

## AGENDA

Catawba County Board of Commissioners Meeting  
Monday, August 3, 2020, 7:00 p.m.  
Board of Commissioners Meeting Room  
2<sup>nd</sup> Floor, Catawba County Justice Center  
100 Government Drive, Newton, NC

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Invocation.
4. [Approval of the Minutes from the Board's Regular Meeting of July 13, 2020.](#)
5. Recognition of Special Guests.
6. Public Comments.
7. Public Hearings:
  - a. [Request to Rezone 17 Acres from R-20 Residential to Planned Development-Conditional District. Presented by Assistant Planning Director Chris Timberlake.](#)
  - b. [Financing Agreement for the Catawba County School District. Presented by Assistant County Manager/Chief Financial Officer Bob Miracle.](#)
8. Appointments.
9. Consent Agenda:
  - a. [CVCC Stream Bank Repair and Stabilization.](#)
  - b. [CVCC Cosmetology Facility Up-fit.](#)
10. Other Items of Business.
11. Manager's Report.
12. Attorneys' Report.
13. Adjournment.

**PERSONS WITH DISABILITIES:** Individuals needing assistance should contact the County Clerk at 828-465-8990 within a reasonable time prior to the meeting. Participation in public meetings is without regard to race, ethnicity, religion, sex, age, or disability.

**CALENDAR:** The next August Board of Commissioners Meeting will take place on Monday, August 17, 2020, at 7:00 p.m., in the Board of Commissioners Meeting Room of the Catawba County Justice Center.

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Assistant Planning Director

DATE: August 3, 2020

IN RE: Rezoning Request: Beaver Creek  
8201 East NC 150 Highway  
R-20 Residential to Planned Development-Conditional District

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### REQUEST

Staff requests the Board of Commissioners holds a public hearing to receive citizen comments and consider an application submitted by BBC Beaver Creek, LLC to rezone approximately 17 acres, owned by HL Lutz Family Properties, LLC, from R-20 Residential to Planned Development-Conditional District (PD-CD) and approve use of the high-density option.

The current R-20 Residential district requires a minimum lot size of 20,000 square feet (approx. 1/2 acre), and is considered a high-density “general use” residential district. Predominant uses in this district include single-family homes and agriculture. The PD-CD district provides for master planning of larger development projects based on firm development proposal. It allows for specific development conditions not necessarily identified in the existing Unified Development Ordinance.

### REVIEW/BACKGROUND

#### Location/Zoning

The property for which the rezoning request is being considered is located at 8201 East NC 150 Highway in the Sherrills Ford Small Area and Highway 150 Corridor Planning Districts, Mountain Creek Township, and is further identified by Parcel Identification Number 4617-10-45-8822.

The property, depicted as Parcel 1 on the attached map, is zoned R-20 Residential and contains a single-family residence. The surrounding parcels contain the zoning districts and uses described below.

- *North* – Parcels 2, 3 and 4 are zoned R-20 Residential and contain single-family residences. Parcel 5 is zoned Planned Development and contains a single-family residence.

- *South* – Parcels 7 and 8 are zoned R-30 Residential (30,000 sq. ft. minimum) and contain single-family residences. Parcel 9 is zoned R-20 Residential, but is unbuildable due to its size.
- *West* – Parcels 10 – 15 are zoned R-20 Residential. Parcels 10 and 13 contain single-family residences. The other parcels are undeveloped.
- *East* – Parcel 6 is zoned R-20 Residential and contains a single-family residence.

#### Zoning History

None to report.

#### Land Use

BBC Beaver Creek LLC proposes a 130-unit townhome development on the 17-acre property. The townhome development as proposed must meet 50' setbacks from other residential districts and open space (2,500 sq. ft. per unit = 7.4 acres) requirements for a planned development. The common open space areas are shown to include an activity lawn with a playground and dog park. The applicant has indicated, D.R. Horton is interested in the project and would like to build one of their 2-story townhome products that includes a mixture of hardiboard, cementitious stone, and brick. Vinyl would only be used for soffits, windows, and trim. A landscaped berm is proposed along the frontage of the property.

#### Utilities

Public water and sewer exist along East NC 150 Highway. The developer is responsible for designing all utilities to City of Hickory standards, connecting to the existing system, and installing utilities within the site.

#### Transportation

East NC 150 Highway is identified as a boulevard in the 2035 Long Range Transportation Plan. Most recent reported traffic counts from 2017 west and east of the site measured 18,000 and 17,000 Annual Average Daily Traffic (AADT), respectively.

East NC 150 Highway is scheduled for widening to a 4-lane road with a divided median. According to the 2020-2029 STIP, right-of-way for this section of improvements is scheduled to begin in 2025 with construction commencing in 2028. The applicant will dedicate right-of-way along the frontage of the property to assist with land acquisition for road widening. NCDOT is aware of the proposed project and, at a minimum, is requiring a 50' right turn with taper and 100' left turn with taper at the main entrance and a right deceleration into the propose right in/right out entrance.

#### Land Use Plan

Map 5, 'Future Land Use Recommendations', found within the Sherrills Ford Small Area Plan, adopted February 17, 2003 depicts the property within a recommended village-mixed use area that includes a mixture of commercial, office, and mixed-residential uses. The Highway 150

Corridor Plan, which was adopted on September 8, 2014, also provides land use recommendations. Map 6, titled “Future Land Use & Economic Opportunity” recommends mixed use, commercial and multi-family uses. The request is consistent with the adopted land use plans and reasonable for consideration.

Planning Board Public Hearing

The Planning Board held a public hearing on June 29, 2020 to consider the request. Questions and concerns from the Planning Board included lack of possible interconnectivity to the western side of the property, traffic, what amenities would be proposed, and a desire to see driveway turn lanes depicted on the plan. Mr. Robert Davis addressed the Planning Board on behalf of the applicant.

**STAFF AND PLANNING BOARD RECOMMENDATION**

Staff recommended and the Planning Board voted 5 – 2 to submit a favorable recommendation to the Board of Commissioners to rezone the approximate 17 acres owned by HL Lutz Family Properties, LLC from R-20 Residential to Planned Development-Conditional District (PD-CD) and approve use of the high-density option based upon:

- 1) The property’s proximity to a planned mixed-use development known as Terrell Town Center as well as the development of the Village of Sherrills Ford;
- 2) The project offering additional variety to existing price points in the residential market in the Sherrills Ford/Terrell area;
- 3) The proposed conceptual plan submitted by ESP Associates indicating Planned Development setbacks, buffering, and open space dedication;
- 4) The developer completing any NCDOT-required off-site transportation improvements along with dedicating adequate right-of-way for future NC 150 Highway widening; and
- 5) The project being consistent with the Sherrills Ford Small Area and Highway 150 Corridor Plans.

Post Planning Board Comments

Based on comments from the Planning Board, Mr. Davis provided further details of the sidewalk layout, NCDOT’s superstreet design illustrated on the plan, and recreational amenities that the developer may choose to build. Those items are included within the packet. The site plan has been modified to include hardboard would be used on all four sides of the building and vinyl would only be used as soffit, trim and window material. A landscaped berm would exist along the frontage of the property and an activity lawn, playground and dog park would exist in the common open space areas.

## ***Applicant***

BBC Beaver Creek, LLC

## ***Request***

1. Rezoning of approximately 17 acres from R-20 Residential to Planned Development-Conditional District (PD-CD); and
2. Approval of the high-density development opportunity, allowing up to 50% built-upon (impervious) area.

