014 Home and Community Care Block Grant funds

The Home and Community Care Block Grant (HCCBG) allocation for FY2014 has not yet been received from the Division of Aging and Adult Services. Counties were advised to use an estimated allocation that was provided by the Area Agency on Aging in preparing our HCCBG budgets for FY2014. Based on this estimated allocation, Watauga County is projected to receive \$253,085, which requires \$28,121 in local match. The Advisory Committee made the following recommendations for the projected allocation:

<b>HCCBG Service</b>	<b>HCCBG</b>	<b>Match</b>
In-Home Aide	\$118,806	\$13,201
Congregate Meals	\$43,025	\$4,781
Home Delivered Meals	\$78,456	\$8,717
Transportation	\$12,798	\$1,422

The Title III-D funds, which include Health Screening and Medication Management funds, must be used for Evidence Based Health Promotion classes for FY 2014. These funds will remain at the Area Agency on Aging to support EBHP programs across the region. At this point, the Family Caregiver Support Program funds (Respite II) will also remain at the Area Agency on Aging and will not be allocated to the counties.

Upon approval, these funds will become part of the Project on Aging FY 2014 budget.

I plan to be present for discussion or questions.

cc: Karin Bare, Administrative Assistant II

NAME AND ADDRESS COMMUNITY SERVICE PROVIDER Watauga County Project on Aging 132 Poplar Grove Connector, Suite A Boone, NC 28607	<b>Home and Community Care Block Grant for Older Adults</b>  <b>County Funding Plan</b>  <b>Provider Services Summary</b>	<b>DOA-732 (Rev. 2/13)</b> <b>County: Watauga</b> <b>July 1, 2013 through June 30, 2014</b> <b>REVISION # , DATE:</b>
---	---	--

Services	Ser. Delivery		A				B	C	D	E	F	G	H	I
	(Check One)		Block Grant Funding				Required	Net*	NSIP	Total	Projected	Projected	Projected	Projected
	Direct	Purch.	Access	In-Home	Other	Total	Local Match	Serv Cost	Subsidy	Funding	HCCBG Units	Reimburse. Rate	HCCBG Clients	Total Units
Transportation		X	12,798			//////////	1,422	14,220	0	14,220	3,042	4.6746	35	8,090
In-Home Aide I	X			95,045		//////////	10,561	105,606	0	105,606	5,717	18.4723	120	17,840
In-Home Aide II	X			23,761		//////////	2,640	26,401	0	26,401	1,429	18.4752	30	4,460
Congregate Meals	X				43,025	//////////	4,781	47,806	13,000	60,806	7,796	6.1321	425	19,000
Home Delivered Meals	X				78,456	//////////	8,717	87,173	19,000	106,173	14,069	6.1961	150	31,000
						//////////								
						//////////								
						//////////								
						//////////								
						//////////								
<b>Total</b>	//////////	//////////	12,798	118,806	121,481	253,085	28,121	281,206	32,000	313,206	32,053	//////////	760	80,390

\*Adult Day Care & Adult Day Health Care Net Service Cost

	ADC	ADHC			
Daily Care	_____	_____	Certification of required minimum local match availability. Required local match will be expended simultaneously with Block Grant Funding.	_____	
Transportation	_____	_____		Authorized Signature, Title	Date
Administrative	_____	_____		Community Service Provider	
Net Ser. Cost Total	_____	_____			
			_____	_____	
			Signature, County Finance Officer	Date	
			_____	_____	
			Signature, Chairman, Board of Commissioners	Date	

Blank Page

**AGENDA ITEM 4:**

**PROJECT ON AGING MATTERS**

***B. FY 2014 AppalCART Contract***

**MANAGER'S COMMENTS:**

Ms. Boitnotte, Director of the Project on Aging, will present the proposed AppalCART contract for transportation services for FY 2014. The rates charged are the same as the current fiscal year at \$0.75 per vehicle mile and \$13.29 per vehicle service hour.

Board action is required to approve the contract.



# Watauga County Project on Aging

132 Poplar Grove Connector, Suite A • Boone, North Carolina 28607  
Telephone 828-265-8090 Fax 828-264-2060 TDD 1-800-735-2962 Voice 1-800-735-8262

## MEMORANDUM

**TO:** Deron Geouque, County Manager

**FROM:** Angie Boitnotte, Director

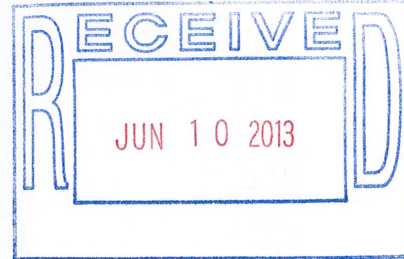
**DATE:** June 10, 2013

**SUBJ:** Request for Board of Commissioners' Consideration – FY 2014 AppalCART Contract Renewal

Each year, the Project on Aging renews the contract with AppalCART to provide transportation services to adults 60 and older in the County. The contract amounts for FY14 are the same as the current rates of \$13.29 per hour and \$.75 per mile.

Funds to cover the contracted amounts are included in the agency's requested FY 2014 budget.

Thank you for your consideration.



Enclosures

### Transportation Agreement

This Agreement, effective this 1st day of July 2013, by and between AppalCART and

Agency Name: Project On Aging

Contact Person: Angie Boitnotte

Address: 132 Poplar Grove Connector, Suite A, Boone, NC 28607

Phone: 828-265-8092

Fax: 828-264-2060

Email: angie.boitnotte@watgov.org

Rate Per Mile: 0.75

Rate Per Hour: 13.29

NORTH CAROLINA

AGREEMENT

WATAUGA COUNTY

THIS AGREEMENT, effective this 1st day of July 2013 by and between AppalCART and

PROJECT ON AGING

hereinafter referred to as Project On Aging

NOW, THEREFORE,

in consideration of the mutual covenants set forth herein, the AppalCART and Project On Aging agree as follows:

#### **Section 1 Purpose of Agreement**

The purpose of this Agreement is to provide for the continued implementation of a consolidated, coordinated Public Transportation Project in Watauga County pursuant to the Watauga County Community Transportation Service Plan of December 2001, and to state the terms, conditions and mutual undertakings of the parties as to the manner in which AppalCART will provide transportation services for Project On Aging

#### **Section 2 Adoption of Required Provisions**

This Agreement incorporates the required provisions of the North Carolina Department of Transportation AppalCART Agreement under Project Number and subsequent agreements between the North Carolina Department of Transportation and AppalCART

