

Regular Meeting August 3, 2020

A regular meeting of the Nash County Board of Commissioners was held at 9:00 AM, August 3, 2020 in the Frederick B. Cooper, Jr. Commissioners' Room at the Claude Mayo, Jr. Administration Building in Nashville, NC.

Present were Chairman Robbie B. Davis and Commissioners Fred Belfield, Jr., Dan Cone, Sue Leggett, J. Wayne Outlaw, Lou M. Richardson, and Mary P. Wells.

Others present at the meeting were Adam Tyson, Doris Sumner, Andy Hagy, Stacie Shatzer, Donna Wood, Janice Evans, Zee B. Lamb, Vince Durham, Battle, Winslow, Scott & Wiley and other staff members and members of the public.

Chairman Davis called the meeting to order and provided a brief explanation regarding prayer and the Pledge of Allegiance in Nash County. He stated it is customary that Nash County starts each meeting with a prayer by a Commissioner and Pledge of Allegiance and that anyone wishing to participate in the prayer, moment of silence, or a prayer of their own choice was welcomed.

Chairman Davis called on Ms. Mary P. Wells for the invocation and Mr. J. Wayne Outlaw to lead the Pledge of Allegiance.

Chairman Davis asked the Board to consider approval of the minutes.

On motion of J. Wayne Outlaw seconded by Fred Belfield, Jr. and duly passed that the minutes of the July 6, 2020 regular meeting and July 8, 2020 recessed meeting be approved.

Chairman Davis provided a brief explanation of Nash County's Public Comment Policy and asked for any public comments.

Ms. Dorothy Gibson Battle of Taylors Store Road, Nashville spoke on what she alleged is illegal firearms training by Mr. Ted Williams.

Commissioner Fred Belfield, Jr. requested a moment of silence in memory and honor of Congressman John Lewis.

Mr. Andy Hagy, Nash County Economic Development Director provided an introduction of Mr. Ryan Combs, Executive Director, Research Triangle Regional Partnership. Mr. Hagy advised that Nash County is now a member of the Research Triangle Regional Partnership.

Mr. Combs made a presentation to the Board on the Research Triangle Regional Partnership.

Mr. Jonathan Boone, Engineer/Director of Public Utilities and Facilities made a presentation to the Board and provided an update on the Nash County Detention Center – Facilities.

Chairman Davis provided a brief update on behalf of the Sheriff on the Nash County Sheriff's Office Detention Center (Operations).

Mr. Adam Tyson, Planning Director presented for the Board's consideration a Conditional Use Rezoning Request CU-200701 & Subdivision Sketch Plan with Waiver Request for the Williams Grove Subdivision on Stoney Hill Church Road. He requested a quasi-judicial public hearing, adoption of a consistency statement, approval or denial of the zoning map amendment, and approval or denial of the conditional use permit and subdivision waiver request. He also requested the following report, maps, and documents be accepted as evidence in this case for consideration during the following quasi-judicial public hearing.

Nash County
Commissioner's Agenda Information Sheet
Date: August 3, 2020

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Attachments: 6

Item: Quasi-Judicial Public Hearing on Conditional Use Rezoning Request CU-200701 & Subdivision Sketch Plan with Waiver Request for the Williams Grove Subdivision on Stoney Hill Church Road.

Initiated By: Adam Tyson, Planning Director

Actions Proposed: Hold a quasi-judicial public hearing, adopt a consistency statement, approve or deny the zoning map amendment, and approve or deny the conditional use permit and subdivision waiver request.

Notice of Public Hearing:

Mailed Notice: July 21, 2020 (To Property Owners Within 600 Feet)
Published Notice: July 22, 2020 (The Enterprise)
July 23, 2020 & July 30, 2020 (The Rocky Mount Telegram)
Posted Notice: July 23, 2020 (On the Subject Property)

Property Tax ID: PIN # 277500819743 / Parcel ID # 001342 (Approx. 68.88 Acres)

Commissioner District: District #4 – Sue Leggett

Description of the Subject Property:

The subject property is an approximately 68.88 acre tract of land owned by the C. T. Williams Corporation and located on the north side of Stoney Hill Church Road in the R-40 (Single-Family Residential) Zoning District. The property is located northeast of the Town of Bailey in the area known as the Green Pond Community and is across Stoney Hill Church Road from the recently developed

Phases I & II of the Williams Ridge Subdivision, which includes twenty (20) new residential lots.

The site is mostly undeveloped and has previously been used for agricultural crop production with the exception of one existing residential dwelling located at 3326 Stoney Hill Church Road.

The property is located within the Neuse River Basin and it is not located within a regulated floodplain, although the northern and eastern portions are impacted by Reedy Branch and its associated 50-foot wide riparian stream buffer. The site is also located in the WS-III-BW Watershed Protection Overlay District, meaning that no lots intended for single-family residential use may be subdivided with less than 20,000 square feet of area for water quality protection purposes, regardless of the zoning classification.

Description of the Rezoning Request:

The property owner has submitted Conditional Use Rezoning Request CU-200701 in order to rezone the subject property from R-40 (Single-Family Residential) to RA-30-CU (Single-Family Residential Conditional Use), specifically for the development of the Williams Grove Subdivision.

The RA-30 (Single-Family Residential) Zoning District is “*primarily intended to accommodate low density single-family detached dwellings on large lots*” (UDO Article IX, Section 9-1, Subsection 9-1.2 C.)

Approval of the requested rezoning would have five substantial impacts on the subject property:

- (1) The permitted residential density would increase by reducing the required minimum lot area from 40,000 square feet per lot to 30,000 square feet per lot, allowing for the potential development of up to 33% (or 1/3) more lots.**
- (2) The following nine land uses, which are permitted for development under some circumstances in the current R-40 Zoning District, would no longer be permitted for development under the proposed RA-30 Zoning District: double-wide (Class A) manufactured homes, rural family occupations, nursing and convalescent homes, solar farms, non-hazardous solid waste disposal collection sites, utility field offices, water treatment plants, horse shows, and/or turkey shoots. (See the included excerpt from UDO Article IX, Table 9-3-1.)**
- (3) The subject property may only be developed in accordance with the proposed site plan, which in this case is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.**
- (4) The subject property would no longer be eligible to be subdivided using the cluster development option because that option is not utilized on the proposed site plan.**
- (5) Due to the “conditional” nature of this rezoning, reasonable site-specific conditions addressing the development’s compatibility with the surrounding properties and its compliance with the applicable Ordinance requirements may be attached to the approval of the request with the consent of the applicant.**

Review of Recent Rezoning Actions:

On December 2, 2019 the Board of Commissioners **DENIED** a request to rezone this tract (along with three additional tracts) to a general RA-30 (Single-Family Residential) Zoning District, due to the Board's determination that the request was premature at that time until the Williams Ridge Subdivision located across Stoney Hill Church Road was further developed in order to demonstrate the compatibility of that recently created RA-30 Zoning District with the surrounding area (**Case File #Z-191101.**)

On June 1, 2020 the Board of Commissioners **DENIED** a request to rezone this tract (along with two additional tracts) to a general RA-20 (Medium Density Residential) Zoning District, due to the Board's determination that the request would be unreasonable "spot zoning," finding that the reduced minimum lot area (20,000 square feet per lot) permitted by the requested RA-20 Zoning District would allow residential development that would be too dense to be compatible with the predominantly rural and low-density development conditions of the surrounding area (**Case File #Z-200501.**)

Land Development Plan Consistency:

Conditional Use Rezoning Request CU-200701 is consistent with the recommendations of the Nash County Land Development Plan (LDP) because:

- (1) The LDP designates the subject property as Suburban Growth Area.
- (2) The LDP supports the rezoning of property located within the Suburban Growth Area to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.
- (3) The subject property has access to Nash County public water service via an existing four-inch (4") waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
- (4) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
- (5) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.

Spot Zoning Analysis:

Conditional Use Rezoning Request CU-200701 is not "spot zoning" because:

- (1) The request is an expansion of the adjacent, existing approximately 24 acre RA-30 Zoning District previously established on the south side of Stoney Hill Church Road between Juniper Road and Chapman Road for the development of the Williams Ridge Subdivision.
- (2) The large size of the subject property (approximately 68.88 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a single, small, isolated area.

- (3) The subject property has unique access to existing public water service and its soil conditions are favorable for the installation of on-site septic systems.
- (4) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
- (5) The subject property already is and will continue to be zoned for residential use.
- (6) While the requested RA-30 Zoning District will allow smaller minimum lot areas and higher density residential development, it is also more restrictive in terms of permitted land uses than the current R-40 Zoning District.
- (7) Due to the “conditional” nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan, which is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.

Description of the Proposed Site Plan / Major Subdivision Sketch Plan:

Joyner Keeny, PLLC has submitted the Major Subdivision Sketch Plan for the Williams Grove Subdivision to serve as the required site plan for the conditional use rezoning request. The sketch plan proposes the development of seventy-eight (78) new residential lots on the subject property along the existing Stoney Hill Church Road public right-of-way as well as along two proposed new 50-foot wide public road rights-of-way (labeled as Roads “A” & “B”).

All the proposed lots either meet or exceed the 30,000 square foot minimum lot area and 100 foot minimum lot width requirements of the requested RA-30 Zoning District.

The sketch plan proposes the creation of a special purpose lot served by a private access easement in the interior of the subject property in order to preserve an existing cemetery.

Several of the proposed lots located along the northern and eastern perimeter of the subject property will be impacted by the 50-foot wide riparian stream buffer associated with Reedy Branch.

The Bailey USPS Postmaster has determined that this development will require the installation of a shared cluster box unit (CBU) mailbox kiosk for centralized mail delivery. The sketch plan currently designates a special purpose lot for the mailbox kiosk located immediately adjacent to the eastern side of proposed Lot 1 with a 10-foot wide easement along the Stoney Hill Church Road public right-of-way to allow for pedestrian access. The final location of the mailbox kiosk will be subject to the approval of both the USPS Postmaster and the NCDOT District Engineer.

The sketch plan identifies Lots 1-18 as the first phase of the subdivision planned for development.