## ***Location***

8201 East NC 150 Highway

PIN 4617-10-45-8822

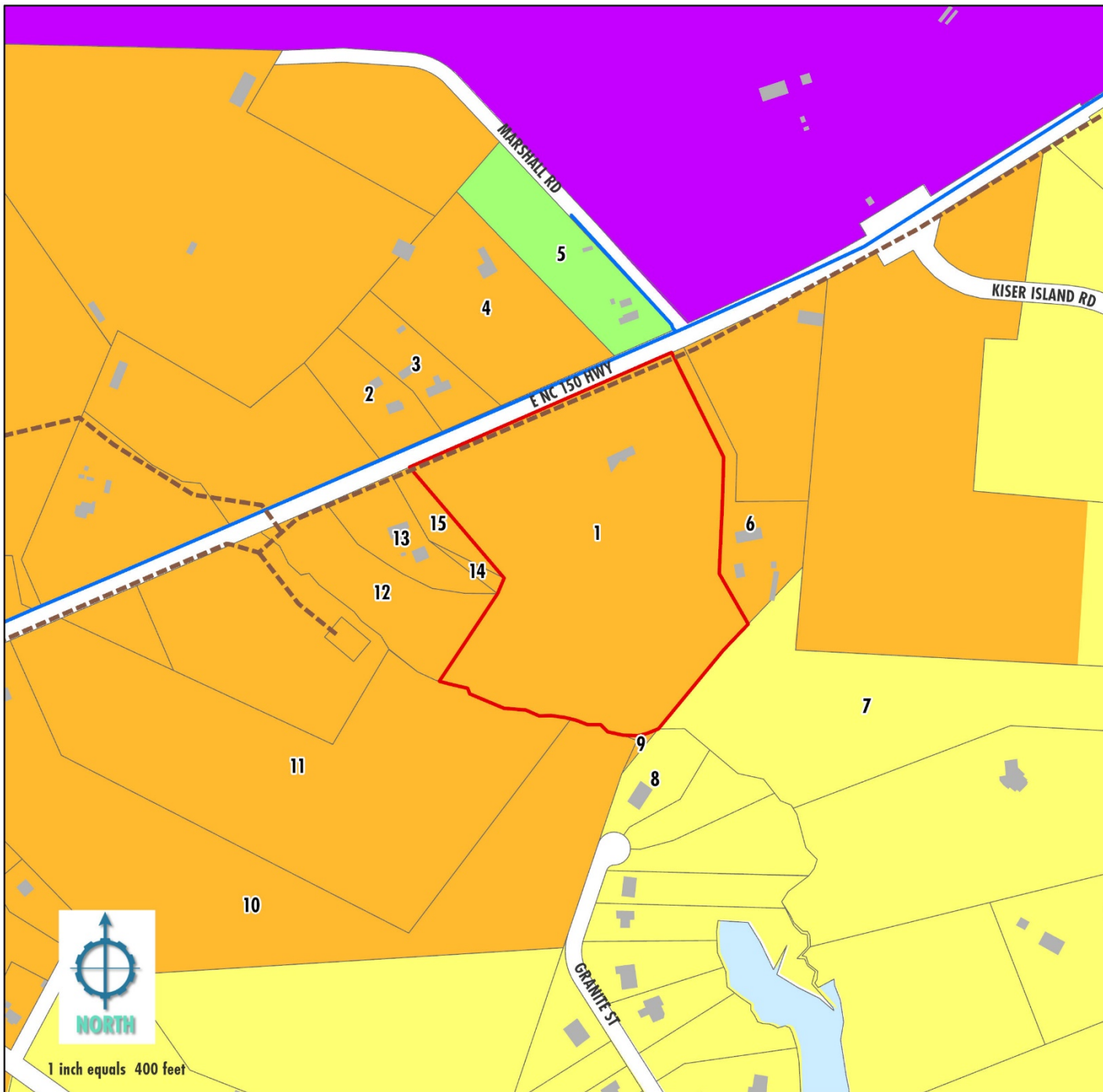
## ***Date***

August 3, 2020

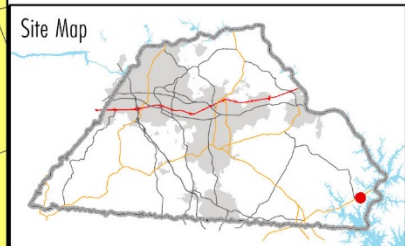
# REZONING REQUEST



Applicant: BBC Beaver Creek, LLC  
Parcel Address: 8201 E NC 150 Hwy  
PIN: 461710458822  
Current Zoning: R-20  
Proposed Zoning: PD Planned Development  
Overlays: MUC-O, WP-O  
Subject Parcel Size: 17.39 Acres



- Sewerlines
- Waterlines
- Subject Parcel
- Parcels
- Structures
- County Zoning**
- GI
- PD
- R-20
- R-30



# REZONING REQUEST

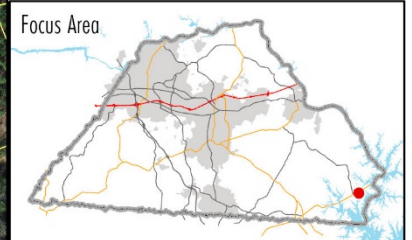


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- Sewerlines
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


1 inch equals 400 feet



# REZONING REQUEST

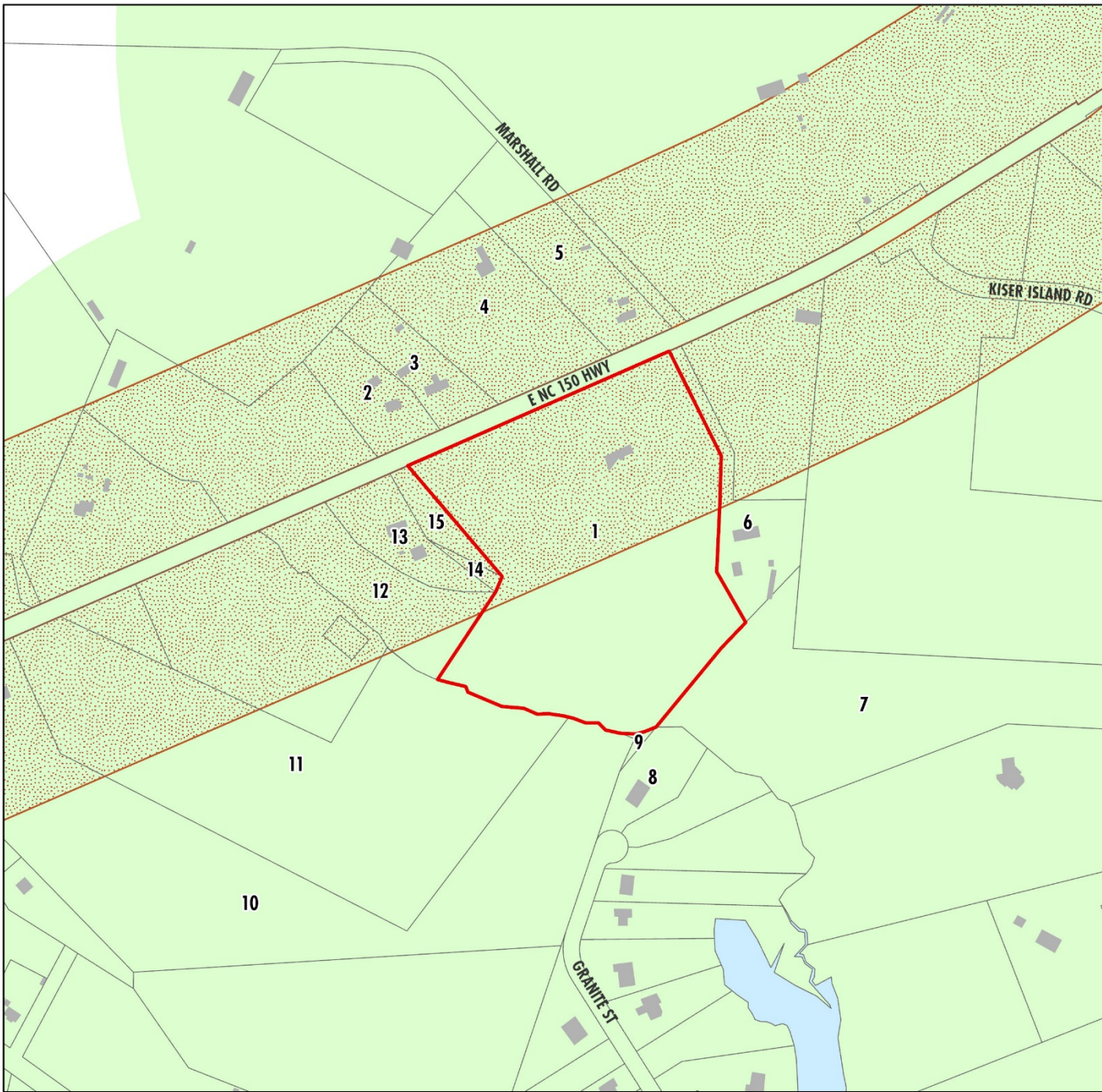
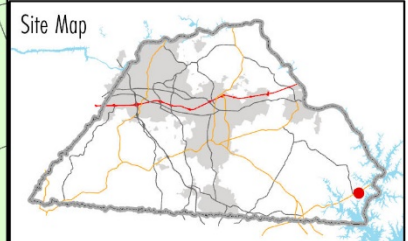


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-  Subject Parcel
-  Parcels
-  Structures
-  MUC-O
-  WP-O



