



**AGENDA PACKET**

**FOR**

**JANUARY 13, 2020**

**REGULAR MEETING**  
**OF THE**  
**YANCEY COUNTY BOARD OF COMMISSIONERS**



**AGENDA**  
**YANCEY COUNTY BOARD OF COMMISSIONERS**  
**REGULAR BUSINESS MEETING**  
**January 13, 2020**  
**6:00 PM**

- I. Call to Order – Chairman Jeff Whitson**
- II. Invocation and Pledge of Allegiance to the Flag**
- III. Approval of the Agenda**
- IV. Consent Agenda**
  - a. Approval of December 9, 2019 Regular Meeting Minutes**
  - b. Approval of December 20, 2019 Special Meeting Minutes**
  - c. December 2019 Tax Collection Reports - Informational**
- V. Cooperative Extension – Jerry Moody**
- VI. Tax Refunds – Danny McIntosh**
- VII. Nolichucky River – Halley Burleson**
- VIII. Earth to Sky Park – Dr. John Boyd**
- IX. Finance Officer’s Report – Brandi Burleson**
  - a. Bank Proposals**
  - b. Budget Amendment/SRO Update**
- X. EMS Proposals**
  - a. Wautaga Medics – Craig Sullivan**
  - b. AMR – Wes Presnell**
  - c. HCA – Richard Lee**
- XI. County Manager’s Report – Lynn Austin**
- XII. County Attorney’s Report – Donny Laws**
- XIII. County Commissioners’ Report**
- XIV. Public Comments**
- XV. Adjourn**



## CONSENT AGENDA ITEMS

### Description

The consent agenda presented for January 2020 includes the following for review and approval:

- Approval of December 9, 2019 Regular Meeting Minutes
- Approval of December 20, 2019 Special Meeting Minutes
- December 2019 Tax Collection Reports - Informational

### Item Presenter

### Board Action Requested

Approve the Consent Agenda Items

**Minutes of the December 9, 2019  
Regular Meeting of the Yancey County Board Of Commissioners  
Held at 6:00 pm in the Yancey County Courthouse  
Yancey County Courthouse, Burnsville North Carolina**

Present at the meeting held December 9, 2019 were Chairman Jeff Whitson, Commissioner Jill Austin, Commissioner David Grindstaff, Commissioner Johnny Riddle, County Manager Lynn Austin, Planning and Economic Development Director Jamie McMahan, County Attorney Donny Laws, Tax Administrator/Assessor Danny McIntosh, and Clerk to the Board Sonya Morgan, members of the media, and members of the general public. Commissioner Mark Ledford was absent from the meeting.

**Call to Order**

Chairman Whitson welcomed those in attendance and called the meeting to order.

**Invocation and Pledge of Allegiance to the Flag**

Chairman Whitson delivered the invocation. Commissioner Austin led the Pledge of Allegiance to the Flag.

**Approval of the Agenda**

Chairman Whitson asked for a motion to amend the agenda to include the nomination and election of the Chairperson and Vice Chairperson of the Board of Commissioners and approve the agenda. Commissioner Riddle moved to approve the agenda with the amendment as stated by Chairman Whitson. Commissioner Grindstaff seconded the motion. By unanimous vote the amended agenda was approved. (Attachment A)

**Nomination of Chairperson & Vice Chairperson of the Board of Commissioners**

Pursuant to N.C. Gen. Stat. § 153A-39 Chairman Whitson asked for a nomination of Chairman of the Board for the ensuing year. Commissioner Austin nominated Commissioner Riddle to serve as Chairman. The Board voted 2 – 2 on the nomination for Commissioner Riddle to serve as the Chairman, with Commissioners Austin and Riddle voting “for” and Commissioners Grindstaff and Chairman Whitson voting “against.” Commissioner Grindstaff nominated Chairman Whitson to serve as Chairman for the ensuing year. The Board voted 2 -2 on the nomination for Chairman Whitson to serve as the Chairman, with Commissioners Grindstaff and Chairman Whitson voting “for” and Commissioners Austin and Riddle voting “against.” Commissioner Riddle made a motion for current Chairman Whitson to serve as interim Chairman to preside over the meeting. Commissioner Austin seconded the motion. By unanimous vote the motion was approved.

**Consent Agenda**

Chairman Whitson read through the items on the consent agenda as follows:

- Approval of October 31, 2019 Special Meeting Minutes
- Approval of October 31, 2019 Closed Session Meeting Minutes
- Approval of November 12, 2019 Regular Meeting Minutes
- Approval of Resolution Concerning the Schedule of the Regular Meetings of Board of Commissioners and also Establishing the 2020 Holiday Schedule for Yancey County (Attachment B)
- Approval of Proclamation In Support of Declaring January 2020 National Radon Action Month (Attachment C)
- Approval of Surplus Property (Attachment D)
- November 2019 Tax Collection Reports – Informational (Attachment E)

Chairman Whitson asked for a motion to correct the November 12, 2019 Regular Meeting Minutes to strike County Attorney Donny Laws’s name from those in attendance and approve the items on the consent agenda. Commissioner Grindstaff made a motion to make the correction as stated by Chairman Whitson and approve the consent agenda, which was seconded by Commissioner Riddle. By unanimous vote the consent agenda was approved.

## **Appointments**

Chairman Whitson presented to the Board the request from the Amber Briggs, Director of the Avery-Mitchell-Yancey (AMY) Regional Library to approve the reappointments of Beryl Carroll and Julia Fox to the Yancey County Library Board and AMY Regional Library Board to serve one three year term on both boards. (Attachment F) Commissioner Grindstaff made a motion to approve Ms. Carroll and Ms. Fox for reappointment to both boards, with Commissioner Riddle seconding the motion. By unanimous vote the reappointments were approved.

Chairman Whitson then presented and read the RESOLUTION OF YANCEY COUNTY BOARD OF COUNTY COMMISSIONERS APPOINTING LINDSAY SMITH AS TAX ASSESSOR FOR YANCEY COUNTY fulfilling the Tax Assessor position being vacated by Danny McIntosh, who indicated he will be retiring January 20, 2020. (Attachment G) Commissioner Riddle made the motion to adopt the RESOLUTION appointing Lindsay Smith as Yancey County Tax Assessor, with Commissioner Austin seconding the motion. By unanimous vote the RESOLUTION was adopted and Lindsay Smith was appointed Tax Assessor for Yancey County to complete the term of Danny McIntosh expiring on June 30, 2020.

## **High Country Council of Governments (HCCOG) Projects Update**

Julie Wiggins, Executive Director, gave an overview of HCCOG, including that it was established in 1974, serving 7 counties and 19 municipalities as a liaison between local, state, and federal governments. Ms. Wiggins discussed local representation including that Yancey County Commissioner Johnny Riddle currently serves as Chairman of the HCCOG Board and that Burnsville Mayor Theresa Coletta is a board member. She discussed the three services provided which include Area Agency on Aging, Workforce Development, and Planning.

