

Regular Session, May 19, 2025, 7:00 p.m.
Catawba County Board of Commissioners

Appointments

Hickory Regional Planning Board – Steve Mull	375	05/19/25
Public Health Board – Rebecca McLeod	375	05/19/25
Public Health Board – Chief Vidal Sipe	375	05/19/25
Public Health Board – Shad Walters	375	05/19/25
K-64 Education Board – Robbie Gonzales	375	05/19/25
Library Board of Trustees – Morgan Williams	375	05/19/25

Budget

Budget Transfers	382	05/19/25
------------------	-----	----------

Emergency Services

Proclamation Declaring May 18-24 as Emergency Services Week	375	05/19/25
---	-----	----------

Lake Norman Marine Commission

Lake Norman Marine Commission Resolution	383	05/19/25
--	-----	----------

Presentations

Proclamation Declaring May 18-24 as Emergency Services Week	375	05/19/25
Proclamation Declaring May 15 th as National Peace Officer's Memorial Day and May 11-17 th as National Police Week	375	05/19/25

Proclamations

Proclamation Declaring May 18-24 as Emergency Services Week	375	05/19/25
Proclamation Declaring May 15 th as National Peace Officer's Memorial Day and May 11-17 th as National Police Week	375	05/19/25

Public Comment

Michael McRee	375	05/19/25
Sherrill Watkins	375	05/19/25

Public Hearings

Special Assessment Resolution: Langdon Ridge Subdivision Road Improvement Project	375	05/19/25
---	-----	----------

Resolutions

Amended Preliminary Assessment Resolution for Street Improvement Project for Langdon Ridge Subdivision (Resolution 2025-17)	375	05/19/25
Joint Resolution Regarding Lake Norman Territorial Jurisdiction (Resolution 2025-18)	383	05/19/25

Sheriff's Office

Proclamation Declaring May 15 th as National Peace Officer's Memorial Day and May 11-17 th as National Police Week	375	05/19/25
Declare Service Weapon and Badge as Surplus for Retiring Deputy Mark Dentel	381	05/19/25

Tax

April Tax Refunds, Releases and Adjustments	381	05/19/25
---	-----	----------

Utilities and Engineering

Special Assessment Resolution: Langdon Ridge Subdivision Road Improvement Project	375	05/19/25
---	-----	----------

The Catawba County Board of Commissioners met in Regular Session on Monday, May 19, 2025, at 7:00 p.m., in the Board of Commissioners Meeting Room, 2nd Floor, Catawba County Justice Center, 100 Government Drive, Newton, North Carolina.

Present were Chair Randy Isenhower, Vice-Chair Austin Allran, and Commissioners Robert C. Abernethy, Jr., Barbara G. Beatty, and Cole Setzer.

Also present were County Manager Mary S. Furtado, Assistant County Manager Paul Murray, Assistant County Manager Justin Merritt, County Attorney Jodi Stewart and County Clerk Dale Stiles.

1. Chair Randy Isenhower called the meeting to order at 7:00 p.m., noting a quorum was present.
2. Chair Isenhower led the Pledge of Allegiance.
3. Vice Chair Austin Allran offered the invocation.
4. Commissioner Cole Setzer made a motion to collectively approve the Minutes from the Board's Special Joint Meeting of May 1, 2025, Regular Meeting and Closed Session of May 5, 2025, and Special Meeting of May 12, 2025. The motion carried unanimously.
5. Recognition of Special Guests:
Chair Isenhower welcomed everyone present, including Mayor Jerry Hodge and Sherrif Don Brown.
6. Public Comments.
Michael James McRee came forward and requested the monument at the 1924 Courthouse not be removed. Sherrill Watkins came forward and commented about the Newton Library.
7. Appointments.
Upon a recommendation by Vice-Chair Allran that came in the form of a motion which unanimously carried, the Board reappointed Steve Mull for a second term to the Hickory Regional Planning Board, with a term expiration of June 30, 2028.
Upon a recommendation by Vice-Chair Allran that came in the form of a motion which unanimously carried, the Board reappointed Rebecca McLeod, Chief Vidal Sipe and Shad Walters for second terms to the Public Health Board, with term expirations of June 30, 2028.
Upon a recommendation by Commissioner Robert C. Abernethy that came in the form of a motion which unanimously carried, the Board reappointed Robbie Gonzales for a first full term to the K-64 Education Board, with a term expiration of May 15, 2027.
Upon a recommendation by Commissioner Barbara G. Beatty that came in the form of a motion which unanimously carried, the Board reappointed Morgan Williams for a second term to the Library Board of Trustees, with a term expiration of June 30, 2029.
8. Presentations.
 - a. Commissioner Abernethy presented a Proclamation declaring May 18-24th as Emergency Services Week to EMS REACH Crew Chief Jason Powell and REACH Paramedic Jesse Edwards.
 - b. Commissioner Setzer presented a Proclamation Declaring May 15th as National Peace Officer's Memorial Day and May 11-17th as National Police Week to Sheriff Don Brown.
9. Public Hearings.
Utilities and Engineering Director Peter Shonka requested the Board of Commissioners conduct a public hearing to consider Langdon Ridge Subdivision Road Improvement Project and adopt the Final Assessment Resolution for the Project.