1 inch equals 400 feet

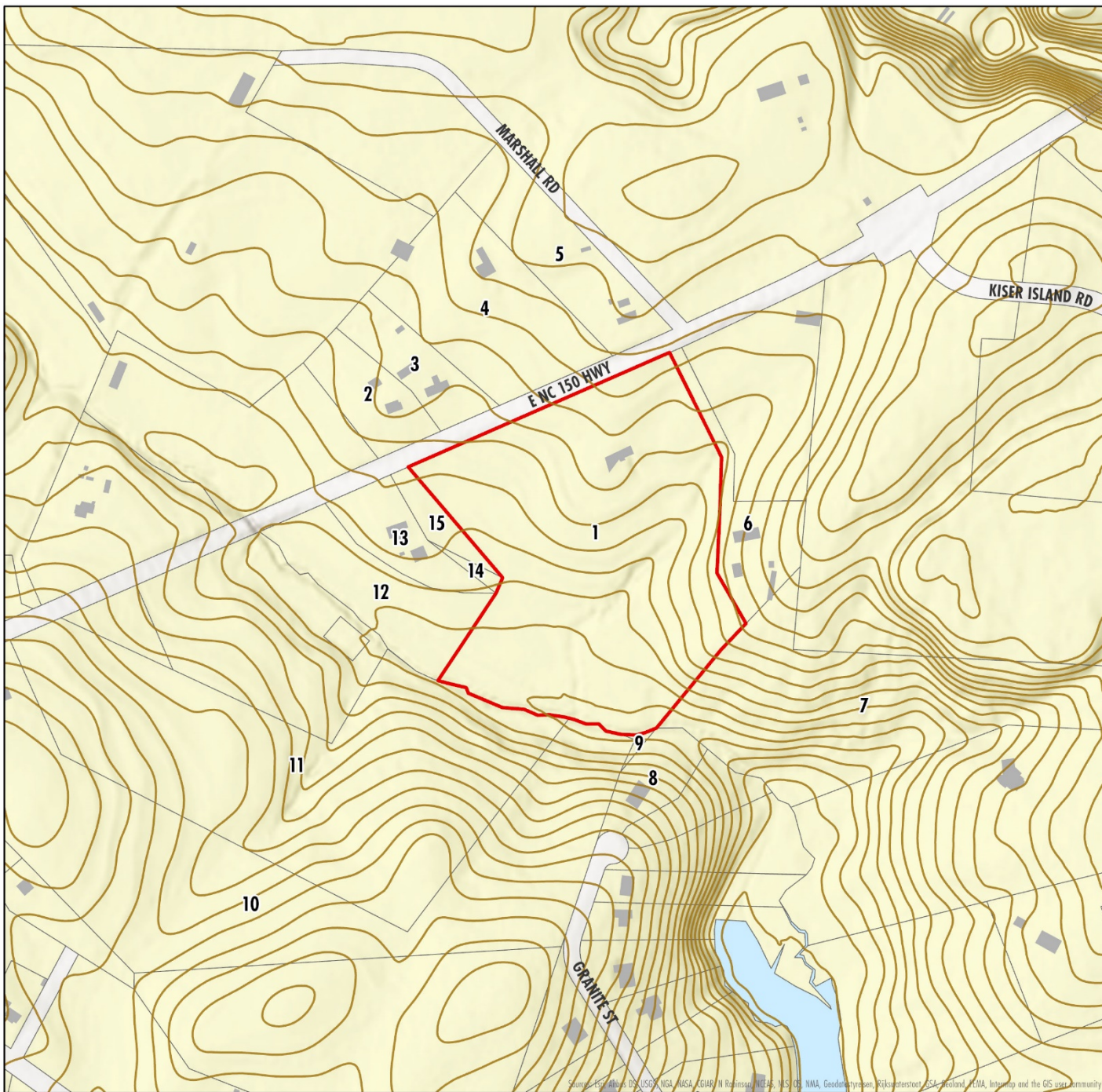




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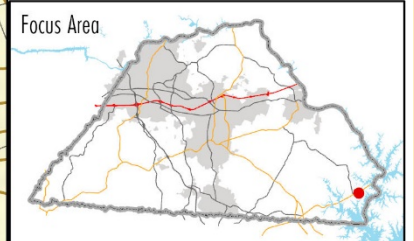
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- Subject Parcel
- Parcels
- Structures
- Contour Lines



1 inch equals 400 feet



Sources: ESRI, Altius, USGS, NGA, NASA, CGIAR, N Robinson, NCEM, NYS, ON, NMA, GeoDataHydro, RiskStreetView, USA, Ireland, FEMA, Intermap and the GIS user community

# Subject Property



# Adjacent Properties



# Adjacent Properties



# Review – Purpose of Zoning Districts

- The R-20 and R-30 Residential districts require minimum lot sizes of 20,000 and 30,000 square feet and are high-density and medium-density residential districts providing for single-family homes and agricultural uses.
- The Planned Development – Conditional District provides for master planned, large-scale, multiple or mixed-use development projects where enhanced standards and/or negotiated amenities are considered based on a site specific plan.

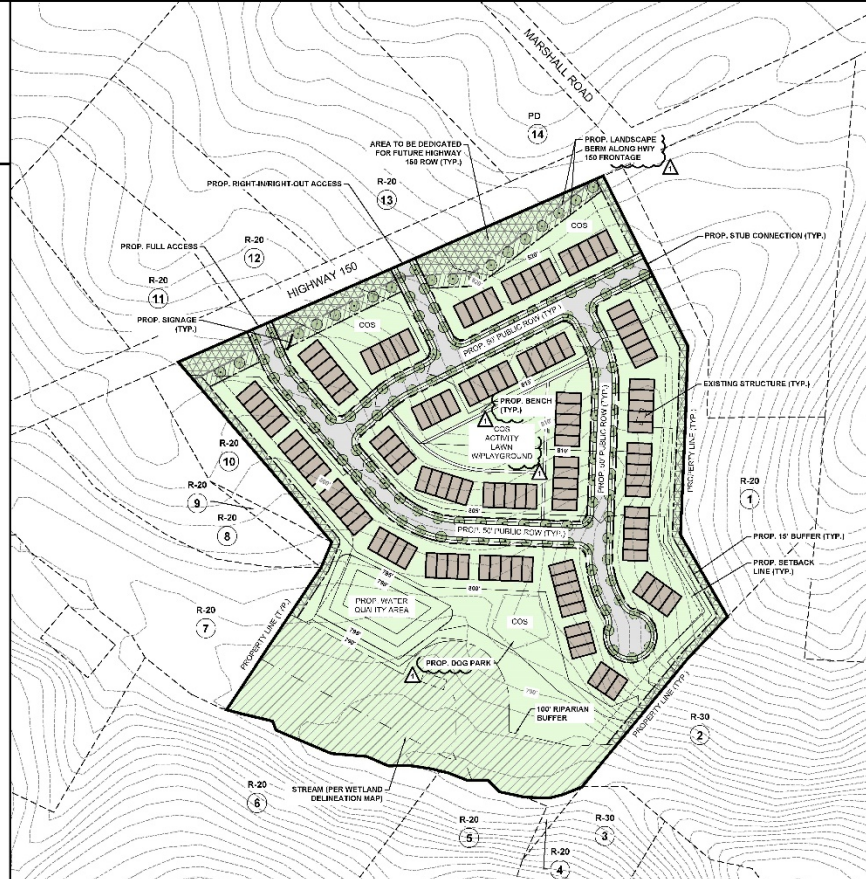
# Conceptual Site Plan

## BEAVER CREEK CONCEPT SITE PLAN

Located In:  
Catawba County, North Carolina



- BEAVER CREEK DEVELOPMENT STANDARDS**
- GENERAL PROVISIONS**
    - These development standards form a part of the conditional use permit concept site plan associated with the conditional use permit. They are intended to be used in conjunction with the conditional use permit to regulate the development of a project. General provisions shall not be used to override the conditional use permit or the standards set forth in the conditional use permit.
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  - TRAILING AND EROSION CONTROL**
    - When an access to a property shall be a general use structure on the conditional use permit, the applicant shall provide a trailing and erosion control plan for the access. The applicant shall provide a trailing and erosion control plan for the access. The applicant shall provide a trailing and erosion control plan for the access.
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  - STREETSCAPE / LIGHTING / LANDSCAPE / UTILITIES**
    - Streetlights shall be provided for all streets within the conditional use permit. The applicant shall provide a streetscape plan for the streets. The applicant shall provide a streetscape plan for the streets. The applicant shall provide a streetscape plan for the streets.
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  - OPEN SPACE**
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  - VIEWER/RETAIL/RECREATION**
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  - AMENDMENTS TO RECORDING PLAN**
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  - REVISIONS TO THE RECORDING PLAN AND DEFINITIONS**
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### Vicinity Map Not to Scale

Adjacent Property Owners	RID	Owner	Zoning
1	66-12352869	LIFE PROPERTY HOLDINGS	R-20
2	66-12352871	BROWN MICHAEL M. BROWN SALLARA S	R-30
3	66-12352873	COYNE LUIS S. LUIS S. COYNE	R-30
4	66-12352875	BRUNSON	R-30
5	66-12352877	SHERILL CHARLES MICHAEL SHERILL WILSON A	R-20
6	66-12352879	SHERILL CHARLES MICHAEL SHERILL WILSON A	R-20
7	66-12352881	LIFE SUB 3 SHERILL	R-20
8	66-12352883	LIFE SUB 3 SHERILL	R-20
9	66-12352885	LIFE SUB 3 SHERILL	R-20
10	66-12352887	LIFE SUB 3 SHERILL	R-20
11	66-12352889	BROWN BETTY H. H. BROWN	R-20
12	66-12352891	SCHEIDT JACOB B. SCHEIDT	R-20
13	66-12352893	ARMY CHARLES T. ARMY CATHY L	R-20
14	66-12352895	LUCIF ESTATE HOLDINGS LLC	R-20

Beaver Creek Planned Development Conditional District (PDCD) Development Conditions	
Minimum lot area	1/2 acre (21,780 sq. ft.)
Minimum lot width	30 feet (30' x 30' minimum)
Minimum lot depth	100 feet (100' x 30' minimum)
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**General Notes**

- Site plan is based on preliminary information provided by the applicant. The applicant is responsible for the accuracy of the information provided.
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**Access Points/Driveways/Streets**

- Proposed project site access locations are to be determined preliminary in nature and need to be refined for recordation and construction.
- All driveway and street systems are to be preliminary in nature and need to be refined for recordation and construction.
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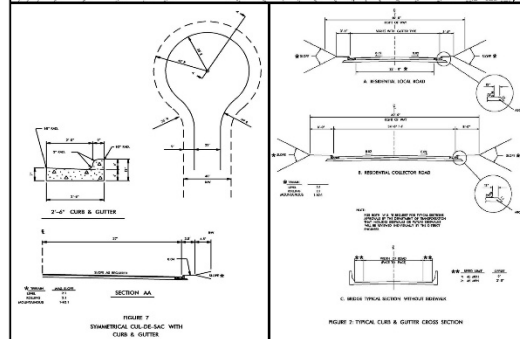
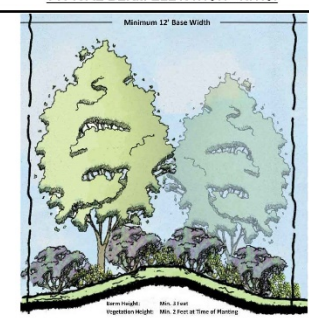
**Proposed Water Quality Areas**

Location of proposed water quality areas are conceptual and preliminary and still needs to be determined. The exact size and location of these areas will change as the applicant provides information regarding final project location, and any other proposed changes to the project are conceptual. Layout and size are subject to change.