Description of the Subdivision Waiver Request:

The Nash County Unified Development Ordinance (UDO) Article X, Section 10-7, Subsection 10-7.2 (F) requires that residential lots subdivided with direct vehicular access to roads "*having significant traffic mobility concerns*" (meaning an estimated average daily traffic, or ADT, exceeding 1,000 vehicles per day) must include either 100 feet of extra lot width in addition to the standard required 100 feet per lot or at least 50 feet of extra lot width and up to 50,000 square feet of additional lot area. These regulations are intended to limit the proliferation of driveway access points located along these heavily traveled roadways in order to decrease the potential for traffic accidents.

The UDO specifies, “ADT shall be calculated by using the latest NCDOT published data plus 3% for each year in which current information is not available and then adding 10 trips per lot proposed in the subdivision.” According to the following figures, the proposed development of the Williams Grove Subdivision will classify Stoney Hill Church Road as a road “having significant traffic mobility concerns” with an ADT exceeding 1,000 vehicles per day.

Stoney Hill Church Road (State Road #1109)

Latest NCDOT Published Annual Average Daily Traffic for Year 2018:	500
Estimated Additional 3% for Year 2019:	+15
Estimated Additional 3% for Year 2020:	+15
<u>78 Proposed New Residential Subdivision Lots x 10 Additional Trips Each:</u>	<u>+780</u>
New Average Daily Traffic (ADT):	1,310

While proposed Lots 1-33 located directly along Stoney Hill Church Road all include sufficient lot width to satisfy the standard minimum dimensional requirements of the zoning district (100 feet), none of them is wide enough to meet the additional requirements for lots located along a high traffic road.

However, UDO Article X, Section 10-7, Subsection 10-7.2 (F) & Section 10-8 specifically authorize the Board of Commissioners to grant waivers of these additional lot width requirements, provided that the developer demonstrates either a “physical hardship” or “equal or better performance in the furtherance of the purposes of the Ordinance.”

Therefore, the developer has requested a waiver of the additional lot width required along high traffic roads for Lots 1-33 on the grounds that the waiver “will result in equal or better performance in the furtherance of the purposes of the Ordinance” subject to the establishment of fifteen 20-foot wide private access easements for joint driveways to be located along almost every other shared lot boundary instead of 33 separate individual driveways. (Lot 5 must be accessed by new Road “A” only and Lots 22 & 23 must be accessed by new Road “B” only.)

The access easements will serve to restrict the points of vehicular access allowed along the Stoney Hill Church Road public right-of-way in accordance with the intent of the Ordinance and the establishment of a 5-foot wide non-access easement along the remaining frontage will discourage the construction of additional driveways in the future.

TRC Recommendation:

The Nash County Technical Review Committee (TRC) considered Conditional Use Rezoning Request CU-200701 and the Major Subdivision Sketch Plan with Subdivision Waiver Request for the Williams Grove Subdivision on July 2, 2020 and recommended **APPROVAL** based on its determination that the rezoning request is reasonable, in the public interest, consistent with the recommendations of the Nash County Land Development Plan, and not “spot zoning” as well as its determination that the requested waiver will result in equal or better performance in the furtherance of the purposes of the Ordinance and that the proposed subdivision design is otherwise consistent with the applicable standards of the UDO, subject to the suggested development **CONDITIONS** listed below.

Planning Board Recommendation:

The Nash County Planning Board considered Conditional Use Rezoning Request CU-200701 and the Major Subdivision Sketch Plan with Subdivision Waiver Request for the Williams Grove Subdivision on July 20, 2020. One adjoining property owner addressed the Board via email in support of the request.

The Planning Board voted **6 to 1** to recommend:

- (1) **APPROVAL of Consistency Statement ‘A’ below** – finding the request to be reasonable, in the public interest, consistent with the recommendations of the Nash County Land Development Plan, and not “spot zoning;”
- (2) **APPROVAL** of the request to rezone the approximately 68.88 acres to the RA-30-CU (Single-Family Residential Conditional Use) Zoning District; and
- (3) **APPROVAL** of the conditional use permit and subdivision waiver requested to authorize the development of the Williams Grove Subdivision based on the suggested conclusions with supporting findings of fact and subject to the suggested development **CONDITIONS**.

Suggested Motions:

MOTION #1: ADOPT A CONSISTENCY STATEMENT:

*I move that the Nash County Board of Commissioners adopt **Consistency Statement ‘A’ or ‘B’ (choose one from below)** related to Conditional Use Rezoning Request CU-200701.*

Consistency Statement ‘A’ (For APPROVAL):

Conditional Use Rezoning Request CU-200701 is:

- (1) Reasonable and in the public interest.
- (2) Consistent with the recommendations of the Nash County Land Development Plan (LDP) because:
 - (a) The LDP designates the subject property as Suburban Growth Area.
 - (b) The LDP supports the rezoning of property located within the Suburban Growth Area to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.
 - (c) The subject property has access to Nash County public water service via an existing four-inch (4”) waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
 - (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
 - (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
- (3) Not “spot zoning” because:
 - (a) The request is an expansion of the adjacent, existing approximately 24 acre RA-30 Zoning District previously established on the south side of Stoney Hill Church Road between Juniper Road and Chapman Road for the development of the Williams Ridge Subdivision.
 - (b) The large size of the subject property (approximately 68.88 acres) demonstrates that approval of the request will establish a new zoning district within which

multiple residential lots may be subdivided, rather than creating a single, small, isolated area.

- (c) The subject property has unique access to existing public water service and its soil conditions are favorable for the installation of on-site septic systems.
- (d) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
- (e) The subject property already is and will continue to be zoned for residential use.
- (f) While the requested RA-30 Zoning District will allow smaller minimum lot areas and higher density residential development, it is also more restrictive in terms of permitted land uses than the current R-40 Zoning District.
- (g) Due to the “conditional” nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan, which is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.

--- OR ---

Consistency Statement ‘B’ (For DENIAL):

Conditional Use Rezoning Request CU-200701 is:

- (1) Consistent with the recommendations of the Nash County Land Development Plan (LDP) because:
 - (a) The LDP designates the subject property as Suburban Growth Area.
 - (b) The LDP supports the rezoning of property located within the Suburban Growth Area to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.
 - (c) The subject property has access to Nash County public water service via an existing four-inch (4”) waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
 - (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
 - (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
- (2) Not “spot zoning” because:
 - (a) The request is an expansion of the adjacent, existing approximately 24 acre RA-30 Zoning District previously established on the south side of Stoney Hill Church Road between Juniper Road and Chapman Road for the development of the Williams Ridge Subdivision.
 - (b) The large size of the subject property (approximately 68.88 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a single, small, isolated area.
 - (c) The subject property has unique access to existing public water service and its soil conditions are favorable for the installation of on-site septic systems.
 - (d) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
 - (e) The subject property already is and will continue to be zoned for residential use.
 - (f) While the requested RA-30 Zoning District will allow smaller minimum lot areas and higher density residential development, it is also more restrictive in terms of permitted land uses than the current R-40 Zoning District.

- (g) Due to the “conditional” nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan, which is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.
- (3) However, the rezoning request is not reasonable, not in the public interest, and premature at this time until the Williams Ridge Subdivision located across Stoney Hill Church Road is further developed in order to demonstrate the compatibility of that recently created RA-30 Zoning District with the surrounding area.
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MOTION #2: APPROVE OR DENY THE ZONING MAP AMENDMENT:

*I move that the Nash County Board of Commissioners **APPROVE or DENY (choose one)** Conditional Use Rezoning Request CU-200701 to rezone approximately 68.88 acres located on the north side of Stoney Hill Church Road, Bailey, NC 27807 from R-40 (Single-Family Residential) to RA-30-CU (Single-Family Residential Conditional Use).*

MOTION #3: APPROVE OR DENY THE CONDITIONAL USE PERMIT & SUBDIVISION WAIVER REQUEST:

*I move that the Nash County Board of Commissioners **APPROVE or DENY (choose one)** Conditional Use Permit CU-200701 to authorize the development of the Williams Grove Subdivision on the subject property based on the following conclusions with supporting findings of fact and subject to the following development **CONDITIONS**.*

Conclusions with Supporting Findings of Fact:

- (1) **The proposed development will not materially endanger the public health or safety because the Major Subdivision Sketch Plan for the Williams Grove Subdivision has been reviewed for safety considerations by the N.C. Department of Transportation District Engineer in his capacity as a member of the Technical Review Committee.**
- (2) **The proposed development will not substantially injure the value of adjoining or abutting property because the conditional use nature of the request will require the subject property to be developed in accordance with the approved Major Subdivision Sketch Plan for the Williams Grove Subdivision.**
- (3) **The proposed development will be in harmony with the area in which it is to be located because the Williams Grove Subdivision will be similar to other existing residential developments in the surrounding area.**
- (4) **The proposed development will be in general conformity with the Nash County Land Development Plan (LDP) because:**
 - (a) **The LDP designates the subject property as Suburban Growth Area.**
 - (b) **The LDP supports the rezoning of property located within the Suburban Growth Area to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.**
 - (c) **The subject property has access to Nash County public water service via an existing four-inch (4”) waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.**