In 2020, in support of the Board of Commissioners' Strategic Plan, the Board of Commissioners adopted Resolution 2020-17, creating a petition-driven program to facilitate acceptance of private roads in the North Carolina Department of Transportation's (NCDOT) Secondary Road Maintenance Program by providing up-front funding to improve the roads to NCDOT Standards. As statutorily permitted, the cost of improvements may be assessed against the property owners and recouped over a 10-year period, through the special assessment process. To participate in the program, at least 75 percent of the homeowners to be assessed must voluntarily sign a petition supporting the project, and the owners who sign the petition must account for at least 75 percent of the road frontage to be improved through the assessment.

Langdon Ridge subdivision is located at the end of Langdon Road in unincorporated Catawba County. The property owners of that portion of Langdon Ridge subdivision fronting Langdon Road filed with the Utilities & Engineering Department a petition for improving the streets. The portion of Langdon Ridge subdivision included in the petition consists of eight (8) lots. A petition was signed by the property owners of all eight (8) lots representing approximately 836.64 lineal feet (100%) of total frontage.

The street is approximately 29 years old and is generally in poor condition for pavement of this age. To bring the roads up to North Carolina Department of Transportation standards, objects within the right-of-way will be removed; the pavement will be milled 1.5 inches and overlaid with 1.5 inches of asphalt. The cost of this work is estimated to be between \$35,000 and \$40,000, or about \$4,375 to \$5,000 per lot. The final cost and per lot assessment remain unknown until the project is bid and constructed.

The table below summarizes the statutory process for establishing private road assessments and, for the items that have been completed, provides the dates on which the Board of Commissioners took each required action. The table also outlines the remaining steps the Board will still need to take in order to implement the assessment (*noted in italics, with planned dates*).

NCGS §	Date	Action Items
153A-205	2/18/2025	Citizens petition BOC with >75% of property owners & >75% of road frontage.
153A-190 & 153A-191	4/7/2025	BOC accepts Citizen Petition, makes funding decision and adopts Preliminary Resolution describing the Project, financing and setting time for Public Hearing.
153A-190 & 153A-191	5/5/2025	BOC accepts Citizen Petition, makes funding decision and adopts amended Preliminary Resolution describing the Project, financing and setting time for Public Hearing.
153A-192	5/19/2025	BOC holds Public Hearing on Preliminary Assessment Resolution.
153A-192	5/19/2025	BOC adopts Final Resolution approving Project, setting financing terms.
143-131	<i>TBD</i>	<i>Project is bid in accordance with NC Procurement Procedures.</i>
143-131	<i>TBD</i>	<i>Bid awarded.</i>
153A-193 & 194	<i>TBD</i>	<i>BOC determines Project Total Cost, sets date and time for Public Hearing on the Preliminary Assessment Rolls.</i>
153A-195	<i>TBD</i>	<i>BOC holds Public Hearing on the Preliminary Assessment Rolls annuals, confirms Preliminary Assessment Rolls. If confirmed, Tax Administrator is authorized to collect assessment fees in same manner as property taxes.</i>

The alternative to adopting the Final Assessment Resolution is to take no action, and the roads will remain in their current state and maintenance responsibility status.

After Mr. Shonka's presentation, there were no questions. Chair Isenhower opened the public hearing. With no one coming forward the Chair closed the public hearing. Commissioner Abernethy made a motion to accept Langdon Ridge Subdivision Road Improvement Project and adopt the Final Assessment Resolution for the Project. The motion carried unanimously.