**Public Information**

ESP Associates is not responsible for the information created by applicant, incomplete, missing or outdated information derived from public sources such as GIS, Park Map and Zoning departments.

### TYPICAL BERM ELEVATION - N.T.S.



**CONCEPT SITE PLAN**

**BEAVER CREEK**

**PRESTIGE CORPORATE DEVELOPMENT LLC**

**PROJECT INFORMATION**

PROJECT NUMBER: 23

DATE: 08/2024

PROJECT LOCATION: 1501 W. 1501 W. 1501 W.

PREPARED BY: ESP ASSOCIATES

DATE: 08/2024

**PLAN**

**MAYWOOD - 1429 SQ. FT.**

**Elevation Rendering**

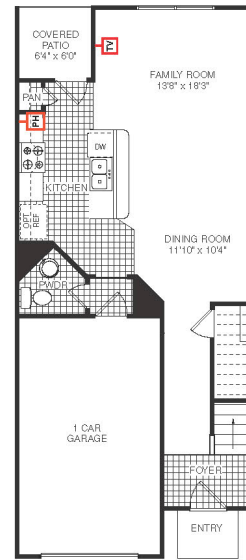


**Elevation-C**

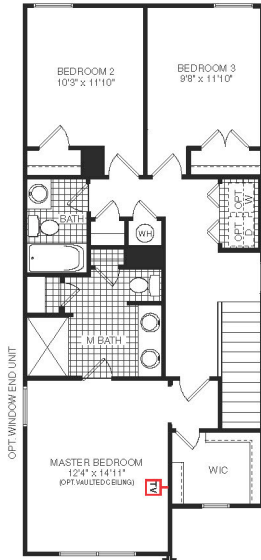
**Elevation-A**

**Elevation-B**

**Elevation-D**



**First Floor**



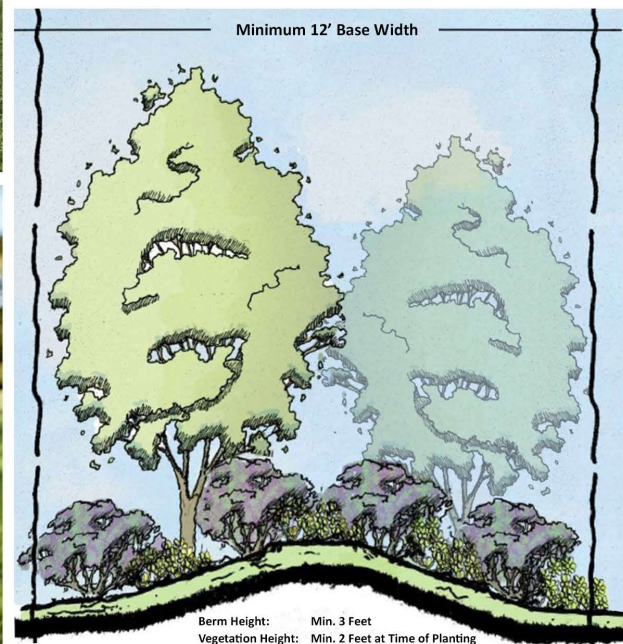
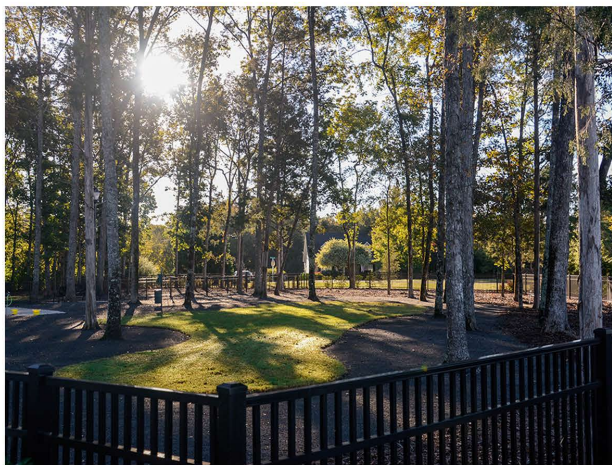
**Second Floor**



Home and community information, including pricing, included features, terms, availability and amenities, are subject to change and prior sale at any time without notice or obligation. Pictures, photographs, colors, features, and sizes are for illustration purposes only and will vary from the homes as built. See a sales representative for more information. All homes constructed by D.R. Horton, Inc., NC GC Licence #29676 Equal Housing Opportunity (REV. 5/23/19)

# Beaver Creek

## Common Open Space Uses





# Utilities

- Public water and sewer is available along East NC Highway 150.
- Developers would be required to connect to the utilities and would be responsible for constructing water and sewer utilities within the development meeting City of Hickory standards.

# Transportation

- The proposed development area would be accessed from East NC Highway 150.
- NC Highway 150 is designated as a boulevard in the 2035 Greater Hickory Urban Area Long Range Transportation Plan.
- Most recent reported traffic counts from 2017 west and east of the site measured 18,000 and 17,000 Annual Average Daily Traffic (AADT), respectively.

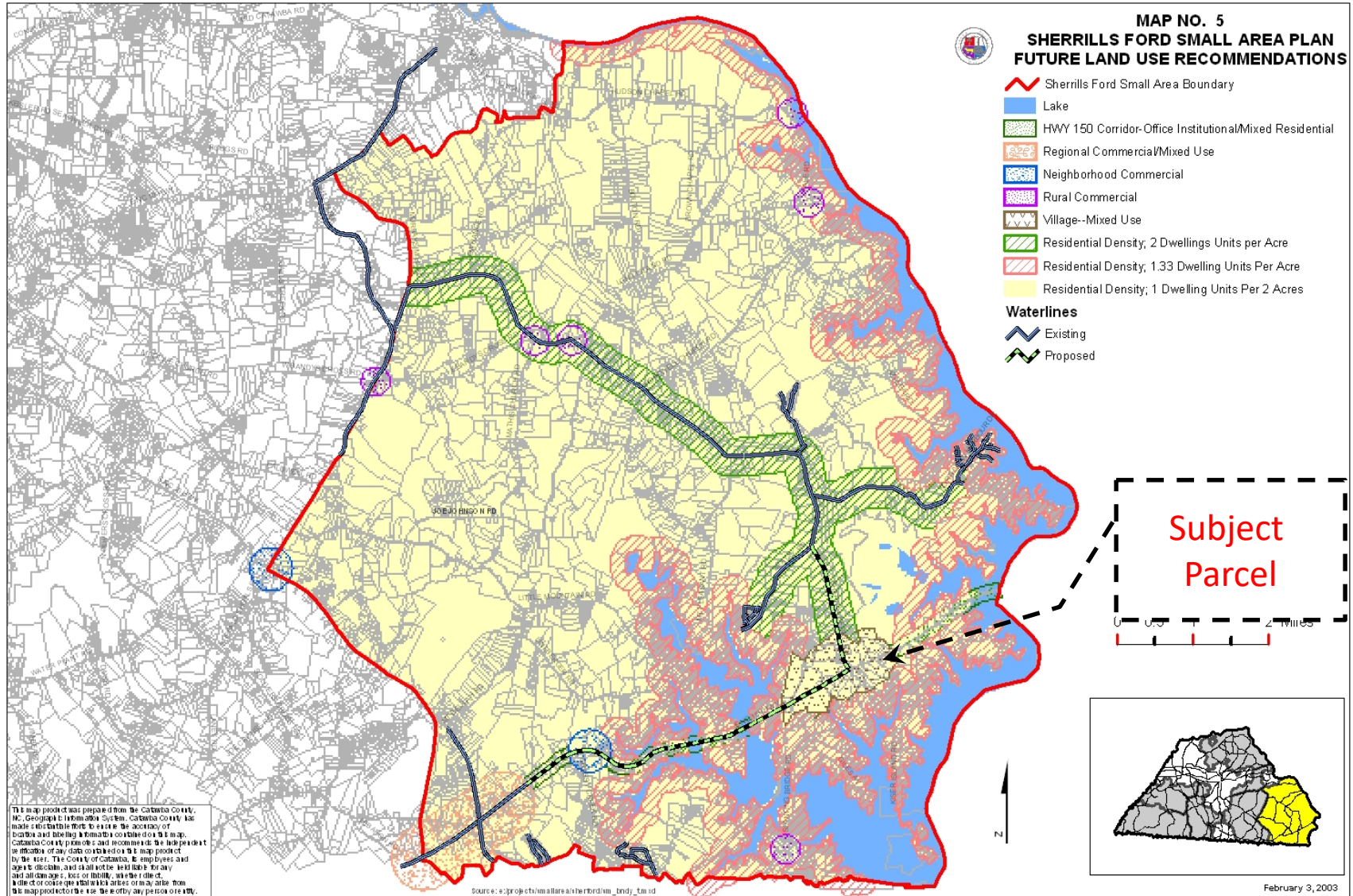
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- The applicant will dedicate right-of-way along the frontage of the property to assist with land acquisition for road widening.
- NCDOT is aware of the proposed project and, at a minimum, is requiring a 50' right turn with taper and 100' left turn with taper at the main entrance and a right deceleration into the propose right in/right out entrance.

