

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

**TUESDAY, MARCH 6, 2012  
8:00 A.M.**

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

<b>TIME</b>	<b>#</b>	<b>TOPIC</b>	<b>PRESENTER</b>	<b>PAGE</b>
8:00	1	CALL REGULAR MEETING TO ORDER		
	2	APPROVAL OF MINUTES: February 21, 2012, Regular Meeting February 21, 2012, Closed Session February 24 & 25, 2012, Special Meeting (Retreat)		1
	3	APPROVAL OF THE MARCH 6, 2012 AGENDA		13
8:05	4	SHERIFF'S OFFICE OUT-OF-STATE TRAVEL REQUEST	CPT. DEE DEE ROMINGER	15
8:10	5	HOSPITALITY HOUSE REQUEST TO APPLY FOR FUNDING OPPORTUNITY THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES CATALYST PROGRAM	MS. LYNNE MASON	17
8:15	6	BID AWARD REQUEST FOR AQUATIC CENTER REPAIRS	MR. ROBERT MARSH	23
8:20	7	FIRE MARSHAL/EMERGENCY MANAGEMENT MATTERS A. Proposed Resolution Adopting the 2010 Hazard Mitigation Plan B. Proposed Memorandum of Understanding (MOU) for VIPER Tower Grant for Green Hill	MR. STEVE SUDDERTH	27 31
8:25	8	TAX MATTERS A. Monthly Collections Report B. Refunds and Releases C. Tax Lien Report	MR. KELVIN BYRD	45
8:30	9	MISCELLANEOUS ADMINISTRATIVE MATTERS A. Update on the Mediation and Restorative Justice Center's Grant Application B. Proposed Job Description for Emergency Services Director C. Boards & Commissions D. Announcements	MR. DERON GEOUQUE	49 69 73 79
8:35	10	PUBLIC COMMENT		90
9:35	11	BREAK		90
9:40	12	CLOSED SESSION Attorney/Client Matters – G. S. 143-318.11(a)(3)		90
10:00	13	ADJOURN		



**AGENDA ITEM 2:**

**APPROVAL OF THE MINUTES**

February 21, 2012, Regular Meeting

February 21, 2012, Closed Session

February 24 & 25, 2012, Special Meeting

**DRAFT****MINUTES****WATAUGA COUNTY BOARD OF COMMISSIONERS  
TUESDAY, FEBRUARY 21, 2012**

The Watauga County Board of Commissioners held a regular meeting on Tuesday, February 21, 2012, at 5:30 P.M. in the Commissioners' Board Room of the Watauga County Administration Building, Boone, North Carolina.

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

Chairman Miller called the meeting to order at 5:31 P.M.

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

**APPROVAL OF MINUTES**

Chairman Miller called for additions and/or corrections to the February 7, 2012, regular and closed session minutes.

Commissioner Futrelle, seconded by Commissioner Blust, moved to approve the February 7, 2012, regular meeting minutes as presented.

VOTE: Aye-5  
Nay-0

Commissioner Deal, seconded by Commissioner Blust, moved to approve the February 7, 2012, closed session minutes as presented.

VOTE: Aye-5  
Nay-0

**APPROVAL OF AGENDA**

Chairman Miller called for additions and/or corrections to the February 21, 2012, agenda.

County Manager Geouque requested to add a Mediation and Restorative Justice Center Grant Application Request and a Closed Session for Attorney/Client matters, per G. S. 143-318.11(a)(3).

Commissioner Deal, seconded by Commissioner Blust, moved to approve the February 21, 2012, agenda as amended.

VOTE: Aye-5  
Nay-0

### **MEDIATION AND RESTORATIVE JUSTICE CENTER GRANT APPLICATION REQUEST**

Ms. Melissa Johnson, Executive Director of the Mediation and Restorative Justice Center, requested authorization to apply for a pass-through grant from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The amount was \$128,000, \$64,000 per year over a two-year term, and would allow Watauga County Drug Treatment Court to serve additional participants as well as enhance current services to be more comprehensive and effective. The Center planned to request funding from associated local agencies and utilize the County's bottle tax funds, if approved by the Board, for the required 25% match. If awarded, the grant funding would also replace operational funding currently received from Watauga County.

Commissioner Deal, seconded by Vice-Chairman Gable, moved to authorize the submission of the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, pass-through grant, contingent upon review by the County Attorney and Chairman Miller.

VOTE: Aye-5  
Nay-0

Ms. Marisa Cornell with the Drug Treatment Court updated the Board on the program by reporting that the Court had held graduation for seven of its participants since July 2011.

### **PROPOSED CONTRACT WITH TRAIL DYNAMICS FOR CONSTRUCTION OF A BIKE SKILLS AREA AT ROCKY KNOB PARK**

County Manager Geouque stated that, at the January 17, 2012, Board meeting, the Watauga County Tourism Development Authority and County Attorney were authorized to negotiate a contract with Trail Dynamics for the construction of a Bike Skills area at Rocky Knob Park. The contracted amount was not to exceed \$35,000 and the Tourism Development Authority was to fully fund the project with Watauga County to bear no costs. The County Manager presented the contract for consideration.

Commissioner Deal, seconded by Commissioner Futrelle, moved to approve the contract as prepared by the County Attorney and presented by the County Manager.

VOTE: Aye-5  
Nay-0

**SANITATION DEPARTMENT RECYCLING CENTER'S GRANT APPLICATION  
REQUEST FOR PURCHASE OF FORKLIFT**

Ms. Lisa Doty, Recycling Manager, requested authorization to apply for a grant from the North Carolina Department of Environment and Natural Resources with the funding, if awarded, to be used for the purchase a new forklift to replace the 1991 model currently in use with the County's recycling effort.

An initial quote of \$34,051 was received for a new forklift; however, if the Board authorized the grant application, staff planned to solicit additional bids. Based on the initial quote, the County's match would be \$5,675.16. Ms. Doty announced that the County should receive approximately \$4,000 in additional revenue from electronic recycling efforts and the current forklift would be recommended for surplus and auction through GovDeals.com. Additional funds needed for the match could be allocated from the solid waste enterprise fund.

Vice-Chairman Gable, seconded by Commissioner Blust, moved to authorize the submission of the grant application to the North Carolina Department of Environment and Natural Resources for the purchase of a new forklift for the Sanitation Department's recycling efforts.

VOTE: Aye-5  
Nay-0

**BUDGET AMENDMENTS**

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

Account #	Description	Debit	Credit
103300-345000	Elderly/Disabled Transportation Grant	\$4,000	
105550-431301	Elderly/Disabled Trans. Grant – Project on Aging	\$2,500	
104500-469846	Elderly/Disabled Trans. Grant – Watauga Opportunities		\$5,000
104500-469845	Eld./Dis. Trans. Grant – New River Behavioral Healthcare		\$1,500
143300-345000	Elderly/Disabled Transportation Grant		\$4,000
145310-469845	Elderly/Disabled Trans. Grant – Dept. of Social Services	\$4,000	

The amendment was based on spending within programs for the first seven months. The ROAP grant recipients have requested funding to POA and DSS to allow services to continue at reduced levels.

Account #	Description	Debit	Credit
103300-349602	Rural Center EDC Grant		\$44,843
104920-463002	EDC Jobs Creation Grant	\$44,843	

The amendment recognized the grant with the NC Rural Center Economic Development Program for Building Reuse and Restoration as approved at the December 20, 2011, Board meeting. The local match for this grant will be provided by the Economic Development Director's administrative time.

Account #	Description	Debit	Credit
143839-389000	Administrative Cost Reimbursements		\$101,416
145480-438800	Crisis Intervention Payment	\$81,515	
145410-440002	Low Income Home Energy Assistance	\$19,901	

The amendment recognized changes in funding allocations from the State for two energy programs and administrative funds.

Account #	Description	Debit	Credit
283102-312110	Tax Revenue Deep Gap Fire District		\$16,900
284340-469910	Deep Gap Fire District	\$16,900	
283102-312109	Tax Revenue Meat Camp Fire District		\$16,000
284340-469909	Meat Camp Fire District	\$16,000	
283102-312108	Tax Revenue Shawneehaw Fire District		\$5,600
284340-469908	Shawneehaw Fire District	\$5,600	
283102-312107	Tax Revenue Cove Creek Fire District		\$9,200
284340-469907	Cove Creek Fire District	\$9,200	
283102-312106	Tax Revenue Zionville Fire District		\$3,300
284340-469906	Zionville Fire District	\$3,300	
283102-312105	Tax Revenue Stewart Simmons Fire District		\$11,500
284340-469905	Stewart Simmons Fire District	\$11,500	
283102-312104	Tax Revenue Beaver Dam Fire District		\$3,000
284340-469904	Beaver Dam Fire District	\$3,000	
283102-312101	Tax Revenue Foscoe Fire District		\$12,000
284340-469901	Foscoe Fire District	\$12,000	
243102-312101	Tax Revenue Foscoe Service District		\$3,700
244340-469901	Foscoe Service District	\$3,700	
243102-312105	Tax Revenue Beech Mountain Service District		\$400
244340-469998	Beech Mountain Service District	\$400	
243102-312107	Tax Revenue Cove Creek Service District		\$10
244340-469907	Cove Creek Service District	\$10	
243102-312100	Tax Revenue Boone Rural Fire District		\$41,200
244340-469905	Boone Rural Fire District	\$41,200	

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

Account #	Description	Debit	Credit
103300-343314	Hazardous Materials (HazMat) Training Grant		\$5,000
104330-449902	Hazardous Materials (HazMat) Exercise Grant	\$5,000	

The amendment recognized a grant from the NC Emergency Response Commission for Hazardous Materials Emergency Planning. There was no County match for this grant which was accepted at the February 7, 2012, Board meeting.

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

VOTE: Aye-5  
Nay-0

## **MISCELLANEOUS ADMINISTRATIVE MATTERS**

### ***A. USDA's Proposed Lease Request for the Location of the Watauga/Avery County Service Center***

County Manager Geouque stated that, at the January 17, 2012, Board meeting, approval was given to renew the United States Department of Agriculture (USDA) lease for office space at the existing rate of \$10.00 per square foot for a ten (10) year term. Upon additional conversations with USDA personnel, at both the state and federal levels, the proposal originally sent to the County did not allow for a simple renewal but rather required the County to submit a "Request for Lease Proposal" as if it were a new lease. As such, the new lease included requirements for improvements and services, at the County's expense, that were not included as part of the initial lease agreement.

The previous lease did not cover the County's cost for utilities, maintenance and janitorial services. Based on the new lease, the County will request reimbursement for the office space and services as provided to the USDA. Also, the actual space as currently leased is 2,200 square feet, not the 1,718 square foot figure referenced at the January meeting. The square footage may change, however, depending on USDA's measurement and calculation, which could reduce the lease amount. The current market rate, not including utilities and maintenance services, was \$10 to \$16 per square foot.

The County Manager stated that staff recommended the submission of a "Request for Lease Proposal" to the USDA in the amount of \$18.47 per square foot, for an annual amount of \$40,624, based upon office space, utilities, maintenance services, and improvements as required by the USDA. This amount would allow the County to "break even" regarding costs associated with the lease.

Commissioner Deal, seconded by Commissioner Blust, moved to authorize the submission of the Request for Lease Proposal to the USDA in the amount of \$18.47 per square foot for the space currently leased as presented by the County Manager.

VOTE: Aye-5  
Nay-0

### ***B. Proposed Resolution Authorizing Conveyance of Surplus Property by Donation***

County Manager Geouque stated that, at the January 17, 2012, Board meeting, direction was given to staff to advertise the conveyance of surplus property, by donation, to the Boone Optimist Club, a local non-profit organization. The advertisement has taken place and, therefore, adoption of a resolution authorizing the donation of the home side bleachers at the old Watauga High School to Boone Optimist Club was required to complete the process.

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

VOTE: Aye-5  
Nay-0

### ***C. Announcements***

County Manager Geouque shared the following announcements:

- The Annual Pre-Budget Retreat is scheduled for Friday, February 24 (12:00 P.M. to 6:00 P.M.) & Saturday, February 25, 2012, (9:00 A.M. to 12:00 P.M.) in the Commissioners' Board Room.
- The Watauga Drug Treatment Court Team invites Board members to observe a session of Drug Treatment Court on Wednesday, February 29, 2012, at 3:30 P.M. in the small courtroom.
- An Intergovernmental Retreat is scheduled for Monday, March 5, 2012, from 5:00 P.M. to 7:00 P.M., on the 5<sup>th</sup> floor of the ASU Athletics Center, overlooking the stadium. The meeting will include a presentation on local government finance from Ms. Madeleine Henley with North Carolina League of Municipalities (NCLM).
- The 2012 Watauga County Economic Development Summit is scheduled for Wednesday, March 7, 2012, from 1:00 to 5:00 P.M. at the Blowing Rock Art and History Museum in Downtown Blowing Rock.
- An Incident Command System (ICS) Overview for Executives/Senior Officials training is scheduled on March 28, 2012, from 4:00 P.M. to 6:00 P.M. in the Commissioners' Board Room.
- The Board is invited to attend the Cooperative Extension's Annual "Report to the People" luncheon which is scheduled for Tuesday, March 6, 2012, at the Watauga County Agricultural Conference Center at 11:45 A.M. After enjoying a "local lunch," a presentation on Watauga Extension's highlights, accomplishments, and future goals will be given.
- The Appalachian District Health Department invites the Board to attend a pre-event and event on Thursday, March 22, 2012, featuring a presentation regarding aerobic exercise and its relationship to the brain. The event is sponsored through the "Communities Putting Prevention to Work" grant.
- The Humane Society has requested the Board set a date to tour their new facilities as recently constructed through a partnership with the County. The County Manager requested the Board review their calendars and submit potential dates for a tour.