The following resolution applies:

AMENDED RESOLUTION No. 2025- 17
AMENDED PRELIMINARY ASSESSMENT RESOLUTION
FOR STREET IMPROVEMENT PROJECT
FOR LANGDON RIDGE SUBDIVISION

WHEREAS, street maintenance and deterioration is a concern that affects residents of Catawba County neighborhoods and subdivisions; and

WHEREAS, at its meeting held on September 8, 2020, the Catawba County Board of Commissioners resolved (Resolution # 2020-17) to take an active role in efforts to make street repair assistance available to citizens when other alternatives are not feasible, in accordance with Chapter 153A Article 9 of the North Carolina General Statutes; and

WHEREAS, on the 18th day of February 2025, the property owners of Langdon Ridge subdivision at the end of Langdon Road filed with the Catawba County Utilities and Engineering Department a petition for improving the streets in the following manner:

Objects within the right-of-way will be removed; the pavement will be milled 1.5 inches and overlaid with 1.5 inches of asphalt; and

WHEREAS, the Director of Utilities and Engineering for Catawba County has certified to the Catawba County Board of Commissioners that said petition is sufficient in all respects, the same having been duly signed by more than seventy-five percent (75%) of the affected owners, whose property represents more than seventy-five percent (75%) of all the lineal feet of frontage of the lands abutting upon the streets or portion of streets hereinabove described; and

WHEREAS, the purpose for amending the Resolution dated April 7, 2025, is to set the date for the public hearing on matters contained in this Resolution on May 19, 2025, instead of May 5, 2025, as stated in the original Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Catawba County Board of Commissioners:

1. The above mentioned petition is found to be sufficient in all respects.
2. It is intended that a portion of Langdon Road within Langdon Ridge subdivision be improved in the following manner:

Objects within the right-of-way will be removed; the pavement will be milled 1.5 inches and overlaid with 1.5 inches of asphalt;

under and by virtue of Chapter 153A Article 9 of the General Statutes of North Carolina and the procedure therein established for acceptance into the NCDOT State system for highway maintenance.

3. One hundred percent (100%) of the total cost of said improvement, be hereafter assessed upon the property receiving the improvements (according to the assessment basis set out in the petition):

The property owners of Langdon Ridge subdivision fronting on Langdon Road.

4. Within 30 days of publication of notice of confirmation of the final assessment role, the assessments shall be payable in full, or if any property owner shall so elect, such owner shall have the option of paying the assessment in ten (10) equal annual installments, said installments to bear interest at the proposed rate of 1.5% percent per annum.
5. A public hearing on all matters covered by this Resolution shall be held at 7:00 p.m. on the 19th day of May, 2025, in the Board of Commissioners Meeting Room, 2nd floor of the Catawba County Justice Center, 100 Government Dr. in Newton, North Carolina.

BE IT FURTHER RESOLVED that a copy of the Notice of Preliminary Assessment Resolution and Public Hearing provided for in NCGS § 153A-191 be published in the Hickory Daily Record as described in said subsection of said General Statutes.

The County, and its officers, agents and attorneys are hereby directed to take any further actions as may be required by the laws of the State of North Carolina to perform the matters and things directed by this Resolution.

Adopted the 19th day of May, 2025.

A copy of the Langdon Ridge Project Map is hereto attached:



A copy of the NCDOT acceptance letter is hereto attached:



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

JOEY "J.R." HOPKINS
SECRETARY

March 7, 2025

Mr. Pete Shonka, P.E.
Utilities & Engineering Director
25 Government Drive
Newton, NC 28658

Dear Mr. Shonka,

This letter is in response to your inquiry about the acceptance of Langdon Ridge Subdivision in Catawba County. Once all items on the scope of work have been corrected and the District Office has confirmed that the repairs meet NCDOT's Minimum Standards for Addition. The District Office will move forward with the addition paperwork for the streets within Langdon Ridge Subdivision that meet those minimum standards and then submit and recommend the streets for addition to NCDOT's Secondary Road Maintenance System. If you have any further question please let us know.

Sincerely,

DocuSigned by:

Travis R Jordan

3736B5E303564F6...

Travis R Jordan, P.E.
District Engineer
Division 12, District 3

TRJ:jl
Cc: file

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DISTRICT 3 OFFICE
1031 EAST GASTON STREET
LINCOLNTON, NC 28092

Telephone: 704-748-2400
Fax: 704-748-2403
Customer Service: 1-877-368-4968

Website: ncdot.gov

10. Consent Agenda.

County Manager Mary Furtado presented the following two items under the consent agenda. Chair Isenhower asked if any commissioner wished for an item to be broken out of the consent agenda for individual consideration. None was requested.

a. Sheriff Deputy Mark A. Dentel is retiring effective June 1, 2025. He has requested his badge and service weapon. In lieu of receiving these items at a Board of Commissioners meeting, he has asked that the weapon and badge be presented at a retirement ceremony at a later date.