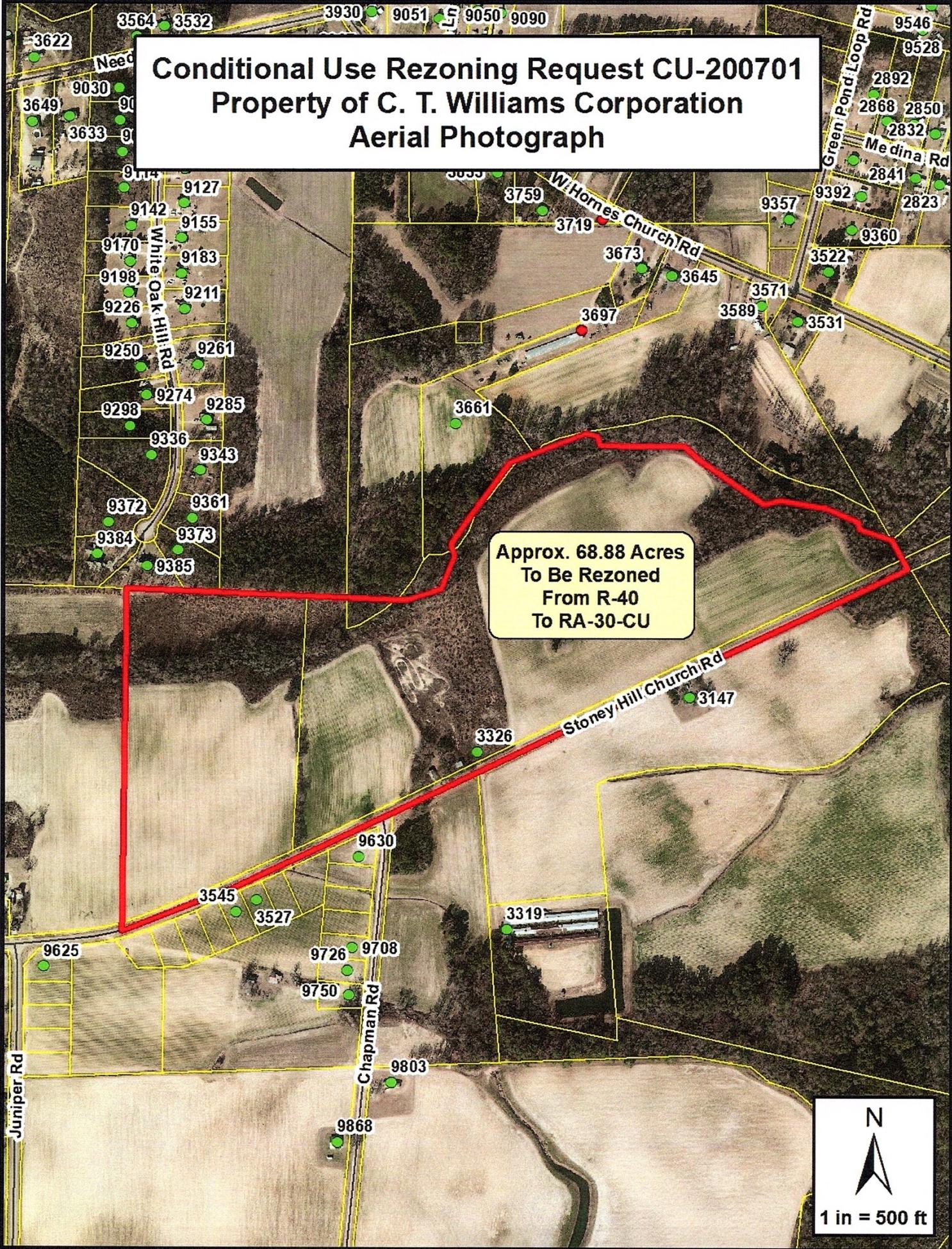
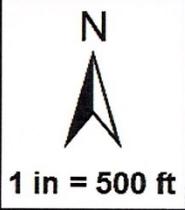
- (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
- (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.

Development Conditions:

- (1) The subject property shall only be developed in accordance with the approved Major Subdivision Sketch Plan for the Williams Grove Subdivision.
- (2) The subject property may be developed for any of the land uses as permitted in the RA-30 (Single-Family Residential) Zoning District in accordance with the standard requirements and procedures established for that district by the Nash County Unified Development Ordinance.
- (3) All residential lots subdivided from the subject property shall be served by the Nash County Public Water System.
- (4) The development of the Williams Grove Subdivision is subject to the waiver of the standards of the Nash County Unified Development Ordinance (UDO) Article X, Section 10-7, Subsection 10-7.2 (F) "Lots on Roads with Capacity Deficiencies" granted by the Nash County Board of Commissioners on August 3, 2020 on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the Ordinance in accordance with UDO Article X, Section 10-8 "Waivers." No additional driveways or points of vehicular access other than those designated on the approved Major Subdivision Sketch Plan shall be permitted or constructed on the subject property along the Stoney Hill Church Road public right-of-way.
- (5) The final location of the shared cluster box unit (CBU) mailbox kiosk required for centralized mail delivery shall be subject to the approval of both the Bailey USPS Postmaster and the NCDOT District Engineer.
- (6) Substantial design modifications or revisions to the approved sketch plan may require additional review by the Nash County Planning Board and re-approval by the Nash County Board of Commissioners at the discretion of the Zoning Administrator.

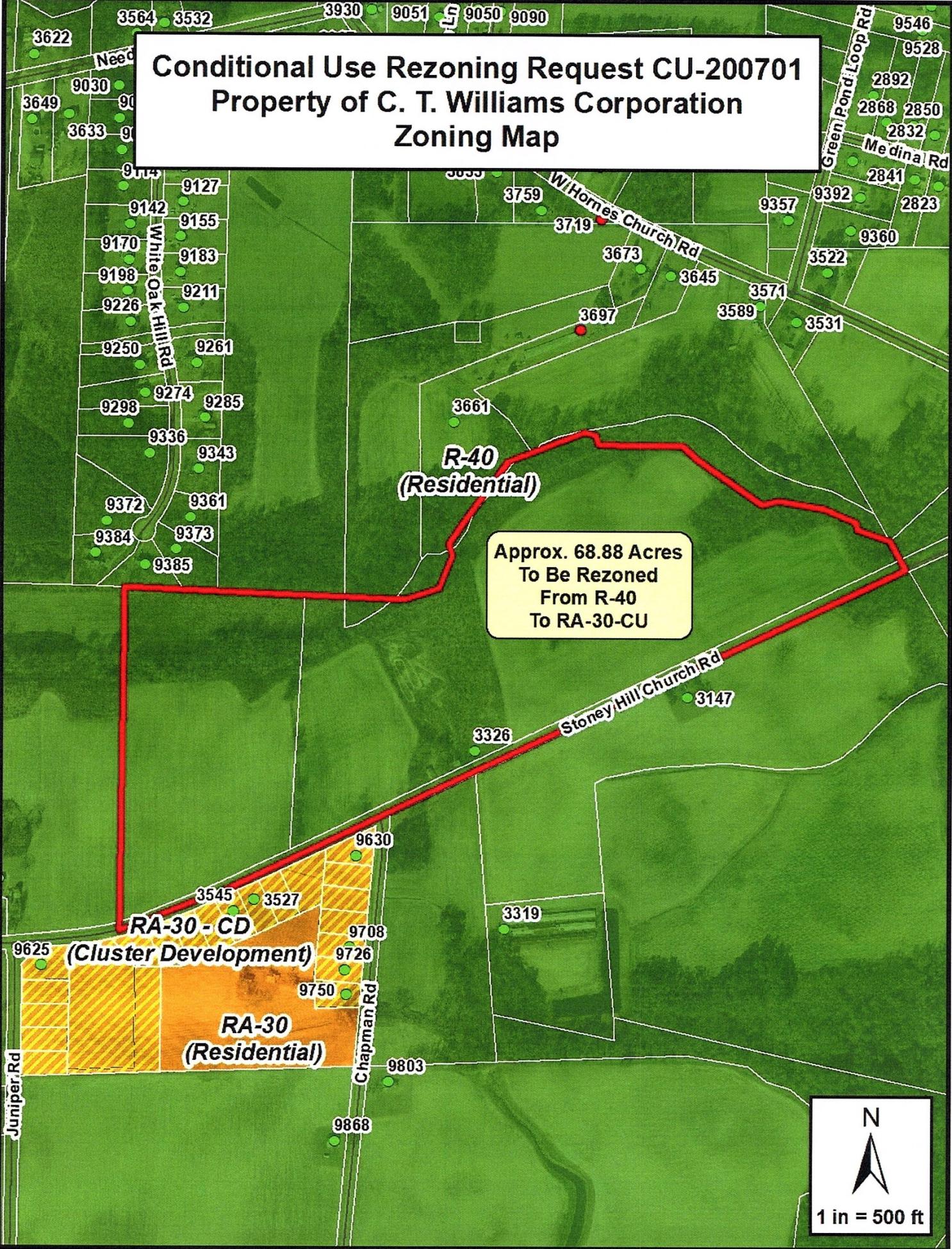
**Conditional Use Rezoning Request CU-200701
Property of C. T. Williams Corporation
Aerial Photograph**

**Approx. 68.88 Acres
To Be Rezoned
From R-40
To RA-30-CU**



Parcel numbers visible on the map include: 3622, 3564, 3532, 3930, 9051, 9050, 9090, 3649, 9030, 3633, 9114, 9127, 9142, 9155, 9170, 9183, 9198, 9211, 9226, 9250, 9261, 9274, 9285, 9298, 9336, 9343, 9372, 9361, 9384, 9373, 9385, 3661, 3759, 3719, 3673, 3645, 3571, 3589, 3522, 3531, 9357, 9392, 9360, 9546, 9528, 2892, 2868, 2850, 2832, 2841, 2823, 3697, 3673, 3645, 3571, 3589, 3522, 3531, 3661, 3147, 3326, 3147, 9630, 3545, 3527, 3319, 9625, 9726, 9708, 9750, 9803, 9868, 9630, 3545, 3527, 3319, 9625, 9726, 9708, 9750, 9803, 9868.