Phillip Trew, Director of Planning & Development, gave an overview of the planning services provided to counties and discussed HCCOG's role in assisting with grant administration, planning, land use, parks and recreation, and economic development. Mr. Trew discussed HCCOG's role assisting in Yancey County with the Ray Cort Park project, the GIS conversion, and grants for county transportation. County Manager Austin thanked Ms. Wiggins and Mr. Trew for help getting grants for the county. Commissioner Riddle noted that Yancey County is the most western county in the HCCOG region and that every county is treated the same. He thanked Ms. Wiggins and Mr. Trew and conveyed that HCCOG is always there to provide help. Commissioner Riddle noted that there are 26 – 27 on the advisory board, and they do a great job. Chairman Whitson conveyed his thanks as well.

## **Cooperative Extension Recognition**

Tres Magner addressed the Board and recognized 4-H Program Associate Linda Semon who will be retiring December 31, 2019. Mr. Magner said that because of Ms. Semon's dedication, two students were able to attend space camp, four became NC state officers, and three received the citizenship award. Ms. Semon oversees 25 volunteers and has worked with over 1000 students with STEM (science, technology, engineering, and math) activities. Mr. Magner said that he wanted to thank Ms. Semon publicly for her dedication and service. Chairman Whitson also thanked Ms. Semon for her service and dedication. Ms. Semon received a standing ovation.

## **TRACTOR Update**

Robin Smith thanked the Board for the opportunity to provide and update on TRACTOR. She said that their purpose is to promote Appalachian heritage of small family farms. Ms. Smith presented a graphic of the TRACTOR's activities in Yancey County. (Attachment H) Ms. Smith introduced Michael Graf, Drew Zucchini, and Becca Smith who provided highlights of projects. The Healthy Harvest Program started in 2019 providing TRACTOR produce for the food insecure in Yancey County, with 1,350 families receiving over 15.4 tons of food. Mr. Zucchini is working with Future Farmers of America (FFA) at Mountain Heritage High School to try to grow sweet potatoes to sell back to the school. Yancey County families have received bags of produce through the clinical referral program. Doctors can write a prescription for

community support agriculture (CSA) bag of produce. TRACTOR has also sources to Meals on Wheels and the Summer Food Program.

Ms. Smith summarized by saying things have been busy at TRACTOR. She said they are proud of their partnership with Mayland Community College and there has been \$215,183 reinvested in the community through October 2019 this year. Commissioner Riddle addressed those in attendance and said that if anyone is considering donating to a non-profit before the end of the year that TRACTOR has a donor that will match the donations up to a total of \$10,000.

### **Proposed Animal Ordinance**

Jeannette Murray addressed the Board and read a statement she prepared purportedly clearing up misconceptions and false information she stated had been shared with respect to ordinance and the seeking of signatures for the petition that circulated in Yancey County in opposition to the ordinance. Ms. Murray further stated that she believed that the ordinance does not take away rights and is needed. She concluded by thanking the Board for safe and wonderful county.

Cheri Lee spoke next and said that she was not speaking in favor of the proposed animal ordinance. Ms. Lee said that the current proposed ordinance only addressed dogs. She read a prepared statement to the Board and indicated she was in favor of an animal ordinance for all animals and for the county having animal control officers.

### **County Manager's Report**

County Manager Austin presented bids to the Board for county emergency medical services (EMS) for the next fiscal year. Bids for EMS services came in by November 27, 2019. County Manager Austin summarized the bid amounts and said the lowest received was \$1.6 million from AMR. HCA, who currently provides the services for Yancey County, bid \$1.859 million. She said that current contract with HCA is \$1.14 million and that the contract was continued from Mission Hospital. County Manager Austin said that the third bid was \$1.675 million from Watauga Medics. She said the bids were being presented to give the Board an opportunity to review, and that a final decision could be made in March or April of 2020. She indicated that the county is under contract with HCA until June 30, 2020. County Manager Austin said representatives from each of the bidders would be present at a future Board meeting to answer any questions.

County Manager Austin reported to the Board that the South Toe District's fire rating dropped from 6 to 4. (Attachment I) She commended the District and said it should save approximately \$1.7 million on fire insurance for citizens in the South Toe community.

County Manager Austin then gave an update on the current projects. She said the county would be sending out a RFQ for engineering services for Cane River Park and plan to bid out the work in March. She also reported HCCOG has been working with the county on the Ray Cort Park project and the county plans to bid it out in February, with work commencing in March. County Manager Austin also reported that the Old Health Department (Old Burnsville Hospital) is being torn down and the county is working with Appalachian State to bring designs for open-air farmers market/multi-use facility. She indicated that work on the East Yancey Water & Sewer District would continue in the spring. County Manager Austin indicated that progress on the projects has been impacted by the weather. County Manager Austin reminded everyone that the county Christmas Dinner would be held on December 23, 2019 at noon at the Burnsville Town Center. She also announced that the Board would be holding a special meeting on December 20 to discuss the economic development Little Leaf Farms project coming to Yancey County. She commended Jamie McMahan for all of the work he put in on the project. Chairman Whitson addressed those in attendance and said that the county management team had worked on the project for over a year and that the project was exciting for the county. Chairman Whitson also thanked Mr. McMahan, County Manager Austin, and the Board of Commissioners for the work and support given the project.

### **County Attorney's Report**

County Attorney Donny Laws did not have anything to report to the Board this month.

**County Commissioners Report**

Commissioner Riddle recognized and thanked Tres Magner and the Extension Office for hosting the Farm City Breakfast event. Commission Riddle reported that the breakfast provided an opportunity for recognition for those doing good things in Yancey County.

Chairman Whitson addressed those in attendance regarding the proposed animal ordinance and conveyed his appreciation for the all of the input the Board received on the matter. Chairman Whitson said that he had received clarification on the process for adopting an ordinance. He clarified that before the Board voted on an official ordinance that it would have to be presented by one of the sitting Board of County Commissioners for consideration. He further indicated that the matter would rest until an ordinance is presented by one of the sitting Commissioners and that it will not be on the agenda until such time.

**Public Comment**

Tom Robinson spoke on our country. Anthony Robinson spoke about men with guns. Laura Walters spoke about the proposed animal ordinance and tourism. Vicky Tipton thanked Board for clarification of handling of the proposed animal ordinance. Dave Broadway spoke about being careful what you call people. Leslie Pardue asked Board to consider officially putting the ordinance through.

**Adjournment**

Having no further business, Commissioner Riddle made a motion to adjourn, with Commissioner Grindstaff seconding the motion. The Board of Commissioners voted unanimously to adjourn.

Approved and authenticated this the 13<sup>th</sup> day of January 2020.

\_\_\_\_\_  
Jeff Whitson, Chairman

\_\_\_\_\_  
Mark Ledford, Vice Chairman

\_\_\_\_\_  
Jill Austin, Commissioner

\_\_\_\_\_  
Sonya Morgan, Clerk to the Board

(county seal)

\_\_\_\_\_  
David Grindstaff, Commissioner

\_\_\_\_\_  
Johnny Riddle, Commissioner

**Minutes of the December 20, 2019  
Special Meeting of the Yancey County Board of Commissioners  
Held at 11:00 am in the Commissioners Board Room  
Yancey County Courthouse, Burnsville, North Carolina**

Present at the meeting held December 20, 2019 were Chairman Jeff Whitson, Commissioner Mark Ledford, Commissioner Jill Austin, Commissioner David Grindstaff, Commissioner Johnny Riddle, County Manager Lynn Austin, Planning and Economic Development Director Jamie McMahan, County Attorney Donny Laws, Tax Assessor/Administrator Danny McIntosh, Clerk to the Board Sonya Morgan, members of the media, and members of the general public.