#### **Section 3 Scope of Work**

1. The normal hours of operation shall be between 6:00a.m. and 6:00p.m. Monday through Friday:

- [a] AppalCART will provide regular scheduled transportation services to Project On Aging as may be mutually agreed upon.
- [b] Project On Aging shall notify AppalCART at least one [ 1 ] business day in advance of any revisions in scheduling, or of any additions or deletions of passengers. Failure to provide this notification of changes or cancellations may result in being billed for the services scheduled, unless adverse weather is the cause
- [c] Flexible scheduling for special activities may be implemented as deemed appropriate as long as at least three [3] days notice is given
- [d] Scheduling and routing of the AppalCART vehicles will be coordinated with Appalachian State University and routing requirements of the general public
- [e] The routes and schedules may be modified from time to time by AppalCART in order to provide for a more effective and efficient provision of service to the citizens of Watauga County

2. Insurance, Vehicles & Drivers:

- [a] AppalCART will be responsible for meeting the requirements of the North Carolina Department of Transportation, FTA and the contracted agency with respect to liability insurance, vehicle inspections, and drivers including licensing, background checks & drug & alcohol testing. It is agreed that coverage limits will meet the amount required for common carrier-passenger vehicles by the North Carolina Utilities Commission.
- [b] Insurance Company: Ncacc L&P Rmp Insurance Policy Number: Lp-Ap-473-12 Changes will be reported to: Project On Aging
- [c] AppalCART Will require a MVR for all new applicants to cover at least the last three years prior to the date of the application. Driving records will be checked at least yearly thereafter. Drivers must have no more than two chargeable accidents or moving violations in the past three years and must not have a driver's license suspension or revocation within the past five years.
- [d] AppalCART Contracts with Wolfe Data who will run a criminal background check through the North Carolina Law Enforcement Division or the National Crime Information Center (NCIC) if not a resident of NC (for at least 5 consecutive years), prior to employment and quarterly thereafter.



3. Lien holder:

[a] First lien holder on all vehicles titled to AppalCART shall be the Public Transportation Division of North Carolina Department of Transportation

4. Vehicle Operation:

[a] AppalCART will ensure that the vehicles will be equipped, maintained, operated and managed in a safe, efficient and businesslike manner, and the parties do further agree that the driver shall have the final control regarding safety and whether or not the routes should be followed on days of bad weather.

5. Drivers' Training:

[a] AppalCART will provide drivers training to ensure that all drivers have adequate knowledge of passenger safety, CPR first aid, defensive driving, and preventive vehicle maintenance.

6. Service Standards Parameter:

[a] Vehicles will run the approved routes on established schedules within [+ or -] ten [10] minutes, and be equipped with land transportation communication radio systems

[b] AppalCART has an obligation that no more than one quarter of one percent of all trips be missed by AppalCART (no-show) during the course of the contract year. Also no more than 5% of trips should be late for arrival per month (past the scheduled trip arrival time).

7. Period of Performance:

[a] AppalCART shall commence performance of this contract on the 1st day of July 2013 and shall complete, renew or amend this contract as appropriate to complete the terms, conditions and required provisions of the North Carolina Department of Transportation an AppalCART under Project Number

[b] Unit Rate. By mutual agreement, the unit rate of said service shall be 0.75 per vehicle mile and 13.29 per vehicle service hour. Mileage rates may change with major changes in price of fuel. All passenger routes will be billed at 100% of actual cost at the above unit rate.

[c] Method of Invoicing. AppalCART will submit an itemized invoice to Project On Aging on a monthly basis, payment terms are thirty [30]days net.

[d] Cost Documentation. All costs charged to Project On Aging including any approved services performed by AppalCART shall be supported by properly executed payrolls, time records, invoices, cancelled checks, deposit slips or vouchers evidencing in detail the nature and property of the charges.

8. Record Retention

[a] AppalCART shall retain all records pertaining to this contract for a period of three [3] years from the date of this agreement

[b] AppalCART shall permit North Carolina Department of Transportation/Public Transportation Division and: Project On Aging to inspect all work, materials, payrolls and other data and records with regard to the Project and to audit the books, records and accounts of the Authority that pertain to this contract.

9. Complaint Procedures:

[a] Passenger complaints should be reported to the AppalCART office where they will be documented and resolved.

10. Management Names:

[a] Names of Board Members & Managers are posted and updated on the AppalCART website, any changes will be reported to the: Project On Aging

11. Reporting, Invoicing, Etc.:

[a] AppalCART Will use the billing codes specified by Project On Aging on invoices, and will report no-shows daily and cancellations on a monthly basis. AppalCART agrees that all charges for Medicaid no-shows will be separately invoiced to the county.

12. Exclusions:

[a] If AppalCART becomes excluded from participation in this contract Project On Aging will be promptly notified.

**Section 4 Termination of Agreement**

In the event of noncompliance with any provision of the Agreement, either party may terminate the Agreement by giving the other party sixty (60) days advance written notice. IN WITNESS WHEREOF the parties here to have executed this Agreement the day and year first above wirtten

By: \_\_\_\_\_  
Nathan A Miller  
Watauga County Commissioners Chair  
Attest: \_\_\_\_\_  
To The County Commissioners  
Clerk

By: \_\_\_\_\_  
Jerry C Moretz  
AppalCART Board Chair  
Attest: \_\_\_\_\_  
Joanna Wilcox  
Clerk to the AppalCART Board


**ADDENDUM  
AGREEMENT FOR TRANSPORTATION BETWEEN  
APPALCART  
AND  
WATAUGA COUNTY PROJECT ON AGING**

**Consumer contributions procedures:**

At the initial registration/orientation and at each annual review, the Watauga County Project on Aging will provide participants with a letter which states the following: cost of the service, funding source, purpose of consumer contributions, and procedure for making a donation. The Project on Aging is responsible for the collection and reporting of all donations. If a participant attempts to make a donation to AppalCART staff, they should be referred to a Project on Aging staff member.

---

Chris Turner, Director  
AppalCART

  
\_\_\_\_\_  
Angie Boitnotte, Director  
Watauga County Project on Aging

Blank Page

**AGENDA ITEM 5:**

**BUDGET AMENDMENTS**

**MANAGER'S COMMENTS:**

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

Board approval is requested.



# WATAUGA COUNTY

## FINANCE OFFICE

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

### MEMORANDUM

TO: Deron T. Geouque, County Manager  
 FROM: Margaret Pierce, Finance Director  
 SUBJECT: Budget Amendments-FY 2012/13  
 DATE: June 10, 2013

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

<u>Account#</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
103300-333000	Juvenile Crime Prevention Council Grant		\$3,742
105890-463146	Mediation & Restorative Justice	\$3,742	

Per Board action 6-4-13; to recognize additional grant funds awarded by the NC Department of Public Safety through the Community Programs Section of the Division of Juvenile Justice.

<u>Account#</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
293270-312009	Occupancy Tax Revenue		\$175,000
294140-449900	Administrative Fee	\$1,750	
294140-469900	Payment to WCTDA	\$173,250	

To recognize additional occupancy tax revenues estimates above budgeted amount and payment due to Watauga County District U Tourism Development Authority and Watauga County for statutory administrative collection fees.