Accordingly, staff requested that the Board of Commissioners declare the badge and weapon surplus effective May 19, 2025 pursuant to North Carolina Statute 20-187.2(a).

b. The Tax Administrator recommended the Board of Commissioners approve one release totaling \$1,046.84 and 55 Motor Vehicles Bill adjustments / refunds totaling \$4,129.46 requested during the month of April.

North Carolina General Statute 105-381(b) states upon receipt of a taxpayer's written request for release or refund, the taxing unit's governing body has 90 days to determine whether the taxpayer's request is valid to either approve the release or refund of the incorrect portion or to notify the taxpayer in writing that no release or refund will be made.

During the month of April Tax Office staff have checked records and verified the legitimacy of one release request totaling \$1,046.84 and 55 Motor Vehicle Bill adjustments / refunds totaling \$4,129.46.

Common reasons for the release of tax bill amounts include change in values and months, change in situs, businesses closing / being sold, clerical errors and DOT Acquisition. The motor vehicle bill adjustments are largely due to pro-ration of tax bill amounts to account for mid-year transfers of ownership, change in values and change in situs.

A copy of a summary of releases and refunds is hereto attached:

COMMISSIONER APPROVAL OF RELEASES & REFUNDS

TIME PERIOD: April 1, 2025 Thru April 30, 2025

PROCESSED: May 19, 2025

REGULAR RELEASES	
MOTOR VEHICLE	\$0.00
REAL & PERSONAL	\$1,046.84
TOTALS	\$1,046.84

REGULAR REFUNDS	
MOTOR VEHICLE	
REAL & PERSONAL	\$0.00
TOTALS	\$0.00

NEW MOTOR VEHICLE SYSTEM REFUNDS (VTS)	
MOTOR VEHICLE NCVTS	4,129.46

COUNTY GRAND TOTAL \$1,046.84

 RANDY ISENHOWER
 CHAIRMAN OF THE BOARD
 CATAWBA COUNTY BOARD OF COMMISSIONERS

The consent agenda items came in the form of a motion by Chair Isenhower, which carried unanimously.

11. Other Items of Business. None.

12. Manager's Report.

County Manager Mary Furtado reported to the Board the following budget transfers:

Budget Transfers: Pursuant to Board authority granted to the County Manager, the following budget transfers have been completed:

Contingency Transfer:

Autopsies

Transfer

From:

110-190100-994000 Contingency \$50,000

To:

110-510050-856900 Other Professional Services \$50,000

Counties are required by statute to pay for Medical Examiner services and autopsy reports for County residents who die inside the County if the medical examiner, district attorney of the county, or any superior court judge request it. The State increased the fee for autopsies from \$1,750 to \$3,625. The budget is exhausted with two months in the fiscal year remaining. Any dollars not spent will fall to fund balance.

Contingency Transfer:

911-Fund Repayment

Transfer

From:

110-190100-994000	Contingency	\$14,135.460
-------------------	-------------	--------------

To:

110-190900-995202	Transfer to 911 Fund	\$14,135.460
-------------------	----------------------	--------------

Supplemental Appropriation:

Revenue:

202-280100-695110	From General Fund	\$14,135.460
-------------------	-------------------	--------------

Expense

202-280100-690100	Fund Balance Applied	\$14,135.460
-------------------	----------------------	--------------

Transfer from Contingency to repay the 911 Fund for FY24 expenses determined to be ineligible in the annual NC 911 Board audit, which took place after the books were closed for the Fiscal Year 2023/24 Catawba County Audit.

12. Attorney's Report.

County Attorney Jodi Stewart requested the Board of Commissioners adopt a resolution establishing territorial jurisdiction for all law enforcement officers with any jurisdiction on any part of Lake Norman over all of Lake Norman and its shoreline area.

The Lake Norman Marine Commission (LNMC), established in 1969, has operated continuously since its establishment. Catawba, Iredell, Lincoln, and Mecklenburg Counties have been the member counties since LNMC's inception.

On May 5, 2025, the Lincoln County Board of Commissioners adopted a resolution withdrawing from the LNMC, effective June 30, 2025, which effectively dissolves the Commission on that date.

In anticipation of LNMC's dissolution, staff of the member counties have been working to determine how best to preserve the critical functions currently performed by the LNMC. Currently, law enforcement officers from each county have territorial jurisdiction throughout the waters of Lake Norman and its shoreline, as established through joint resolutions adopted by each county in 2015.

The proposed resolution reiterates and re-establishes the previously adopted Joint Resolution to reinforce the point that Lake Norman will not be without law enforcement presence upon dissolution of the LNMC.