**Call to Order**

Chairman Whitson called the meeting to order.

**Nomination and Election of Chairman**

Chairman Whitson recognized County Attorney Donny Laws to oversee the election of the Chairman of the Yancey County Board of Commissioners for the ensuing year. Mr. Laws then asked the Board for nominations for the Chairman. Commissioner Ledford nominated current Chairman, Commissioner Whitson. Commissioner Austin nominated Commissioner Riddle. Mr. Laws presented Commissioner Whitson for Chairman, with Commissioners Ledford, Whitson, and Grindstaff voting "for" and Commissioners Austin and Riddle voting "against." By majority vote, Commissioner Whitson was elected Chairman of the Board of Commissioners for the ensuing year.

**Approval of the Agenda**

Commissioner Riddle made a motion to approve the agenda, with Commissioner Ledford providing a second. By unanimous vote the agenda was approved. (Attachment A)

**Public Hearing**

Chairman Whitson entertained a motion to open the floor for the purpose of holding a public hearing to receive comments on the appropriation of county funds for the economic development project, Little Leaf Farms, Inc. Commissioner Riddle made the motion with Commissioner Grindstaff seconding the motion. By unanimous vote the Board opened the floor for the purpose of holding a public hearing. Chairman Whitson then recognized Planning and Economic Development Director Jamie McMahan to discuss the project. Mr. McMahan stated that county staff had worked many months in recruiting Little Leaf Farms, Inc. to locate their business to Yancey County. Mr. McMahan summarized the recruitment process for those present. The company conducted a site visit last December and expressed interest in the former OMC facility. It was disclosed that the company wanted to invest \$86 million in a hydroponic green house facility, a model of innovation using green technology for large manufacturing. Mr. McMahan indicated the next step was to consider the environmental and geotechnical concerns. The former OMC facility had contamination, but the Department of Environment Quality indicated that it was not a concern if the current pad remains in place. Mr. McMahan indicated that the plan would be to enroll the property as a Brownfield site, with the site development plan to leave the current pad in tact. In order to recruit the company it became evident that due to size of facility that grading and site preparation was necessary. Currently, a 19-acre pad exists and the company needs a larger size. The company management expressed a desire to have the property provided as opposed to tax incentive plan. Mr. McMahan indicated that the cost of purchasing the property and site development in preparation for construction is \$5 million.

Mr. McMahan indicated that each job adds approximately \$10,000 to the economy over a 10-year period. Mr. McMahan said that the Department of Commerce looks at indirect business impact, taxes, and sales tax, which yield \$1.4 million, for a total of \$6.9 million economic impact over a ten period.

Mr. McMahan said the entire site is 62 acres and the county would acquire the entire tract after the site was developed to satisfaction of the company. Approximately 40 acres will be



conveyed to Little Leaf Farms. The proposal is to tentatively approve \$5 million, with a \$436,000 debt service payment. Mr. McMahan indicated that the debt service would be paid with ad valorem tax collected, with \$79,000 coming back into treasury once the project is built out. When the loan is retired the county will be collecting \$516,000 in taxes per year. Mr. McMahan summarized the contingencies included in the agreement with the company and indicated that the agreement has been drafted but will not be executed until a formal offer is made. He also indicated the company has been awarded a JDIG grant of \$1.4 million, which is the first JDIG to Yancey County. The state has awarded \$151,000 grant for infrastructure and a \$175,000 grant for training through community college system for training at Mayland Community College. Chairman Whitson thanked Mr. McMahan for the presentation and recognized his recruitment efforts and the work on the proposed incentive. He further acknowledged Mr. McMahan for working tirelessly on the project and acknowledged County Manager Austin for her work on the project as well. Additionally, Chairman Whitson thanked County Attorney Laws and every commissioner and stated that this was great for Yancey County. Commissioner Ledford echoed the sentiments.

Danny McIntosh said that this was the biggest thing to hit in generations and that it would be a good fit. He indicated that he was thrilled to see someone come that is environmentally conscious. Mr. McIntosh expressed concern regarding the community water supply and the infrastructure. Chairman Whitson reiterated that the company is extremely environmentally conscious, has considered sustainable rainfall and the natural resources to be sure the business will be supported. Mr. McMahan said that meteorology is a factor and the company does not lose any precipitation; the company collects rainwater and snow using sophisticated technology. Mr. McMahan reported that the company burns off the natural gas emissions, does not use any chemical pest control, controls pest through biological processes, and is environmentally friendly. He indicated the company would connect to the existing water line to provide water for restrooms and general use, but not for use in the operation.

Claire D'Gaia next addressed the Board and stated she has grown food for 40 years. She expressed concern regarding the collection of water and wanted to know if the company would use city water. Mr. McMahan indicated that the external basins would be collecting water while the facility is under construction in preparation for production. Mr. McMahan indicated that the jobs would come in the year 2021. Commissioner Riddle asked Mr. McMahan to reaffirm that the business would be receiving \$151,000 for infrastructure, which Mr. McMahan affirmed. Commissioner Grindstaff stated that the county has been dealing with this project for a year and felt like it had been thoroughly researched. Commissioner Grindstaff said he understood that there was a minimum requirement of 100 jobs. Mr. McMahan indicated that that was the minimum commitment and that the business may grow over time. He further indicated that the elevation allowed for a 12-month growing season and that it takes 23 days to grow crop. He also stated that the transportation model from Yancey County to major metropolitan areas is favorable as it is not more than 12 hours away from all of them. Chairman Whitson asked if there were any other comments. Hearing none, Commissioner Riddle made a motion to close the public hearing. Commissioner Austin seconded the motion. The Board voted unanimously to close the public hearing.

Mr. McMahan indicated that in order to move forward, the Board would need to entertain motions to acquire the property per the terms of the option agreement and to approve the economic incentive grant package. Commissioner Grindstaff made the motion to acquire the property per the terms of the option agreement and Commissioner Ledford seconded. By unanimous vote the Board voted to acquire the property per the terms of the option agreement. Commissioner Austin made a motion to approve the economic incentive grant package with Commissioner Riddle seconding the motion. By unanimous vote the incentive was approved.

### **Nomination and Election of Vice Chairman**

Next, Chairman Whitson revisited Item III on the agenda for the purpose of electing a Vice Chairman of the Yancey County Board of Commissioners for the ensuing year. Chairman Whitson nominated Commissioner Ledford. No other nominations were made. The Board voted unanimously to elect Commissioner Ledford as the Vice Chairman.