<u>Account#</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
103839-384000	Donations		\$17,600
104310-451000	Capital Outlay	\$17,600	

Per Board action 6-4-13; to recognize donation of K-9s Elvis and Moses from Mount Vernon Church.

<u>Account #</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
103300-349909	NC Lottery Funds		\$201,000
105911-470013	Valle Crucis Basement Renovations	\$201,000	

Per Board action 3-19-13 approving application; to recognize the award of the NC Lottery funds approved by NC DPI 5-28-13.

<u>Account #</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
104278-435101	Maint/Repair Grounds-Old WHS		\$100,000
109800-498021	Transfer to Capital Projects Fund	\$100,000	
213980-398100	Transfer from General Fund		\$100,000
219930-459210	Caldwell Community College	\$100,000	

To transfer funds to the Capital Projects Fund and establish a contingency for the new building construction at Caldwell Community College's Watauga campus. These funds are available due to savings on the old WHS demolition.

<u>Account #</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
123300-336000	CDBG-SSH Grant		\$225,000
124910-449900	Housing Rehabilitation	\$180,000	
124910-449901	Local Option/Emergency Repairs	\$22,500	
124910-448000	Administration/Planning	\$22,500	

Per Board action 5-21-13; to budget for CDBG grant project per the ordinance approved.

<u>Account#</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>
103839-384000	Donations		\$65,000
103300-343316	NC DENR, Div of Water Quality Grant		\$65,000
104285-457005	Capital Outlay-Greenway	\$130,000	

To recognize grant award and donation of matching in-kind labor and construction costs for New River Greenway project. The trail was completed by Blue Ridge Development Group per their agreement with the County dated June 19, 2012.

Blank Page

**AGENDA ITEM 6:****MISCELLANEOUS ADMINISTRATIVE MATTERS*****A. Request to Close Container Site on US Highway 221 South*****MANAGER'S COMMENTS:**

Mr. Keith Ebert is requesting the Board close the container site located on US Highway 221 South. Mr. Ebert owns property and a home adjacent to the site. He would like the facility closed for several reasons; 1) the attraction of vermin and bears; 2) site location is not optimal as it is in a blind curve; and 3) designation of the Highway as a "scenic highway".

The County is currently in the seventh (7<sup>th</sup>) year of a twenty (20) year lease on the property. There is no termination clause so the County would be responsible for the remaining thirteen (13) years of the lease at a cost of \$35,700. Annual cost to operate the site is \$59,685. Sanitation staff is unaware of any other complaints regarding the site. In addition, staff has made several accommodations to ease Mr. Ebert's concerns. Currently no recyclables are thrown into the dumpsters until after 10:00 AM and the trash truck is not dispatched for pick up until 12:00 PM or 1:00 PM unless required sooner. These measures were developed by staff with the assistance of Mr. Ebert to reduce the noise level at the site.

The Board has three options; 1) continue operating the site as is with the measures currently in place; 2) close the site; or 3) relocate the site. The Board may wish to schedule a public hearing should you choose option two (2) or three (3).

Direction from the Board is requested.



**Deron.Geouque**

---

**From:** Keith Ebert <keith@edcinc.com>  
**Sent:** Tuesday, May 28, 2013 10:03 AM  
**To:** Deron.Geouque  
**Subject:** Trash Dump HWY 221 South

Dear Mr. Geouque,

I am writing you today to request that you consider closing the trash dump located on US HWY 221 South in the Boone's Fork community.

My wife and I own the property adjacent to the dump along both the eastern border and a portion of the property across the street.

I believe it should be a candidate for closure for several reasons that I would like for you to consider.

I am requesting that it be closed due to it's attraction to not only vermin but bears as well.

I have seen bear scat and tracks on my property and neighbors have reported bear sightings on my property.

There are a number of young children in my extended family not to mention the neighbors kids.

The nuisance of the vermin is small compared to the potential danger posed by the attraction to bears.

The dump served a useful purpose in it's current location for a time but it's location is not optimal given the increase in traffic from both development and the designation of the highway as a "scenic highway".

The dump's current location is in a blind curve.

The sound of screeching tires has become an all too familiar sound as of late.

If closure is not possible, please consider moving it to a better location.

Considerable development is occurring in the area where Holloway Mountain Road intersects with US HWY 221.

Perhaps this locale would be an enhancement over the current situation?

Please contact me if you would like to discuss this or need any additional information.

Thank you for your consideration on this.

Sincerely,  
Keith Ebert

828-295-4304 home  
336-816-3230 cell

Date: 6/11/2013

To: Deron Geouque, County Manager

From: Donna Watson, Sanitation

Re: Annual Cost to Operate 221 Site

Deron,

Following is an estimate of the annual cost to operate the 221 South Convenience Center:

Annual Salaries for personnel	49336
Fuel	2340
Insurance on site	1449
Electric	540
Misc. supplies	200
Site maintenance	2000
Lease on property	2400
Phone bill	420
Vehicle maintenance	1000
	<b>\$59,685.00</b>

LESSEE:

WATAUGA COUNTY, a North Carolina County

*[Signature]*  
James M. Deal, Jr., Chairman  
Board of Commissioners

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

**MEMORANDUM OF LEASE**

**George M. Sudderth and wife, Evalyn C. Sudderth**, (hereinafter called "Lessor") hereby leases to **Watauga County**, (hereinafter called "Lessee"), for a term beginning September 1, 2006 and continuing for a maximum period until August 31, 2026, including extensions and renewals, if any, the following property:

**Located in Blowing Rock Township, Watauga County, North Carolina, being known as and more particularly described as Lots 23 through 26 of Yonahlossee Park Subdivision, as more fully described in Deed Book 95, Page 546, Watauga County Registry, the same being incorporated herein by reference.**

The provisions set forth in a written Lease Agreement (the "Lease") between the parties dated as of the \_\_\_ day of September, 2006, are hereby incorporated in this memorandum.

IN WITNESS WHEREOF, the parties hereto have duly executed this Memorandum of Lease and have hereunto set their seals as of the 29 day of September, 2006.