**Conditional Use Rezoning Request CU-200701
Property of C. T. Williams Corporation
Zoning Map**



UDO Article IX, Table 9-3-1: Table of Permitted Uses (Excerpt)

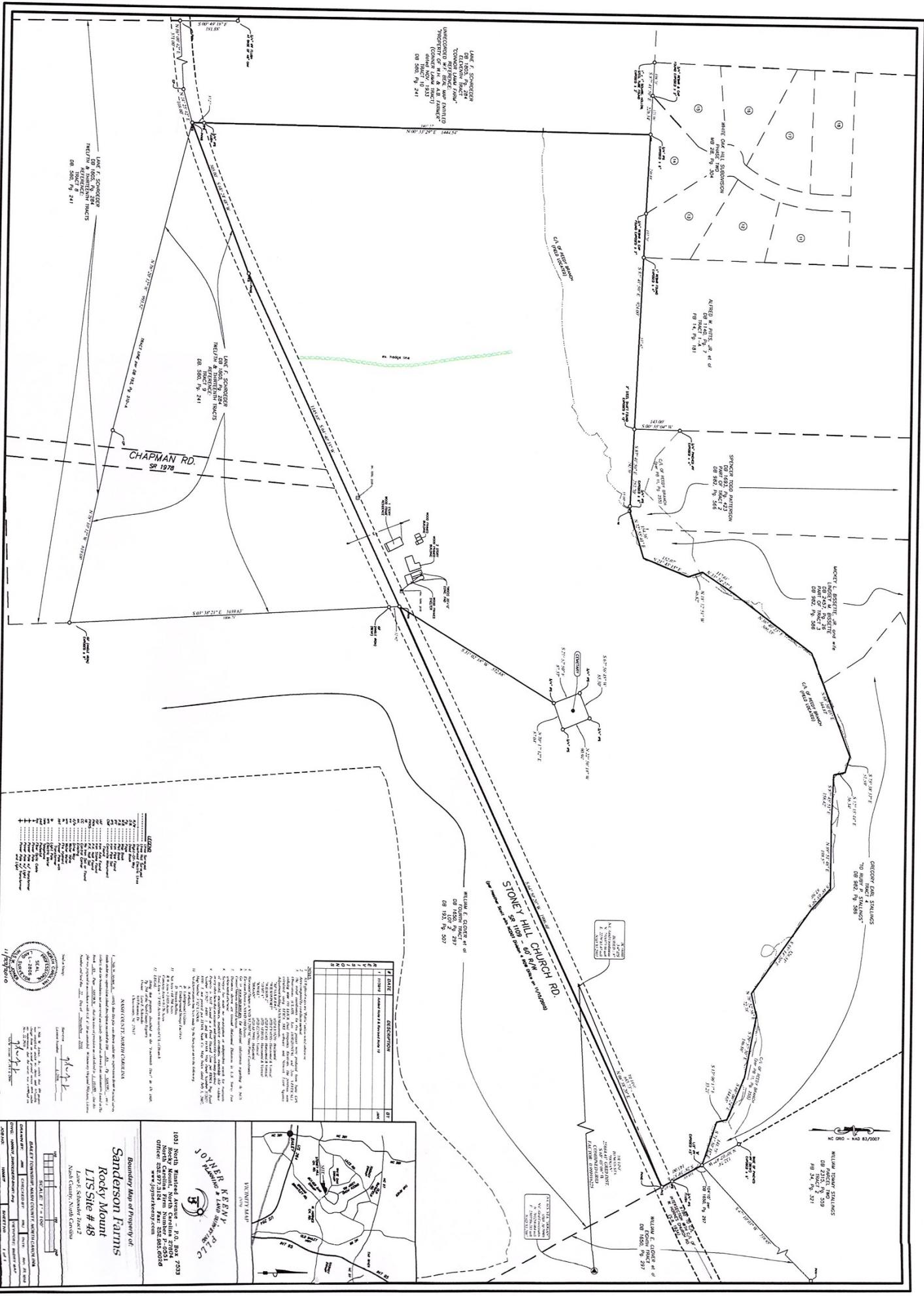
Land Use Type	Ref. SIC	Zoning Districts	
		R-40	RA-30
AGRICULTURAL USES			
Agricultural Production (Crops)	0100	P	P
Agricultural Production (Livestock)	0200	P	P
Forestry	0810	P	P
RESIDENTIAL USES			
Bed and Breakfast	7011	S	S
Family Care Home	0000	P	P
Modular Home	0000	P	P
Manufactured Home, Class A	0000	P	
Patio Homes	0000	D	D
Single-Family Detached Dwelling	0000	P	P
ACCESSORY USES AND STRUCTURES			
Accessory Uses and Structures (Customary)	0000	P	P
Emergency Shelter	0000	P	P
Home Occupation	0000	D	D
Rural Family Occupation	0000	S	
Satellite Dish Antenna	0000	D	D
Swimming Pool	0000	D	D
RECREATIONAL USES			
Athletic Fields	0000	S	S
Club	8640	S	S
Country Club with Golf Course	7997	S	S
Golf Course	7992	S	S
Public Park or Recreational Facility, Other	7990	D	D
Swim and Tennis Club	7997	S	S
EDUCATIONAL AND INSTITUTIONAL USES			
Cemetery or Mausoleum	0000	P	P
Church	8661	D	D
Day Care Center, Adult and Child	8320	S	S
Elementary or Secondary School	8211	P	P
Fire Station	9224	P	P
Library	8231	S	S
Nursing and Convalescent Home	8050	S	
Law Enforcement Station	9221	P	P
TRANSPORTATION, WAREHOUSING, AND UTILITIES			
Radio or Communication Tower Under 60' in Height	0000	P	P

P = Use permitted by Zoning Permit
D = Use permitted by Zoning Permit with development standards
S = Special Use Permit required
C = Conditional Use Permit required

UDO Article IX, Table 9-3-1: Table of Permitted Uses (Excerpt)

Land Use Type	Ref. SIC	Zoning Districts	
		R-40	RA-30
Radio or Communication Tower Over 60' in Height	0000	S	S
Solar Farm	0000	C	
Solid Waste Disposal (Non-Hazardous), Collection Sites, Convenience Centers, and Transfer Sites	4953	C	
Utility Field Office (Government Owned)	0000	S	
Utility Lines	0000	P	P
Utility Related Appurtenances, Substation	0000	D	D
Water Treatment Plant, Government Owned or Operated	0000	D	
OTHER USES			
Automobile Parking On Same Lot As Principal Use	0000	P	P
Horse Shows	7999	D	
Temporary Construction, Storage or Office; Real Estate Sales or Rental Office (With Concurrent Building Permit for Permanent Building)	0000	P	P
Temporary Hardship Manufactured Home	0000	S	S
Temporary Commercial Construction Office	0000	D	D
Temporary Construction/Repair Residence	0000	S	S
Temporary Emergency Repair Residence	0000	D	D
Turkey Shoots	0000	D	

P = Use permitted by Zoning Permit
D = Use permitted by Zoning Permit with development standards
S = Special Use Permit required
C = Conditional Use Permit required



LANE F. SCHONGER
 DB 1005, PG 244
 TOWNSHIP LAND GRANT
 UNRECORDED INSTRUMENT
 PROPERTY OF M. M. ASB LAMAR
 (Old map 1005)
 DB 500, PG 241

LANE F. SCHONGER
 DB 1005, PG 244
 TOWNSHIP LAND GRANTS
 DB 500, PG 241

LANE F. SCHONGER
 DB 1005, PG 244
 TOWNSHIP LAND GRANTS
 DB 500, PG 241

WHITE OAK HILL SUBDIVISION
 DB 201, PG 304

ARRESTER HILLS, S. & D.
 DB 114, PG 181

SPRINGWOOD SUBDIVISION
 DB 100, PG 200

WICKET RESERVE
 DB 202, PG 306

GREGORY DAIRY STALLS
 TO RIVER STALLS
 DB 302, PG 388

WILLIAM E. GOGGIN et al
 DB 1007, PG 207

WILLIAM E. GOGGIN et al
 DB 315, PG 359

LEGEND

1	Survey Boundary
2	Adjacent Property Boundary
3	Proposed Easement
4	Proposed Right-of-Way
5	Proposed Road
6	Proposed Utility
7	Proposed Structure
8	Proposed Fence
9	Proposed Well
10	Proposed Pond
11	Proposed Stream
12	Proposed Roadway
13	Proposed Right-of-Way
14	Proposed Utility
15	Proposed Structure
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35	Proposed Stream
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37	Proposed Right-of-Way
38	Proposed Utility
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77	Proposed Right-of-Way
78	Proposed Utility
79	Proposed Structure
80	Proposed Fence
81	Proposed Well
82	Proposed Pond
83	Proposed Stream
84	Proposed Roadway
85	Proposed Right-of-Way
86	Proposed Utility
87	Proposed Structure
88	Proposed Fence
89	Proposed Well
90	Proposed Pond
91	Proposed Stream
92	Proposed Roadway
93	Proposed Right-of-Way
94	Proposed Utility
95	Proposed Structure
96	Proposed Fence
97	Proposed Well
98	Proposed Pond
99	Proposed Stream
100	Proposed Roadway

Surveyed and Platted by
 J. M. H. HARRIS
 Surveyor
 State of North Carolina
 License No. 11785

NOTICE TO THE PUBLIC
 I, the undersigned, being a duly qualified and licensed Surveyor under the laws of the State of North Carolina, do hereby certify that the foregoing is a true and correct copy of the original survey and plat as the same appears in my office, and that the same has been duly recorded in the public records of the State of North Carolina.

Witness my hand and seal this 15th day of August, 2011.

J. M. HARRIS
 Surveyor

NO.	DATE	DESCRIPTION	BY
1	11/15/11	Surveyed and Platted	J.M.H.
2			
3			
4			
5			
6			
7			
8			
9			
10			

Boundary Map of Property of:
Sanderson Farms
 Rocky Mount
 LTS Site #48
 Lane F. Schonger Tract 2
 Nash County, North Carolina

101 North Mainland Avenue - P.O. Box 7033
 North Carolina Farm Number P-0531
 Office 252-734-3333 Fax 252-734-3333
 www.sandersonfarms.com

JOYNER KEEVY
 Surveyors & Land Administrators, PLLC

101 North Mainland Avenue - P.O. Box 7033
 North Carolina Farm Number P-0531
 Office 252-734-3333 Fax 252-734-3333
 www.sandersonfarms.com



DATE OF CONVEYANCE: 11/15/11
 COUNTY: NASH COUNTY
 INSTRUMENT NO.: 11785
 BOOK: 11785
 PAGE: 1

On motion of Sue Leggett seconded by Mary P. Wells and duly passed that the Board go into a public hearing.

Ms. Janice Evans, Clerk to the Board of Commissioners administered the oath for testimony to Mr. Tyson.

Ms. Evans administered the oath for testimony to Mr. Nick Rightmyer.

Ms. Evans administered the oath for testimony to Mr. John Williford.

Ms. Evans administered the oath for testimony to Mr. Cecil T. Williams.

Ms. Evans administered the oath for testimony to Mr. Joseph Michael Eatmon.

Mr. John Williford, Attorney, Fields & Cooper, PLLC, representing the applicant, C. T. Williams Corporation presented experts for questioning.

Mr. Nick Rightmyer, Joyner Keeny, PLLC, Engineer for the project, spoke stating that he prepared the site plan for the project and asked if there were any questions. He answered questions presented to him by Commissioners.

Mr. Cecil Thomas Williams, Jr., Applicant, testified under oath answering questions presented to him by Attorney Williford.

Mr. Williford presented legal argument under oath and asked the Board to adopt the consistency statement, approve the zoning map amendment, approve the conditional use permit, and approve the subdivision waiver request.