**Building Reuse Grant for Altec**

Chairman Whitson then recognized Mr. McMahan to discuss another economic development project, the building reuse grant for Altec. The agreement considered would allow the county to administer and draw down funds for the improvements to be made at Altec’s second location at the Ferguson Hill Road facility (formerly the “sock plant”). Altec has committed adding 50 additional jobs. Mr. McMahan indicated that the grant has been approved. He further indicated that Altec would be shut down for the holidays, would be bring in equipment into the new location during that period, and will begin manufacturing on January 3. Mr. McMahan gave a brief explanation of the grant process. County Attorney Laws indicated that the terms of the agreement were substantive and appropriate and would recommend execution as requested. He also indicated that there were extensive provisions that require monitoring and obligations that company has to fulfill. Mr. Laws indicated that the county must monitor and make sure goals are met and the Economic Development Director and County Manager would do the monitoring. Mr. McMahan indicated as practical matter, monitoring would be done quarterly.

Chairman Whitson asked for a motion to approve the building reuse grant agreement for Altec. (Attachment B) Commissioner Riddle made the motion with Commissioner Ledford seconding. By unanimous vote the grant was approved.

**Adjournment**

Having no further business, Commissioner Riddle made a motion to adjourn, with Commissioner Ledford seconding the motion. The Board of Commissioners voted unanimously to adjourn.

Approved and authenticated this the 13<sup>th</sup> day of January 2020.

\_\_\_\_\_  
Jeff Whitson, Chairman

\_\_\_\_\_  
Mark Ledford, Vice Chairman

\_\_\_\_\_  
Jill Austin, Commissioner

\_\_\_\_\_  
Sonya Morgan, Clerk to the Board

\_\_\_\_\_  
David Grindstaff, Commissioner

(county seal)

\_\_\_\_\_  
Johnny Riddle, Commissioner

YANCEY COUNTY TAX ADMINISTRATION

End of Month Breakout

View Posted Payments in Date Range 12/01/2019 to 12/31/2019 for Both

Description	Amount
Vehicle Payments	
County Vehicle Tax Payments 2019	\$1,876.59
County Vehicle Tax Payments 2018	\$650.39
County Vehicle Tax Payments 2017	\$8.43
County Vehicle Tax Payments 2016	\$9.36
County Vehicle Tax Payments 2015	
County Vehicle Tax Payments 2014	
County Vehicle Tax Payments 2013	
County Vehicle Tax Payments 2012	
County Vehicle Tax Payments 2011	
County Vehicle Tax Payments 2010	
County Vehicle Tax Payments 2009	
County Vehicle Interest	\$34.60
County Vehicle Total Payments	\$2,579.37
Burnsville VFD Vehicle Tax	\$48.69
South Toe VFD Vehicle Tax	
Newdale VFD Vehicle Tax	\$2.67
West Yancey VFD Vehicle Tax	\$140.75
Egypt/Ramseytown VFD Vehicle Tax	
Clearmont VFD Vehicle Tax	
Double Island VFD Vehicle Tax	
Pensacola VFD Vehicle Tax	
VFD Vehicle Interest	\$3.57
VFD Vehicle Total Payments	\$195.68
Town of Burnsville Vehicle Tax	\$12.64
Town of Burnsville Vehicle Interest	
Town of Burnsville Vehicle Total Payment	\$12.64
State Vehicle Interest	\$18.68
Vehicle Total Payments	\$2,806.37

01/02/2020

**YANCEY COUNTY TAX ADMINISTRATION**

End of Month Breakout

Outstanding Balances through 12/31/2019

Description	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	Total
Balances											
Balances											
County Vehicle Tax											\$41,514.29
	\$6,147.66	\$14,544.71	\$15,660.65	\$5,161.27							
TOWN OF BURNSVILLE Vehicle Tax											\$1,038.21
		\$499.48	\$502.73	\$36.00							
BURNSVILLE FIRE DISTRICT Vehicle Tax											\$1,126.69
	\$281.59	\$254.75	\$533.90	\$56.45							
CANE RIVER FIRE DISTRICT Vehicle Tax											\$322.20
	\$7.14	\$140.11	\$166.58	\$8.37							
EGYPT FIRE DISTRICT Vehicle Tax											\$124.52
		\$71.60	\$52.52	\$0.40							
RAMSEYTOWN FIRE DISTRICT Vehicle Tax											\$11.17
		\$6.41	\$0.82	\$3.94							
GREEN MOUNTAIN FIRE DISTRICT Vehicle Tax											\$261.85
		\$151.60	\$109.07	\$1.18							
JACKS CREEK FIRE DISTRICT Vehicle Tax											\$306.35
	\$205.81	\$26.79	\$41.80	\$31.95							
BRUSH CREEK FIRE DISTRICT Vehicle Tax											\$102.98
		\$45.07	\$57.91								
CRABTREE FIRE DISTRICT Vehicle Tax											\$653.16
	\$111.31	\$312.36	\$193.67	\$35.82							
SOUTH TOE FIRE DISTRICT Vehicle Tax											\$440.88
	\$30.20	\$230.29	\$140.32	\$40.07							

PENSACOLA FIRE DISTRICT Vehicle Tax				\$357.57
	\$137.97	\$141.90	\$77.70	
PRICES CREEK FIRE DISTRICT Vehicle Tax				\$274.09
	\$5.69	\$28.70	\$65.53	\$174.17
County Vehicle Interest				\$3,713.92
	\$390.27	\$1,887.41	\$1,436.24	
TOWN OF BURNSVILLE Vehicle Interest				\$64.69
	\$5.98	\$48.27	\$10.44	
BURNSVILLE FIRE DISTRICT Vehicle Interes				\$93.90
	\$7.96	\$71.51	\$14.43	
CANE RIVER FIRE DISTRICT Vehicle Interes				\$20.75
	\$3.50	\$15.77	\$1.48	
EGYPT FIRE DISTIRCT Vehicle Interest				\$6.28
	\$1.11	\$5.16	\$0.01	
RAMSEYTOWN FIRE DISTRICT Vehicle Interes				\$0.79
	\$0.03	\$0.02	\$0.74	
GREEN MOUNTAIN FIRE DISTRICT Vehicle Int				\$13.24
	\$2.43	\$10.48	\$0.33	
JACKS CREEK FIRE DISTRICT Vehicle Intere				\$18.69
	\$1.83	\$7.65	\$9.21	
BRUSH CREEK FIRE DISTRICT Vehicle Intere				\$6.38
	\$0.83	\$5.55		
CRABTREE FIRE DISTRICT Vehicle Interest				\$38.81
	\$6.84	\$22.13	\$9.84	
SOUTH TOE FIRE DISTRICT Vehicle Interest				\$32.10
	\$6.60	\$15.78	\$9.72	
PENSACOLA FIRE DISTRICT Vehicle Interest				\$42.91
	\$3.32	\$18.72	\$20.87	
PRICES CREEK FIRE DISTRICT Vehicle Inter				\$63.86
	\$3.06	\$11.15	\$49.65	
DMV Vehicle Interest				\$427.98
	\$60.85	\$198.23	\$168.90	