LESSOR:

*George M. Sudderth* (SEAL)  
George M. Sudderth

*Evalyn C. Sudderth* (SEAL)  
Evalyn C. Sudderth

Prepared by & return to:  
di Santi Watson Capua & Wilson  
P.O. Box 193, Boone, NC 28607

LESSEE:

WATAUGA COUNTY, a North Carolina Body Politic

By: *James M. Deal, Jr.*  
James M. Deal, Jr., Chairman  
Board of Commissioners

(Corporate Seal)

ATTEST:

*Anita Fogle*  
Anita Fogle, Clerk  
Watauga County Board of Commissioners

Watauga County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: George M. Sudderth and wife, Evalyn C. Sudderth (Lessors)

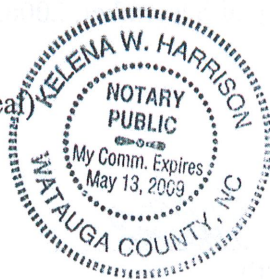
Date: 9-29-2006

*Kelena W. Harrison*

Print Name: Kelena W. Harrison

My Commission expires: 5-13-2009

(Official Seal)



Prepared by & return to:  
di Santi Watson Capua & Wilson  
P.O. Box 193, Boone, NC 28607

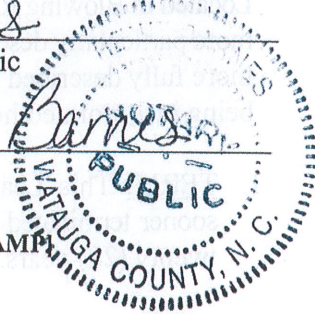
STATE OF NORTH CAROLINA, COUNTY OF WATAUGA

I, Reni Barnes, a Notary Public, do hereby certify that **Anita Fogle**, personally appeared before me this day and acknowledged that she is the Clerk to the **Watauga County Board of Commissioners**, a North Carolina body politic, and that by authority duly given, and as an act of said body politic, the foregoing instrument was signed in its name by its Chairman of the Watauga County Board of Commissioners, sealed with its corporate seal, and attested by herself as its Clerk.

This the 30 day of October, 2006.

Reni Barnes  
Notary Public

Printed Name: Rene Barnes



My commission expires:

3/19/08

[NOTARY SEAL/STAMP]

W:\DB\ANC\CLIENTS\Watauga County\Sudderth.Memorandum of Lease.doc

**Prepared by & return to:  
di Santi Watson Capua & Wilson  
P.O. Box 193, Boone, NC 28607**

STATE OF NORTH CAROLINA

COUNTY OF WATAUGA

LEASE AGREEMENT

THIS LEASE, made this 29 day of Sept., 2006, by and between GEORGE M. SUDDERTH, and wife EVALYN C. SUDDERTH, hereinafter referred to as "Lessors," and WATAUGA COUNTY, hereinafter referred to as "Lessee," all of Watauga County, North Carolina;

*WITNESSETH:*

For and in consideration of the rental amounts and the mutual terms, covenants and conditions herein set forth, subject to the terms and conditions hereinafter set out, Lessors hereby agrees to let. and lease unto Lessee, and Lessee does hereby lease from Lessors, the following described property:

Located in Blowing Rock Township, Watauga County, North Carolina, being known as and more particularly described as Lots 23 through 26 of Yonahlossee Park Subdivision, as more fully described in Deed Book 95, Page 546, Watauga County Registry, the same being incorporated herein by reference.

1. TERM. This Lease shall begin as of the 1st day of September, 2006 and unless sooner terminated for cause as more fully set out below, shall continue for a term of twenty (20) years.
2. RENTAL. The rental to be paid by Lessee to Lessors for said leased premises during the term of this shall be payable on the 1st day of each month in advance as follows:
  - \$175.00 per month, 09-01-06 – 08-31-11 (\$2,100.00 annually)
  - \$200.00 per month, 09-01-11 – 08-31-16 (\$2,400.00 annually)
  - \$225.00 per month, 09-01-16 – 08-31-21 (\$2,700.00 annually)
  - \$250.00 per month, 09-01-21 – 08-31-26 (\$3,000.00 annually)
3. INSURANCE. Lessee shall indemnify and save harmless Lessors from and against any and all loss, cost, damages, expense and liability caused by any accident or other occurrence causing bodily injury or property damage to any person or property arising from the use or occupancy of the demised premises by Lessee. Lessors and Lessee hereby mutually release and discharge each other from all claims or liabilities arising from or caused by fire or other casualty covered by any insurance maintained by the other party on the leased premises, or property in or on the leased premises.
4. UTILITIES. Lessee shall be responsible for all utility charges arising out of its use of the property, if any.
5. DAMAGE. If during any term of this Lease the leased premises are so damaged by fire

or other catastrophe or casualty as to render the same unusable, this Lease shall terminate.

6. SUBLEASE OR ASSIGNMENT. Lessee shall not sublease the premises or assign this Lease.
7. COVENANT TO PAY RENTALS. Lessee covenants and agrees during the term of this Lease to pay Lessors all rentals herein reserved when and as the same become due and payable.
8. TITLE, ZONING AND RESTRICTIONS. Lessors warrant that they are the owners in fee simple of the property herein described that they have full authority to enter into this Lease Agreement and no court approval is necessary for said lease, nor is the joinder of any party necessary, and that the property is free from liens, (except ad valorem property taxes, utility easement(s) of record, unviolated restrictive covenants of record and road rights-of-way of record, any of which do not materially affect the use of the property for sanitation purposes, to wit: a dumpster site), leases and agreements to lease.
9. USE OF PREMISES. Lessee shall have the right to use and occupy the demised premises for any commercial project and any other lawful purpose, including the right to make any improvements permitted by law, and shall comply with all lawful governmental requirements in connection with such use and occupancy. More specifically, Lessee shall have the right to use the property for solid waste disposal and other sanitation purposes.
10. MAINTENANCE AND REPAIRS. Lessors shall have no obligations with respect to the maintenance and repair of any improvements on the demised premises and any other improvements erected thereon. Lessee shall at its expense keep the premises, including improvements thereon, in reasonably good order and repair, shall do or permit no act which could contravene any policy of insurance, and shall comply with all laws, regulations and ordinances of any public authority having jurisdiction. Lessee shall maintain the cleanliness of the premises and shall make reasonable efforts to remove any windblown trash that may fall on adjoining property.
11. IMPROVEMENTS AND FIXTURES. All permanent improvements now on or hereafter placed or erected on the demised premises, except movable trade fixtures, and fences shall become the property of the landlord upon termination of this Lease Agreement..
12. OTHER REMEDIES. If the rent to be paid, including all other sums of money which under the provisions hereof may be considered as additional rent, shall be in arrears in whole or in part for thirty (30) or more days, Lessors may sue therefor. If Lessee shall violate any covenant, including the covenant. to pay rent., made by it in this Lease and shall fail to comply or commence compliance with said covenant within thirty (30) days after being sent written notice of such violation by Lessors, Lessors may, at her option, reenter the premises and declare this Lease and any tenancy hereby created terminated without any further litigation or further court action; and Lessors shall be entitled to the benefit of all provisions of the laws of the State of North Carolina respecting the speedy recovery of lands and tenements held over by tenants or proceedings in forcible entry and detainer. Lessee further agrees that notwithstanding such re-entry Lessee shall remain

liable for any rent or damages which may be due or sustained prior thereto. Upon termination as aforesaid, Lessors shall succeed to the rights of the Lessee covering the demised premises or any portion thereof.