### **PUBLIC COMMENT**

There was no public comment.

**CLOSED SESSION**

At 5:55 P.M., Commissioner Deal, seconded by Commissioner Futrelle, moved to enter Closed Session to discuss Attorney/Client Matters, per G. S. 143-318.11(a)(3).

VOTE: Aye-5  
Nay-0

Commissioner Blust, seconded by Commissioner Deal, moved to resume the open meeting at 6:03 P.M.

VOTE: Aye-5  
Nay-0

**PUBLIC HEARING TO ALLOW CITIZEN COMMENT ON THE PROPOSED WATAUGA COUNTY GATED COMMUNITY ORDINANCE**

Vice-Chairman Gable, seconded by Commissioner Deal, moved to open the public hearing at 6:05 P.M. to allow citizen comment on the proposed *Watauga County Gated Community Ordinance*.

Chairman Miller called upon Vice-Chairman Gable to review the events that led to the development of the proposed ordinance. Vice-Chairman Gable stated that the Fire Commission had requested a policy be established detailing rules and standards for the installation of electronic access gates for gated communities.

In response to questions from the Board, Fire Commission Chairman Ronnie Marsh stated that the Ordinance, if adopted, would not affect gates currently installed unless they were significantly changed and/or a different device was added to them. Mr. Marsh stated that additional costs that would be incurred by a community to meet ordinance standards would be less than \$1,000 turnkey. Mr. Marsh also stated that, in the case of a power outage, the gates would automatically open, and remain open, until the power was restored, at which time the gate device would automatically close again.

Commissioner Deal requested, for clarity purposes, that Section 100.08 read that in the event that a Property Owners' Association (POA) existed, then the POA would be subject to fines, if found in violation of the ordinance, as opposed to the individual property owners of the community.

There being no public comment, Vice-Chairman Gable, seconded by Commissioner Blust, moved to declare the public hearing closed at 6:16 P.M.

Vice-Chairman Gable, seconded by Commissioner Blust, moved to adopt the *Watauga County Gated Community Ordinance* as amended in Section 100.08.

VOTE: Aye-5  
Nay-0

**ADJOURN**

Commissioner Deal, seconded by Vice-Chairman Gable, moved to adjourn the meeting at 6:17 P.M.

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

ATTEST:

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

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**DRAFT****MINUTES**

**WATAUGA COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING, FRIDAY, FEBRUARY 24, 2012 &  
SATURDAY, FEBRUARY 25, 2012**

The Watauga County Board of Commissioners held a special meeting on Friday, February 24, 2012, and Saturday, February 25, 2012, in order to conduct a retreat to review goals and objectives for the County. The meetings were held in the Watauga County Board of Commissioners' Conference Room, Boone, N.C.

**PRESENT:** Nathan Miller, Chairman  
Vince Gable, Vice-Chairman  
Jim Deal, Commissioner  
Tim Futrelle, Commissioner  
David Blust, Commissioner  
Deron Geouque, Deputy County Manager  
Margaret Pierce, Finance Director

Vice-Chairman Gable called the meeting to order on Friday, February 24, 2012, at 12:25 P.M., welcoming those in attendance.

*[Chairman Miller arrived at the meeting at 12:25 P.M. due to a prior commitment.]*

The following topics were discussed:

**FY 2012 REVIEW AND DISCUSSION OF 2013 BUDGET**

MS. MARGARET PIERCE

- A. Revenues
- B. Expenditures
- C. Fund Balance
- D. Debt Service Report
- E. Budget Calendar

**REVIEW OF CURRENT CAPITAL IMPROVEMENT PLAN (CIP)**

MR. DERON GEOUQUE & MR. ROBERT MARSH

- A. Current CIP Status Report
- B. Pool Status Report
- C. Future Projects for Consideration
- D. Aho Container Site
- E. Daymark Lease

**TAX MATTERS**

MR. KELVIN BYRD

- A. Tax Reval Report
- B. Business and Personal Property Audits

**SCHOOL BOARD FUNDING ISSUES**

- A. Schools' Capital Improvement Plan
- B. FY 2013 Funding Needs

**EMS REPORT/DISCUSSION**

MR. CRAIG SULLIVAN

**LANDFILL ENERGY PROJECTS DISCUSSION**

MS. LISA DOTY AND MR. GED MOODY

- A. Report on Recycling and Methane to Electricity Project
- B. Review of Solar Energy Project

*[Commissioner Futrelle left the meeting at 3:15 P.M. due to a prior commitment.]*

A recess was declared at 4:05 P.M. The meeting reconvened on Saturday, February 25, 2012, at 9:00 A.M.

**WATAUGA COMMUNITY HOUSING TRUST REPORT**

**ECONOMIC DEVELOPMENT COMMISSION (EDC) REPORT/DISCUSSION**

MR. KEITH HONEYCUTT & MR. JOE FURMAN

**PLANNING AND INSPECTIONS MATTERS**

MR. JOE FURMAN

**TOURISM DEVELOPMENT AUTHORITY (TDA)**

MR. MATT VINCENT, MR. WRIGHT TILLEY, & MR. ERIC WOOLRIDGE

**CONSOLIDATED DISPATCH**

VICE-CHAIRMAN VINCE GABLE

**MISCELLANEOUS & COMMISSIONER MATTERS**

MR. DERON GEOUQUE

- A. A Policy to Provide Preference to Local Vendors in Purchasing of Equipment and Supplies
- B. State Issues
- C. Commissioner Matters

*[Commissioner Futrelle left the meeting at 11:00 A.M. due to a prior commitment.]*

**WRAP UP, GOALS & OBJECTIVES, BOARD DIRECTIVES**

The County Manager concluded the retreat by reviewing the issues addressed and seeking direction from the Board for Fiscal Year 2013.

Chairman Miller adjourned the meeting at 12:00 P.M.

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

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Nathan A. Miller, Chairman

ATTEST:

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Deron Geouque, Deputy County Manager

**AGENDA ITEM 3:**

**APPROVAL OF THE MARCH 6, 2012, AGENDA**

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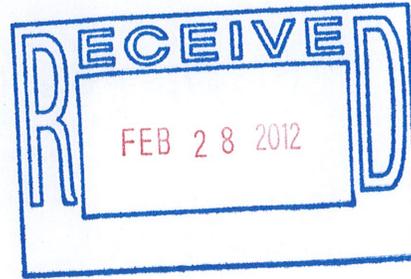
**AGENDA ITEM 4:**

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

**MANAGER'S COMMENTS:**

Captain Rominger, Watauga County Sheriff's Office, will request permission from the Board for Detective Adam Lentz to attend a Child Forensic Interview Training in Huntsville, Alabama. Detective Lentz will drive a County vehicle and thus the only expense will be his time.

Per the County Ordinance, Board approval is required for all out-of-state travel. Staff seeks direction from the Board.



MEMORANDUM

TO: Deron Geouque – County Manager

FROM : Captain Dee Dee Rominger *DDR*

RE: Commissioner's Meeting Agenda

Date: February 28, 2012

I am respectfully requesting to be added to the next County Commissioner's Meeting Agenda to request permission for Detective Adam Lentz be allowed to drive a county vehicle to Huntsville, Alabama for Child Forensic Interview Training. Detective Adam Lentz would be leaving Watauga County on Sunday, April 15, 2012 and returning to Watauga County on Friday, April 20, 2012. There will be no cost to the county for the training. Thank you in advance for this consideration.

Cc: Sheriff Len D. Hagaman

**AGENDA ITEM 5:**

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

**MANAGER'S COMMENTS:**

Lynne Mason, Executive Director of Hospitality House, is requesting the Board apply for \$250,000 through the Community Development Block Grant Small Cities Catalyst Program. Mr. Joe Furman is available to assist Ms. Mason if the Board wishes to apply for the funds.

Board action is requested to apply for funds through the Community Development Block Grant Small Cities Catalyst Program and set the two public hearings for March 20<sup>th</sup> and April 17<sup>th</sup>.

**Anita.Fogle**

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

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

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

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

Good Afternoon Joe,

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

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

Thanks,

*Lynne*

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

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



## NC Catalyst

## NC Catalyst

[Consolidated Plan](#)

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

[ARRA Recovery Funding](#)

[Financial](#)

[Neighborhood Stabilization Program](#)

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

[Training & Workshops](#)

[Forms & Resources](#)

### Grant Categories

[Small Business Entrepreneurial Development](#)

[Housing Development](#)

[Infrastructure](#)

[Scattered Site Housing](#)

[Economic Development](#)

[NC Catalyst](#)

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

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

*Maximum Grant Amount:* \$500,000

## Quick Links

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

[Appalachian Regional Commission](#)

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

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



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

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

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

## EVALUATION CRITERIA

Applicants will be rated according to the following criteria:

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

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## **AGENDA ITEM 6:**

### **BID AWARD REQUEST FOR AQUATIC CENTER REPAIRS**

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

Mr. Robert Marsh will present bids for the repair of the County's aquatic center. The repairs are part of the study by Sutton-Kennerly & Associates that prioritizes deficiencies and safety risks with the facility. MBI was the low bidder in the amount of \$50,300 with 33 days to complete the project. The contract does have a bonus provision for early completion. Mr. Marsh, however, is recommending the contract be awarded to Dallas Lawrence Construction who was the next lowest bidder in the amount of \$52,843.22 with 21 days to complete the project.

Based on conversations with the County Attorney, it has been determined that the County would not have the option to award the bid to Dallas Lawrence Construction and would be required to either award the contract to MBI Builders or reject the bids and re-advertise.

Direction is requested from the Board.



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

TO: Deron Geouque, County Manager  
FROM: Robert Marsh, Maintenance Director  
SUBJECT: Aquatic Center Repairs  
DATE: February 17, 2012

**BACKGROUND:**

Sutton-Kennerly & Associates, Inc. surveyed the 35-year old, 11,000 s.f. building and reported their findings to the County in a written report delivered to the Commissioners in 2011. A prioritized list of recommended repairs was developed by Sutton-Kennerly. Deficiencies that would negatively affect the building structure or conditions that posed immediate safety risks ranked highest on the list of needed repairs. The report describes four conditions that were recommended for immediate repair. Those deficiencies include:

1. Lack of adequate wind bracing in the building frame.
2. Deteriorated post base anchorage.
3. Poor lighting.
4. Restricted mechanical ventilation.

The Maintenance Department addressed items three and four in the spring of 2011. However, items one and two were deferred until Spring 2012 so that further testing and design could be done to identify the scope of the repair project.

In December 2011 Sutton-Kennerly finished their investigation into the post base anchorage and wind force resistance of the pool building. A Bid Advertisement was published in the Watauga Democrat and the Winston-Salem Journal in hopes of soliciting bidders for the repair project.

**BID SUMMARY:**

Name	Pool Closure	Admin. Contract	Total Contract Time Bid	Base Bid	Unit Price 1	Unit Price 2	Alternate 1
Boone Construction Co., Inc. Boone, NC	5 weeks	5 weeks	10 weeks	\$59,955.00	\$150.00	\$200.00	No change
Greene Construction, Inc. Boone, NC	42 days	49 days	91 days	\$71,760.00	\$136.00 each	\$169.00 each	\$3,000.00
Statesville Building & Roofing Renovation Statesville, NC	21 calendar days	39 calendar days	60 calendar days	\$99,915.00	\$34.00	\$175.00	\$10,000.00
Houck Contracting, LLC Hickory, NC	17 days	50 days	67 days	\$93,200.00	\$180.00	\$625.00	\$3,000.00
LaFaves Construction, Inc. Landis, NC	49 days	30 days	79 days	\$66,450.00	\$105.00	\$800.00	\$375.00
Dallas Lawrence Construction Boone, NC	21 days	30 days	51 days	\$52,843.22	\$49.88	\$676.85	\$280.33
Hickory Construction Co., Inc. Hickory, NC	30 days	45 days	75 days	\$91,200.00	\$125.00	\$1,000.00	\$4,000.00
MBI Builders, LLC North Wilkesboro, NC	33 days	42 days	75 days	\$50,300.00	\$55.00	\$280.00	\$400.00

\*Bids are subject to acceptance for 30 days after bid opening. (Bids expire March 17<sup>th</sup>.)

**STAFF RECOMMENDATION:**

MBI, the low bidder, submitted a bid of \$50,300 with 33 days of pool closure time. Dallas Lawrence Construction, the second lowest bidder, submitted a base price of \$52,843 and 21 days of pool closure time. It is more likely that MBI will meet their 33 day schedule and therefore be eligible for the early completion bonus of \$2,100.

Staff recommends Dallas Lawrence Construction based on their competitive bid and their commitment to complete the project in 21 days. The Contract Documents allow time to be considered as part of the Bid Award. The Instructions to Bidders state in Section 10 Award of the Contract: (10.2) In evaluating bids the County will consider the qualifications of the Bidders, time required for the completion of the project, whether or not the bids comply with the prescribed requirements, and such alternatives, unit prices and other data, as may be requested in the bid form or prior to the Notice of Award.