Totals

\$6,789.40

\$16,944.45

\$19,985.23

\$7,359.18

\$51,078.26

---

Billed to Date

% Collected

County Vehicle Tax 2019

\$10,865.09

43.42%

01/02/2020

# Posting Report

12-01-2019 to 12-31-2019

01-02-2020

1:15 PM

## I. Tax Collections + Releases

Year	General Fund	Burnsville	West Yancey	Egypt/Ramseytown	Clearmont	Double Island	Newdale	South Toe	Pensacola	TOTAL
2014	\$415.00	\$49.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$464.80
2015	\$448.94	\$49.80	\$0.00	\$0.00	\$0.00	\$0.00	\$2.76	\$0.00	\$0.00	\$501.50
2016	\$955.57	\$35.88	\$0.00	\$0.00	\$15.95	\$38.70	\$0.00	\$23.67	\$0.00	\$1,069.77
2017	\$2,684.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$32.40	\$92.46	\$0.00	\$2,809.26
2018	\$7,168.52	\$464.98	\$106.32	\$0.00	\$251.67	\$0.00	\$66.86	\$179.38	\$0.00	\$8,237.73
2019	\$1,557,857.12	\$44,163.05	\$23,900.70	\$11,430.17	\$8,854.90	\$3,558.20	\$18,991.94	\$17,988.14	\$9,277.42	\$1,696,021.64
<b>TOTAL</b>	<b>\$1,569,529.55</b>	<b>\$44,763.51</b>	<b>\$24,007.02</b>	<b>\$11,430.17</b>	<b>\$9,122.52</b>	<b>\$3,596.90</b>	<b>\$19,093.96</b>	<b>\$18,283.65</b>	<b>\$9,277.42</b>	<b>\$1,709,104.70</b>

## II. Releases

	Current Year	Prior Year	TOTAL
General Fund	\$20.31	\$0.00	\$20.31
Burnsville	\$0.00	\$0.00	\$0.00
West Yancey	\$0.00	\$0.00	\$0.00
Egypt/Ramseytown	\$1.59	\$0.00	\$1.59
Clearmont	\$0.00	\$0.00	\$0.00
Double Island	\$0.00	\$0.00	\$0.00
Newdale	\$0.01	\$0.00	\$0.01
South Toe	\$0.00	\$0.00	\$0.00
Pensacola	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$21.91</b>	<b>\$0.00</b>	<b>\$21.91</b>

### III. Net Tax Collections

Year	General Fund	Burnsville	West Yancey	Egypt/Ramseytown	Clearmont	Double Island	Newdale	South Toe	Pensacola	TOTAL
<b>TOTAL</b>	\$1,569,509.24	\$44,763.51	\$24,007.02	\$11,428.58	\$9,122.52	\$3,596.90	\$19,093.95	\$18,283.65	\$9,277.42	\$1,709,082.79

---



# Transaction Type Report

12-01-2019 to 12-31-2019

Year	General	Fire	Penalty	Waste	Additional Fees	Principal	Interest	Advertising Cost	Legal Cost	Total
2014	\$415.00	\$49.80	\$0.00	\$0.00	\$0.00	\$464.80	\$195.59	\$0.00	\$0.00	\$660.39
2015	\$448.94	\$52.56	\$0.00	\$0.00	\$0.00	\$501.50	\$295.31	\$0.00	\$0.00	\$796.81
2016	\$955.57	\$114.20	\$0.00	\$0.00	\$0.00	\$1,069.77	\$309.62	\$12.00	\$0.00	\$1,391.39
2017	\$2,684.40	\$124.86	\$1.34	\$0.00	\$0.00	\$2,810.60	\$507.87	\$24.00	\$0.00	\$3,342.47
2018	\$7,168.52	\$1,069.21	\$1.24	\$0.00	\$0.00	\$8,238.97	\$1,075.96	\$76.00	\$0.00	\$9,390.93
2019	\$1,557,836.81	\$138,162.92	\$310.00	\$0.00	\$0.00	\$1,696,309.73	\$877.71	\$0.00	\$0.00	\$1,697,187.44
<b>TOTAL</b>	\$1,569,509.24	\$139,573.55	\$312.58	\$0.00	\$0.00	\$1,709,395.37	\$3,262.06	\$112.00	\$0.00	\$1,712,769.43

# Adjustment / Release Report

12-01-2019 to 12-31-2019

Year	General	Penalty	Waste	Additional Fees	Principal	Interest	Advertising Cost	Legal Cost	Fire	Amount Due	County Net
2018	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9.52	\$0.03	\$0.00	\$0.00	\$9.55	\$9.55
2019	\$20.31	\$0.00	\$0.00	\$0.00	\$20.31	\$2.21	\$0.00	\$0.00	\$1.60	\$24.12	\$22.52
<b>TOTAL</b>	\$20.31	\$0.00	\$0.00	\$0.00	\$20.31	\$11.73	\$0.03	\$0.00	\$1.60	\$33.67	\$32.07

---

# Collections Receipts Report

12-01-2019 to 12-31-2019

Total general tax	\$1,569,509.24
Total fire tax	\$139,573.55
Total penalty	\$312.58
Total Waste Fees	\$0.00
Total Additional Fees	\$0.00
<hr/>	
Total principal	\$1,709,395.37
Total interest	\$3,262.06
Total cost of advertising	\$112.00
Total legal	\$0.00
Total check overpayments	\$0.00
Total Prepaid Payments	\$319.43
Total Prepaid Applied	\$0.00
<hr/>	
Total misc	\$3,693.49
<hr/>	
Grand total receipts	\$1,713,088.86

---

# District Payment Report

12-01-2019 to 12-31-2019

Year	District Code	District Name	Amount
2014	001	BURNSVILLE FIRE DISTRICT	\$49.80
2015	001	BURNSVILLE FIRE DISTRICT	\$49.80
2015	008	CRABTREE FIRE DISTRICT	\$2.76
2016	001	BURNSVILLE FIRE DISTRICT	\$35.88
2016	006	JACKS CREEK FIRE DISTRICT	\$15.95
2016	007	BRUSH CREEK FIRE DISTRICT	\$38.70
2016	009	SOUTH TOE FIRE DISTRICT	\$23.67
2017	008	CRABTREE FIRE DISTRICT	\$32.40
2017	009	SOUTH TOE FIRE DISTRICT	\$92.46
2018	001	BURNSVILLE FIRE DISTRICT	\$464.98
2018	002	CANE RIVER FIRE DISTRICT	\$106.32
2018	005	GREEN MOUNTAIN FIRE DISTRICT	\$40.01
2018	006	JACKS CREEK FIRE DISTRICT	\$211.66
2018	008	CRABTREE FIRE DISTRICT	\$66.86
2018	009	SOUTH TOE FIRE DISTRICT	\$179.38
2019	001	BURNSVILLE FIRE DISTRICT	\$44,163.05
2019	002	CANE RIVER FIRE DISTRICT	\$7,943.72
2019	003	EGYPT FIRE DISTRICT	\$8,938.29
2019	004	RAMSEYTOWN FIRE DISTRICT	\$2,490.29
2019	005	GREEN MOUNTAIN FIRE DISTRICT	\$3,876.18
2019	006	JACKS CREEK FIRE DISTRICT	\$4,978.72
2019	007	BRUSH CREEK FIRE DISTRICT	\$3,558.20
2019	008	CRABTREE FIRE DISTRICT	\$18,991.93
2019	009	SOUTH TOE FIRE DISTRICT	\$17,988.14
2019	010	PENSACOLA FIRE DISTRICT	\$9,277.42
2019	011	PRICES CREEK FIRE DISTRICT	\$15,956.98
<b>TOTAL</b>			<b>\$139,573.55</b>