13. REMEDIES AND WAIVERS OF DEFAULT. The specified remedies to which Lessors and Lessee may resort under the terms of this Lease are cumulative and are not intended to be exclusive of any other remedies or means of redress to which Lessors and/or Lessee may be lawfully entitled. The failure of Lessors and/or Lessee to insist, in any one or more cases, upon the strict performance of the terms, covenants or conditions of this Lease, or to exercise any option herein contained, shall not be construed as a waiver or a relinquishment for the future of such terms, covenants, conditions or option. A receipt by Lessor of rent and/or the payment thereof by Lessee, with knowledge of the breach of any terms, covenants or conditions hereof shall not be deemed a waiver of such breach, and no waiver of any provision of this Lease shall be deemed to have been made unless expressed in writing and signed by the party injured or damaged by said breach. In additions to the other remedies in this Lease provided, Lessee and/or Lessor (as the case may be) shall be entitled to restrain by injunction the violation or attempted or threatened violation of any of the terms, covenants, conditions or provisions of this Lease.
14. QUIET ENJOYMENT. Lessor covenants and agrees that the Lessee, upon paying the basic rent and all other charges herein provided for and observing and keeping the covenants, agreements, and conditions of this Lease on his part to be kept shall lawfully and quietly hold, occupy and enjoy said demised premises during the term of this Lease without hindrance or molestations of the Lessors, or any person or persons claiming under the Lessors, subject, however, to the provisions hereof.
15. NOTICES. All notices from Lessee to Lessors required or permitted by any provision of this Lease Agreement shall be directed to Lessors or Lessee at the addresses as follow:

Watauga County  
c/o County Manager  
Robert E. Nelson, Jr.  
814 West King Street, Room 205  
Boone, NC 28607

Mr. George M. Sudderth  
P.O. Box 11  
Blowing Rock, NC 28605

or at such place as Lessors or Lessee shall designate in writing. All notices shall be sent by registered or certified mail. Either party may, at any time, or from time to time, designate in writing a substitute address for the above set forth, and thereafter notices shall be directed to such substitute address.

16. SUCCESSORS AND ASSIGNS. This Lease Agreement shall be binding upon and inure to the benefit. of the parties hereto, their respective heirs, successors and assigns.



17. MISCELLANEOUS.

(a) Covenants to Run with the Land: All provisions, covenants, conditions, agreements and undertakings in this Lease contained shall extend to and be binding on and to the benefit of the respective heirs, executors, administrators, successors and assigns of the parties hereto the same as if they were in every case named and expressed and the same shall be construed as covenants running with the land.

(b) Waivers and Demands: No waiver or any breach of any covenants, conditions or stipulation hereunder shall be taken to be a waiver of any succeeding breach of the same covenants, condition or stipulation. Any demand for rent or other payment made upon Lessee after the same has become due and payable shall have the same has become due and payable shall have the same effect as though made at the time of its becoming due and payable, and any previous demand therefor is hereby waived.

IN TESTIMONY WHEREOF, the parties hereto have set their hand and seals, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereto affixed by authority of its Board of Directors, the day and year first above written.

Lessors:

George M. Suddeth  
GEORGE M. SUDDERTH

Evalyn C. Suddeth  
EVALYN C. SUDDERTH

Lessee:

WATAUGA COUNTY, a North Carolina body politic  
By: James W. Raley  
Chairman of Board of Commissioners

This instrument has been  
preaudited in the manner  
required by the local  
Government Budget and Fiscal  
Control Act.

10/30/06 Don Spores  
Date Finance Director

(Corporate Seal)

ATTEST:

Anita Fogle  
Anita Fogle, Clerk

STATE OF NORTH CAROLINA, COUNTY OF Watauga County Administration

I, Rene Barnes, a Notary Public, do hereby certify that **Anita Fogle**, personally appeared before me this day and acknowledged that she is the Clerk to the **Watauga County Board of Commissioners**, a North Carolina body politic, and that by authority duly given, and as an act of said body politic, the foregoing instrument was signed in its name by its Chairman of the Watauga County Board of Commissioners, sealed with its corporate seal, and attested by herself as its Clerk.

This the 30 day of October, 2006.

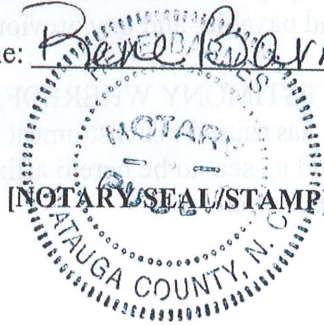
Rene Barnes

Notary Public

Printed Name: Rene Barnes

My commission expires:

3/19/08



Blank Page

**AGENDA ITEM 6:****MISCELLANEOUS ADMINISTRATIVE MATTERS*****B. Proposed Policy to Provide Preference to Local Vendors in Purchasing of Equipment and Supplies*****MANAGER'S COMMENTS:**

Per Commissioner request and discussion at the annual retreat, staff has drafted a policy to provide a preference to local vendors in purchasing of equipment and supplies. The policy would cover services and goods not covered by North Carolina General Statutes. The preference will allow a qualified County resident bidder to match the price and terms of the lowest responsible nonresident bidder, if the County resident bidder's price is within five percent (5%) or \$10,000, whichever is less, of the nonresident bidder's price. If the resident bidder requests and qualifies for the price-matching preference, the resident bidder will first be offered the contract award and will have two (2) business days to accept or decline the award based on the lowest responsible nonresident bidder's price.

In addition to adopting the policy the Board would need to adopt the attached resolution. There is current legislation at the state level to provide the same local preference to counties statewide. The Board may wish to wait for the North Carolina General Assembly to adjourn before adopting a County policy.

Staff seeks direction from the Board.

## **WATAUGA COUNTY LOCAL PREFERENCE POLICY**

### **I. Purpose**

The purpose of the Local Preference Policy (LPP) is to ensure the best “overall value-for-money” in the procurement of goods and services (services not otherwise covered by North Carolina General Statutes) while providing a preference to local businesses to support the County’s economic development.

### **II. Policy**

The policy of Watauga County is to provide a preference to local businesses in the procurement of good and services. A price-matching preference may be given to County resident bidders on contracts for the purchase of goods and services. The preference will allow a qualified County resident bidder to match the price and terms of the lowest responsible nonresident bidder, if the County resident bidder’s price is within five percent (5%) or \$10,000, whichever is less, of the nonresident bidder’s price. If the resident bidder requests and qualifies for the price-matching preference, the resident bidder will first be offered the contract award and will have two (2) business days to accept or decline the award based on the lowest responsible nonresident bidder’s price.

### **III. Definitions**

1. County Resident Bidder – a bidder that has paid and is current on property, personal property and motor vehicle taxes in the County of Watauga and whose principal place of business is located in Watauga County.
2. Non-County Resident Bidder – a bidder who does not have its principal place of business located in Watauga County or who is not current in payment of all County taxes.
3. Principal Place of Business - the principal place from which the trade or business of the bidder is directed or managed.