**BUDGET IMPACT:**

The Budget for 2011-12 includes \$48,200 for this project. Funds for the balance can be located in the Maintenance and Repair budget line for the Aquatic Center. The tight project scheduling will require Change Orders to be approved and managed as quickly as possible. Therefore, staff

recommends that the County Manager be authorized to spend up to \$5,000 for unforeseen items outside the scope of the construction contract. The total request for funds to be used for this project includes the following two choices of contractors and the costs for other items associated with the project:

	Dallas Lawrence Construction	MBI Builders, LLC
Contract Bid Time	21 Days	33 Days
Base Contract Amount	\$52,843.22	\$50,300.00
Alternate 1	\$280.33	\$400.00
Early Completion	\$2,100.00	\$2,100.00
Miscellaneous	\$5,000.00	\$5,000.00
Construction Testing	\$2,500.00	\$2,500.00
Total Request	\$62,723.55	\$60,300.00

**AGENDA ITEM 7:**

**FIRE MARSHAL/EMERGENCY MANAGEMENT MATTERS**

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

**MANAGER'S COMMENTS:**

Mr. Steve Sudderth will present a resolution for the Board to adopt the Watauga County Hazard Mitigation Plan. The Federal Emergency Management Agency requires local jurisdictions to prepare and adopt a hazard mitigation plan. Failure to adopt such a plan precludes the eligibility of flood insurance and FEMA reimbursement for disasters. The plan has been approved by FEMA, State Emergency Management, and the Towns of Beech Mountain, Blowing Rock, Boone, and Seven Devils.

Board action is requested to adopt the resolution as presented.

STATE OF NORTH CAROLINA

**DRAFT**

COUNTY OF WATAUGA

**RESOLUTION OF ADOPTION OF THE  
WATAUGA COUNTY HAZARD MITIGATION PLAN**

**WHEREAS**, the citizens and property within Watauga County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to Winter Storms, flooding, high winds, earthquakes, wildfires; and

**WHEREAS**, the County desires to seek ways to mitigate the impact of identified hazard risks; and

**WHEREAS**, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act;" and

**WHEREAS**, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

**WHEREAS**, the Watauga County Emergency Management Office has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management; and

**WHEREAS**, it is the intent of the Watauga County Board of Commissioners to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County.

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

1. Adopts the County Hazard Mitigation Plan
2. Vests the Watauga County Emergency Management Office with the responsibility, authority, and the means to:
  - a. Inform all concerned parties of this action.
  - b. Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
3. Appoints the Watauga County Emergency Management Office to assure that the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Watauga County Board of Commissioners for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

**ADOPTED** on this the 6<sup>th</sup> day of March, 2012.

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

ATTEST:

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

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**AGENDA ITEM 7:**

**FIRE MARSHAL/EMERGENCY MANAGEMENT MATTERS**

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

**MANAGER'S COMMENTS:**

Mr. Sudderth will request the Board accept a grant from the North Carolina Division of Emergency Management as a Sub-grantee in the amount of \$682,000 for a VIPER tower at the Green Hill site in Blowing Rock. In addition, a Memorandum of Agreement between the County and the State of North Carolina, Department of Public Safety, Division of Emergency Management, and the Highway Patrol is required as part of the grant acceptance.

Board action is requested to accept the grant award and approve the Memorandum of Agreement as presented.



# WATAUGA COUNTY

FIRE MARSHAL / EMERGENCY MANAGEMENT

184 HODGES GAP ROAD, BOX D  
BOONE, NORTH CAROLINA 28607



OFFICE (828) 264-4235 • FAX (828) 262-5725

## MEMORADUM

TO: Watauga County Commissioners

FROM: Steve Sudderth

RE: MOA for VIPER Tower Grant for Green Hill

DATE: February 29, 2012

Watauga County has been approved for a 2008 Interoperable Communications Grant for \$682,000.00. This grant will be used to develop a VIPER Communications Tower site. New Federal Homeland Security Grant requirements are that the North Carolina Department of Public Safety will partner with a local government to release the grant. This project is similar to the one that established VIPER at Buckeye Mountain.

This is not a matching grant but I will be submitting in the 2012/13 budget an additional \$2,500.00 to co-locate Watauga Fire Channel Green Hill to this tower.

Attached is the proposed Memorandum of Agreement between the County and North Carolina Department of Public Safety et.al. Also attached is the grant acceptance and award memorandum.



# North Carolina Department of Public Safety

*Prevent. Protect. Prepare.*

Beverly Eaves Perdue, Governor

Reuben F. Young, Secretary

## GRANT AWARD

Subgrantee: Watauga County

Project Title(s): 2008 Interoperable Communications

Grant Period: 9/01/08 – 8/31/12

Date of Award: 8/21/2008

Total Amount of Award: \$ 682,000

Grant No: 2008-GE-T8-0033

In accordance with the provisions of Federal Fiscal Year 2008 Homeland Security Grant Program, the North Carolina Division of Emergency Management hereby awards to the foregoing Subgrantee a grant in the federal amount shown above. The CFDA number is 97.067 and the North Carolina Division of Emergency Management federal grant number is 2008-GE-T8-0033.

**Payment of Funds:** The original signed copy of this Award must be signed by the Official Authorized to Sign in the space below and returned to the North Carolina Division of Emergency Management **with an original signed copy of the attached Memorandum of Agreement no later than March 15, 2012. The grant shall be effective on March 15, 2012 and upon final approval by the North Carolina Division of Emergency Management of the grant budget and program narrative.** Grant funds will be disbursed (according to the approved project budget) upon receipt of evidence that funds have been invoiced and products received and/or that funds have been expended (i.e., invoices, contracts, itemized expenses, etc.).

**Conditions:** I certify that I understand and agree that funds will only be expended for those projects outlined in the funding amounts as individually listed above. I also certify that I understand and agree to comply with the general and fiscal terms and conditions of the grant including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized to commit the applicant to these requirements; that costs incurred prior to grant application approval will result in the expenses being absorbed by the subgrantee; and that all agencies involved with this project understand that federal funds are limited to a maximum 36-month period.

**Supplantation:** The Act requires that subgrantees provide assurance that subgrant funds will not be used to supplant or replace local or state funds or other resources that would otherwise have been available for homeland security activities. In compliance with that mandate, I certify that the receipt of federal funds through the North Carolina Division of Emergency Management shall in no way supplant or replace state or local funds or other resources that would have been made available for homeland security activities.

### ACCEPTANCE FOR THE SUBGRANTEE

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

**DERON GEOUQUE**  
WATAUGA COUNTY MANAGER

\_\_\_\_\_  
**REUBEN F. YOUNG, SECRETARY**  
NC DEPARTMENT OF PUBLIC SAFETY

GRANT AWARD NOTICE: THIS AWARD IS SUBJECT TO THE GRANT SPECIAL CONDITIONS AND FINAL APPROVAL BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT OF THE GRANT PROGRAM BUDGET AND NARRATIVE.

### MAILING ADDRESS:

4201 Mail Service Center  
Raleigh, NC 27699-4201  
Telephone: (919) 733-2126



### OFFICE LOCATION:

512 N. Salisbury Street  
Raleigh, NC 27604-1159  
Fax: (919) 715-8477

**MOA Amount: \$682,000**  
**MOA #: 1128**  
**Tax #: 56-6000004**  
**Fund Code #: 1520-030-H1-517**  
**CDFA #: 97.067**  
**Grant #: 2008-GE-T8-0033**

**MEMORANDUM OF UNDERSTANDING / AGREEMENT**  
**BETWEEN THE STATE OF NORTH CAROLINA,**  
**DEPARTMENT OF PUBLIC SAFETY,**  
**DIVISION OF EMERGENCY MANAGEMENT,**  
  
**THE N.C. HIGHWAY PATROL**  
  
**AND**  
  
**THE COUNTY OF WATAUGA**  
**REGARDING STATE USE OF HOMELAND SECURITY GRANT FUNDING**  
**ON BEHALF OF THE COUNTY OF WATAUGA**

1. **PARTIES.** The parties to this Memorandum of Understanding/Agreement (hereinafter referred to as “MOA” or “Agreement”) are the State of North Carolina, Department of Public Safety, Division of Emergency Management, the N.C. Highway Patrol and the County of Watauga.
2. **AUTHORITY.** This Agreement is authorized under the provisions of: 1) Public Law 111-83, The Department of Homeland Security Appropriations Act, 2008; 2) Public Law 110-53, The 9/11 Commission Act of 2007; 3) Public Law 107-56, (6 U.S.C. § 101 et seq.), the USA Patriot Act of 2001; 4) Public Law 107-296, the Homeland Security Act of 2002, 6 U.S.C. 101 et. seq.; 5) Public Law 109-295, The Post-Katrina Emergency Management Reform Act of 2006, 6 U.S.C. 752(c); 6) the implementing recommendations or regulations of each Act or Law, if any; 7) the U.S. Department of Homeland Security, Office of Domestic Preparedness, FY 2008 Homeland Security Grant Program Guidance (HSGP) and Application Kit available at [http://www.fema.gov/pdf/government/grant/2008/fy08\\_hsgp\\_kit.pdf](http://www.fema.gov/pdf/government/grant/2008/fy08_hsgp_kit.pdf); 8) applicable Grants Programs Directorate (GPD) Information Bulletins available at: [http://www.fema.gov/government/grant/bulletins/ index.shtm](http://www.fema.gov/government/grant/bulletins/index.shtm); and 9) the N.C. Emergency Management Act, Chapter 166A of the North Carolina General Statutes.
3. **PURPOSE.** The purpose of this Memorandum of Agreement (MOA) is to establish responsibilities and procedures to implement the terms of the Department of Homeland Security (DHS), FY 2008 Homeland Security Grant Program (HSGP). A copy of the complete federal grant instructions is available at [http://www.fema.gov/pdf/government/grant/2008/fy08\\_hsgp\\_kit.pdf](http://www.fema.gov/pdf/government/grant/2008/fy08_hsgp_kit.pdf).

This Agreement is to set forth terms by which the State of North Carolina, Department of Public Safety, Division of Emergency Management (Grantee), shall provide Homeland Security Grant funding to the N.C. State Highway Patrol (NCSHP) to expend on behalf

of Watauga County (Sub-grantee) to purchase and construct infrastructure for the Voice Interoperability Plan for Emergency Responders (VIPER).

4. **BACKGROUND.** The Department of Homeland Security (DHS), through the Federal Emergency Management Agency (FEMA) Grants Program Directorate, in accordance with the authorities listed herein, created the FY 2008 Homeland Security Grant Program. This program was established to provide federal reimbursement funding to state and local governments to implement State Homeland Security Strategies to address identified planning, organization, equipment, training, and exercise needs to prevent, protect against, respond to, and recover from acts of terrorism and other catastrophic events.

The State of North Carolina, Department of Public Safety, Division of Emergency Management, as the designated State Administrative Agency (SAA) to administer funds under the U.S. Department of Homeland Security, FEMA Grants Program, and the Watauga County have the common purpose to prevent, deter, respond to, and recover from threats and incidents of terrorism and ensure the safety and security of our homeland.

On September 1, 2008, the United States Department of Homeland Security issued grant number 2008-GE-T8-0033 to the State of North Carolina, Department of Public Safety, Division of Emergency Management (Grantee). Grantee is mandated to allocate at least 80% of the total amount of the grant to local units of government or combinations of local units, and may retain some or all of the local units' allocation of grant funds for expenditures made by the State on behalf of the local units of government, provided that the local units of government give written consent specifying the amount of funds to be retained and the intended use of funds, and provided that the parties enter into a memorandum of understanding.

The N.C. State Highway Patrol (NCSHP) is the agency responsible for creating the infrastructure and managing the Voice Interoperability Plan for Emergency Responders (VIPER). Watauga County (Sub-grantee) desires for NCSHP to purchase interoperable communications equipment on its behalf, with its allocation of Six Hundred Eighty-Two Thousand Dollars (\$682,000.00) in HSGP funds.

Per the Letter from Sub-grantee that State Retain Funds effective March 15, 2012 incorporated by reference herein, Sub-grantee requests that Grantee retain Six Hundred Eighty-Two Thousand Dollars (\$682,000.00) of the grant funds awarded to Sub-grantee to be used on behalf and for the benefit of Sub-grantee.

Per the Letter from Sub-grantee that State Retain Funds effective March 15, 2012, and this MOA, Sub-grantee authorizes Grantee to provide the funds to NCSHP to purchase the equipment listed on the Attachment 1, incorporated by reference herein.