Mr. Joseph Michael Eatmon, Juniper Road, Bailey spoke in opposition to the rezoning request.

On motion of Fred Belfield, Jr. seconded by J. Wayne Outlaw and duly passed that the public hearing adjourn.

On motion of Fred Belfield, Jr. seconded Mary P. Wells and duly passed that the Nash County Board of Commissioners adopt **Consistency Statement 'A'** related to Conditional Use Rezoning Request CU-200701.

Consistency Statement 'A' (For APPROVAL):

Conditional Use Rezoning Request CU-200701 is:

- (1) Reasonable and in the public interest.
- (2) Consistent with the recommendations of the Nash County Land Development Plan (LDP) because:
 - (a) The LDP designates the subject property as Suburban Growth Area.
 - (b) The LDP supports the rezoning of property located within the Suburban Growth Area to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.

- (c) The subject property has access to Nash County public water service via an existing four-inch (4") waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
 - (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
 - (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.
- (3) Not "spot zoning" because:
- (a) The request is an expansion of the adjacent, existing approximately 24 acre RA-30 Zoning District previously established on the south side of Stoney Hill Church Road between Juniper Road and Chapman Road for the development of the Williams Ridge Subdivision.
 - (b) The large size of the subject property (approximately 68.88 acres) demonstrates that approval of the request will establish a new zoning district within which multiple residential lots may be subdivided, rather than creating a single, small, isolated area.
 - (c) The subject property has unique access to existing public water service and its soil conditions are favorable for the installation of on-site septic systems.
 - (d) The request is consistent with the recommendations of the Nash County Land Development Plan as established above.
 - (e) The subject property already is and will continue to be zoned for residential use.
 - (f) While the requested RA-30 Zoning District will allow smaller minimum lot areas and higher density residential development, it is also more restrictive in terms of permitted land uses than the current R-40 Zoning District.
 - (g) Due to the "conditional" nature of this rezoning request, the subject property may only be developed in accordance with the proposed site plan, which is the Major Subdivision Sketch Plan for the Williams Grove Subdivision.

On motion of Fred Belfield, Jr. seconded by Sue Leggett and duly passes that the Nash County Board of Commissioners **APPROVE** Conditional Use Rezoning Request CU-200701 to rezone approximately 68.88 acres located on the north side of Stoney Hill Church Road, Bailey, NC 27807 from R-40 (Single-Family Residential) to RA-30-CU (Single-Family Residential Conditional Use).

On motion of Fred Belfield, Jr. seconded by Mary P. Wells and duly passed that the Nash County Board of Commissioners **APPROVE** Conditional Use Permit CU-200701 to authorize the development of the Williams Grove Subdivision on the subject property based on the following conclusions with supporting findings of fact and subject to the following development **CONDITIONS**.

Conclusions with Supporting Findings of Fact:

- (1) **The proposed development will not materially endanger the public health or safety because the Major Subdivision Sketch Plan for the Williams Grove**

Subdivision has been reviewed for safety considerations by the N.C. Department of Transportation District Engineer in his capacity as a member of the Technical Review Committee.

- (2) The proposed development will not substantially injure the value of adjoining or abutting property because the conditional use nature of the request will require the subject property to be developed in accordance with the approved Major Subdivision Sketch Plan for the Williams Grove Subdivision.
- (3) The proposed development will be in harmony with the area in which it is to be located because the Williams Grove Subdivision will be similar to other existing residential developments in the surrounding area.
- (4) The proposed development will be in general conformity with the Nash County Land Development Plan (LDP) because:
 - (a) The LDP designates the subject property as Suburban Growth Area.
 - (b) The LDP supports the rezoning of property located within the Suburban Growth Area to the RA-30 (Single-Family Residential) Zoning District where public water service is available and where the soil conditions are suitable to accommodate the installation of on-site septic systems.
 - (c) The subject property has access to Nash County public water service via an existing four-inch (4") waterline installed along the immediately adjacent Stoney Hill Church Road public right-of-way. Furthermore, the Nash County Public Utilities Department has determined that the existing water system has sufficient capacity to accommodate the residential development of the subject property at the proposed density.
 - (d) The typical soil conditions of the area, as observed by the Nash County Environmental Health Division, appear generally sandy, well drained, and favorable for the installation of on-site septic systems.
 - (e) Permitting higher density residential development will help to accommodate the significant residential growth anticipated by the LDP for the Suburban Growth Area.

Development Conditions:

- (1) The subject property shall only be developed in accordance with the approved Major Subdivision Sketch Plan for the Williams Grove Subdivision.
- (2) The subject property may be developed for any of the land uses as permitted in the RA-30 (Single-Family Residential) Zoning District in accordance with the standard requirements and procedures established for that district by the Nash County Unified Development Ordinance.
- (3) All residential lots subdivided from the subject property shall be served by the Nash County Public Water System.
- (4) The development of the Williams Grove Subdivision is subject to the waiver of the standards of the Nash County Unified Development Ordinance (UDO) Article X, Section 10-7, Subsection 10-7.2 (F) "Lots on Roads with Capacity Deficiencies" granted by the Nash County Board of Commissioners on August 3, 2020 on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the Ordinance in accordance with UDO Article X, Section 10-8 "Waivers." No additional driveways or points of vehicular access other than those designated on the

approved Major Subdivision Sketch Plan shall be permitted or constructed on the subject property along the Stoney Hill Church Road public right-of-way.

- (5) The final location of the shared cluster box unit (CBU) mailbox kiosk required for centralized mail delivery shall be subject to the approval of both the Bailey USPS Postmaster and the NCDOT District Engineer.**
- (6) Substantial design modifications or revisions to the approved sketch plan may require additional review by the Nash County Planning Board and re-approval by the Nash County Board of Commissioners at the discretion of the Zoning Administrator.**

Chairman Davis called for a ten (10) minute recess.

Upon reconvening, Chairman Davis called on Mr. Tyson.

Mr. Tyson presented for the Board's consideration Subdivision Waiver Request for the North Halifax Acres Subdivision, Section 1 on N Halifax Road. He advised that both the TRC (Technical Review Committee) and the Planning Board voted unanimously to recommend **APPROVAL** based on determinations that the requested waiver will result in equal or better performance in the furtherance of the purposes of the Ordinance and that the proposed subdivision design is otherwise consistent with the applicable standards of the UDO (Unified Development Ordinance), subject to the suggested **CONDITIONS** listed below. He advised that Condition (1) is no longer relevant due to State notification and evaluation that the stream buffer will not apply.

Conditions for Final Plat Approval:

- (1) The developer shall submit a Stream Buffer Determination issued by the N.C. Department of Environmental Quality, Division of Water Resources for the existing swale located on Lots 1-5 and shall revise the subdivision design to accommodate a 50' wide riparian stream buffer on the final plat, if applicable.**
- (2) The 40' wide access and utility easement serving Lots 3, 4, 10, & 11 shall be assigned a new road name (preferably ending in "Lane") that has been reviewed and approved by both the Nash County Addressing Administrator and Nash County Emergency Services. The developer shall submit the required \$60.00 fee for the new road sign installation.**
- (3) Prior to the recording of the final plat, a Nash County Stormwater Management Permit for the subdivision shall be issued and recorded in the Nash County Register of Deeds. The developer shall submit the required \$26.00 recording fee.**
- (4) The following certificates from UDO Appendix 2, Section A-2-2 shall be added to the plat, as appropriate:**
 - (A) Certificate of Ownership (For Use With Minor Plats Only)**

- (C) Certificate of Minor Plat Approval
 - (F) Certificate of Survey and Accuracy
 - (H)(2) Private Roads Disclosure Statement (Easements)
 - (I)(1) Certification of Subdivision and Soils Report Review By The Nash County Health Department
 - (L)(a) Certificate of Purpose of Plat
 - (O) Review Officer Certification
 - (P) Riparian Buffer Note (If required by the Stream Buffer Determination.)
- (5) A road maintenance agreement for the 40' wide access and utility easement serving Lots 3, 4, 10, & 11 shall be recorded along with the final plat.

On motion of Lou M. Richardson seconded by Dan Cone and duly passed that the Nash County Board of Commissioners **APPROVE** the subdivision waiver request related to the Major Subdivision Final Plat for the North Halifax Acres Subdivision, Section 1, subject to the following **CONDITIONS**, with Condition (1) no longer being relevant due to State notification and evaluation that the stream buffer will not apply.

Conditions for Final Plat Approval:

- (1) The developer shall submit a Stream Buffer Determination issued by the N.C. Department of Environmental Quality, Division of Water Resources for the existing swale located on Lots 1-5 and shall revise the subdivision design to accommodate a 50' wide riparian stream buffer on the final plat, if applicable.
- (2) The 40' wide access and utility easement serving Lots 3, 4, 10, & 11 shall be assigned a new road name (preferably ending in "Lane") that has been reviewed and approved by both the Nash County Addressing Administrator and Nash County Emergency Services. The developer shall submit the required \$60.00 fee for the new road sign installation.
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- (4) The following certificates from UDO Appendix 2, Section A-2-2 shall be added to the plat, as appropriate:
 - (A) Certificate of Ownership (For Use With Minor Plats Only)
 - (C) Certificate of Minor Plat Approval
 - (F) Certificate of Survey and Accuracy
 - (H)(2) Private Roads Disclosure Statement (Easements)
 - (I)(1) Certification of Subdivision and Soils Report Review By The Nash County Health Department
 - (L)(a) Certificate of Purpose of Plat
 - (O) Review Officer Certification
 - (P) Riparian Buffer Note (If required by the Stream Buffer Determination.)
- (5) A road maintenance agreement for the 40' wide access and utility easement serving Lots 3, 4, 10, & 11 shall be recorded along with the final plat.

Mr. Hagy made a presentation to the Board on the New Nash County Economic Development website (www.selectnashnc.com) and advised that the website went live today, Monday, August 3, 2020.

Ms. Susan Phelps, Retail Economic Developer presented for the Board's consideration a request for a public hearing for the expenditure of Economic Development Funds.

On motion of Dan Cone seconded by J. Wayne Outlaw and duly passed that the Board go into a public hearing.

Ms. Phelps read the following statement from the applicant, Mr. T. Scott Aman, New Dixie Oil Corporation.