### **IV. Qualifications**

In order to qualify for the local preference, a County resident bidder must: (1) request the preference; and (2) complete the Bidder’s Certification for Price-Matching Preference Form and include it with their quote. The County bidder must have paid and be current on all property, personal property and motor vehicle taxes in the County of Watauga and whose principal place of business is located in Watauga County.

### **V. Process**

The County will evaluate the quotes in accordance with the award criteria stated in the request for quotes to determine the lowest responsible quote. If the lowest responsible quote is from a County resident bidder, then there will be no consideration of the price-matching preference. If the lowest responsible quote was submitted by a non-county bidder and there are no County resident bidders that submitted quotes that were within 5% or \$10,000 of the nonresident bidder’s quote, then none of the County resident bidders will qualify for the price-matching preference and no review of the County Resident Bidder’s Certifications is required. If the lowest responsible quote is submitted by a nonresident bidder and there are one or more County resident bidders that submit a quote within 5% or \$10,000 of the nonresident quote price, then the evaluators shall

review the Certification(s) of the resident bidder(s) to determine whether the County resident bidder(s) certification is compliant. The evaluators may seek clarification of the certifications and/or information in a County resident bidder's Certification and request additional documentation if necessary. Failure to supply the requested information will result in the County resident bidder not receiving a price matching preference.

If more than one County resident bidder qualified for the price-matching preference, then the evaluators shall prioritize the qualified County resident bidders according to their original quotes, from lowest to highest, so that the qualified County resident bidder who submitted the lowest quote should get the first opportunity to match the quote of the non-county resident lowest responsible bidder. If the lowest responsible and qualified County resident bidder declines to accept the contract award, then the contract should be offered to the next lowest qualified County resident bidder and will continue in this manner until either a qualified County resident bidder accepts the contract award or the award is made to the nonresident bidder if no qualified County resident bidder accepts the award. If two responsible County resident bidders qualify for the price-matching preference and both quoted the same, then the evaluators may: (1) consider the information provided in the bidders' Certifications or publicly available information to determine, which bidder the contract award would have a greater impact of stimulating or sustaining the County economy and/or is most likely to create or save jobs (e.g., is one bidder a broker and the other a manufacturer of the goods); or (2) seek clarification from the bidders to ascertain the impact on their respective businesses if awarded the contract.

If at any time during or after the procurement process (including but not limited to clarifications and resolution of bid protests), the County determines that certifications or information in the Certificate are false, substantially inaccurate or misleading, the County may:

- (1) Cancel the County resident bidder's contract and/or purchase order that was awarded based on the price-matching preference: The County resident bidder shall be liable for all cost it incurs as a result of the cancellation and all increased costs of the County that may be incurred by awarding the contract to the next lowest bidder;
- (2) Exclude the bidder from any price-matching preference in any future County bidding opportunities; and/or
- (3) Debar Bidder from doing business with the County for a period of time determined by the County.

**ALL COUNTY RESIDENT AND NONRESIDENT BIDDERS MUST COMPLETE PART I OF THE FORM BELOW AND ALL COUNTY RESIDENT BIDDERS REQUESTING CONSIDERATION FOR A PRICE-MATCHING PREFERENCE MUST ALSO COMPLETE PARTS II AND III OF THE FORM BELOW NOTICE.**

**NOTICE: The Price-Matching Preference will only be given to bidders that fully complete the certification form below (i.e., all information must be provided, the certification must be signed by an authorized representative of the bidder) and the bidders demonstrate their qualifications for the Price-Matching Preference through the certifications and information provided.**

STATE OF NORTH CAROLINA  
 COUNTY OF WATAUGA

**DRAFT**

**RESOLUTION SUPPORTING THE PREFERENCE  
 OF LOCAL VENDORS FOR CONTRACTS**

**WHEREAS**, the North Carolina General Statute 143-129 requires bids to be awarded to lowest responsible bidder or bidders, taking into consideration quality, performance, and the time specified in the proposals for the performance of the contract; and

**WHEREAS**, North Carolina law does not currently recognize local bid preferences, and the physical location of a bidder's principal place of business is not a relevant factor in the public procurement process; and

**WHEREAS**, Executive Order No. 50 issued by Governor Perdue on February 17, 2010, entitled "Enhanced Purchasing Opportunities for North Carolina Businesses," a price matching preference was given to North Carolina resident bidders on contracts for the purchase of goods; and

**WHEREAS**, Executive Order No. 50 allows preference to a qualified North Carolina resident bidder to match the price of the lowest responsible nonresident bidder, if the North Carolina resident bidder's price is within five percent (5%) or \$10,000, whichever is less, of the nonresident bidder's price; and

**WHEREAS**, Watauga County has a valid public interest in promoting local business, enterprise and commerce; and

**WHEREAS**, the Watauga County Board of Commissioners desires having such authority in order to further promote the economic well being of the County;

**WHEREAS**, the County of Watauga recognizes the foundation of a strong local economy are programs that encourage businesses to locate within the community and to hire County residents as employees.

**NOW, THEREFORE, BE IT RESOLVED**, that the Watauga County Board of Commissioners hereby requests that the North Carolina General Assembly grant Watauga County the authority to adopt a Local Preference Policy in awarding bids for contracts and services to County resident bidders.

**ADOPTED** this the \_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

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

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

**AGENDA ITEM 6:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

*C. Proposed Policy for Naming County Facilities*

**MANAGER'S COMMENTS:**

Per Commissioner request and discussion at the annual retreat, staff has drafted a policy to provide for the naming of County facilities, property, and space. The Watauga County Library is requesting approval by the Board to name the meeting room in honor of Evelyn Johnson.

Staff seeks direction from the Board.



## **WATAUGA COUNTY FACILITY, PROPERTY, AND SPACE NAMING POLICY**

### **I. PURPOSE**

The purpose of this policy is to establish a process for the naming or dedication of public buildings, structures, memorials, plaques, markers, areas, and facilities owned by the County.

### **II. AUTHORIZATION**

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 and location for delivery of materials, services, and inspections.

### **III. OBJECTIVES**

The following objectives have been established for naming or dedication of public buildings, structures, memorials, plaques, markers, areas, and facilities:

- A. Provide appropriate name identification for public buildings, structures, memorials, areas, and facilities in the County.
- B. Provide citizen input into the process of naming, renaming and dedication of public buildings, structures, memorials, plaques, markers, areas, and facilities in the County.
- C. Ensure control for the naming, renaming and dedication of public buildings, structures, memorials, plaques, markers, areas, and facilities in the County.

### **IV. QUALIFYING NAMES**

- A. Public buildings, structures, memorials, plaques, markers, 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:
  - 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.
  - 6. An individual, donor or group who contributed significantly to the acquisition or development of the individual facility.
  - 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, plaques, markers, 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, or dedication of public buildings, structures, memorials, areas, and facilities.