# Land Use Plan

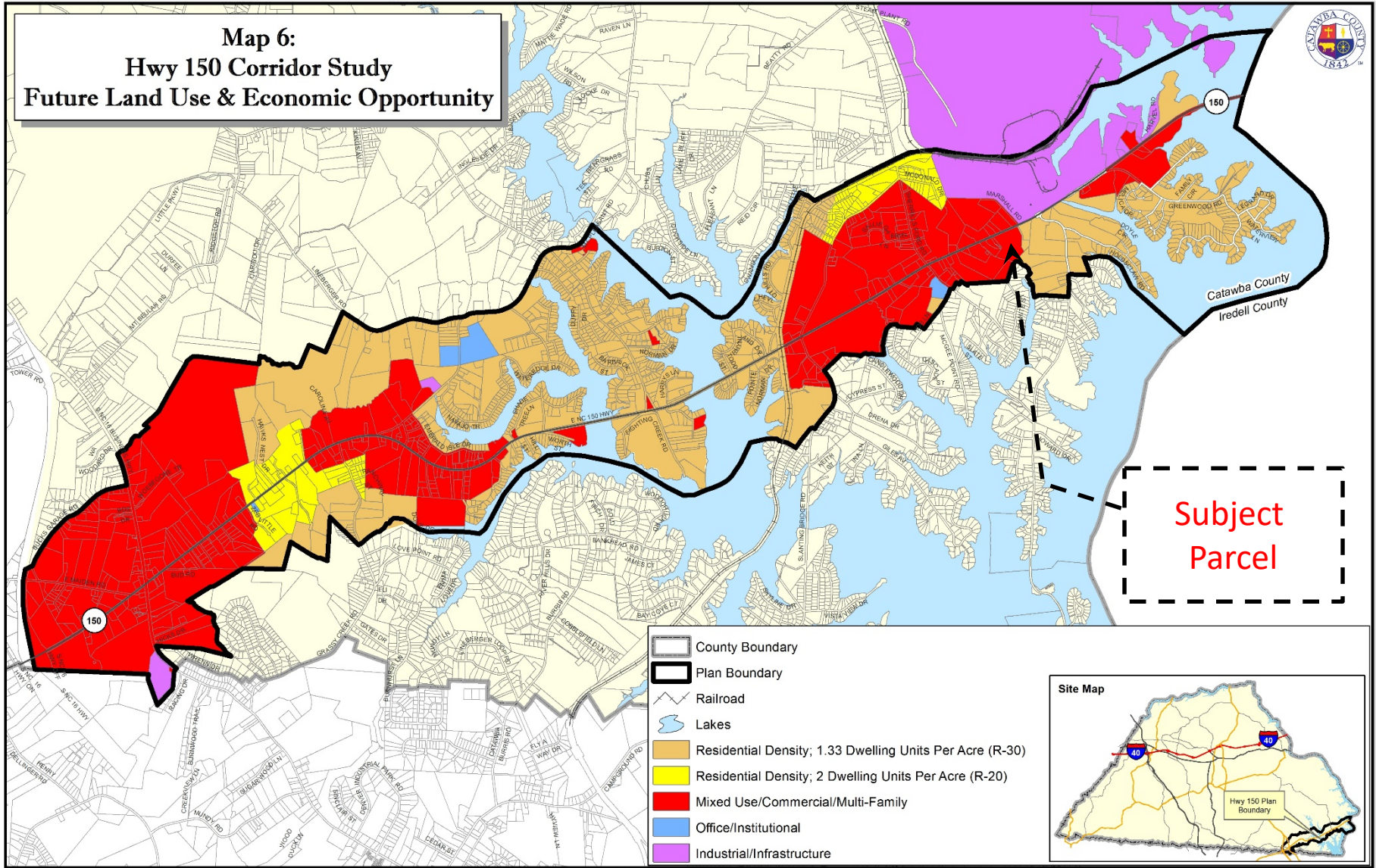
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- The Highway 150 Corridor Plan, which was adopted on September 8, 2014, also provides land use recommendations. Map 6, titled "Future Land Use & Economic Opportunity" recommends mixed use, commercial and multi-family uses.
- The request is consistent with the adopted land use plan.

# Future Land Use Recommendations

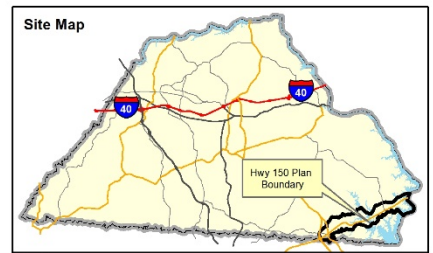


# Future Land Use Recommendations

**Map 6:**  
**Hwy 150 Corridor Study**  
**Future Land Use & Economic Opportunity**



- County Boundary
- Plan Boundary
- Railroad
- Lakes
- Residential Density; 1.33 Dwelling Units Per Acre (R-30)
- Residential Density; 2 Dwelling Units Per Acre (R-20)
- Mixed Use/Commercial/Multi-Family
- Office/Institutional
- Industrial/Infrastructure



# Planning Board Public Hearing

- The Planning Board held a public hearing on June 29, 2020 to consider the request.
- Questions and concerns from the Planning Board included lack of possible interconnectivity to the western side of the property, traffic, what amenities would be proposed, and a desire to see driveway turn lanes depicted on the plan.
- No one from the public spoke for or against the request.
- Mr. Robert Davis addressed the Planning Board on behalf of the applicant.

# Staff and Planning Board Recommendation

Staff recommended and the Planning Board voted 5 – 2 to submit a favorable recommendation to the Board of Commissioners to rezone the approximate 17 acres owned by HL Lutz Family Properties, LLC from R-20 Residential to Planned Development-Conditional District (PD-CD) based upon:

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- 2) The project offering additional variety to existing price points in the residential market in the Sherrills Ford/Terrell area;
- 3) The proposed conceptual plan submitted by ESP Associates indicating Planned Development setbacks, buffering, and open space dedication;



# Staff and Planning Board Recommendation

- 4) The developer completing any NCDOT-required off-site transportation improvements along with dedicating adequate right-of-way for future NC 150 Highway widening; and
- 5) The project being consistent with the Sherrills Ford Small Area and Highway 150 Corridor Plans.

## Subject and Adjacent Property Owners

Label	PIN	Acreage	owner	owner 2	owner.address	owner.city	owner.state	owner.zip	Bldg#	Street Name
1	461710458822	17.39	HL LUTZ FAMILY PROPERTIES LLC		17425 CABARRUS RD	MIDLAND	NC	28107-9042	8201	E NC 150 HWY
2	461710460391	1.74	BETTY H BROWN LFI		8176 E NC 150 HWY	TERRELL	NC	28682-8706	8162	E NC 150 HWY
3	461710462450	1.65	LINDA JO BROWN GODBOUT		8176 E NC 150 HWY	TERRELL	NC	28682-8706	8176	E NC 150 HWY
4	461710465516	5.25	CHARLES T JURNEY	CATHY I JURNEY	8100 NC HIGHWAY 150 E	TERRELL	NC	28682-8706	8200	E NC 150 HWY
5	461710467732	3.28	JJGIT ESTATE HOLDINGS LLC		256 RACEWAY DR STE 12	MOORESVILLE	NC	28117-6514	8226	E NC 150 HWY
6	461711552869	2.16	PEGGY HOLDSCLAW LUTZ		PO BOX 256	TERRELL	NC	28682-0256	8255	E NC 150 HWY
7	461711558317	10.99	RICHARD M BROWN	SANDRA K BROWN	3741 KISER ISLAND RD	TERRELL	NC	28682-9761	3741	KISER ISLAND RD
8	461710459175	1.26	LOUIS SHAUN OGDEN		PO BOX 1281	DAVIDSON	NC	28036-1281	3772	GRANITE ST
9	461710459237	0.07	UNKNOWN		PO BOX 368	NEWTON	NC	28658-0368		
10	461714347733	17.79	CHARLES MICHAEL SHERRILL	WILSON A SHERRILL II	1042 AMITY RD	ASHEBORO	NC	27203-4463	8049	E NC 150 HWY
11	461710359143	17.06	NELL M SHERRILL LFI	SUE M WRIGHT	8511 SHERRILLS FORD RD	SHERRILLS FORD	NC	28673-7203	8065	E NC 150 HWY
12	461710451720	3.15	SUE SHERRILL LUTZ		7150 NANCY LEE CIR	SHERRILLS FORD	NC	28673-9749		
13	461710452826	1.62	SUE SHERRILL LUTZ		7150 NANCY LEE CIR	SHERRILLS FORD	NC	28673-9749	8163	E NC 150 HWY
14	461710454728	0.15	SUE SHERRILL LUTZ		7150 NANCY LEE CIR	SHERRILLS FORD	NC	28673-9749		
15	461710453902	0.66	SUE SHERRILL LUTZ		7150 NANCY LEE CIR	SHERRILLS FORD	NC	28673-9749		E NC 150 HWY

### Catawba County Rezoning/Ordinance Text Amendment Application

Applicant BBC Beaver Creek, LLC (Steve Bailey) Phone # 704-607-5059  
 Applicant's Fax \_\_\_\_\_ Applicant's Email \_\_\_\_\_  
 Applicant's Mailing Address 21000 Torrence Chapel Road, Suite 100 City, State, Zip Cornelius, NC 28031  
 Property Owner HL Lutz Family Properties LLC Phone # \_\_\_\_\_  
 Property Owner's Mailing Address 17425 Cabarrus Road City, State, Zip Midland, NC 28107  
 Parcel 911 Address 8201 E NC 150 Hwy, Terrell, NC 28682 PIN # 461710458822  
 Subdivision Name and Lot # Beaver Creek  
 Current Zoning District R-20 Proposed Zoning District PD-CD

Type of Rezoning Application:

- General Rezoning**
  - The general information listed below shall be submitted with the rezoning application.
- Planned Development Rezoning**
  - All information contained in the Planned Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Special District Rezoning**
  - All information contained in the Special District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Conditional District Rezoning**
  - All information contained in the Conditional District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application. The complete application includes the general information below and specific development conditions substantially agreed to by the staff and applicant as well as a development agreement if applicable.
- Manufactured Home Park Rezoning**
  - All information contained in the Manufactured Home Park Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
  - Proposed Park Name \_\_\_\_\_
- Ordinance Text Amendment**
  - Submit general information listed below.