- Let me first share that I'm very thankful for the support of the Dortches community, the town leadership and Nash County leadership. This project will be awesome and something we all will be proud of.
- It has been and remains a work in progress, especially with the Covid/shutdown impacts as it relates to the food/restaurant industry.
- We shall remain patient and very optimistic as we work towards "securing" a preferred top tier food partner.
- Even with that.. we have much that we can proceed with and accomplish. Our goal is to do just that. As an example, in Selma... we pre-designed/planned and built a "cold dark shell" for a great food partner that created an awesome facility.
- We have already made significant investment in preparation including acquiring additional land, doing clearing and started some fill.
- We have been working closely with all town and county leadership to fine tune our site and intentions.
- Within these efforts and in this collaboration, it is believed that the wise solution for the counties septic line is to "line it in place where it is after we complete our fill to subgrade". This is the purpose of the grant request/need.
- Note that our plans show that we will have no structure/footings within the easement or on the sewer line. We will only add about 10' of fill and have paving/concrete drive over that.
- It is also mutually agreed that we will have a plan B in place that allows for a future easement around the perimeter of our property if ever the county needed to relocate it.
- It is very exciting when everyone works together for mutual success.
- We look forward to pushing forward with continued support of Nash County leadership.
- If you have any questions, please let me know.

Sincerely thankful,
Scott

T. Scott Aman, President
New Dixie Oil Corporation
New Dixie Mart
New Dixie Transports, Inc.
1501 Marshall Street
Roanoke Rapids, NC 27870
252-537-4118, Ext 221
www.newdixieoil.com

On motion of Mary P. Wells seconded by Lou M. Richardson and duly passed that the public hearing adjourn.

On motion of J. Wayne Outlaw seconded by Sue Leggett and duly passed that the Nash County Board of Commissioners approve the recommended use of Economic Development Funds to be paid to New Dixie Oil Corporation and the following budget allocation for Fiscal Year 2020-2021.

Economic Development Fund

Expenditure:

0104920-562130

Retail and Small Business Incentive \$20,000

On motion of Dan Cone seconded by Lou M. Richardson and duly passed that the Nash County Board of Commissioners approve the following Easement Relocation & Indemnity Agreement between Nash County and New Dixie Oil Corporation and authorize the Chairman to sign the agreement.

NORTH CAROLINA

EASEMENT RELOCATION & INDEMNITY AGREEMENT

NASH COUNTY

THIS EASEMENT RELOCATION & INDEMNITY AGREEMENT (this "**Agreement**"), dated this the 3 day of August, 2020 (the "**Effective Date**"), by and between **NASH COUNTY**, a body politic and corporate of the State of North Carolina (the "**County**"), and **NEW DIXIE OIL CORPORATION**, a North Carolina corporation (the "**Company**").

WITNESSETH

WHEREAS, the Company is the owner of that certain lot or parcel of real property located in or about the Town of Dortches, Stony Creek Township, Nash County, North Carolina and being more particularly described in those deeds recorded in Book 2635, Page 512, Book 2635, Page 517, Book 2950, Page 802, and Book 3039, Page 28, Nash County Registry (the "**Property**"); and

WHEREAS, the County is the owner of those certain easements shown in Plat Book 14, Page 345, and Plat Book 14, Page 282, Nash County Registry, and further described in Book 1153, Page 801, Book 1158, Page 91, and Book 1158, Page 94, Nash County Registry, which easements extend over, under, upon and across the Property (the "**Easements**"), including any and all sewer and waterlines, and any and all lines, pipes, manholes, meters, and any and all other equipment and public facilities located within the Easements (the "**Facilities**"); and

WHEREAS, the Company proposes to redevelop the Property and construct certain improvements thereon that will include the placement of a significant amount of fill dirt over the Easements and Facilities (the "**Improvements**"); and

WHEREAS, the Improvements may cross over and upon the Easements and the Facilities; and

WHEREAS, in lieu of moving the Easements and the Facilities, the Company has offered, and the County has agreed, to allow the Improvements to be constructed over and upon the Easements and the Facilities, subject to the terms and conditions contained herein; and

WHEREAS, it is the intent of the parties, and this agreement shall be interpreted and applied in such a manner that the County retains all of its normal responsibilities with respect to the operation, maintenance and repair of the Facilities, including the relocation of the Facilities in its sole and absolute discretion, and that the Company remains solely responsible for any damages to the Improvements arising out of or as a result of the Facilities, their operation, repair, maintenance or relocation pursuant to the terms hereof.

NOW, THEREFORE, in consideration of the foregoing, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **Indemnity Agreement.** The Company, its successors and assigns, shall defend and indemnify the County and hold the County harmless from all claims, losses, liabilities, damages and/or expenses of every kind, including reasonable attorney's fees, asserted against or incurred by the County, or for which the County may become directly or indirectly liable, arising out of or in any way connected to damages to the Improvements resulting from the County's operation, maintenance, or repair of the Facilities and any future relocation of the Easements and the Facilities, specifically including, but not limited to, costs or expenses associated with sinkholes and resulting damages to the Company's building, foundation, pavement, and sidewalks. This indemnity obligation expressly does not include claims, losses, liabilities, damages or expenses incurred by the County as a result of the County's negligence, or incurred in the ordinary course of the operation of the Facilities, including costs and expenses associated with the relocation of the Facilities, or repairs to and periodic maintenance of the Facilities.

2. **Relocation of Easement.** Company shall provide and dedicate easement(s) in a form acceptable to the County for future relocation of the Facilities along the side yard and rear yard of the Property in a location to be approved by the County in its sole discretion as part of the plan approval process. If, at any time from the Effective Date hereof, the County determines, in its sole discretion, that maintenance to, replacement of, or relocation of the Easements and/or Facilities, or the installation of new Facilities and the proper abandonment of the old Facilities, becomes necessary or advisable or desirable, the County shall relocate the Facilities. The deed of easement from Company shall include a ten (10) foot temporary construction easement, and a twenty (20) foot permanent utility easement for the purpose of relocating, constructing and/or installing new Facilities. Upon relocation of the Facilities, the County shall terminate the abandoned Easements by recording an instrument terminating the Easements in the office of the Nash County Register of Deeds. It is agreed that the County shall have no responsibility for removal of the abandoned Facilities, though County shall take all other reasonable actions to properly abandon the Facilities in place. The Company shall make any other reasonable accommodations requested by the County to assist the County with relocation of the Facilities, provided that, except as expressly provided for herein, the cost of relocating and properly abandoning the Facilities shall be at the County's sole expense. However, the repair or relocation of private improvements owned by Company, or its successors or assigns, shall be at the sole expense of Company, or its successors or assigns.

3. **Abandonment.** In the event that the Company abandons this project at any time after placement of the Improvements over the Easement, Company agrees to restore the Easement area to its preexisting condition.

4. **Governing Law and Consent to Jurisdiction.** The Agreement shall be construed and enforced with the laws of the State of North Carolina notwithstanding its conflict of law principles. The Undersigned agrees that any legal action or proceeding arising out of or relating to the Agreement shall be instituted in the Superior Court of Nash County, North Carolina. The Undersigned consents to the jurisdiction of such court and waives any objection relating to the basis for personal or in rem jurisdiction or to venue.

5. **Binding Effect.** This Agreement shall be binding to and inure to the benefit of the parties hereto, their successors and assigns.

6. **Assignment.** This Agreement shall not be assigned by the Company without the County's prior written consent.

7. **Waiver.** The failure of either party to enforce at any time any of the provisions of this Agreement; or to require performance of any of the provisions hereof, shall not be construed as a waiver of such provisions, nor affect the validity of this Agreement or any part hereof; or affect the right of such party thereafter to enforce each and every such provision.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGES FOLLOW]

NASH COUNTY

By: Robbie B. Davis (SEAL)
Robbie B. Davis, Chairman,
Board of Commissioners

ATTEST:

Janice Evans
Janice Evans - Clerk to the Board
(Corporate Seal)

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

Donna Wood
Finance Officer

STATE OF NORTH CAROLINA

COUNTY OF Nash

I, Mary D. Edwards, a Notary Public of the aforesaid County and State, do hereby certify that JANICE EVANS came before me this day and acknowledged that she is the Clerk to the Board of Commissioners of NASH COUNTY, a body politic and corporate of the State of North Carolina, and that by authority duly given and as the act of NASH COUNTY, the foregoing instrument was signed in its name by the Chairman of its Board of Commissioners, sealed with its corporate seal, and attested by JANICE EVANS as its Clerk.

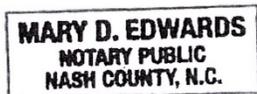
Witness my hand and notarial stamp or seal this 3rd day of August, 2020.

Mary D. Edwards
Notary Public (signature)

Mary D. Edwards
Notary Public (print/type)

My Commission Expires: 12-02-2023

[NOTARY PUBLIC SEAL/STAMP]

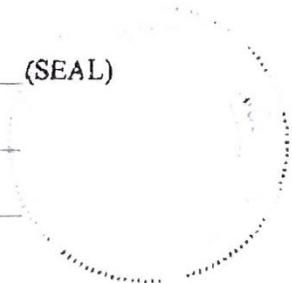


NEW DIXIE OIL CORPORATION

By: T. Scott Aman (SEAL)

Name: T. Scott Aman

Title: President



STATE OF NORTH CAROLINA

COUNTY OF Halifax

I, Kathy M Hawkins, a Notary Public of the aforesaid state and county, do hereby certify that T. Scott Aman (the "Signatory"), President (title) of New Dixie Oil Corporation (name of entity), personally appeared before me this day and, by authority duly given, voluntarily acknowledged the due execution of the foregoing instrument on behalf of New Dixie Oil Corporation (name of entity) for the purpose stated therein and in the capacity indicated. I certify that the Signatory personally appeared before me this day, and (check one of the following)

- (I have personal knowledge of the identity of the Signatory); or
- (I have seen satisfactory evidence of the Signatory's identity, by a current state or federal identification with the Signatory's photograph in the form of: (check one of the following):
 - a drivers license
 - in the form of _____); or
 - (a credible witness has sworn to the identity of the Signatory).