## 5. RESPONSIBILITIES:

- a. The State of North Carolina, Department of Public Safety, Division of Emergency Management (Grantee) shall:
- (1) Provide funding to NCSHP to purchase VIPER equipment, as described in Attachment 1, on behalf and for the benefit of Watauga County.
  - (2) Conduct a review of the project to ensure that it is in accordance with State Homeland Security Strategy.
  - (3) The performance period for the award to the State of North Carolina, Department of Public Safety, Division of Emergency Management, ends on **August 31, 2012**. Funds allocated for the procurement of equipment must be encumbered and invoices dated on or before August 31, 2012.
  - (4) Directly monitor the completion of this project.
- b. The North Carolina State Highway Patrol shall:
- (1) Expend FY 2008 Homeland Security Grant Program funds in accordance with the applicable USDHS Program Guidance and Application Kit(s), the Grant Application Package, and the Grant Award and Special Conditions documents, incorporated by reference herein, of this MOA to implement State Homeland Security Strategies to address identified planning, organization, equipment, training, and exercise needs to prevent, protect against, respond to, and recover from acts of terrorism and other catastrophic events for the purchase of VIPER infrastructure including but may not be limited to, antenna, microwave, generator, tower, building or real property.
  - (2) Utilize State of North Carolina and/or local procurement policies and procedures for the procurement of the VIPER equipment and the expenditure of equipment funds, and conform to applicable State and Federal law and the standards identified in the Procurement Standards Sections of 44 Code of Federal Regulations (CFR) Part 13 and 2 CFR Part 215. NCSHP must follow procurement procedures and policies as outlined in the applicable USDHS Program Guidelines and Application Kits and the USDHS Financial Management Guide. NCSHP shall comply with all applicable laws, regulations and program guidance. NCSHP must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements. Administrative and procurement practices must conform to applicable federal requirements. A non-exclusive list of regulations commonly applicable to DHS grants are listed below, codified in the following guidance: 44 CFR Part 13; 2 CFR 215; 2 CFR Parts 225, 220, and 230 (formerly OMB Circulars A-87, A21 and A-122); Federal Acquisition Regulations (FAR), Part 30.2; and OMB Circular A-133 "Audits of States, Local Governments, and Non-Profit Organizations"; 28

CFR Part 23 “Criminal Intelligence Systems Operating Policies”; 49 CFR Part 1520 “Sensitive Security Information”; Public Law 107-296, The Critical Infrastructure Act of 2002; Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et. seq.; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et. seq; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794; The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et. seq.; Certifications and Assurances regarding Lobbying 30 U.S.C. 1352, Drug-Free Workplace Act, as amended, 41 U.S.C. 701 et. seq. and Certification Regarding Drug-Free Workplace Requirements, Debarment and Suspension Executive Orders 12549 and 12689 and 44 CFR Part 17 and Certification Regarding Debarment, Suspension and Other Responsibility Matters; Assurances as listed in SF 424B and SF 424D; and Grant Award and Special Conditions documents.

- (3) Submit invoice(s) requesting reimbursement for item(s) received to the NCEM Homeland Security grants manager. Grantee will reimburse NCSHP for eligible costs as outlined in the applicable USDHS Program Guidelines and Application Kits.
- (4) Complete the procurement (s) process not later than August 31, 2012.
- (5) Provide quarterly progress reports to the NCEM Homeland Security grants manager as described in Attachment 2 by the following dates: 15 January, 15 April, 15 July, and 15 October.
- (6) Provide inventory list at project completion phase to the Homeland Security Branch listing all equipment purchased through the grant.
- (7) Comply with the applicable federal statutes, regulations, policies, guidelines and requirements, reporting requirements and certifications as outlined in the applicable USDHS Program Guidelines and Application Kits and Grant Award and Special Conditions documents.
- (8) Maintain grant management filing system as required in Attachment 3.
- (9) Retain all original records pertinent to this MOA for a period of five years following the date of the closure of the grant award, or audit if required, or longer where required by law. However, if litigation, claim or audit has been initiated prior to the expiration of the five-year period and extends beyond the five year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.
- (10) Comply with current federal suspension and debarment regulations pursuant to OMB Circular A-133 which states in pertinent part that “[e]ffective November 26, 2003, when a non-federal entity enters into a covered

transaction with an entity at a lower tier, the non-federal entity must verify that the entity is not suspended or debarred or otherwise excluded. NCSHP shall be responsible to ensure that it has checked the federal Excluded Parties List System (EPLS) to verify that contractors or sub-recipients have not been suspended or debarred from doing business with the federal government”.

- (11) Ensure that FY 2008 HSGP funds are not used to support the hiring of any personnel for the purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities.
- (12) Non-supplanting Requirement. Federal grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose.
- (13) All materials publicizing or resulting from award activities shall contain this acknowledgement: *“This project was supported by a Federal award from the U.S. Department of Homeland Security, Office of Grants and Training and the North Carolina Department of Public Safety, Division of Emergency Management.”* Use of the federal program logo must be approved by DHS. Printed as a legend, either below or beside the logo shall be the words *“100 percent Funded by U.S. Department of Homeland Security.”*
- (14) NCSHP shall order, receive, inspect, and stage the equipment and supplies. The purchase or acquisition of any additional materials, equipment, accessories or supplies beyond those identified in this MOA shall be the sole responsibility of NCSHP and shall not be reimbursed under this MOA. NCSHP shall prominently mark any equipment purchased with grant funding as follows: *“Purchased with funds provided by the U.S. Department of Homeland Security.”*
- (15) NCSHP shall maintain exclusive custody, care and control of the VIPER equipment and shall have sole decision-making authority as to its maintenance, operation and use.
- (16) NCSHP shall have sole responsibility for the maintenance, insurance, upkeep, and replacement of the VIPER infrastructure equipment procured pursuant to this Agreement.
- (17) NCSHP shall maintain an effective property management system that complies with the following requirements. Equipment is defined as tangible, non-expendable property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. NCSHP may have property management guidelines that are more restrictive, requiring a unit of equipment with a value of less than \$5,000 to be inventoried; if so, such

equipment purchased under this award allocation shall be included on the report submitted to Grantee.

- a) Grantee and NCSHP shall take an initial physical inventory of the equipment. The NC SHP Grant Summary, the VIPER Site document, IR Site document, Microwave document, Radio Distribution document, Cost Reports with backup documentation, Certificate of Title, and any other Sub-grantee reports or inventory reports that include information regarding the grant, vendor, invoice number, cost per item, number of items, description, location, condition and identification number may be used to meet this requirement. NCSHP must provide quarterly updates until all funds are expended
- b) NCSHP must ensure a control system exists to ensure adequate safeguards to prevent loss, damage or theft. NCSHP shall be responsible for replacing or repairing equipment which is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage or theft of the property must be investigated and fully documented, and made part of the official project records.
- c) NCSHP must ensure adequate maintenance procedures exist to keep the equipment in good condition.
- d) Disposition Procedures. NCSHP may dispose of the equipment when the original or replacement equipment acquired under the grant award is no longer needed for the original project or program. Items with a fair market value of less than \$5,000 may be retained, transferred or otherwise disposed of with prior approval of Grantee and in accordance with disposition requirements in 44 C.F.R. Part 13. Items with a current per unit standard federal or fair market value in excess of \$5,000 may be retained, transferred or otherwise disposed of with prior Grantee approval in accordance with disposition requirements in 44 C.F.R. Part 13. NCSHP must provide documentation that includes the method used to determine current fair market value.

(18) No indirect or administrative costs will be charged to this allocation award.

c. Watauga County (Sub-grantee) agrees that:

- (1) The purchase or acquisition of any additional materials, equipment, accessories or supplies, or the provision of any training or exercise beyond that identified in this MOA shall be the sole responsibility of Sub-grantee and shall not be reimbursed under this MOA.
- (2) NCSHP shall have exclusive custody, care and control of the VIPER equipment and shall have sole decision-making authority as to its maintenance, operation and use. NCSHP's decision-making authority shall include, but is not limited to, the authority to approve any and all

modifications, additions, deletions, or right of access related to the VIPER site.

6. **FUNDING AND COMPENSATION.** All terms and conditions of this MOA are dependent upon and subject to the allocation of funds from DHS, FEMA and Grantee for the purposes set forth and the MOA shall automatically terminate if funds cease to be available. Allowable costs shall be determined in accordance with the U.S. Department of Homeland Security, FEMA, FY 2008 Homeland Security Grant Program, FY 2008 Homeland Security Grant Program Guidelines and Application Kit, incorporated by reference herein, and available at:  
[http://www.fema.gov/pdf/government/grant/2008/fy11\\_hsgp\\_kit.pdf](http://www.fema.gov/pdf/government/grant/2008/fy11_hsgp_kit.pdf), 44 C.F.R. Part13, 2 CFR Parts 215, 220, and 230, Federal Acquisition Regulations (FAR) Part 30.2, , OMB Circulars A-21, A-87, A-122 and A-133 and the U.S. DHS Financial Management Guide available at [http://www.dhs.gov/xlibrary/assets/Grants\\_FinancialManagementGuide.pdf](http://www.dhs.gov/xlibrary/assets/Grants_FinancialManagementGuide.pdf).

The Federal Department of Homeland Security will reimburse the State of North Carolina for expenses that were approved in the Investment Justification documentation as explained in the FY 2008 HSGP. The Grantee will reimburse NCSHP, on behalf of the Sub-grantee, for all eligible expenses.

7. **WARRANTY.** The Sub-grantee shall hold Grantee and NCSHP harmless for any liability and personal injury that may occur from or in connection with the performance of this MOA to the extent permitted by the North Carolina Tort Claims Act.
8. **POINTS OF CONTACT.** To provide consistent and effective communication between the Watauga County and the Department of Public Safety, Division of Emergency Management, and the N.C. State Highway Patrol, each party shall appoint a Principal Representative(s) to serve as its central point of contact responsible for coordinating and implementing this MOA. The Department of Public Safety, Division of Emergency Management, contacts shall be John Yarboro, Homeland Security Branch Chief and Patty Moyer, Grants Manager. The State Highway Patrol contact shall be Robert V. West, Captain. The Watauga County contact shall be Deron Geouque, County Manager.

All confidential information of either party disclosed to the other party in connection with the services provided hereunder will be treated by the receiving party as confidential and restricted in its use to only those uses contemplated by the terms of this MOA. Any information to be treated as confidential must be clearly marked as confidential prior to transmittal to the other party. Neither party shall disclose to third parties, the other party's confidential information without written authorization to do so from the other party. Specifically excluded from such confidential treatment shall be information that: (i) as of the date of disclosure and/or delivery, is already known to the party receiving such information; (ii) is or becomes part of the public domain, through no fault of the receiving party; (iii) is lawfully disclosed to the receiving party by a third party who is not obligated to retain such information in confidence; or (iv) is independently developed at the receiving party by someone not privy to the confidential information. In accordance with the FY 2008 Homeland Security Grant Program Guidelines and

Application Kit, "FEMA recognizes that much of the information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552 et. seq., all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office . . . The Grantee and NCSHP should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information."

9. **SUBCONTRACTING.** If NCSHP or any sub-recipient of the grant funds awarded under this MOA subcontracts any or all purchases or services required under this Agreement, then NCSHP or the sub-recipient agrees to include in the subcontract that the subcontractor is bound by the terms and conditions of this MOA. NCSHP and any sub-recipient agree to include in the subcontract that the subcontractor shall hold Grantee harmless against all claims of whatever nature arising out of the subcontractor's performance of work under this MOA. If NCSHP or any sub-recipient subcontracts any or all purchases or services required under this MOA, a copy of the executed subcontract Agreement must be forwarded to Grantee. A contractual arrangement shall in no way relieve NCSHP or any sub-recipient of its responsibilities to ensure that all funds issued pursuant to this grant be administered in accordance with all state and federal requirements. NCSHP and any sub-recipient are bound by all special conditions of this grant award as set out in the Grant Application Package and the Grant Award and Special Conditions documents, incorporated by reference herein, as well as all terms, conditions and restrictions of the applicable USDHS Program Guidelines and Application Kits referenced herein.
10. **SITUS.** This Agreement shall be governed by the laws of North Carolina, and venue for any disputed matters or claims shall be in the Superior Court of Wake County, North Carolina.
11. **ANTITRUST LAWS** This Agreement is entered into in compliance with all State and Federal antitrust laws.
12. **COMPLIANCE WITH LAWS.** NCSHP shall be wholly responsible for the purchases to be made under this MOA and for the supervision of its employees and assistants. NCSHP shall be responsible for compliance with all laws, ordinances, codes, rules, regulations, licensing requirements and other regulatory matters that are applicable to the conduct of its business and purchase requirements performed under this MOA, including those of federal requirements and State and local agencies having appropriate jurisdiction and found in applicable USDHS Program Guidelines and Application Kits.
13. **OTHER PROVISIONS/SEVERABILITY.** Nothing in this Agreement is intended to conflict with current laws or regulations of the State of North Carolina, Department of Public Safety, Division of Emergency Management, the N.C. Highway Patrol or Watauga

County. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

14. **ENTIRE AGREEMENT.** This MOA and any annexes, exhibits and amendments annexed hereto and any documents incorporated specifically by reference represent the entire agreement between the parties and supersede all prior oral and written statements or agreements.
15. **MODIFICATION.** This agreement may be modified upon the mutual written consent of the parties.
16. **PROPERTY.** The NCSHP shall be responsible for the custody and care of any property purchased with FY 2008 Homeland Security Grant Program (HSGP) funds and furnished for use in connection with the performance of this agreement and shall reimburse the Grantee for any loss or damage to said property until the property is disposed of in accordance with FY 2008 Homeland Security Grant Program requirements. Grantee will not be held responsible for any property purchased under this MOU. Title to the property purchased with FY 2008 HSGP funds shall be in the State of North Carolina, Department of Public Safety and Watauga County.
17. **TERMINATION.** The terms of this agreement, as modified with the consent of all parties, will remain in effect until August 31, 2012. Either party upon thirty (30) days advance written notice to the other party may terminate this agreement.