---

# Detailed District Payment Report

12-01-2019 to 12-31-2019

Year	District Code	District Name	Taxpayer Name	Address	Amount
TOTAL					\$0.00

# Outstanding Balances Report

As of 12-31-2019

Year	Amount	County	District	Interest	Advertising	Penalties	Waste	Additional Fees
2008	\$14,454.46	\$6,485.47	\$579.73	\$7,190.14	\$52.00	\$147.12	\$0.00	\$0.00
2009	\$13,313.95	\$6,607.77	\$502.81	\$6,139.37	\$64.00	\$0.00	\$0.00	\$0.00
2010	\$14,693.71	\$7,481.80	\$676.82	\$6,443.09	\$92.00	\$0.00	\$0.00	\$0.00
2011	\$22,380.11	\$11,708.11	\$1,162.47	\$9,387.68	\$104.00	\$17.85	\$0.00	\$0.00
2012	\$25,868.22	\$13,653.97	\$1,541.33	\$10,265.67	\$128.00	\$279.25	\$0.00	\$0.00
2013	\$22,157.37	\$12,918.37	\$1,185.85	\$7,831.15	\$222.00	\$0.00	\$0.00	\$0.00
2014	\$29,505.95	\$17,120.78	\$1,577.24	\$8,701.58	\$176.00	\$443.60	\$0.00	\$0.00
2015	\$33,309.92	\$21,508.04	\$2,058.32	\$8,558.10	\$228.00	\$257.30	\$0.00	\$0.00
2016	\$68,782.91	\$45,695.85	\$3,406.74	\$14,172.54	\$348.00	\$355.41	\$4.00	\$0.00
2017	\$85,777.64	\$66,025.88	\$5,590.61	\$12,848.56	\$592.00	\$720.59	\$0.00	\$0.00
2018	\$163,723.65	\$136,574.30	\$11,135.73	\$13,533.67	\$1,279.97	\$1,199.98	\$0.00	\$0.00
2019	\$2,407,930.77	\$2,215,640.36	\$189,945.25	\$13.97	\$0.00	\$2,331.19	\$0.00	\$0.00
<b>Total</b>	<b>\$2,901,898.66</b>	<b>\$2,561,420.70</b>	<b>\$219,362.90</b>	<b>\$105,085.52</b>	<b>\$3,285.97</b>	<b>\$5,752.29</b>	<b>\$4.00</b>	<b>\$0.00</b>

# Yancey County Tax Office

County/District Collection Percentage Report  
As of: 12-31-2019

Run Date: 01-02-2020

2019  
County

<b>Net Levy \$</b>	<b>Collections \$</b>	<b>Collections %</b>
12,740,907.18	10,526,017.71	82.62

## Districts

<b>Name</b>	<b>Net Levy \$</b>	<b>Collections \$</b>	<b>Collections %</b>
001 - BURNSVILLE FIRE DISTRICT	198,948.52	175,251.56	88.09
002 - CANE RIVER FIRE DISTRICT	78,231.74	63,253.83	80.86
003 - EGYPT FIRE DISTRICT	77,435.58	66,808.16	86.28
004 - RAMSEYTOWN FIRE DISTRICT	24,300.17	18,739.50	77.12
005 - GREEN MOUNTAIN FIRE DISTRICT	29,522.52	22,708.50	76.92
006 - JACKS CREEK FIRE DISTRICT	64,789.74	55,312.44	85.38
007 - BRUSH CREEK FIRE DISTRICT	40,178.54	33,045.48	82.25
008 - CRABTREE FIRE DISTRICT	172,752.95	135,156.43	78.24
009 - SOUTH TOE FIRE DISTRICT	192,938.70	160,446.79	83.16
010 - PENSACOLA FIRE DISTRICT	95,799.15	73,832.10	77.07
011 - PRICES CREEK FIRE DISTRICT	153,706.29	134,103.86	87.25

## District Totals

<b>Net Levy \$</b>	<b>Collections \$</b>	<b>Collections %</b>
1,128,603.90	938,658.65	83.17



### Tax Refunds and Releases

#### Description

Following are two requests.

- The first request is from Ray Higgins for a refund for excess tax collected. The Tax Assessor has opined that a refund is indicated and recommended pursuant to N. C. Gen. Stat. 105-381.
- The second request is from James Ray, Heritage Lumber Co., Inc., for a refund and release. The Tax Assessor will present the information relative to the request.

#### Item Presenter

Danny McIntosh

#### Board Action Requested

Pleasure of the Board





## YANCEY COUNTY TAX OFFICE

110 Town Square, Room 2 \* Burnsville, North Carolina 28714

Phone: (828) 682-2198 \* Fax (828) 682-4817

Email: [danny.mcintosh@yanceycountync.gov](mailto:danny.mcintosh@yanceycountync.gov)

Regular Meeting of the Board of Commissioners January 13 2020

Refund request:

HIGGINS, RAY  
1669 CANE RIVER SCHOOL RD  
BURNSVILLE NC 28714

PIN: 987000744057000 (ANGEL BRANCH RD) Property owner found that the property accumulated a mobile home during the 2016 revaluation process. This condition was created during the mass appraisal as part of the Advanced Desktop Appraisal portion of the revaluation. The result of the overstatement of value and tax collected for the past four years is as follows:

2016 Excess tax collected	\$ 59.52
2017 Excess tax collected:	\$ 59.52
2018 Excess tax collected:	\$ 59.52
2019 Excess tax collected:	\$ 59.52
Total excess tax collected during the past five years:	\$238.08

Property owner did request in writing that the excess tax paid be refunded.

Assessor's opinion: Pursuant to North Carolina General Statute 105-381 refund is indicated and recommended in the amount of \$238.08.

RESIDENTIAL PROPERTY RECORD CARD

YANCEY COUNTY, NORTH CAROLINA

EFFECTIVE DATE OF VALUE: 1/1/2020

ANGEL BRANCH RD PARCEL ID: 987000744057000 ACCOUNT NO: 000014525 CLASS: R STATE CLASS: 545 CARD #: 1 OF 1

CURRENT OWNER/ADDRESS HIGGINS, RAY ZONING: LAND DATA: ESN: 153 TOWNSHIP NAME: CANE RIVER NBHD ID: 201.00 LIVING UNITS: 1 VALUE FLAG: COST 1669 CANE RIVER SCHOOL RD TYPE SIZE RATE INFLUENCE FACTORS % LAND VALUE - ASSESSMENT INFORMATION -

Table with columns: UNDEVELOPED, RESIDUAL, WOODLAND, SIZE, RATE, LAND VALUE, and PRIOR/CURRENT values.