Discussions are in progress regarding division of LNMC's assets, etc., and other activities associated with LNMC's winding down of operations.

In the meantime, there has been legislation introduced in the NC General Assembly (S697) that would reconstitute the LNMC with slightly revised governance structure and powers and authorities. Staff continue to monitor this legislation's progress.

Commissioner Barbara G. Beatty made a motion to adopt a resolution establishing territorial jurisdiction for all law enforcement officers with any jurisdiction on any part of Lake Norman over all of Lake Norman and its shoreline area. The motion carried unanimously.

The following resolution applies:

No. 2025-18
JOINT RESOLUTION
REGARDING LAKE NORMAN TERRITORIAL JURISDICTION

WHEREAS, pursuant to "An Act to Establish the Lake Norman Marine Commission" enacted as Chapter 1089 of the 1969 Session Laws (the "Act"), the counties of Catawba, Iredell, Lincoln and Mecklenburg adopted resolutions which created the Lake Norman Marine Commission; and

WHEREAS, the Lake Norman Marine Commission has operated continuously since its establishment; and

WHEREAS, pursuant to the Resolution adopted by the Lincoln County Board of Commissioners on May 5, 2025, Lincoln County has withdrawn from the Commission effective June 30, 2025, and the Commission is therefore dissolved pursuant to the Act; and

WHEREAS, Sec. 9 (a) of the Act reads as follows:

Sec. 9. Enforcement. (a) Where a joint resolution so provides, all law enforcement officers (or such officers as may be designated in the joint resolution) with territorial jurisdiction as to any part of Lake Norman or its shoreline area shall, within the limitations of their subject matter jurisdiction, have the authority of peace officers in enforcing the laws over all of Lake Norman and its shoreline area; and

Sec. 9. (c) All courts in the four counties, within the limits of their subject matter jurisdiction shall have concurrent jurisdiction as to all criminal offenses arising within the boundaries of Lake Norman and its shoreline area; and

Sec 9. (d) Where a law enforcement officer with jurisdiction over any part of Lake Norman or its shoreline area is performing duties relating to the enforcement of the laws on Lake Norman or in its shoreline area, he shall have such extra-territorial jurisdiction as may be necessary to perform such duties; and

WHEREAS, Catawba County previously adopted a Joint Resolution Regarding Lake Norman Territorial Jurisdiction (No. 2015-05) dated the 6th day of April 2015 which established the authority for the enforcement of laws over all of Lake Norman, and its shoreline, to any and all law enforcement officers having jurisdiction over any part of Lake Norman or its shoreline, and the above-described Joint Resolution is still valid; and

WHEREAS, in 2015, Iredell, Mecklenburg and Lincoln Counties adopted the same Joint Resolution described above and all previously adopted joint resolutions relating to Sections 9(a)(c)(d) of the Act are not affected by Lincoln County's withdrawal from the Commission; and

WHEREAS, the Boards of Commissioners for each respective County of Catawba, Iredell, Lincoln and Mecklenburg has determined it would be in the best interest of the residents of each County to reiterate and re-establish the previously adopted Joint Resolution relating to the territorial jurisdiction of all law enforcement officers having jurisdiction over any part of Lake Norman or its shoreline area to be expanded as authorized by Sec. 9 (a)(c)(d) of the Act.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Catawba County, as authorized by Sec. 9 (a) of Chapter 1089 of the 1969 Session Laws, that all law enforcement officers with territorial jurisdiction as to any part of Lake Norman or its shoreline area shall, within the limitations of their subject matter jurisdiction, continue to have the authority of peace officers in enforcing the laws over all of Lake Norman and its shoreline area; and

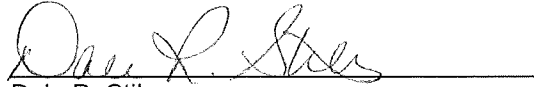
BE IT FURTHER RESOLVED that a copy of this Joint Resolution be forwarded by the Clerk to the Board to the governing bodies of Iredell, Lincoln and Mecklenburg Counties.

Adopted the 19th day of May, 2025.

13. Adjournment. No further action was taken. Upon a motion by Commissioner Beatty which unanimously carried, the meeting was adjourned at 7:22 p.m.

A handwritten signature in black ink, appearing to read "Randy Isenhower", written over a horizontal line.

Randy Isenhower, Chair
Catawba County Board of Commissioners

A handwritten signature in black ink, appearing to read "Dale R. Stiles", written over a horizontal line.

Dale R. Stiles
County Clerk