Upon approval by USDHS, FEMA and the issuance of the Grant Adjustment Notice, if this MOA is extended, the termination date for the extension will be the date listed in the applicable USDHS, FEMA Grant Adjustment Notice, incorporated by reference herein.

If DHS suspends or terminates funding in accordance with 44 C.F.R. §13.43 and the FY 2008 Homeland Security Grant Program Guidelines and Application Kit, incorporated by reference herein, the N.C. Highway Patrol shall reimburse the Division of Emergency Management for said property.

18. **EXECUTION AND EFFECTIVE DATE.** This Agreement will become binding upon execution of all parties to the Agreement. The terms of this Agreement will become effective on March 15, 2012. The last signature shall be that of Mr. Gerald A. Rudisill, Chief Deputy Secretary, North Carolina Department of Public Safety.
19. **TERM OF THIS AGREEMENT.** This Agreement shall be in effect from March 15, 2012 to **August 31, 2012**

**IN WITNESS WHEREOF**, the parties have each executed this Agreement and the parties agree that this Agreement will be effective as of March 15, 2012.

**(REMAINDER OF THIS PAGE 10 IS INTENTIONALLY LEFT BLANK. SIGNATURE PAGE FOLLOWS)**

**N.C. DEPARTMENT OF & PUBLIC SAFETY**

**WATAUGA COUNTY**

**BY:** \_\_\_\_\_  
**H. DOUGLAS HOELL, DIRECTOR**  
**DIVISION OF EMERGENCY MANAGEMENT**

**BY:** \_\_\_\_\_  
**DERON GEOUQUE, COUNTY MANAGER**  
**WATAUGA COUNTY**

**BY:** \_\_\_\_\_  
**ROBERT V. WEST, CAPTAIN**  
**N.C. HIGHWAY PATROL**

**APPROVED AS TO PROCEDURES:**

**BY:** \_\_\_\_\_  
**MARVIN MERVIN, CONTROLLER**  
**DEPARTMENT OF PUBLIC SAFETY**

**BY:** \_\_\_\_\_  
**CASANDRA G. WHITE, GENERAL COUNSEL**  
**REVIEWED FOR THE DEPARTMENT OF PUBLIC SAFETY,**  
**BY CASANDRA G. WHITE, CCPS GENERAL COUNSEL, TO**  
**FULFILL THE PURPOSES OF THE US**  
**DEPARTMENT OF HOMELAND SECURITY**  
**GRANT PROGRAMS**

**BY:** \_\_\_\_\_  
**GERALD A. RUDISILL, JR.**  
**CHIEF DEPUTY SECRETARY**  
**DEPARTMENT OF PUBLIC SAFETY**

**THIS MOA WAS PREVIOUSLY APPROVED AS TO FORM BY THE NORTH CAROLINA DEPARTMENT OF JUSTICE FOR THE FY2008 HOMELAND SECURITY GRANT PROGRAM ONLY AND IS SUBJECT TO EXECUTION BY GERALD A. RUDISILL, JR., CHIEF DEPUTY SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY. THIS MOU/MOA SHOULD NOT BE USED FOR OTHER MOUs/MOAs FOR THE STATE HOMELAND SECURITY GRANT PROGRAM FOR OTHER FISCAL YEARS.**

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**AGENDA ITEM 8:**

**TAX MATTERS**

***A. Monthly Collections Report***

**MANAGER'S COMMENTS:**

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

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

**AGENDA ITEM 8:**

**TAX MATTERS**

***B. Refunds and Releases***

**MANAGER'S COMMENTS:**

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

**AGENDA ITEM 8:**

**TAX MATTERS**

***C. Tax Lien Report***

**MANAGER'S COMMENTS:**

Mr. Kelvin Byrd will review the Tax Lien Report to be handed out at the meeting. Board action is requested to accept the report listing delinquent tax bills that are liens on real property and to authorize the advertisement of such liens.



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# WATAUGA COUNTY TAX ADMINISTRATION

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*Courthouse, Suite 21 – 842 West King Street – Boone, NC 28607 – (828) 265-8036  
FAX (828) 265-8140*

## MEMORANDUM

TO: Deron T. Geouque  
FROM: Kelvin R. Byrd *KRB*  
SUBJECT: Unpaid Tax Bill Report  
DATE: 02/29/12

The 2011 report of unpaid taxes that are liens on real property needs to be presented to the board at the March meeting. The report will be produced at the February month end closeout. Upon receipt the board needs to order the tax collector to advertise these tax liens. According to North Carolina statutes the advertisement has to be published between March 1<sup>st</sup> and June 30<sup>th</sup>. We plan to advertise during late March or April by publishing one time in the local newspaper the Watauga Democrat. If you have questions please let me know.

03/01/2012 11:43 WATAUGA COUNTY  
 Larry Warren RE DETAIL RECEIVABLE BY DATE  
 TAX YEAR 2011 RE SUMMARY OF UNPAID TAX BILLS THROUGH EFF DATE 02/29/2012

CODE	DESCRIPTION	ORIGINAL TAX LEVY	TAX INFORMATION PENALTY	TOTAL	TAX DUE LEVY	INFORMATION PENALTY	TOTAL DUE
C02	BOONE RE	260,558.71	.00	260,558.71	217,278.24	.00	217,278.24
F01	FOSCOE FIRE RE	18,843.24	.00	18,843.24	17,232.35	.00	17,232.35
F02	BOONE FIRE RE	25,708.72	.00	25,708.72	23,127.55	.00	23,127.55
F04	BEAVER DAM FIRE RE	9,153.04	.00	9,153.04	8,070.25	.00	8,070.25
F05	STEWART SIMMONS FIRE RE	11,236.50	.00	11,236.50	10,943.16	.00	10,943.16
F06	ZIONVILLE FIRE RE	7,288.52	.00	7,288.52	5,986.01	.00	5,986.01
F07	COVE CREEK FIRE RE	16,236.07	.00	16,236.07	14,276.91	.00	14,276.91
F08	SHAWNEEHAW FIRE RE	5,475.68	.00	5,475.68	4,974.37	.00	4,974.37
F09	MEAT CAMP FIRE RE	8,080.99	.00	8,080.99	7,614.94	.00	7,614.94
F10	DEEP GAP FIRE RE	9,262.51	.00	9,262.51	8,491.76	.00	8,491.76
F11	TODD FIRE RE	2,677.65	.00	2,677.65	3,488.96	.00	3,488.96
F12	BLOWING ROCK FIRE RE	21,478.07	.00	21,478.07	19,351.03	.00	19,351.03
FS1	FOSCOE SERV DIST RE	2,521.05	.00	2,521.05	2,164.57	.00	2,164.57
FS3	BEECH MOUNTAIN SERV DIST RE	2.75	.00	2.75	2.75	.00	2.75
FS8	SHAWNEEHAW SERV DIST RE	577.45	.00	577.45	439.73	.00	439.73
FX9	MEAT CAMP/CRESTON SERV DIST	816.51	.00	816.51	795.67	.00	795.67
G01	WATAUGA COUNTY RE	1,364,303.32	.00	1,364,303.32	1,221,743.47	.00	1,221,743.47
GB	GREEN BOX RE	30,800.00	.00	30,800.00	27,811.75	.00	27,811.75
MS1	BOONE MUNICIPAL SERV DIST R	2,241.96	.00	2,241.96	2,241.96	.00	2,241.96
NSF	NSF	.00	.00	.00	.00	.00	.00
NSF10	NSF 10%	.00	.00	.00	.00	.00	.00
SWF	SOLID WASTE FEE	96,038.00	.00	96,038.00	86,696.73	.00	86,696.73
3,329 BILLS		1,893,300.74	.00	1,893,300.74	1,682,732.16	.00	1,682,732.16

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**AGENDA ITEM 9:****MISCELLANEOUS ADMINISTRATIVE MATTERS*****A. Update on the Mediation and Restorative Justice Center's Grant Application*****MANAGER'S COMMENTS:**

At the previous Board meeting, Melissa Johnson, Executive Director of the Mediation and Restorative Justice Center, requested the Board provide a \$16,000 match for a BJA grant to continue the Watauga Drug Treatment Court program. The Board provided a one-time allocation of \$35,000 to continue the program until other funding sources could be secured. The grant would extend the program through Fiscal Year 2012-13. County staff has verified that ABC bottle tax funds may be used to fund the Drug Treatment Court. The remaining ABC funds (approximately \$11,690) that were not paid out due to the dissolution of New River will be redirected to reduce the \$35,000 provided by the County for Fiscal Year 2011-12.

Notification of award for the BJA grant will not be known until August or September. Should the Board wish, the full \$18,000 in ABC bottle tax funds may be used as the match for the grant or used to carry out the program at a reduced level through Fiscal Year 2012-13.

Direction from the Board is requested as to the allocation of the remaining \$11,690 in ABC funds for the current fiscal year and budgeting the full ABC proceeds for next year's budget.

**Mediation &****Restorative Justice Center**

To: Watauga County Commissioners  
Deron Geougue, County Manager  
Margaret Pierce, Finance Officer  
Four Eggers, County Attorney

From: Melissa Johnson, Executive Director  
Mediation and Restorative Justice Center

Sub: Watauga Drug Treatment Court Grant UPDATE

Date: February 22, 2012

Thanks for supporting our efforts to apply for Bureau of Justice Assistance funds to continue operation of the Watauga Drug Treatment Court. I would like to reiterate our need for the ABC funds to use as match for the grant. The Watauga Drug Treatment Court program, a long-standing, well-supported, locally managed program is an appropriate place for these funds – either as match or to contribute to operation of the program if grant funds are not forthcoming. I learned today that notice of grant awards for the BJA grant may not occur until August or September, which is later than I expected. Therefore, having the ABC funds allocated in July could carry the program through this period, as well as through the entire year at a reduced level if we do not get the BJA grant. I spoke with the Drug Court Program Director in Cumberland County/Fayetteville today; she is applying under the same BJA grant for a Veteran's Drug Treatment Court, which I presume, will have high priority. In other words, our relatively small county will be facing some stiff competition from the other Drug Treatment Courts in the State, as well as other Drug Treatment Courts throughout the country, many of which serve large populations.

One aspect I forgot to mention during our presentation yesterday is the \$35,000 allocated by the County last year leveraged substantial amounts of other funds from the State, and locally on behalf of Watauga County:

- The Administrative Office of the Courts provides court staff (Judges, Clerks) to participate in staffing, conducting Court, and supervising and interacting with participants;
- Probation provides a Drug Court probation officer and provides drug screening;
- DHHS/Mental Health (formerly New River, now Daymark), and Family Solutions provide individual and group treatment, subsidizes drug screening costs, and participates in referring and staffing cases;



- TASC (through Partnership for a Drug-Free America) provides staff to conduct assessments, drug screen, and participate in staffing cases;
- The State Office of Indigent Defense reimburses the defense attorney who attends staffing and court, and advises participants of their rights;
- The Town of Boone police department contributes officer time to participate in referring and staffing cases;
- DSS and ASU also provide team members to participate in staffing cases; and,
- Local businesses have donated gift cards, food and other items to help defray the costs of the receptions we hold for Drug Court graduations.

In summary, the State has focused special resources in support of Drug Treatment Courts (there are 19 Adult Drug Treatment Courts in the State, which serve 16 of NC's 100 counties – See attachment A). Three (3) State Agencies, the Department of Health and Human Services, the Department of Corrections (now the combined Department of Public Safety), and the Administrative Office of the Courts have signed a Memorandum of Agreement in support of this evidenced-based model and focused collaboration to reduce crime and help substance-addicted offenders (See attachment B, Memorandum of Agreement, and Attachment C, Offender Management Model). If Watauga loses its Drug Treatment Court, the County also loses these other substantial resources.

Again, thanks for your support and consideration of this matter. Please call me if any of this information raises additional questions.