DEED BOOK: 329 - DEED PAGE: 710 DEED DATE: 19990421

Table with columns: DATE, TYPE, PRICE, VALID, BOOK/PAGE, TOTAL ACREAGE, TOTAL LAND VALUE, and PRIOR YEAR ASSESSMENTS.

Table with columns: PERMIT DATA DATE, NUMBER, PURPOSE, COST

DWELLING DATA: Story/Ht. Style: DOUBLE-WIDE Walls: Bedrooms: Total Rooms: Basement: Attic: Full Baths: Half Baths: Add'l Fixtures: Total Fixtures: Heating System: NONE Type: Fin. Bsmt. Living Area: Basement Rec Room Area: Total Fireplace: Basement Garage (# Cars): Ground Flr Area: TOT LIVING AREA: Quality Grade: Condition: Year Built: 2003 Eff. Year Built: CDU:

COST APPROACH COMPUTATIONS

Base Price Plumbing Additions Unfin. Area Basement Attic Heat/AC Adj. FBLA Rec Rm Fireplace Bsmt. Gar. SUBTOTAL Grade Factor C & D factor TOTAL RCN % Good Market Adj. TOTAL RCNLD

Table with columns: Lower Level, First Floor, Second Floor, Third Floor, Area, Value. Includes handwritten calculations for years 2016-2019.

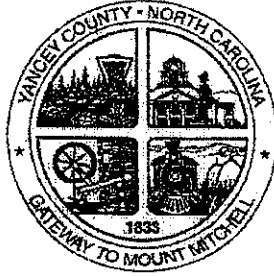
Table with columns: Type, Qty, Year, Size1, Size2, Grd, Cond, Value. Includes handwritten circled entry for RM2.

NOTES:

OTHER IMP: MISC. OUTBUILDING TOTAL: 9,300

I'm writing to request refund for taxes paid on a mobile home that is not on my property or owned by me. I have been taxed for this since 2016, so I'm requesting a refund for years 2016-2019.

Ray Higgins



## YANCEY COUNTY TAX OFFICE

110 Town Square, Room 2 \* Burnsville, North Carolina 28714

Phone: (828) 682-2198 \* Fax (828) 682-4817

Email: [dannv.mcintosh@yanceycountync.gov](mailto:dannv.mcintosh@yanceycountync.gov)

Regular Meeting of the Board of Commissioners January 13, 2020

Refund request:

HERITAGE LUMBER CO INC  
PO BOX 625  
BURNSVILLE NC 28714

BUSINESS PERSONAL PROPERTY ACCOUNT 000000331. Property owner found that Heritage Lumber Co staff submitted incorrect listing information resulting in an overstated taxable value for the years of 2015 and 2016. Investigation revealed that the subsequent corrective actions has created the following circumstances:

2015 Excess tax collected	\$333.72
2016 Excess tax billed:	\$863.47 (Billed, not paid, to be released)

Property owner did request in writing that the excess tax paid be refunded and that the excess tax billed be released.

Assessor's opinion: Taxpayer actions resulted in the creation of an excessive tax bill and the Board of County Commissioners may agree and desire to accommodate the taxpayers request to refund \$333.72 tax paid for 2015 and to release the unpaid tax of \$863.47.



**Heritage Lumber Co., Inc.**

**ACE**

570 Hwy. 19E ByPass • P.O. Box 625 • Burnsville, NC 28714 • (828) 682-3033 • FAX (828) 682-6589

December 31, 2019

Yancey County Tax Collector  
Yancey County Courthouse  
Town Square  
Burnsville, NC 28714

**RE: Business Property Tax for 2015 and 2016**

Dear Yancey County Tax Collector:

We respectfully would like to request a refund of excess taxes billed in error for years 2015 and 2016.

Thank you for your assistance in this matter.

Sincerely,

 12/31/19

James M Ray  
Heritage Lumber Co., Inc.



**Nolichucky River**

**Description**

Presenter will discuss the grass roots movement to designate the Nolichucky River as a Wild and Scenic River. Informational brochure follows.

**Item Presenter**

Halley Burleson

**Board Action Requested**

**Fw: Nolichucky Wild and Scenic**

Lynn Austin <Lynn.Austin@yanceycountync.gov>

Mon 1/6/2020 2:33 PM

To: Sonya Morgan <Sonya.Morgan@yanceycountync.gov>

January Meeting

*Lynn Austin*

*Yancey County Manager*

*Phone: 828-682-3971*

*Fax: 828-682-4301*

---

**From:** Halley Burleson <halley@americanwhitewater.org>

**Sent:** Tuesday, December 10, 2019 12:08 PM

**To:** Lynn Austin <Lynn.Austin@yanceycountync.gov>

**Subject:** Nolichucky Wild and Scenic

Hi Lynn,

It has been a few weeks since I spoke to you about putting me on the January Agenda for the Commissioners. I have been very busy gaining community support as well as support in Washington, D.C. I've just returned from D.C. where I met with Representatives for both Senator Burr and Tillis. Both meetings went extremely well and they are looking forward to helping us with this project. Here is some information I would like you to share with the Commissioners - Our website [www.noliwildandscenic.org](http://www.noliwildandscenic.org) has a lot of great information including 2 short films on the Nolichucky River, I would encourage you to watch both, starting with "This is the Noli" then "This is the Noli 2". Also attached is a PDF with general info on the designation, a letter from Caldwell County Commissioner, Ron Beane, speaking to why they designated Wilson Creek as a Wild and Scenic River and letters of support we have from Erwin, TN. Although the eight mile long Nolichucky Gorge is often associated with Tennessee, because of the commercial rafting companies in Unicoi County, six of those miles are in Mitchell and Yancey County. It's time the Nolichucky River Gorge and our Communities get the National Recognition they deserve. If you have any questions, please let me know!

--

Halley Burleson

Nolichucky Wild and Scenic Coordinator

828.467.3034



# NOLICHUCKY

## WILD & SCENIC

*"People miss out on the big picture of the river and what life it creates and sustains."*

*-John Holsclaw - TN State Representative*

**8**

Miles of River

**30,000**

Recreational Yearly Users

**Poplar, NC  
to  
Chestoa, TN**

### **The Grassroots Movement**

Inspired by the incredible landscape and rich cultural history of the Nolichucky there is a grass roots movement to designate this incredible place as the next Wild and Scenic River. If you've ever visited the section of the river from Poplar, NC to Chestoa, TN you understand why there is so much passion and interest in keeping this river free-flowing for everyone to enjoy!