**General Information to be attached:**

- If a portion of an existing parcel is requested to be rezoned, a survey of the portion of the parcel(s) covered by the proposed amendment at a scale no smaller than 1 inch equals 200 feet, on a 18 x 24 inch map and one 8 x 11 inch map (30 copies).
- Submittal of 30 copies of each map including digital copies in .pdf or .jpg format.
- If applicable, a legal description of such land
- If applicable, a detailed statement of any alleged error in the Unified Development Ordinance which would be corrected by the proposed amendment, and a detailed explanation of the manner the proposed amendment will correct the alleged error.
- A detailed statement of all other circumstances, factors, and reasons, which applicant offers in support of the proposed zoning map or text amendment.
- Filing Fee: Per Catawba County Fee Schedule

Applicant's Name (Printed) BBC Beaver Creek, LLC (Steve Bailey)

Applicant's Signature Steven L Bailey Date 5.13.2020

Property Owners Name (Printed) Hansel Lutz

Property Owner's Signature Hansel Lutz Date 5/13/2020 | 9:38 PM EDT

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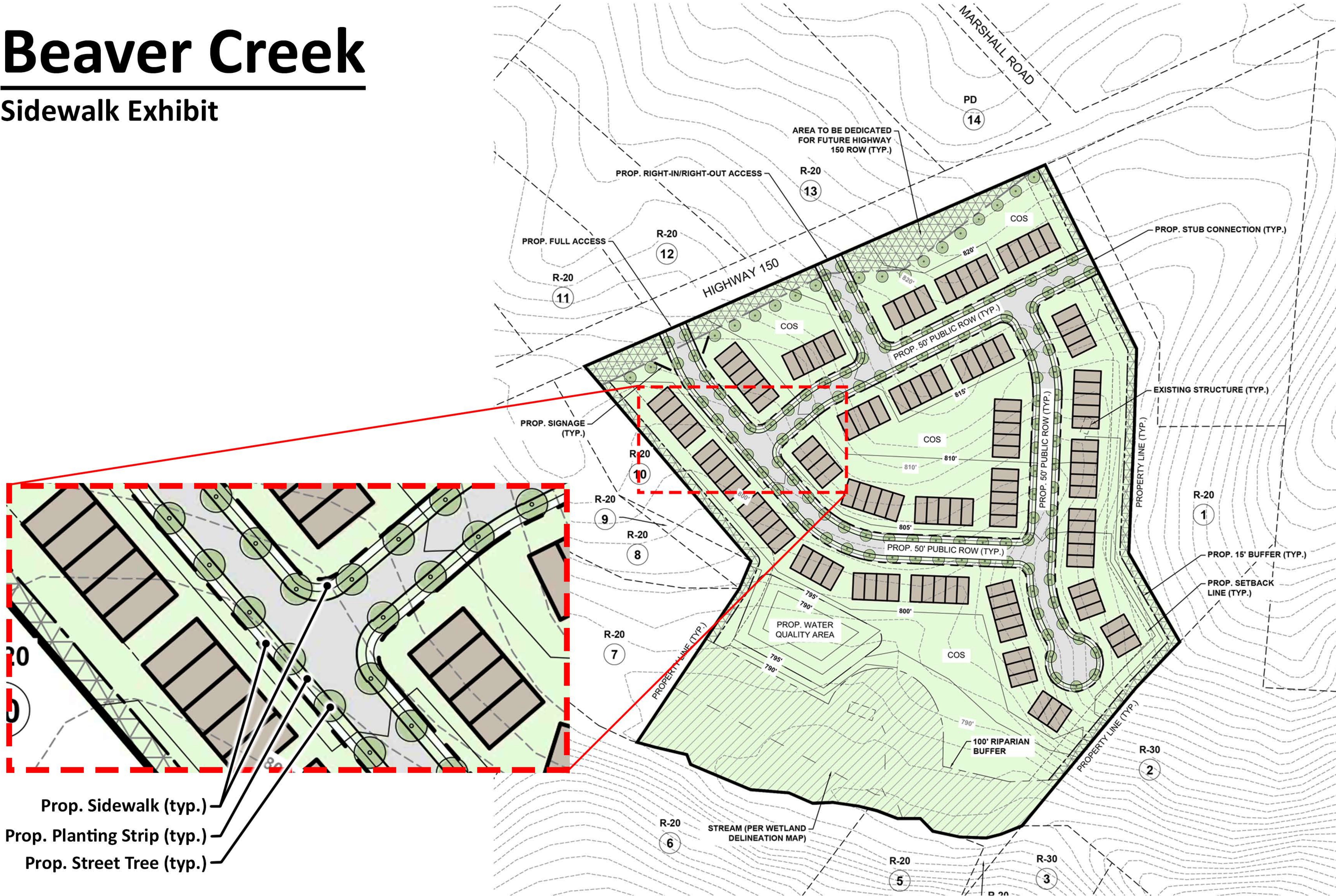
**Rezoning Request:**

Proposing approximately 17.39 Acres of R-20 Zoning to be rezoned to PD-CD Zoning.

The proposed Planned District is for a townhome community, to include a maximum of 130 residential townhome units, entrance monument signage and passive open space areas.

# Beaver Creek

## Sidewalk Exhibit



- Prop. Sidewalk (typ.)
- Prop. Planting Strip (typ.)
- Prop. Street Tree (typ.)

# Beaver Creek

## NCDOT Super Street Exhibit





**catawba county**  
planning & parks

**ZONING MAP AMENDMENT CONSISTENCY STATEMENT**

On July 13, 2020 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to property located at 8201 East NC 150 Highway identified by PIN 4617-10-45-8822 (Case #RZ2020-07).

Upon considering the matter, the Catawba County Planning Board finds the request to be consistent with the land use recommendations illustrated on Map 5, 'Future Land Use Recommendations', found within the Sherrills Ford Small Area Plan, adopted February 17, 2003 depicting the properties within a recommended village-mixed use area that includes a mixture of commercial, office, and mixed-residential uses. The Highway 150 Corridor Plan, which was adopted on September 8, 2014, also provides land use recommendations. Map 6, titled "Future Land Use & Economic Opportunity" recommends mixed use, commercial and multi-family uses. The request is consistent with the adopted land use plans and reasonable for consideration based upon:

- 1) The property's proximity to a planned mixed-use development known as Terrell Town Center as well as the development of the Village of Sherrills Ford;
- 2) The project offering additional variety to existing price points in the residential market in the Sherrills Ford/Terrell area;
- 3) The proposed conceptual plan submitted by ESP Associates indicating Planned Development setbacks, buffering, and open space dedication;
- 4) The developer completing any NCDOT-required off-site transportation improvements along with dedicating adequate right-of-way for future NC 150 Highway widening; and
- 5) The project being consistent with the Sherrills Ford Small Area and Highway 150 Corridor Plans.

This decision was affirmed by a vote of \_\_\_\_ - \_\_\_\_ of the Catawba County Board of Commissioners.

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Date

[catawbacountync.gov](http://catawbacountync.gov)

Catawba County Government Center  
25 Government Drive | Newton NC 28658 | 828.465.8380

**MAKING. LIVING. BETTER.**

**AMENDMENT TO THE CATAWBA COUNTY ZONING MAP**

**BE IT ORDAINED, BY THE BOARD OF COMMISSIONERS**, that the Catawba County Official Zoning Atlas is hereby amended by rezoning the following described property from R-20 Residential to Planned Development-Conditional District (PD-CD) (RZ2020-07):

17.39 acres located at 8201 East NC 150 321 Highway in the Sherrills Ford Small Area Planning District and Highway 150 Corridor Planning District, Mountain Creek Township, and further identified by Parcel Identification Number 4617-10-45-8822.

**PLAN CONSISTENCY STATEMENT:**

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners finds the request to be consistent with the land use recommendations illustrated on Map 5, 'Future Land Use Recommendations', found within the Sherrills Ford Small Area Plan, adopted February 17, 2003 depicting the properties within a recommended village-mixed use area that includes a mixture of commercial, office, and mixed-residential uses. The Highway 150 Corridor Plan, which was adopted on September 8, 2014, also provides land use recommendations. Map 6, titled "Future Land Use & Economic Opportunity" recommends mixed use, commercial and multi-family uses. The request is reasonable for rezoning and in the public's interest based upon:

- 1) The property's proximity to a planned mixed-use development known as Terrell Town Center as well as the development of the Village of Sherrills Ford;
- 2) The project offering additional variety to existing price points in the residential market in the Sherrills Ford/Terrell area;
- 3) The proposed conceptual plan submitted by ESP Associates indicating Planned Development setbacks, buffering, and open space dedication;
- 4) The developer completing any NCDOT-required off-site transportation improvements along with dedicating adequate right-of-way for future NC 150 Highway widening; and
- 5) The project being consistent with the Sherrills Ford Small Area and Highway 150 Corridor Plans.