Melissa Johnson  
264-3040

October 4, 2011

Type of Courts	Number of Courts	Number of Counties	Name of Counties	Chief District or Senior Resident Judge	Presiding Judge	Backup Judge	Court Schedule (Staffing/Court)	County/ City Funding	Grant Funding	No Funding
Adult Drug Treatment Court	19	16	Catawba	Robert Brady	Burford Cherry	Amy Sigmon Walker	Biweekly Thursdays	3 courts		
			Person	Mark Galloway	Mark Galloway	No Designee	Biweekly Mondays 2:00/3:30			
			Pitt	David Leech	Joe Blick	David Leech	Biweekly Thursdays 12:30 (staff) Biweekly Fridays 8:30 (court)			
			Brunswick	Ola Lewis	Ola Lewis	No Designee	Biweekly Thursdays 3:30/5:30	5 courts		
			McDowell (superior)	Laura Bridges	Laura Bridges	No Designee	Alternate Fridays			
			Rutherford (superior)	Laura Bridges	Laura Bridges	No Designee	Alternate Fridays			
			Wake (2)	Robert Radar	Vinston Rozier	Robert Radar	Biweekly Wednesdays (staff 12:30) Biweekly Fridays precourt staffing 8:30; court 9:30			
			Avery	Alexander Lyerly	Alexander Lyerly	Greg Horne	Alternate Wednesdays w/Watauga			
			Buncombe	Alan Thornburg	Alan Thornburg	Marvin Pope	Biweekly Fridays 10:30/12:00			
			Cumberland	Beth Keever	Kim Tucker	Toni King	Biweekly Tuesdays 1:30/3:00			
			Durham	Marcia Morey	Pat Evans	Brian Wilks	Biweekly Fridays 1:00/2:30			
			Guilford (2)	Joseph Turner	Teresa Vincent Greensboro	Sue Burch	Biweekly Thursdays 12:30/2:00	11 courts		
			Mecklenburg (2)	Richard Bonner (Superior)	Sue Burch High Point	Teresa Vincent	Biweekly Thursdays 12:30/2:00			
				Lisa Bell (District A & B)	Yvonne Evans	Hugh Lewis	Biweekly Fridays 12:30/2:00			
				Julius Corpening	Theo Nixon	Thomas Moore; Louis Trosch	Biweekly Tuesdays/Thursdays			
				Joseph Buckner	James Faison	No Designee	Alternating (w/DWI) Thursdays staffing 12:00; Alternating Fridays court 8:00			
	Alexander Lyerly	Beverly Scarlett	Joseph Buckner	Biweekly Wednesdays 12:15/2:15						
	Orange	Greg Horne	Alexander Lyerly	Alternate Wednesdays w/Avery						
	Watauga									

Attachment B

**Memorandum of Agreement  
between the  
North Carolina Department of Health and Human Services  
and the  
North Carolina Department of Correction  
and the  
North Carolina Administrative Office of the Courts**

This Memorandum of Agreement (MOA) and Appendices are entered by and between the North Carolina Department of Health and Human Services (DHHS), the North Carolina Department of Correction (DOC) and the North Carolina Administrative Office of the Courts (AOC) for the purpose of developing a comprehensive offender management model that ensures public safety while addressing the needs of offenders. The Division of Community Corrections (DCC) and the Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMHDDSAS) are the primary resources involved in community corrections. AOC manages the N.C. Drug Treatment Court Act Program and provides administrative support to the local courts that operate Adult Drug Treatment Courts (DTC). The Division of Alcoholism and Chemical Dependency Programs (DACDP) and Division of Prisons (DOP) impact community corrections through the release of offenders who have received services while in custody or while in a residential facility (DART-Cherry). The purpose of a comprehensive offender management model is to create a seamless system built on the ideals of integrated service delivery and coordination of resources that provide effective interventions for offenders.

DCC provides supervision of offenders in the community and DACDP and DOP offer services that support the offender's transition into the community - all of which require a structured link to services, support and coordination with DMHDDSAS community-based services. AOC provides resources and support for local judicial supervision of offenders in DTC that includes a continuum of sanctions and incentives. The Offender Management Model (OMM), as described in the Appendices, presents a systemic model for accessing community-based services through screening and assessment, matching to appropriate interventions and managing case plans. Utilizing the principles of effective interventions, we can reasonably assert that the OMM will be successful in modifying offender behavior. The objectives of the OMM are to:

- Create a comprehensive and seamless system of care for the provision of services to offenders;
- Clarify roles and responsibilities in providing control and treatment;
- Reduce the rate of revocation for technical and drug violations, thereby positively impacting the prison population;
- Combine efforts to guarantee the effective utilization of limited resources and prevent duplication;
- Use the principles of effective interventions, evidence-based practices, best practices and promising approaches for offenders;
- Share information and consult with partnering agencies when planning expansions, seeking funding, changing policy, or supporting changes in legislation that might impact service provision in one or all of the other agencies;

- Develop information systems that support information sharing, consistent with HIPAA and 42 CFR;
- Ensure cross-training opportunities for DOC, DCC, TASC, DACDP, DOP, and DTC staff and related DMHDDSAS entities and to ensure that said agencies are educated to implement the OMM; and
- Combine efforts to secure funding that would support OMM goals.

The target population for the OMM is primarily Intermediate Punishment offenders. However, Community Punishment violators at-risk for revocation, residential community corrections graduates, and post-releasees who have completed a treatment program are also eligible for this model. Offenders meeting the eligibility criteria will be screened and assessed using standard instruments and procedures that focus on criminogenic need, substance abuse and mental health service needs, and support service needs (such as housing, educational achievement, and employment skills). Through the assessment process, the offender's needs will be identified and prioritized in the common case plan for service delivery.

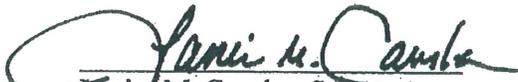
Once the assessment is complete, the individual case planning process will begin. A common case plan will be developed with the offender by appropriate DCC staff, TASC Care Managers, DACDP, CJPP and DTC staff. This team-initiated, common case plan supports a seamless system and further reinforces collaboration and coordination into a process of practical application. An offender's case plan will include the elements of treatment and control necessary to ensure compliance in both areas. Cognitive behavioral interventions will be used widely in this model to assist with skill building and cognitive restructuring. Research demonstrates that targeting antisocial attitudes, values and beliefs using cognitive behavioral interventions result in reductions in recidivism.

The criminal justice and public mental health systems must embrace stated goals of reducing recidivism, controlling criminal behavior and providing effective treatment to sustain the OMM's focus on outcomes. The common emphasis on reducing recidivism brings the two systems into alignment, and requires each to rethink operations and priorities based on shared goals. Furthermore, the team approach helps to maximize resources and make reallocation decisions apparent. Each entity, as appropriate, will assist in monitoring the offender's progress through joint case staffing/consultations. DCC, TASC, DACDP, DOP, and DTC staff will exchange information and make referrals regarding sanctions, treatment and service needs to existing community-based service providers.

Each entity will need to operationalize the Offender Management Model to their unique set of offender needs and resources. Specifically, standard operating procedures or MOAs governing the implementation of the model at the local level must be developed and negotiated, then signed by the appropriate authorized local representatives.

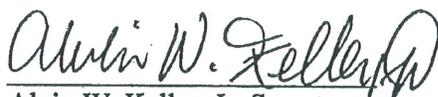
This MOA shall begin on January 1, 2009 and end on December 31, 2011. This MOA may be terminated by either party upon at least 30 days' written notice or immediately upon notice for cause. This MOA may be amended, if mutually agreed upon, to change scope and terms of the MOA. Such changes shall be incorporated as a written amendment to this MOA.

**Department of Health and Human Services**

  
Lanier M. Cansler, Secretary

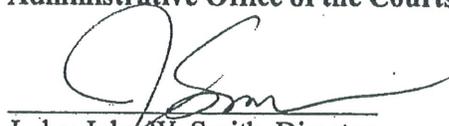
DATE: 2/11/09

**Department of Correction**

  
Alvin W. Keller, Jr. Secretary

DATE: 10 Feb 09

**Administrative Office of the Courts**

  
Judge John W. Smith, Director

DATE: 23 Mar 09

## Appendix I North Carolina Offender Management Model (OMM)

The Offender Management Model (OMM) is a joint effort between the Department of Correction (DOC), Division of Community Corrections (DCC), Division of Alcoholism and Chemical Dependency Programs (DACDP) and Department of Health and Human Services (DHHS), Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMHDDSAS) and the Administrative Office of the Courts (AOC). OMM embodies the partnership between these agencies. DCC and DMHDDSAS are committed to providing treatment and control of high risk/high need offenders under probation/post-release supervision in the community. DACDP is committed to providing treatment to offenders participating in DACDP programs in prisons and in residential probation/parole facilities. AOC is committed to providing resources and support for local judicial monitoring of the case plan for those offenders in Drug Treatment Court (DTC) to increase offender accountability. Utilizing principles of effective interventions, this partnership between the DOC, AOC, and DHHS, will promote consistent matching of treatment and supervision levels for quality offender management.

**The Division of Mental Health, Developmental Disabilities and Substance Abuse Services, Division of Community Corrections, Division of Alcoholism and Chemical Dependency Programs, and the Administrative Office of the Courts agree to:**

- A. Promote an open exchange of information in accordance with Rules of Confidentiality and legal waivers and/or Releases of Information including Federal Confidentiality Rules (42 CFR Part 2) and Health Insurance Portability and Accountability Act (HIPAA) by obtaining appropriate Releases of Information to allow the exchange of information between TASC, DCC, DART-Cherry, DACDP, DOP and DTC;
- B. Coordinate all communications between the treatment and justice systems in accordance with the Offender Management Model (OMM) and the Department of Health and Human Services-Department of Correction-Administrative Office of the Courts Memorandum of Understanding;
- C. Abide by and promote the use of the principles of effective interventions, best practices and promising approaches with offenders, including cognitive behavioral interventions and curricula;
- D. Target high risk/high need offenders for programs and services. High risk/high need offenders include sentenced offenders from the following categories: Intermediate Punishment, Community Punishment Violators At-Risk for Revocation, Residential Community Corrections Center Graduates, Post-Releasees who completed a prison treatment program;
- E. Develop and monitor common case plans specific to offender's needs and risks to accomplish mutually agreed upon goals, based on the results of the assessment and

update the common case plans based on progress, collateral contacts and joint case staffing/consultation. Common case plans will integrate probation judgment requirements/post-release supervision requirements, substance abuse, mental health and support service needs;

- F. Participate in re-entry, transition and discharge planning with the appropriate staff and agencies;
- G. Educate staff, particularly field supervisors and front-line staff, about the OMM philosophy and principles as an underlying component of the criminal justice system in North Carolina; hold staff accountable for understanding, implementing and adhering to OMM in daily practices; and
- H. Promote problem-solving and conflict resolution between partner agencies at the state and local level to address areas of mutual concern.

**The Division of Mental Health, Developmental Disabilities and Substance Abuse Services' (DMHDDSAS) mission is to provide people with, or at risk of, mental illness, developmental disabilities and substance abuse problems and their families the necessary prevention, intervention, treatment, services and supports they need to live successfully in communities of their choice.**

**DMHDDSAS agrees to:**

- A. Support the role of Local Management Entities (LMEs) in coordinating with TASC for the provision of services to criminal justice clients in accordance with G.S. 122C-117(a)13. for screening, assessment and person-centered-planning;
- B. Support the LMEs responsibility regarding the provision of services to criminal justice clients within the targeted populations for mental health, developmental disabilities, and substance abuse services as defined in G.S. 122C-3(38);
- C. Support the role of LMEs in working with TASC to develop qualified providers that demonstrate an array of services and service provider options for offenders in target and non-target populations who are involved in the criminal justice system; and
- D. Promulgate Standard Operating Procedures for TASC programs.

**The Administrative Office of the Courts is the administrative arm of the Judicial Branch. The AOC provides statewide support services for the courts, including information, technology, personnel, financial, legal, research and purchasing services. The mission of the Judicial Branch is to protect and preserve the rights and liberties of all the people, as guaranteed by the Constitutions and laws of the United States and North Carolina, by providing a fair, independent, and accessible forum for the just, timely, and economical resolution of their legal affairs.**

**The Administrative Office of the Courts agrees to:**

- A. Promulgate Minimum Standards for Drug Treatment Courts;
- B. Recognize and support the vital role of partner agencies in providing justice through court processes and promote an open exchange of information between TASC, DCC, DART-Cherry, DACDP, DOP, and DTC;
- C. Coordinate the planning, design and implementation of specialized problem-solving courts with partner agencies;
- D. Abide by and promote the use of the principles of effective interventions, best practices and promising approaches with offenders. Promulgate operating guidelines and best practices models for drug treatment courts, including a Model Local Memorandum of Understanding for drug treatment courts;
- E. Provide view-only access to the Automated Criminal Information System (ACIS) to staff in partner agencies and appropriate access to the Drug Treatment Court Management Information System (MIS);
- F. Advocate for additional treatment resources to the Department of Health and Human Services for target population offenders and support the State MH/DD/SAS Plan for Services for substance abusing offenders; and
- G. Educate court officials and staff about the OMM philosophy and principles as an underlying component of the criminal justice system in North Carolina.