## V. PROCESS OF CONSIDERATION

Naming, renaming, and dedication of public buildings, structures, memorials, plaques, markers, areas, and facilities proposals shall originate in the following manner: An individual or an organization may file an application recommending the naming or dedication of public buildings, structures, memorials, plaques, markers, areas, and facilities. The format is shown in the Watauga County Public Facility, Property, and Space Naming Application. County buildings, structures, memorials, plaques, markers, areas, and facilities to be named must not currently be named.

### A. Making an Application:

1. All applications must be submitted on the form entitled "Watauga County Public Facility, Property, and Space Naming Application," which may be obtained on the County website ([www.wataugacounty.org](http://www.wataugacounty.org)) or in person at the Watauga County Manager's Office located at 814 West King Street, Boone, NC 28607.
2. The application 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. List of volunteer/service activities, including dates of involvement and offices held.
    - c. List of professional accomplishments.
    - d. List of honors/awards, both volunteer and professional, including dates awarded.
    - e. Narrative as to why the individual should be honored with the naming, renaming or dedication of a County building, structure, memorial, or area.
    - f. 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 of the Charter of 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 naming, renaming or dedication of public building, structure, memorial, area, or facility opportunity.
    - c. List of service to community, both volunteer and monetary, including dates of involvement and results.
    - d. Authentic copies of recognitions awarded by a national organization of which the local organization is an affiliate.
    - e. List of other honors/awards earned by organization.
    - 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. Information regarding any significant donations, gifts, financial support or contributions made by the organization to the County.

The burden of supporting the application rests with the individual or group submitting the application.

- B. The Watauga County Public Facility, Property, and Space Naming Application shall be submitted with all required supporting documentation to the Watauga County Manager, 814 West King Street, Boone, NC 28607.
- C. During a 15 business day period following the filing of an application, the County Manager will verify the documentation presented with the application.
- D. At the end of the verification period, the County Manager will place the application on the agenda of a regularly scheduled meeting of the Board of 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, or dedication of the public building, structure, memorial, plaque, marker, 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, plaques, markers, 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, plaques, markers, area, and facility to be considered for renaming, the recommended name must qualify according to this Policy.
- H. Public buildings, structures, memorials, plaques, markers, 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.
- 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, sign, or marker shall blend or compliment the facility or area. Any plaque, sign, or marker approved by the Board must meet all County and Town regulations when applicable.
- J. The County will make every effort to preserve any dedication plaque or other dedicated object such as a tree, bench, etc. If necessary, due to repair of surrounding areas, construction or redesign of an area or facility, the plaque or dedication object may be relocated. If the 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. The County Commissioners may waive or modify any requirement of this policy as it deems appropriate on a case-by-case basis.

## **VI. APPLICABILITY**

This policy governs only those applications made to request Watauga County buildings, structures, memorials, plaques, markers, areas, facilities and spaces naming or renaming opportunities.

**VII. 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 building, structure, memorial, plaque, marker, area, or facility and the name cannot be transferred to another County building, structure, memorial, plaque, marker, area, or facility without being proposed using the formal process outlined in the Policy.
- C. The use and ownership of any County facility, property, or space may change; consequently, the designation of a Naming Opportunity is not a guarantee that the use or ownership of the County building, structure, memorial, plaques, marker, area, or facility will remain the same in perpetuity.
- D. The naming of any County building, structure, memorial, plaques, marker, area, or facility by the Board of County Commissioners shall not create a property interest in the Naming Opportunity.

**VIII. RESPONSIBILITY**

- A. The County Manager is responsible for monitoring and ensuring regular review of this Policy.
- B. All costs associated with the publication of the notice shall be paid by the applicant. If the designation is approved by the County Commissioners, all costs associated with the signage and installation shall be the responsibility of the applicant.
- 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.
- D. The County will make every effort to preserve any dedication plaque or other dedicated object such as a tree, bench, etc.
- 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. The County Commissioners may waive or modify any requirement of this policy as it deems appropriate on a case-by-case basis.

Blank Page

**AGENDA ITEM 6:****MISCELLANEOUS ADMINISTRATIVE MATTERS*****D. Debt Service Plan*****MANAGER'S COMMENTS:**

Based on previous discussions with the Board, it is staff's understanding to reduce County debt when opportunities arise. Due to the refinancing of the high school loan, the County realized a cost savings of \$329,113. As the refinancing was not completed prior to the adoption of the Fiscal Year 2012-2013 budget, staff was required to budget the full amount. Three options are available for the utilization of the savings; 1) Pay the funds on the Series B loan which will result in an estimated savings of \$11,900 and close the funding gap created by the previous Board's allocation of \$360,630 of the \$6 million debt service plan to the School Board. The remaining short fall would be \$19,617; 2) Reduce the budgeted transfer to the Debt Service Fund from the General Fund in the current Fiscal Year 2012-2013 budget; 3) Transfer the funds to the Capital Projects Fund to be used as part of the Debt Service set aside plan for FY 2014-2015; or 4) Utilize the funds for Capital Improvement Projects.

Staff would recommend option one (1) as this would reduce the impact on the County's debt and also assist the County in meeting its debt service plan.

Board direction is requested.



# WATAUGA COUNTY

## FINANCE OFFICE

---

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

### MEMORANDUM

TO: Deron T. Geouque, County Manager  
FROM: Margaret Pierce, Finance Director  
SUBJECT: Debt Service Plan  
DATE: June 10, 2013

Per the Board of Commissioners' desire to reduce outstanding County debt where possible, I have researched the options available in relation to the budget savings realized due to the loan refinance done on the 2008 Watauga High School loans. At the time the Fiscal Year 2012-13 budget was approved, the refinance was not complete and the potential savings were not known. The realized budget savings in the current fiscal year are \$329,113.

There are three primary options available:

1. Make an additional payment on the Series B loan which will result in interest savings of approximately \$11,900 on the Fiscal Year 2014-15 payment.
2. Move the funds to the Capital Projects Fund, Debt Service Plan line and use as part of the set aside for the Fiscal Year 2014-15 payment.
3. Reduce the budgeted transfer to the Debt Service Fund from the General Fund in the current fiscal year.

Based on the Board's stated desire to reduce existing County debt, I would recommend option one above.

**AGENDA ITEM 6:****MISCELLANEOUS ADMINISTRATIVE MATTERS***E. Boards & Commissions***MANAGER'S COMMENTS:**

The Voluntary Farmland Preservation Program Advisory Board recently nominated Ms. Jennifer Miller for an appointment to their Board.

The above is a second reading and, therefore, action may be taken, if so desired.