This, the 3rd day of August, 2020.

\_\_\_\_\_  
C. Randall Isenhower, Chair



**MEMORANDUM**

**TO:** Catawba County Board of Commissioners  
**FROM:** Bob Miracle, Assistant County Manager / Chief Financial Officer  
**DATE:** August 3, 2020  
**SUBJECT:** Financing agreement for the Catawba County School District

**Requested:**

Staff requests the Board of Commissioners holds a public hearing to receive citizen comments and approves the negotiation of an installment financing contract with recommended bank(s) of up to \$31,300,000 for various constructions projects at the Catawba County School District and the advance forward refunding of debt. Based on the comments received from this public hearing, the Board will be requested to approve a resolution authorizing the financing contract and related documents at its August 17, 2020 meeting.

**Background:**

Catawba County Schools have capital projects that require financing. Those projects include: renovations and additions to Banoak Elementary School and St. Stephens High School. The total authorized amount of these projects is \$19,208,000, with \$18,500,000 being financed. The financing costs are estimated at \$300,000 The County also has the opportunity to refinance prior financing obligations of up to \$12,500,000 that would result in a Net Present Value Savings on the Series 2011 bonds of over \$1,000,000 of refunded bonds.

The County hired First Tryon Advisors as financial advisor for this transaction and issued a RFP for financing proposals. The County will receive the best offer from the bank(s) that provided the best proposal on the financings that are due on July 30<sup>th</sup>.

All local governments in North Carolina that borrow funds greater than \$500,000 or longer than five years to maturity must receive approval by the Local Government Commission (LGC), a division of the NC Department of State Treasurer. At the Board of Commissioners meeting on August 3rd a public hearing for comment on this installment financing and related documents will be held. The notice for public hearing was advertised at least ten days in advance of this meeting, per state law. If approved by the Board of Commissioners, the LGC will consider this financing at their September 1st meeting in Raleigh. We will then have the closing with the bank(s) on September 10th.

**Alternatives:**

An alternate way could be to use cash for these projects but the County would not be able to fund as many school or community college projects.

**Recommendation:**

Staff recommends the Board of Commissioners holds a public hearing to receive citizen comments and approves the negotiation of an installment financing contract with recommended bank(s) of up to \$31,300,000 for various constructions projects at the Catawba County School District and the advance forward refunding of debt. Based on the comments received from this public hearing, the Board will be requested to approve a resolution authorizing the financing contract and related documents at its August 17, 2020 meeting.

A budget revision for the advance forward refunding (with estimated amounts) is below:

Proceeds from installment financing	110-930700-690425	\$12,500,000
Capital financing costs	110-930700-856910	\$75,000
Payment to refunded escrow agent	110-930700-973500	\$12,425,000

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CATAWBA,  
NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT  
FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS  
THERETO**

*WHEREAS*, the County of Catawba, North Carolina (the “*County*”) is a political subdivision validly existing as such under and by virtue of the constitution, statutes and laws of the State of North Carolina (the “*State*”);

*WHEREAS*, the County has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

*WHEREAS*, upon request of the Catawba County Board of Education, the Board of Commissioners of the County (the “*Board of Commissioners*”) hereby determines that it is in the best interest of the County to (1) enter into an installment financing contract (the “*Contract*”) in order to finance the renovation and improvement of (a) Banoak Elementary School, located at 7651 W North Carolina 10, Vale, and (b) St. Stephens High School, located at 3205 34th St Dr NE, Hickory (collectively, the “*Projects*”) and (2) in order to provide security for the County’s obligations under the Contract, grant to the Lender a security interest under a deed of trust, security agreement and fixture filing (the “*Deed of Trust*”) in the County’s fee simple interest in the sites of Banoak Elementary School and St. Stephens High School, together with all improvements and fixtures located thereon (collectively, the “*Mortgaged Property*”), as the Lender may require;

*WHEREAS*, the County staff has retained (1) Parker Poe Adams & Bernstein LLP, as special counsel (“*Special Counsel*”) and (2) First Tryon Advisors, as financial advisors (the “*Financial Advisor*”), in connection with the proposed installment financing;

*WHEREAS*, the County staff has solicited requests for proposal from financial institutions for the installment financing and recommends selecting Truist Bank (formally BB&T) (the “*Lender*” and, collectively with Special Counsel and the Financial Advisor, the “*Financing Team*”);

*WHEREAS*, the Board of Commissioners hereby determines that the Projects are essential to the County’s proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Projects will provide an essential use and will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

*WHEREAS*, the Board of Commissioners hereby determines that such cost of the Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

*WHEREAS*, although the cost of financing the Projects pursuant to the Contract and the Deed of Trust is expected to exceed the cost of financing the Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of financing the Projects pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following:

(1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of the Projects; and (3) insufficient revenues are produced by the Projects so as to permit a revenue bond financing;

*WHEREAS*, the Board of Commissioners hereby determines that the estimated cost of financing the Projects pursuant to the Contract and the Deed of Trust allows the County to finance the Projects at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County and reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

*WHEREAS*, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract; however, any increase in taxes that may be necessary will not be excessive;

*WHEREAS*, Special Counsel will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

*WHEREAS*, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any money due under the Contract;

*WHEREAS*, the County is not in default under any of its debt service obligations;

*WHEREAS*, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

*WHEREAS*, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the Local Government Commission of North Carolina (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

*WHEREAS*, a public hearing on the Contract, the Deed of Trust and the Projects, after publication of a notice with respect to such public hearing, was held on August 3, 2020 and approval of the LGC with respect to entering the Contract must be received; and

*NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CATAWBA, NORTH CAROLINA, AS FOLLOWS:*

Section 1. ***Authorization to Negotiate the Contract and the Deed of Trust.*** The County Manager and the Assistant County Manager/CFO, with advice from the County Attorney and Special Counsel, are hereby authorized and directed to negotiate on behalf of the County (1) the financing of the Projects for a principal amount not to exceed \$18,800,000 under the Contract to be entered into with the Lender in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina, as amended, and (2) the provision of a security interest under the Deed of Trust in the County's fee simple interest in the site of the Projects, together with all improvements and fixtures located thereon, as may be

required by the Lender providing the funds to the County under the Contract to secure the County's obligations thereunder.

Section 2. ***Application to LGC.*** The Assistant County Manager/CFO, or his designee, is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. ***Approval of the Financing Team.*** The Financing Team is hereby approved in connection with the financing of the Projects. The County Manager and the Assistant County Manager/CFO are each hereby authorized to retain other persons or organizations as may be necessary and appropriate to carry out the intention of this Resolution.

Section 4. ***Ratification.*** All actions of the County and its officials, whether previously or hereafter taken in effectuating the proposed financing as described herein, are hereby ratified, authorized and approved.

Section 5. ***Repealer.*** All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 6. ***Effective Date.*** This Resolution is effective on the date of its adoption.

Read, approved and adopted this 3rd day of August, 2020.

STATE OF NORTH CAROLINA            )  
  )  
COUNTY OF CATAWBA                )        SS:

I, Barbara E. Morris, Clerk to the Board of Commissioners of the County of Catawba, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CATAWBA, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the Board of Commissioners of the County of Catawba, North Carolina, at a meeting held on the 3rd day of August, 2020.

*WITNESS* my hand and the corporate seal of the County of Catawba, North Carolina, this the \_\_\_\_\_ day of August, 2020.

[Seal]

\_\_\_\_\_  
Clerk to the Board of Commissioners  
County of Catawba, North Carolina

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CATAWBA, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF A REFUNDING INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**

*WHEREAS*, the County of Catawba, North Carolina (the "*County*") is a political subdivision validly existing as such under and by virtue of the constitution, statutes and laws of the State of North Carolina (the "*State*");

*WHEREAS*, the County has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

*WHEREAS*, the County has previously executed and delivered an Installment Financing Contract dated as of November 1, 2011 (the "*2011 Contract*"), between the Catawba County Public Facilities Financing Corporation (the "*Corporation*") and the County, the proceeds of which were used to refinance prior installment financings that financed the costs of (a) the construction and equipping of a new high school for Catawba County Schools and a new middle school for Hickory City Schools and the equipping of a learning resource center at Catawba Valley Community College, (b) improvements to Bunker Hill High School, (c) the construction and equipping of various wastewater system improvements, including sewer mains and lines, pump stations, and a utility bridge, and (d) the construction and equipping of, or improvements to, certain public school facilities, including Snow Creek Elementary School and Bandys High School, and certain facilities at Catawba Valley Community College (collectively, the "*Projects*");

*WHEREAS*, under an Indenture of Trust dated as of November 1, 2011 (the "*Indenture*") between the Corporation and U.S. Bank National Association, as trustee (the "*Trustee*"), the Corporation executed and delivered \$48,115,000 Limited Obligation Bonds (County of Catawba, North Carolina), Series 2011 (the "*2011 Bonds*") evidencing proportionate undivided interests in rights to receive certain revenues pursuant to the 2011 Contract, to assist the County in refinancing the Projects;