**Treatment Alternatives to Street Crime's (TASC) mission is to provide clinical assessment, treatment matching, referral and care management services to eligible offenders.**

- A. Screen referrals and assess offenders for needed services and supports;
- B. Prioritize the assessment for certain offenders and programs:
  - 1. For offenders in custody awaiting assessment, the assessment is completed within 2 working days;

2. For **DWI** offenders, refer to DWI assessors authorized by DMHDDSAS to perform DWI assessments and make treatment recommendations  
[www.ncdwiservices.org](http://www.ncdwiservices.org);
  3. For offenders being considered for **DART-Cherry**, TASC will provide DART-Cherry with a copy of the TASC assessment, documenting ASAM Level III need, releases of information and other pertinent documentation, in coordination with DCC; and:
    - a) For offenders referred for **priority admission** to DART-Cherry, the assessment and determination of the validity the priority admission request is completed within 2 working days;
    - b) For offenders **sentenced by the Court** to DART-Cherry at initial sentencing (not as a result of a probation violation), the assessment is completed within 10 working days, upon being notified by the Court through the supervising DCC Officer;
    - c) For offenders in the **probation/post-release violation** process, TASC shall participate in the violation/non-compliance process with DCC to ensure utilization of appropriate community-based services prior to making a DART-Cherry recommendation; and
  4. Assessment of all offenders being considered for **Drug Treatment Court (DTC)** is completed within 10 working days of referral;
- C. Match offenders' needs with appropriate treatment and support services, paying special attention to responsivity issues;
  - D. Make the appropriate service and/or supports referrals;
  - E. Monitor and adjust the individual case plan based on the results of the assessment and update the case plan based on treatment progress, collateral contacts and joint case staffings/consultation;
  - F. Provide care management services for all offenders meeting the eligibility criteria for OMM; care management is defined as eligibility screening, assessment for treatment and support service needs, making appropriate referrals, coordinating with the LME for authorization, monitoring treatment progress, adjusting the case plan, and providing progress reports.
  - G. Participate in joint case staffings/consultations with the appropriate DCC, DACDP and DTC staff;
  - H. Integrate DCC violation response policies with TASC non-compliance policies through joint team decision making concerning when to sanction offender behavior as well as when to provide incentives, participate in joint decisions regarding when to return the offender to court for the formal violation hearing process as led by the DCC Probation Officer;

- I. Collect drug screens from DCC offenders pursuant to the DCC Substance Abuse Screening and Intervention Program policy and provide DCC with a secure fax line to receive urine drug screening results and other confidential reports; and
- J. Develop local drug screening protocols that ensure appropriate collection, chain of custody, and transportation of samples collected by TASC for submission to DCC drug labs

**The Division of Community Correction's (DCC) mission is to protect the safety of citizens in our communities throughout the state by providing viable alternatives and meaningful supervision to offenders placed in DCC custody by reaching an equal balance of control and treatment for offenders that will positively affect their behavior and lifestyle patterns.**

**Division of Community Corrections agrees to:**

- A. Promulgate Case Management Standards for community corrections cases;
- B. Provide control and supervision of all offenders meeting the eligibility criteria of OMM;
- C. Identify and refer eligible offenders to TASC for screening and assessment;
- D. Expedite referrals to TASC for screening and assessment of offenders, use the DCC TASC referral form to refer and document the screening and assessment request date, and notify TASC immediately of any high priority case needs such as DRC/DTC failures and post detoxification cases;
- E. Develop a plan to ensure a "fast track" is in place to move offenders in custody expeditiously through the screening and assessment referral process in each District;
- F. Refer DWI offenders to DWI assessors authorized by the DMHDDSAS to perform DWI assessments and make treatment recommendations  
[www.ncdwiservices.org](http://www.ncdwiservices.org);
- G. Provide TASC and DTC staff with copies of the Judgment, Post-Release and Parole Agreement, OPUS number, copy of DCC-26, and all pertinent documentation necessary to facilitate delivery of services;
- H. Transport high priority cases with immediate need to DART-Cherry;
- I. Develop an individualized offender common case plan based on the requirements of the probation judgment, offender risk assessment, treatment assessment, and offender needs and update the common case plan as needed based on treatment progress, collateral

contacts and joint case staffing/consultation. Facilitate compliance with the treatment assessment and all services recommended;

- J. Provide appropriate case management for offenders to include addressing offender needs and conducting all supervision contacts on the offender in the community;
- K. Participate, as Team Leader, in regular joint case management staffing/consultations with all appropriate partners;
- L. Encourage judges and DCC officers to ensure that the following special conditions of probation are incorporated in the judgment:
  1. Submit at reasonable times to warrantless searches;
  2. Not use, possess, or control any illegal drug or controlled substance;
  3. Supply a breath, urine and/or blood specimen for analysis; and
  4. Report for initial evaluation, participate in all further evaluation, counseling, treatment or education programs recommended as a result of that evaluation, and comply with all other therapeutic requirements of those programs until discharged.
- M. Identify and enforce sanctions and supervision levels to match and address offender risk;
- N. Integrate current DCC violation response policy with joint team decision making concerning when to sanction offender behavior as well as when to provide incentives, participate in joint decisions regarding when to return the offender to court for the formal violation hearing process as led by the Probation Officer. Use the violation process to help identify offenders in need of DTC, DRC, and Residential Treatment (DART-Cherry);
- O. Perform all drug screens on DCC offenders participating in a DRC, DTC, and TASC program unless the agency is a treatment provider and share the drug screen results in a timely manner with the appropriate agency per DCC Substance Abuse Screening and Intervention Program Policy. Coordinate with other agencies the collection of drug screens to prevent duplication. Provide the supplies necessary for the collection of offender drug screens to TASC, DRC's, and DTC's according to DCC Policies. Communicate screen results in a timely manner to the collection agent.
- P. Provide appropriate training on DCC Policy and Procedure to TASC, DRC staff and DTC staff as needed. Training will include specimen collection procedures, specimen handling and storage, transportation to a DCC lab, and chain of custody. Provide appropriate refresher training as needed;
- Q. DCC officers will conduct urine screening tests according to appropriate policies /procedures, and will provide accurate results to the collection agent by fax, electronic data, or hardcopy within 48 hours of receipt of the specimen;

- R. Assign DCC officers dedicated to DART-Cherry, DRC, and DTC programs as needed and if resources are available;
- S. Participate in specialized training provided by DTC, CJPP, and TASC whenever possible; and
- T. Participate in Drug Treatment Court:
  1. Follow DCC selection standards, supervision standards and caseload goals for DTC probation officers;
  2. Abide by DTC State and Local Guidelines/Policies and Procedures that are not inconsistent with DCC Policy and Procedures;
  3. Designate the local JDM/CPPO to serve as a member on the local DTC Committee.
  4. Participate as a team member in pre court DTC staffing.
  5. Perform all supervision contacts on the offender in the community to include place of employment and residence.

**The purpose of the Criminal Justice Partnership Program (CJPP) is to provide supplemental community-based corrections programs which appropriately punish criminal behavior and which provide effective rehabilitative services.**

**The CJP Programs agrees to:**

- A. Promulgate Minimum Operating Standards for CJP Programs;
- B. Screen offenders for CJPP eligibility;
- C. Provide ancillary services and purchase treatment services for all offenders meeting the eligibility criteria for CJPP and OMM;
- D. Develop an individualized common case plan based on the requirements of the probation judgment, offender risk assessment, treatment assessment, and offender needs and update the case plan based on treatment progress, collateral contacts and joint case staffing/consultations;
- E. Make the appropriate referrals for ancillary services;
- F. Participate in regular case staffing/consultation with the appropriate DCC, DACDP, DTC and TASC staff;
- G. Collect drug screens from DCC offenders pursuant to the DCC Substance Abuse Screening and Intervention Program and provide DCC with a secure fax line to receive urine drug screening results and other confidential reports; and

- H. Develop local drug screening protocols that ensure appropriate collection, chain of custody; and transportation of samples collected by CJPP for submission to DCC drug labs.

**The Division of Alcoholism and Chemical Dependency Programs' (DACDP) mission is to provide comprehensive interventions, programs, and services that afford offenders with alcohol and/or drug problems the opportunity to achieve recovery.**

**DACDP agrees to:**

- A. Utilize the common assessment;
- B. Provide appropriate substance abuse treatment services to offenders assigned to the DART-Cherry Residential Facility Program;
- C. Assist in identifying the needs of target populations for which services are indicated and communicate findings to DHHS to coordinate the provision of such services;
- D. Participate in regular case staffings with the appropriate partner agencies; and
- E. Obtain appropriate release of information agreements to allow the exchange of information between TASC, DCC, DTC and DACDP.

**DART-Cherry provides residential chemical dependency treatment that helps offenders to live drug-free lives.**

**DART-Cherry agrees to:**

- A. Prioritize admission for high priority populations, such as Day Reporting Center failures, Drug Treatment Court failures, and post detoxification cases;
- B. Provide 10 emergency beds for high priority populations;
- C. Monitor the offender's individual case plan based on the results of the assessment and update the case plan based on treatment progress, collateral contacts and joint case staffing/consultation;
- D. Participate in joint case staffing/consultations with the appropriate DCC, TASC, DTC, and CJPP staff;
- E. Collect drug screens from DCC offenders pursuant to the DCC Substance Abuse Screening and Intervention Program policy and provide DCC Substance Abuse Screening Labs with a secure fax line to receive urine drug screening results and other confidential reports;

- F. Utilize TASC as a liaison for services between DART-Cherry and community-based treatment and support service providers;
- G. Provide TASC pertinent background information necessary to facilitate successful community re-entry regarding the provision of services, supports and care management, to include: the common assessment, signed releases of information, SASSI, referral summaries, treatment summaries, aftercare plans, and other pertinent documentation prior to the client's discharge to ensure a seamless transition to aftercare;
  1. At least 30 days prior to discharge, DART-Cherry will refer graduates to TASC for aftercare coordination and TASC care management. DART-Cherry will provide TASC Regional Clinical Coordinators, based on counties in their geographic region, with the names and contact information (including county) of anticipated DART-Cherry clients who are completing treatment. TASC will schedule aftercare appointments for each client and inform DART-Cherry of appointment dates and times prior to the clients' discharge; and
  2. DART-Cherry will refer DWI offenders to DHMDDSAS-authorized assessing agencies to perform DWI assessments and make required treatment recommendations and support other DMV requirements [www.ncdwiservices.org](http://www.ncdwiservices.org).  
DART-Cherry staff or the supervising DCC officer shall refer DWI offenders who complete DART-Cherry and who demonstrate significant need for support services and additional treatment (as evidenced by the discharge plan) and who remain a high risk to public safety to TASC for support.

**The Office of Research & Planning's mission is to assist the department and staff to make informed decisions that will result in successful outcomes.**

**Research and Planning agrees to:**

- A. Provide training in the Principles of Effective Interventions with Offenders;
- B. Coordinate training in the principles of Cognitive Behavioral programming;
- C. Provide consultation and staff to assist in the implementation of program evaluation efforts;
- D. Assist in the identification of needs of target populations for which substance abuse and mental health services appear to be indicated and to communicate its findings to DMHDDSAS and the AOC for the purpose of coordinating the provision of such services; and
- E. Assist partner agencies in joint grant initiatives with data analysis, evidence-based research findings, and evaluation.
- F. Provide assistance to the partnering agencies in joint grant initiatives.

**Appendix II**  
**North Carolina Offender Management Model (OMM)**

**Figure 1. North Carolina Criminal Justice Flow Chart**

**Figure 2. North Carolina Offender Management Model Diagram**

# North Carolina Criminal Justice Planning Flow Chart

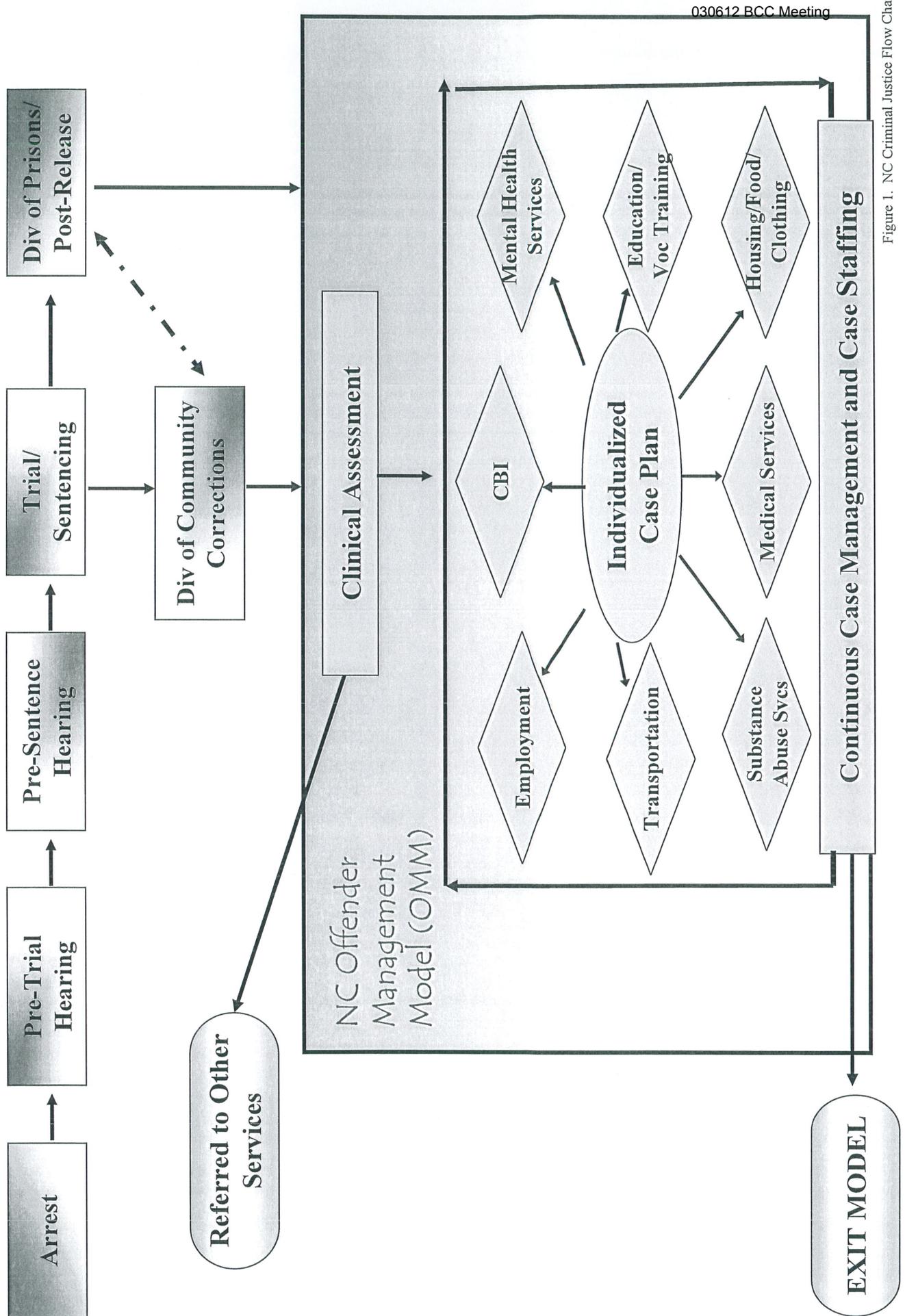


Figure 1. NC Criminal Justice Flow Chart

# NC Offender Management Model

## Target Population

Sentenced offenders from the following categories: Intermediate Punishment, Community Punishment Violators At-Risk for Revocation, Residential Community Corrections Center Graduates, Post-Releasees who completed a prison treatment program



## Standard Screening & Assessment

Focus on Criminogenic Need & Substance Abuse; Identify & Prioritize other Needs



## Individual Case Planning

by Probation, TASC & CJPP



## Cognitive Behavioral Interventions

Skill Building & Cognitive Restructuring



## Control, Care & Service Management

Regularly Scheduled Team Case Staffings between Probation, TASC & CJPP

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**AGENDA ITEM 9:**

**MISCELLANEOUS ADMINISTRATIVE MATTERS**

***B. Proposed Emergency Services Director Job Description***

**MANAGER'S COMMENTS:**

Per Board direction from the annual retreat, staff has prepared a job description for the Emergency Services Director position. The position would be classified as a grade 19 on the County's salary plan which has a minimum salary of \$49,663, midpoint of \$63,320, and a \$76,977 maximum. This classification would place the position two levels above the Board of Elections Director and Veterans Services Officer.