Mr. Frank Bolick and Mr. Dale Greene have submitted applications for appointment to the Town of Boone Planning Commission and Board of Adjustment, respectively. In addition, Mr. Wayne Green sent an email requesting consideration for appointment to either of the Town Boards. The Town of Boone supplied a list of vacancies in March and was unable to provide an updated list prior to the Board packet completion. All three names have been submitted to the Town of Boone for consideration. The Town Clerk sent an email stating the Council has deferred making nominations for appointment to ETJ positions for the past couple of months in order to allow for the receipt of additional applications. The Council will be considering board appointments at their June 20th regular meeting. Based on the list provided in March, it would appear there are four (4) vacancies for the Board of Adjustment and two (2) vacancies for the Planning Commission. Below is a listing of these vacancies.

**Boone Board of Adjustment**

Two (2) Regular Vacancies  
 One (1) Regular Term Set to Expire 6/2013  
 One (1) Alternate Vacancy

**Boone Planning Commission**

One (1) Regular Vacancy  
 One (1) Expired Term From 6/2012

The above are first readings, and therefore no action is required at this time.



6-4-2012  
[Handwritten signature]



**WATAUGA COUNTY FARMLAND PRESERVATION PROGRAM**  
971 WEST KING STREET  
BOONE NC 28607-3468

*ADVISORY BOARD*

*KELLY COFFEY, CHAIR  
JOHNNY MORETZ  
VIRGINIA WARD  
JOE MCNEIL*



May 13th, 2013

Watauga County Board of Commissioners,  
Courthouse, Suite 1  
842 West King Street  
Boone, NC 28607

Dear Commissioners,

At our May 13th quarterly meeting , the board voted to have Jennifer Miller to sit on the Voluntary Farmland Preservation Program Advisory Board. We are requesting for the Board of Commissioners to appoint Jennifer Miller to our Voluntary Farmland Preservation Program Advisory Board.

Sincerely,

Kelly Coffey  
Chairman, Watauga County Farmland Preservation

PHONE: 828-264-0842  
FAX: 828-264-3067

---

**From:** wayneg@boonenc.org  
**Sent:** Tuesday, March 05, 2013 8:44 AM  
**To:** Anita.Fogle  
**Subject:** Boone ETJ BOA members

Ms. Fogle:

Please send this to the Commissioners.

Watauga County Commissioners:

I have recently checked with the Town of Boone Department of Planning and Inspections. According to them, the Board of Adjustments has one opening for a full ETJ member and two alternative members.

As these members are appointed by the County, not the Town, I would like to be considered for any of the positions, but particularly the full membership. I do not live in the ETJ, but would like to be considered if you do not have enough qualified applicants that reside in this zone as I live very close to it. I believe you reached an agreement with the Town that you would give residents of the ETJ first priority.

I feel that I am qualified for membership in this organization as I worked as the defacto planner and the Zoning Administrator for the Town of Blowing Rock for five years. It would certainly not take me very long to catch up on any legal changes that have been made.

As some of you may remember, my request to be appointed to this Board instigated the previous controversy between the County and the Town concerning appointments to ETJ Boards. At that point in time, there had been vacancies on the various Boards concerning ETJ members that had not been filled for over a year. Regardless of whether you appoint me to this position or not, please take action to give the county residents that are disenfranchised from voting or running for office for the governing body that makes the laws affecting them. They do not deserve these positions remaining vacant. Also, county residents that do not live in the ETJ also deserve a voice in the administration of laws in the ETJ that will affect them.

I must add that the last time you appointed members to the ETJ that did not live in the ETJ zone, you appointed people that lived in the Boone city limits. This defeated the purpose of having an ETJ representative and did nothing to appease the Town.

Thank you for your consideration.

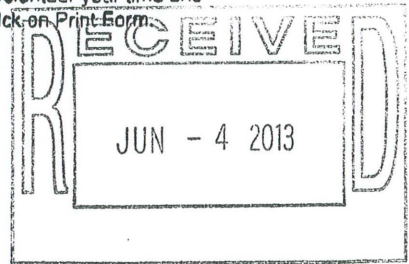
Wayne Green  
2028 Laurel Fork Road  
Vilas, N.C. 28692

828-963-5086

### Volunteer Application Watauga County Boards And Commissions

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

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



Name: Frank Bolick  
Home Address: 180 Ridge Point Drive  
City: BOONE Zip: 28607  
Telephone: (H) 828-964-1190 (W) 828-264-2407 (Fax) 828-264-9030 (W)  
Email: bolickfr@watauga.k12.nc.us 828-278-0667 (H)  
Place of Employment: Watauga High School  
Job Title: Vocational Agriculture Teacher

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

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

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

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

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

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

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

1. Town of Boone Planning Commission
2.
3.

Volunteer Application  
Watauga County Boards And Commissions  
(Continued)

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

Work Experience:

15 years in NC Cooperative Extension Service (13 yrs. in Watauga/Avoy/Ashcroft counties). 2 years teaching @ WHS. Almost 30 years as a Landowner/Developer/Farmer in Watauga County

Volunteer Experience:

I currently teach Sunday School and serve as a deacon at 3 Forks Baptist Church here in Boone. I have been a Gideon in the Boone Camp. I have volunteered many times to help Hope Pregnancy Center, many sports teams in the area, as well as several evangelistic outreach efforts in the area.

Other Experience:

I am the faculty advisor to the WHS FFA chapter, which takes a fair amount of time outside the class and school hours. In my work experience I have been a regional + local traveling salesman, and I have worked for 2 1/2 years at the Employment Security Commission in Marion N.C. I do understand the importance of local and regional business outreach.

Other Comments:

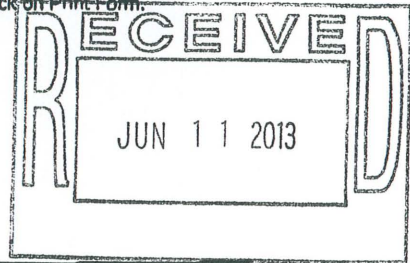
Signature: 

Date: 5/20/13

### Volunteer Application Watauga County Boards And Commissions

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

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



Name: Dale Greene

Home Address: 815 Old 421 South

City: Boone

Zip: 28607

Telephone: (H) 8282644647

(W) 8282642177

(Fax) 8282644413

Email: jeffgreene@hollarandgreene.com

Place of Employment: Hollar and Greene Produce

Job Title: President

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

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

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

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

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

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

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

1. TOWN of Boone Board of Adjustment
2.
3.

Volunteer Application  
Watauga County Boards And Commissions  
(Continued)

061813 BCC Meeting

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

Work  
Experience:

Watauga Medical Center Board of Trustees  
High Country Bank Board of Trustees

Volunteer  
Experience:

Other  
Experience:

Other  
Comments:

Signature:

*Rachel Greene*

Date:

6/4/13

Blank Page

**AGENDA ITEM 6:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

*F. Announcements*

**MANAGER'S COMMENTS:**



**AGENDA ITEM 7:**

**PUBLIC COMMENT**

**AGENDA ITEM 8:**

**BREAK**

**AGENDA ITEM 9:**

**CLOSED SESSION**

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