*WHEREAS*, to secure its obligations under the 2011 Contract, the County executed and delivered a Deed of Trust, Security Agreement and Fixture Filing (the "*Deed of Trust*") related to the County's fee simple interest in the sites of Bunker Hill High School and Bandys High School and the improvements thereon;

*WHEREAS*, the County staff has reported to the Board of Commissioners (the "*Board of Commissioners*") that the County may be able to achieve debt service savings by refinancing the County's installment payment obligations under 2011 Contract by refunding the 2011 Bonds;

*WHEREAS*, based on the foregoing, the Board of Commissioners determines that it is in the best interest of the County to proceed with the process to refinance the County's installment payment obligations related to the 2011 Bonds to the extent the County can achieve debt service savings;

*WHEREAS*, the Board of Commissioners hereby determines that it is in the best interest of the County to (1) enter into an installment financing contract (the "*Contract*") in order to refinance the Projects by refunding the 2011 Bonds and (2) in order to provide security for the County's obligations under the Contract, grant to the Lender a security interest under a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") in the County's fee simple interest in the sites of Bunker Hill High

School and Bandys High School, together with all improvements and fixtures located thereon (collectively, the “*Mortgaged Property*”), as the Lender may require;

*WHEREAS*, the County staff has retained (1) Parker Poe Adams & Bernstein LLP, as special counsel (“*Special Counsel*”) and (2) First Tryon Advisors, as financial advisors (the “*Financial Advisor*”), in connection with the proposed installment financing;

*WHEREAS*, the County staff has solicited requests for proposal from financial institutions for the installment financing and recommends selecting JPMorgan Chase Bank (the “*Lender*” and, collectively with Special Counsel and the Financial Advisor, the “*Financing Team*”);

*WHEREAS*, the County will enter into the Contract on a forward delivery basis such that it will agree with the Lender to lock the interest rate on the Contract and execute and deliver the Contract on or about October 1, 2021;

*WHEREAS*, the Board of Commissioners hereby determines that the Projects continue to be essential to the County’s proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Projects provide an essential use and permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

*WHEREAS*, the Board of Commissioners hereby determines that such cost of refinancing the Projects exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

*WHEREAS*, although the cost of refinancing the Projects pursuant to the Contract and the Deed of Trust is expected to exceed the cost of refinancing the Projects pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of refinancing the Projects pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of refinancing the Projects; and (3) insufficient revenues are produced by the Projects so as to permit a revenue bond financing;

*WHEREAS*, the Board of Commissioners hereby determines that the estimated cost of refinancing the Projects pursuant to the Contract and the Deed of Trust allows the County to refinance the Projects at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County and reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

*WHEREAS*, the County does not anticipate a future property tax increase to pay installment payments falling due under the Contract; however, any increase in taxes that may be necessary will not be excessive;

*WHEREAS*, Special Counsel will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any money due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the Local Government Commission of North Carolina (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract, the Deed of Trust and the refinancing of the Projects, after publication of a notice with respect to such public hearing, was held on August 3, 2020 and approval of the LGC with respect to entering the Contract must be received; and

*NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CATAWBA, NORTH CAROLINA, AS FOLLOWS:*

Section 1. **Authorization to Negotiate the Contract and the Deed of Trust.** The County Manager and the Assistant County Manager/CFO, with advice from the County Attorney and Special Counsel, are hereby authorized and directed to negotiate on behalf of the County (1) the refinancing of the Projects for a principal amount not to exceed \$12,500,000 under the Contract to be entered into with the Lender in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina, as amended, and (2) the provision of a security interest under the Deed of Trust in the County's fee simple interest in the site of Bunker Hill High School and Bandys High School, together with all improvements and fixtures located thereon, as may be required by the Lender providing the funds to the County under the Contract to secure the County's obligations thereunder.

Section 2. **Application to LGC.** The Assistant County Manager/CFO, or his designee, is hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the County and its financial condition as may be required by the LGC.

Section 3. **Approval of the Financing Team.** The Financing Team is hereby approved in connection with the refinancing of the Projects. The County Manager and the Assistant County Manager/CFO are each hereby authorized to retain other persons or organizations as may be necessary and appropriate to carry out the intention of this Resolution.

Section 4. **Ratification.** All actions of the County and its officials, whether previously or hereafter taken in effectuating the proposed financing as described herein, are hereby ratified, authorized and approved.

Section 5. **Repealer.** All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.



Section 6. *Effective Date.* This Resolution is effective on the date of its adoption.

Read, approved and adopted this 3rd day of August, 2020.

STATE OF NORTH CAROLINA            )  
  )  
COUNTY OF CATAWBA                )        SS:

I, Barbara E. Morris, Clerk to the Board of Commissioners of the County of Catawba, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled **“RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CATAWBA, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF A REFUNDING INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the Board of Commissioners of the County of Catawba, North Carolina, at a meeting held on the 3rd day of August, 2020.

***WITNESS*** my hand and the corporate seal of the County of Catawba, North Carolina, this the \_\_\_\_ day of August, 2020.

[Seal]

\_\_\_\_\_  
Clerk to the Board of Commissioners  
County of Catawba, North Carolina

**MEMORANDUM**

**TO:** Catawba County Board of Commissioners  
**FROM:** Finance and Personnel Subcommittee  
**DATE:** August 3, 2020  
**SUBJECT:** CVCC Stream Bank Repair and Stabilization

**Request:**

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves the transfer of \$775,000 from Paving (\$530,000) and HVAC Replacement (\$245,000) projects for stream bank repair and stabilization behind CVCC’s main campus.

**Background:**

During Fiscal Year 2019/20, the Board of Commissioners appropriated a total of \$1,725,000 to CVCC based on engineering plans completed in the Spring of 2020 to address critically needed stream bank repair and stabilization caused by extensive erosion and damage to the natural embankments of the creek that runs behind the main campus. Failure to stabilize and repair these slopes and embankments will result in further damage to the natural landscape, and puts other infrastructure and facilities (storm system manholes, sanitary sewer mains, parking lots, and the wet pond completed in association with the Workforce Solutions Center) at risk.

The project was formally bid in June and only three contractors responded. The lowest bid was more than \$645,000 over budget and the other two were \$1 million over budget. Two local contractors that were expected to bid chose not to due to their existing workload. An additional \$775,000 is needed to complete the project, including 12% contingency.

CVCC proposes to fund the overage from existing capital projects. The college received \$530,000 to repave areas in close proximity to the stream bank that need to wait until after the stream bank restoration project is complete. The remaining \$245,000 is requested from an HVAC Replacement project. Replacement funds for both projects will be requested in future years.

**Recommendation:**

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves the transfer of \$775,000 from Paving (\$530,000) and HVAC Replacement (\$245,000) projects for stream bank repair and stabilization behind CVCC’s main campus.

**Transfer of Appropriation:**

From:

420-750100-862200-34100-3-18	CVCC-Paving	\$530,000
420-750100-862200-34100-3-38	CVCC – HVAC Replacement	\$245,000

To:

420-750100-862200-34100-3-59	CVCC Stream Bank Repair & Stabilization	\$775,000
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## MEMORANDUM

**TO:** Catawba County Board of Commissioners Meeting  
**FROM:** Finance and Personnel Subcommittee  
**DATE:** August 3, 2020  
**SUBJECT:** CVCC Cosmetology Facility Up-fit

**Request:**

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves the transfer of \$2,921,983 from the Engineering Building Renovations project to a Cosmetology Center project for the up-fit of the new facility and commitment to fund the project with cash reserves instead of planned debt financing.

**Background:**

Lat Purser & Associates, Inc. and Neill Construction Company are in the process of developing 23 acres across the street from CVCC on Startown Road into affordable housing and commercial space. As part of the project, the developers have entered into a partnership with CVCC to dedicate 10,000 square feet of commercial space to a new Cosmetology Center, with an annual lease cost of approximately \$200,000 plus initial up-fit costs of roughly \$2.9 million, including furniture.

This partnership with private developers affords the college a unique opportunity to develop new space that will double the program's student capacity to 90-100 to better accommodate demand (20 students are turned away annually with the current capacity of 50 students). It will also allow the college to expand the cosmetology program to offer credentialing in all spa related services except massage.

With the Fiscal Year 2019/20 budget, the Board of Commissioners appropriated \$3 million to CVCC for renovations to the Engineering Building vacated with the opening of the Workforce Solutions Center for use by Challenger High School. To date, just over \$80,000 has been spent for architect and design fees. The planned renovations for Challenger High School aren't time sensitive and can be postponed without jeopardizing programming. CVCC therefore requests to repurpose the funds for this project.

Originally, the County planned to finance the Engineering Building Renovations. Due to delays in approved projects, sufficient funds exist to pay for the Cosmetology Center up-fits with cash instead of debt financing.

**Recommendation:**

The Finance and Personnel Subcommittee recommends the Board of Commissioners approves the transfer of \$2,921,983 from the Engineering Building Renovations project to a Cosmetology Center project for the up-fit of the new facility and commitment to fund the project with cash reserves instead of planned debt financing.

**Transfer of Appropriation:**

From:

423-740100-862200-34100-3-51	Engineering Building Renovations	\$2,921,983
423-740100-690450	Proceeds – Installment Purchase	\$3,000,000

To:

423-740100-862200-34100-3-59	CVCC Cosmetology Center	\$2,921,983
423-740100-690100	Fund Balance Applied	\$3,000,000

**Partial Project Closures:**

423-740050-993100-30050-9-01	Future Projects	(\$850,000.00)
423-740050-993600-30050-9-03	Future Debt Service	(\$2,150,000.00)