Staff seeks Board direction.

EMERGENCY SERVICES DIRECTOR - 6100GENERAL DEFINITION AND CONDITIONS OF WORK:

Performs complex professional and difficult administrative work planning, organizing and directing specified emergency activities of the county; does related work as required. Work is performed under general supervision. Supervision is exercised over all department personnel. Position reports to the County Manager.

This is light work requiring the exertion of up to 20 pounds of force occasionally and/or up to 10 pounds of force frequently and/or a negligible amount of force constantly to move objects; work requires reaching, fingering, and repetitive motions; vocal communication is required for expressing or exchanging ideas by means of the spoken word, and conveying detailed or important instructions to others accurately, loudly, or quickly; hearing is required to perceive information at normal spoken word levels, and to receive detailed information through oral communications and/or to make fine distinctions in sound; visual acuity is required for preparing and analyzing written or computer data, operation of machines, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is not subject to adverse environmental conditions.

ESSENTIAL FUNCTIONS/TYPICAL TASKS:

**Planning, directing, coordinating and supervising Office of Emergency Management/Fire Marshal and County 911 Communications Center; ensuring compliance with all local, state, and federal laws and requirements; providing technical assistance to emergency service agencies; directs emergency services during emergencies; maintaining appropriate records and files; preparing reports.**

Supervises and directs the operations of the Fire Marshal/Emergency Management office.

Oversees the maintenance and updates to the county emergency operations plan;

Meets with state and local officials and others to stay informed on new techniques, equipment and communication systems;

Supervises and directs the operation of the 911 Communications Center;

Supervises shifts of telecommunicators who handle communications and dispatching calls for law enforcement, emergency medical, rescue and fire services; plans and assigns work; hires, trains, and provides performance coaching and evaluation for department staff; develops work schedules; assures communications center is always staffed.

Develops and administers department budget including general fund and emergency telephone surcharge fund appropriations; procures equipment and supplies; researches, plans, and coordinates with telephone companies and vendors upgrades in equipment such as 911 system, computer aided dispatch, radio, and other electronic systems; coordinates and participates in installation, maintenance and repair of equipment.

Creates, maintains, and oversees the design of the Watauga County Emergency Communications Standard Operating Guidelines, the Emergency Medical Dispatch (EMD) Guidelines, Emergency Fire Dispatch, Computer Aided Dispatch System (CAD), Procedures Manual, tracks statistical information, and evaluates service delivery.

Responds to complaints, questions, and information about the services.

Assures the maintenance and completion of records, reports, memos and other information required in this field.

Serves as a member of various professional committees in the County and region, attending and participating in meetings and other activities, as appropriate.

Performs related tasks as required.

KNOWLEDGE, SKILLS AND ABILITIES:

Thorough knowledge of the DCI system, Emergency Medical Dispatch (EMD) program, Emergency Communications Standard Operating Guidelines; Emergency Fire Dispatch, thorough knowledge of the local, federal and state laws and regulations regarding civil defense and emergency management; thorough knowledge of laws and procedures for fire investigations and fire code inspections; thorough knowledge of all facets of emergency services; thorough knowledge of a variety of electronic equipment including radios and telephone systems and their related computer hardware and software applications involved in 911, computer-aided dispatch;; considerable knowledge of budgeting, purchasing, and personnel policies and procedures; ability to plan, organize, schedule, and direct the work of subordinate personnel including training, motivation, coaching, and evaluating work performance; ability to work with volunteers, volunteer organizations and related agencies; ability to write detailed reports; ability to develop and maintain effective working relationships with emergency personnel, law enforcement agencies, volunteers, County officials, staff and the general public.

EDUCATION AND EXPERIENCE:

Any combination of education and experience equivalent to graduation from an accredited community college or university with major course work in public safety, public administration or related field and progressively responsible experience in emergency services.

SPECIAL REQUIREMENTS:

Requires valid NC Driver's License.

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## **AGENDA ITEM 9:**

### **MISCELLANEOUS ADMINISTRATIVE MATTERS**

#### *C. Boards and Commissions*

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

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

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

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

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

Thanks Sharon!

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

I hope you are having a great week!

Thanks,  
Anita

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

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

Hi Anita,

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

Thanks  
Sharon

Revised Feb 2012

**AppalCART Board Members**

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

expires when the County Commissioners unanimously votes to remove  
POB 1363

Boone, NC 28607

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

\*\*\*\*\*

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

expires when the County Commissioners unanimously votes to remove

ASU Vice Chancellor for Business Affairs

Dougherty Administration Building

Boone, NC 28608    -----828.773.7930 cell

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

\*\*\*\*\*

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

expires when the County Commissioners unanimously votes to remove

Project on Aging

132 Poplar Grove Connector, Suite A

Boone, NC 28607

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

\*\*\*\*\*

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

expires when the County Commissioners unanimously votes to remove

8142 Hwy 105 South

sworn in at AppalCART ?

Boone, NC 28607

(H) 828-773-0171

[davidblust@gmail.com](mailto:davidblust@gmail.com)

\*\*\*\*\*

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

\*\*\*\*\*

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

\*\*\*\*\*

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

\*\*\*\*\*

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

**Anita.Fogle**

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

Thanks Joanna!

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

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

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

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

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

Hi Joanna,

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

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

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

030612 BCC Meeting  
been nominated by Appalachian State University shall expire upon the expiration of said member's employment by the said University. The term of any member of the Authority who shall have been nominated by the participating human services agencies shall expire upon the expiration of said member's employment try or membership on the governing body of any such participating human services agencies. All members shall continue to serve until their successors are named and qualified, and all present members of the Watauga County Transportation Authority shall continue to serve until their successors are named and qualified."

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

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

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

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

Thanks,  
Anita

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

---

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

expiration?  
see attached

Thx, Joanna

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

## **AGENDA ITEM 9:**

### **MISCELLANEOUS ADMINISTRATIVE MATTERS**

#### *D. Announcements*

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

Charter Communications has changed the day and time that they air the Watauga County Board of Commissioners meetings. The Board meetings will now air on the Fridays, in the week the live meeting was held, at 7:00 P.M.

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

An Intergovernmental Retreat is scheduled for Monday, March 5, 2012, from 5:00 P.M. to 7:00 P.M., on the 5<sup>th</sup> floor of the ASU Athletics Center, overlooking the stadium. The meeting will include a presentation on local government finance from Ms. Madeleine Henley with North Carolina League of Municipalities (NCLM).

The 2012 Watauga County Economic Development Summit is scheduled for Wednesday, March 7, 2012, from 1:00 to 5:00 P.M. at the Blowing Rock Art and History Museum in Downtown Blowing Rock.

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

The Board is invited to attend the Cooperative Extension's Annual "Report to the People" luncheon which is scheduled for Tuesday, March 6, 2012, at the Watauga County Agricultural Conference Center at 11:45 A.M. After enjoying a "local lunch," a presentation on Watauga Extension's highlights, accomplishments, and future goals will be given.

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

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

**Anita.Fogle**

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**From:** Cahan, Scott M <Scott.Cahan@chartercom.com>  
**Sent:** Wednesday, February 22, 2012 3:26 PM  
**To:** Anita.Fogle; Sharon Greene  
**Subject:** Meeting Schedule

We have a new schedule for our Local Originating programming that airs on Charter Cable channel 2. Going forward, our town meetings will air at the following times:

Blowing Rock Town Council – Thursdays at 7:00pm  
Watauga County Commissioners – Fridays at 7:00pm

These are on the weeks that the live meeting is held. On off weeks, there will not be anything aired during your time slot. If you have any questions, please let me know.



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**Scott Cahan** • Senior Producer Director

719-G • Greenway Rd. • Boone, NC 28607  
☎ 828-264-6939 • 📠 828-264-9470 • ✉ [scott.cahan@chartercom.com](mailto:scott.cahan@chartercom.com)

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**Anita.Fogle**

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**From:** Phil Trew <ptrew@regiond.org>  
**Sent:** Monday, February 27, 2012 9:14 AM  
**To:** Deron.Geouque; Greg Lovins; Ed Evans; Greg Young; Scott Hildebran; Randy Feierabend; Susan McCracken  
**Cc:** Craig Hughes; Madeleine Henley; Sharon Greene; Jennifer Broderick; Freida Vanallen; Kim Brown; Anita.Fogle  
**Subject:** March 5 Retreat agenda  
**Attachments:** AGENDA.03-05-12.doc; Parking.pdf

Attached is the agenda for the March 5 Watauga Intergovernmental Retreat. Please distribute to your boards, and notify the media per your standard policy.

Also attached is a map showing where to park. ASU will provide staff to help direct attendees, as the parking lot is somewhat hard to find. ASU has asked me to provide a list of attendees so the parking staff know who to be looking for. I will send them your names and a list of elected officials. Please let me know what other staff members may be attending so I can let ASU know.

Call or email if you have any questions.

Phillip Trew, AICP  
Director of Planning and Development  
High Country Council of Governments  
468 New Market Boulevard  
Boone, NC 28607  
828-265-5434, ext. 121  
828-265-5439 (fax)  
[ptrew@regiond.org](mailto:ptrew@regiond.org)

**AGENDA**

**WATAUGA INTERGOVERNMENTAL RETREAT**

**MARCH 5, 2012**

**5:00 P.M.**

**ASU ATHLETIC CENTER (KIDD BREWER STADIUM)**

- I. Call to Order
- II. Introductions
- III. Dinner
- IV. Local Government Finance – Madeleine Henley, NC League of Municipalities
- V. Watauga Comprehensive Transportation Plan Update – Craig Hughes, High Country Council of Governments
- VI. Coordinated Dispatch Services – open discussion





**SAVE THE DATE!!!!**

**2012 Watauga County Economic Development Summit  
Blowing Rock Art and History Museum  
Downtown Blowing Rock  
March 7, 2012**

**1:00 PM – 5:00 PM**

**Agenda:**

**Overview of the Watauga Economy  
Presentation of EDC's Targeted Marketing Analysis  
Significant Drivers of Economic Growth  
Challenges and Opportunities Facing Local Organizations  
Where to Focus Economic Development Efforts  
Areas and Opportunities for Increased Cooperation**

**Sponsored By**

**BREMCO  
New River Light & Power  
Advantage West**

**Plenty of Parking on Site**

**Snow Date: March 21, 2012**

**For additional information contact:**

**Watauga County Economic Development Office**

**828-264-3082**

**Anita.Fogle**

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

Good afternoon,

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

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

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

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

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

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

I look forward to hearing from you soon.

Thank you,  
Seth Norris, MPA, CEM  
Director

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

**Anita.Fogle**

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

Anita:

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

Thank you.

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

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

Good afternoon, Deron,

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

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

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

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

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

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

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

Thank you!

Beth

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

Beth Fornadley, Health Promotion Coordinator

Appalachian District Health Department

126 Poplar Grove Connector

Boone, NC 28607

phone: 828.264.4995

fax: 828.264.4997

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

**Appalachian District Health Department**

**Health for All: Promote. Prevent. Empower.**

**Communities Putting Prevention to Work**

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

## ***SAVE THE DATE***

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

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

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

**Thursday, March 22, 2012**

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

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

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

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

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

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

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

**AGENDA ITEM 10:**

**PUBLIC COMMENT**

**MANAGER'S COMMENTS:**

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

**AGENDA ITEM 11:**

**BREAK**

**AGENDA ITEM 12:**

**CLOSED SESSION**

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