Witness my hand and official stamp or seal this 1st day of August, 2020

Kathy M Hawkins (signature)

Notary Public

Kathy M Hawkins (print/type)

Notary Public



11/29/2024

F:\APPS\WPS\1\PULL YATTORNEY WORK\IDURHAM\NASH COUNTY\New Dixie Oil Corp\CLEAN, New Dixie, Easement, Agreement, 5.22.20.Jonathan Boone chagnes, Revised by, WAP.docx

Mr. Brian Brantley, Emergency Services Director requested approval of the renewal of Franchise Agreements with North State Medical Transport, Eastern Medical Transport and METZ Medical Transport. He stated this is the second approval as required by General Statute.

On motion of J. Wayne Outlaw seconded by Fred Belfield, Jr. and duly passed that the Franchise Agreements with North State Medical Transport, Eastern Medical Transport, and METZ Medical Transport be approved.

Mr. Brantley provided a brief update on Tropical Storm Isaias and asked that the Chairman sign a State of Emergency for Nash County.

Mr. Brent Fisher, Assistant Director of Fire-Rescue Services and Emergency Management presented for the Board's consideration Nash-Edgecombe-Wilson (N.E.W.) Regional Hazard Mitigation Plan.

On motion of J. Wayne Outlaw seconded by Mary P. Wells and duly passed that the Nash County Board of Commissioners approve the following Resolution of Adoption for the Nash-Edgecombe-Wilson (N.E.W.) Regional Hazard Mitigation Plan.



**RESOLUTION ADOPTING
N.E.W. (Nash, Edgecombe, and Wilson County)
REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, Nash County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the Nash County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Nash County Board of Commissioners to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Nash County Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Nash County; and

WHEREAS, Nash County, in coordination with all other participating jurisdictions of the N.E.W. Region, has prepared a regional hazard mitigation plan with input from the appropriate local and state officials; and

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency will receive a draft of the N.E.W. Regional Hazard Mitigation Plan to review for legislative compliance and approve pending the completion of local adoption procedures; and

WHEREAS, the current N.E.W. Regional Hazard Mitigation Plan expires August 13, 2020;

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

1. Adopts the Nash-Edgecombe-Wilson Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on the 3rd day of August 2020.

NASH COUNTY BOARD OF COMMISSIONERS

By: 
Robbie B. Davis, Chairman

ATTEST:


Janice Evans, Clerk to the Board

(OFFICAL SEAL)

Major Eddie Moore, Nash County Sheriff's Office requested approval of the Sheriff's Office donation of retiring Nash County K-9 Officer Kilo. He stated the Nash County Sheriff's Office is actively seeking a person or organization willing to fund Kilo's medical bills which have currently exceeded \$1,000.00. He advised that Sheriff Keith Stone has voiced his willingness to take ownership and care of Kilo if a person or organization willing to pay for Kilo's medical bills is not fruitful.

On motion of Sue Leggett seconded by Dan Cone and duly passed that the Nash County Board of Commissioners approve the request of the Sheriff's Office donation of retiring Nash County K-9 Officer Kilo.

Mr. Boone presented for the Board's consideration a proposed plan to address delinquent water & sewer utility accounts.

On motion of Dan Cone seconded by Fred Belfield, Jr. and duly passed that the Nash County Board of Commissioners approve the following proposed plan of action to address delinquent water and sewer utility accounts.

To: Zee Lamb, County Manager
CC: Stacie Shatzer, Assistant County Manager
From: Jonathan Boone, P.E., Director of Public Utilities and Facilities
Date: July 28, 2020
Subject: Proposed Plan to Address Delinquent Water & Sewer Utility Accounts

As you are aware, Nash County suspended utility disconnects and late fees for water and sewer customers in mid-March 2020 in response to the anticipated impact of COVID-19 on our utility customers. Within a couple weeks of implementation of this policy, Governor Cooper issued Executive Order 124 on March 31st requiring that all public utility providers suspend the collection of fees, penalties, and interest associated with late payments; to suspend utility disconnections; and to allow customers a minimum of 6 months to pay outstanding bills. This order was later extended another 60 days in May 2020 via Executive Order 142 and expires at 11:59pm tomorrow (Wednesday, July 29th).

Since implementation of these measures, Nash County has seen an uptick in the number of customers with delinquent balances. As of today, there are approximately 100 customers with utility accounts that are more than 30 days in arrears (this does not include accounts that are only charged a monthly availability fee). Of those, we have approximately 31 customers (with active water and/or sewer service) that have balances in excess of 90 days past due totaling roughly \$7,900, 20 customers that have balances in excess of 60 days overdue totaling \$1,800, and 50 customers with balances in excess of 30 days with a total past due balance of \$2,650. These numbers do not account for late fees totaling nearly \$10,000 that were not applied during the months of April, May, June, and July 2020.

With the anticipated expiration of Executive Order 142, the Public Utilities & Facilities Department needs to determine how to begin the process of addressing those utility accounts that are in arrears. Prior to the onset of COVID-19, utility customers that failed to pay their monthly water and/or sewer service by the 18th of the month were assessed a \$10 late fee and were then subject to disconnection if payment was not received by the 25th of the month. Based on this philosophy, I am recommending that customers with an outstanding account balance be contacted in early August and given one of two options. These options include (1) the opportunity to address the outstanding utility balance in order to bring their account current on or before August 25th, or (2) the opportunity to set up a repayment plan with the county on or before August 25th that would satisfy their monthly utility charges moving forward while simultaneously discharging their outstanding utility balance within a period of 6 to 12 months. Failure to enter into an approved repayment plan with the county would result in the disconnection of service effective Wednesday, August 26th. In addition, in the absence of an approved repayment plan and payments consistent with said plan, late fees would be reinstated each month.

Given the sensitivity surrounding this issue on the ongoing impact of COVID-19 on our area, it would be helpful to receive some feedback regarding the proposed plan of action and/or any additional thoughts on how best to address this issue. While there is every desire to be sensitive to the impact of COVID-19 on our utility customers, there is also a recognition that steps need to be taken to address utility accounts with an outstanding balance.

In the interim, please advise if you have any additional questions regarding the recommended course of action above or the financial impact of COVID-19 on the county's water and sewer utilities.

Vice Chairman J. Wayne Outlaw presented for the Board's consideration Resolution of the Nash County Board of Commissioners Affirming its Support of the Right of the People to Lawfully Carry Concealed Firearms and Reaffirming its Oath to Uphold the Federal and State Constitutions. He advised this item was brought to the Board in the July meeting and the Board decided to appoint a committee to work making some modifications to the Resolution.

On motion of J. Wayne Outlaw seconded by Fred Belfield, Jr. and duly passed that the following resolution be adopted.

**RESOLUTION OF THE BOARD OF COMMISSIONERS
NASH COUNTY, NORTH CAROLINA**

**AFFIRMING ITS SUPPORT OF THE RIGHT OF THE PEOPLE TO LAWFULLY CARRY
CONCEALED FIREARMS AND REAFFIRMING ITS OATH TO UPHOLD THE FEDERAL
AND STATE CONSTITUTIONS**

WHEREAS, the Nash County Board of Commissioners are the duly elected governing body of Nash County, North Carolina; upon which each Commissioner is sworn in as a Nash County Commissioner, and he/she takes an oath to maintain, support and defend the Constitution of the United States and the Constitution of the State of North Carolina and is duty bound to uphold the laws of the United States and the laws of the State of North Carolina not inconsistent therewith; and

WHEREAS, the Second Amendment to the U.S. Constitution states, "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed;" and

WHEREAS, Article I, Section 30 of the Constitution of the State of North Carolina makes a distinction between the *right to keep and bear arms* and the *carrying of concealed weapons*, and provides that while the right to keep and bear arms may not be infringed, the carrying of concealed weapons may be regulated; and

WHEREAS, the State of North Carolina has preempted local ordinances and regulations relating to the carrying of concealed weapons and has stated that it is the intent of the General Assembly to prescribe a uniform system for the regulation of legally carrying a concealed handgun (N.C.G.S. 14-415.23); and

WHEREAS, the General Assembly of North Carolina has enacted Article 54B of Chapter 14 of the North Carolina General Statutes allowing the issuance of Concealed Handgun Permits in accordance with that Chapter; and

WHEREAS, North Carolina General Statutes § 14-269 regulates the carrying of concealed weapons. Sections (a) and (a1) of the statute provide as follows:

(a) It shall be unlawful for any person willfully and intentionally to carry concealed about his or her person any bowie knife, dirk, dagger, slung [sling] shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's own premises.

(a1) It shall be unlawful for any person willfully and intentionally to carry concealed about his or her person any pistol or gun except in the following circumstances:

(1) The person is on the person's own premises.

(2) The deadly weapon is a handgun, the person has a concealed handgun permit issued in accordance with Article 54B of this Chapter or considered valid under G.S. 14-415.24, and the person is carrying the concealed handgun in accordance with the scope of the concealed handgun permit as set out in G.S. 14-415.11(c).

(3) The deadly weapon is a handgun and the person is a military permittee as defined under G.S. 14-415.10(2a) who provides to the law enforcement officer proof of deployment as required under G.S. 14-415.11(a).

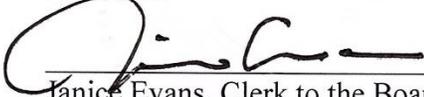
NOW THEREFORE BE IT RESOLVED, that the Nash County Board of Commissioners does hereby affirm their support of the right of North Carolina citizens to carry a concealed handgun so long as they are properly permitted or otherwise allowed as required by Article 54B of Chapter 14 of the North Carolina General Statutes.

Adopted this the ___ day of August, 2020.



Robbie B. Davis, Chairman
Nash County Board of Commissioners

ATTEST:



Janice Evans, Clerk to the Board

Mr. Vince Durham, County Attorney requested formal approval of the sale of Nash County Gold Rocky property (formerly Karma One) Parcel I.C. 017735. He advised no upset bids were received.

On motion of J. Wayne Outlaw seconded by Lou M. Richardson and duly passed that the Nash County Board of Commissioners approve the sale of the sale of Nash County Gold Rock property (formerly Karma One) Parcel I.C. 017735 and instruct the County Attorney to prepare the deed conveying the property to the purchaser, subject to the conditions stated herein:

On July 9, the Board of Commissioners indicated its intent to accept the offer of Marvin Shearin to purchase the Nash County property located in Gold Rock for \$104,945.00. The County's intent to accept the offer was conditioned upon the purchaser's agreement to demolish and clear the property within six (6) months after the transfer of the property and that the property be commercially redeveloped within thirty-six (36) months after the transfer. Mr. Shearin has agreed to those conditions. The matter was duly advertised and was subject to any upset bids received on or before July 24.

Ms. Donna Wood, Finance Director requested approval of eight (8) budget amendments.

On motion of Mary P. Wells seconded by Sue Leggett and duly passed that the following budget amendments be approved

Travel and Tourism – Special Revenue Fund

This amendment is to correct the FY2020-2021 budget for the Travel and Tourism Fund Budget. The FY2020-2021 Budget Ordinance as adopted June 15, 2020, included \$60,000 more funding than approved by the Tourism Development Authority Board.

Revenue:		
1300600-427000	TDA Funds	(60,000) Decr
Expenditure:		
1304921-537202	WEB/Electronics	(60,000) Decr

Planning and Development

This amendment is to appropriate funding to assist with promotion of participation in the 2020 U.S. Census. This funding will specifically aid with social media advertising for self-response which was originally scheduled to end July 31, 2020 but extended through October 31, 2020 due to COVID-19.

Revenue:		
0100991-499100	Fund Balance Appropriated	<u>1,500</u> Incr
Expenditure:		
0104910-519918	Census	<u>1,500</u> Incr

Facility Maintenance

This amendment is to budget park improvement funds for Glover Park from The Town of Nashville per the MOU between Nash County and the Town of Nashville for maintenance and operations at Glover Park in Nashville. No County funds required.

Revenue:		
0100600-488071	Town Recreation Contribution	20,000 Incr
Expenditure:		
01004263-535404	Glover Park Improvements	20,000 Incr

Department of Social Services

This amendment is to budget rollover unspent funds received from the State to assist with adoption awareness.

Revenue:		
0100991-499100	Fund Balance Appropriated	27,420 Incr
Expenditure:		
0105525-569926	Special children Adoption Fund	27,420 Incr

ROAP – Special Revenue Fund

This amendment is to adjust the Rural Operating Assistance Program (ROAP) Budget to reduce the funds approved in the FY2020-2021 Budget Ordinance as adopted June 15, 2020 and to rollover unspent funds from FY2020. The State of North Carolina has decided not to fund the ROAP for Fiscal Year 2021 (the reason has not been identified). However, it was determined that the unspent funds from FY2020 do not have to be returned to the state but can be kept and rolled over for spending in FY 2021.

Revenue:		
0100991-499100	Fund Balance Appropriated	55,409 Incr
0510600-445303	Rural General Public/ROAP	(91,774) Decr
0510600-445302	Work First/ROAP	(29,308) Decr
0510600-445301	EDTAP/ROAP	(100,933) Decr
		<u>(166,606)</u>
Expenditure:		
0514521-567030	Rural General Public/ROAP	(66,691) Decr
0514521-567010	EDTAP/ROAP	(72,271) Decr
0514521-567020	Work First/ROAP	(27,644) Decr
		<u>(166,606)</u>

Emergency Management

This amendment is for a supplemental grant from the State of NC Department of Public Safety. These funds are for COVID-19 projects related to Homeland Security Planning for social distancing in congregate shelters. No County funds required.

Revenue:		
0100213-445005	Emergency Mgmt Supp Grant	<u>12,696</u> Incr

Expenditure:		
0104370-569655	Emergency Mgmt Supp Grant	<u>12,696</u> Incr

This budget amendment is to budget Fiscal Year T2-2020 Tier II Grant proceeds From NC Division of Emergency Management for hazardous materials, emergency response planning, training and related exercises. No County funds are required.

Revenue:		
0100213-445043	EMS Tier II Fee Grant	<u>1,000</u> Incr

Expenditure:		
0104370-569663	EMS Tier II	<u>1,000</u> Incr

Federal Asset Forfeiture

This budget amendment is to budget fund balance appropriation from Federal Asset Forfeiture funds to be used for the supplies, informant funds and to purchase four vehicles (2) Interceptor SUVs (1) Ford Fusion and (1) Ford Explorer K-9) including tax and tags and to up-fit the vehicle with law enforcement equipment. No additional county funds are required.

Revenue:		
0290991-499100	Fund Balance Appropriation	<u>184,134</u> Incr

Expenditure:		
0294310-554000	Vehicle	141,363 Incr
0294310-526500	Equipment Supply	17,771 Incr
0294310-539910	Informants	15,000 Incr
0294310-526000	Supplies	<u>10,000</u> Incr
		<u>184,134</u>

Controlled Substance State Funds

This budget amendment is to budget State Asset Forfeiture funds for the purchase of two K-9s one replacement and one additional K-9 to assist in the Narcotics Unit. No County funds are requested.

Revenue:		
0270991-499100	Fund Balance Appropriation	<u>22,630</u> Incr
Expenditure:		
0274315-555015	K-9 Program	<u>22,630</u> Incr

Ms. Stacie Shatzer, Assistant County Manager asked the Board to consider an appointment to the Spaulding Family Resource Center Board.

On motion of J. Wayne Outlaw seconded by Fred Belfield, Jr. and duly passed that Lou M. Richardson be reappointed to the Spaulding Family Resource Center Board.

Ms. Shatzer asked the Board to consider appointments to the Research Triangle Regional Partnership Board of Directors.

On motion of Lou M. Richardson seconded by Dan Cone and duly passed that Chairman Robbie B. Davis and Andy Hagy be appointed to the Research Triangle Regional Partnership Board of Directors.

Ms. Doris Sumner, Acting Tax Administrator presented the monthly tax report.

The Monthly Tax Collector's report was accepted.

There were no tax refunds for August 2020.

Ms. Sumner presented the Annual Tax Settlement to the Board. She requested approval of the Tax Collector's report for tax years 2009 -2019, FY July 1, 2019 - June 30, 2020 and asked that the Board recharge the Tax Collector with the outstanding taxes and responsibility for collection for the years 2010 - 2021.

On motion of Fred Belfield, Jr. seconded by Mary P. Wells and duly passed that the Nash County Board of Commissioners approve the Tax Collector's report for tax years 2009 -2019, FY July 1, 2019 - June 30, 2020.

On motion of J. Wayne Outlaw seconded by Fred Belfield, Jr. and duly passed that the Board charge the Tax Collector with the outstanding taxes and responsibility for collection for the years 2010 - 2021.

Chairman Davis called on the Commissioners for any comments and/or reports.

It was the consensus of the Board to present Mr. Gus Tulloss, North Carolina Department of Transportation, Division 4 representative with a resolution of appreciation for his service to the citizens of Nash County.

Mr. Zee B. Lamb, County Manager provided a Manager's Report to the Board. He also provided a monthly update report on revenues for Nash County.

On motion of Dan Cone seconded by Fred Belfield, Jr. and duly passed that the Board go into closed session as permitted by NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege; NCGS 143-318.11(a)(4) for the discussion of matters relating to economic development and the location or expansion of industries or other businesses in the County; and NCGS 143-318(a)(6) to consider the qualifications, competence, fitness and conditions of appointment or conditions of initial employment of a prospective public officer or employee.

During closed session, the Board received updates on economic development projects, consulted with the attorney to discuss matters that are subject to the attorney-client privilege between the attorney and the Board, and discussed personnel matters.

On motion of Fred Belfield, Jr. seconded by Dan Cone and duly passed that the closed session minutes of July 6, 2020 be approved.

On motion of Lou M. Richardson seconded by Fred Belfield, Jr. and duly passed that the closed session adjourn.

Chairman Davis called the regular meeting back to order.

Ms. Wood asked the Board to approve a Federal Asset Forfeiture budget amendment.

On motion of Mary P. Wells seconded by Sue Leggett and duly passed that the following budget amendment be approved.

Federal Asset Forfeiture

This budget amendment is to budget fund balance appropriation from Federal Asset Forfeiture funds to be used for to pay overtime instead of accruing comp time for drug interdiction/narcotics officers due to extended hours to continue the mission of reducing drugs, gangs and guns. No additional county funds are required.

Revenue:
0290991-499100 Fund Balance Appropriation 20,000 Incr

Expenditure:
0294310-513000 Overtime Pay 20,000 Incr

Ms. Shatzer presented a request by Ms. Melvia Batts asking the Board of Commissioners sign a letter recognizing and congratulating the Bethlehem Missionary Baptist Church Congregation for their 150th Anniversary.

On motion of Dan Cone seconded by Mary P. Wells and duly passed with Fred Belfield, Jr. voting “no” that the Nash County Board of Commissioners approve the following Special Overtime Policy and allow the Sheriff to use Federal Asset Forfeiture funds to pay overtime instead of accruing comp time for the Narcotics and Highway Interdiction Program.

SPECIAL OVERTIME POLICY FOR NARCOTICS AND HIGHWAY INTERDICTION PROGRAM

Purpose: To ensure the Narcotics and Highway Interdiction Team is adequately staffed throughout the week, especially during peak traffic periods. It is anticipated that the additional man-hours dedicated to the Narcotics and Highway Interdiction Program will generate funds exceeding those needed to fund the additional man-hours.

Program Standards: This policy will remain in effect until June 30, 2021 with the following terms:

- Non-exempt staff members of the Sheriff's Office participating in Narcotics and Highway Interdiction activities will be paid overtime pay, when applicable.
- The Sheriff's Office staff will maintain daily productivity reports.
- Expenses applicable to the overtime pay shall be paid from *Equitable Sharing Funds Section V. (3. Salaries [2] Overtime)*.
- Equitable Sharing Proceed Expenditures will be agreed upon jointly by the Sheriff and Nash County Board of Commissioners.

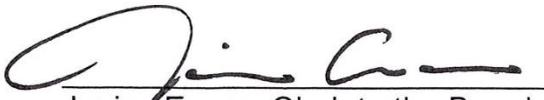
Effective: This policy shall be effective timesheet period ending August 9, 2020.

This the 3rd day of August 2020.



Robbie B. Davis, Chairman
Nash County Board of Commissioners

ATTEST:


Janice Evans, Clerk to the Board

On motion of Sue Leggett seconded by Dan Cone and duly passed that the meeting adjourn.

Janice Evans, Clerk
Nash County Board of Commissioners