### **What is Wild and Scenic Designation?**

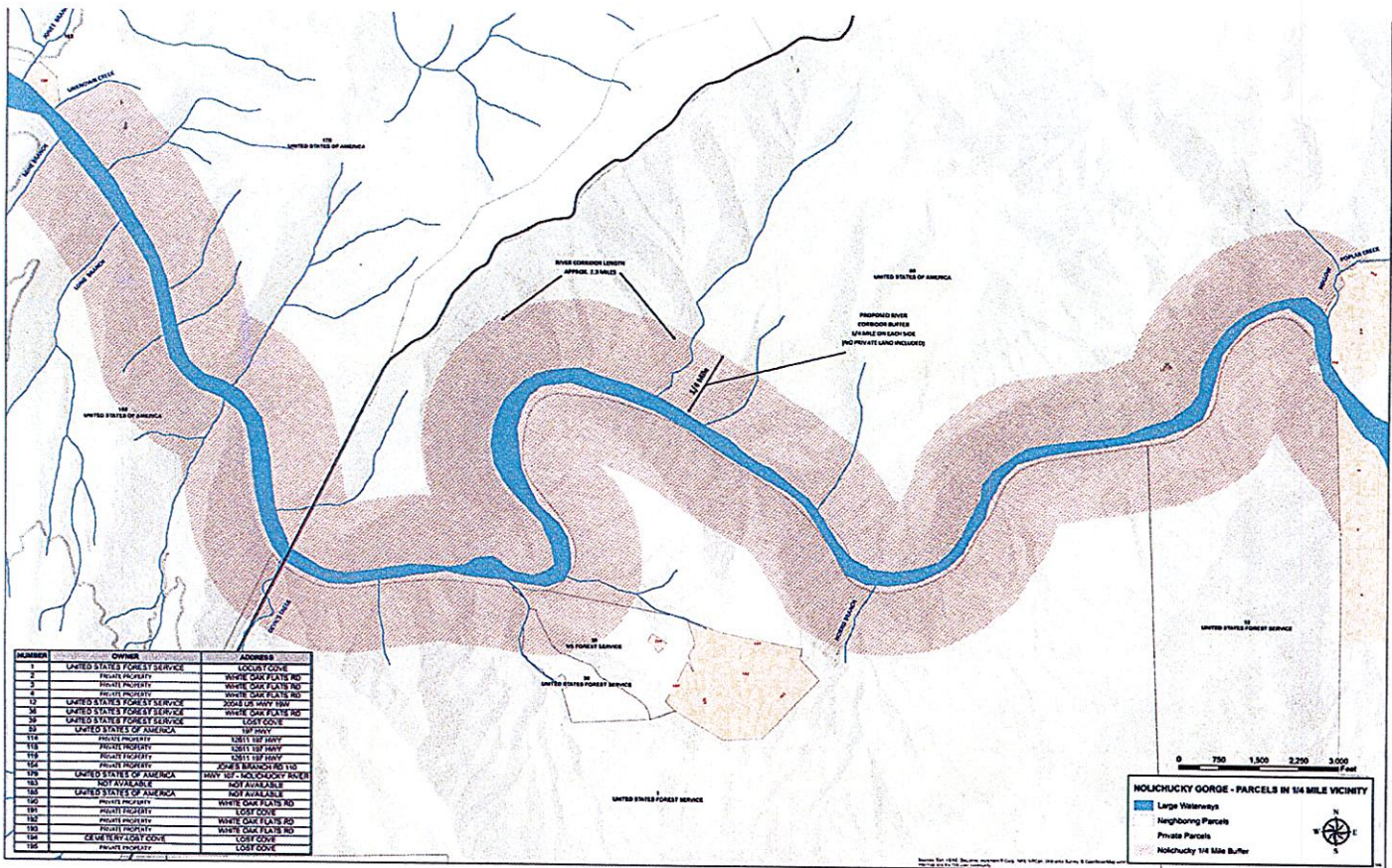
The federal Wild and Scenic Rivers Act is a popular and uniquely American river conservation tool. The act prohibits the construction of dams or other in stream activities that would harm the river's free-flowing condition, water quality, or outstanding recreational values. However,

designation does not affect existing water rights or the jurisdiction of states and federal government over protected waters. Simply put, Wild and Scenic Designation keeps the river as is it is for generations to come.

### **Why the Nolichucky?**

The Nolichucky is one of the last major free-flowing (undammed) rivers left in the Southeastern US.

The cool, free-flowing waters of the Nolichucky provide world-class angling opportunities for bass, crappie, catfish, muskie and trout. Kayakers, rafters and paddlers of all sorts share this love for the class III- IV rapids, steep canyon walls, and ever changing water levels. The recreational opportunities are endless!



# FAQ

## Where would designation take place?

The 8 mile section of river from Poplar, NC to Chestoa, TN plus 0.25 miles of shoreline on each side of the river. This is entirely in National Forest lands.

## How does this affect private land?

None, the designation area is entirely within federal land.

## Why designate Wild and Scenic?

This is the best insurance available to keep the river clean, cool and free-flowing for generations to come.

## What needs to happen?

Through motivation from local support congress must create a new law designating the corridor as Wild and Scenic.

## How will use of river change?

Simply put, it won't. This is why Wild and Scenic is so unique. As long as it doesn't affect the wild nature and recreational value of the river nothing changes.

## What can an individual do to help?

Go to [noliwildandscenic.org](http://noliwildandscenic.org) to ask your congressional representative to make this a priority.

## Learn more [noliwildandscenic.org](http://noliwildandscenic.org)





**Earth to Sky Park Agreement**

**Description**

Following is the Tri-Party Agreement for your review and consideration. Presenter will review the details of the document with the Board.

**Item Presenter**

Dr. John Boyd, Mayland Community College

**Board Action Requested**

Approve the Agreement

STATE OF NORTH CAROLINA

County of Yancey

Tri-Party Agreement and Easement

THIS AGREEMENT made this 19 December 2019 between and among THE TRUSTEES OF MAYLAND COMMUNITY COLLEGE a body corporate under the provisions of Chapter 115D of the General Statutes of North Carolina, as Declarant (“Declarant”); YANCEY COUNTY and MITCHELL COUNTY, bodies politic and corporate under the provisions of the General Statutes of North Carolina, hereinafter the property owners association (“POA”); and the TOE RIVER DISTRICT HEALTH DEPARTMENT, the local health department (“Health Department”)

WHEREAS, Declarant is the developer of the Earth to Sky Park under a long-term lease with Yancey and Mitchell Counties on real property in Yancey County, North Carolina, more particularly shown on Exhibit “A” hereinafter referenced;

WHEREAS, POA are nonprofit corporations, bodies politic and corporate, under the North Carolina General Statutes and as owners manage and maintain directly or through Declarant the real property more particularly shown on Exhibit “A” hereinafter referenced;

WHEREAS, as part of the common infrastructure of the Earth to Sky Park, Declarant has applied for a permit to construct and install therein a “drain field easement,” a common septic system dedicated to serve the Earth Sky Park, and a common shared well water system to serve the Earth to Sky Park;

WHEREAS, the proposed common water and septic systems located on easements shown on Exhibit “A” consisting of seven sheets by Brooks Engineering Associates titled “Mayland Community College Planetarium Expansion Onsite Wastewater System” are approved by all parties as hereinafter stated;

NOW, THEREFORE, in accordance with the provisions of 15A NCAC 18A 1937(h) and 15A NCAC 18A 1938(j), Declarant and POA agree, convey, and confirm as shown on Exhibit “A” attached hereto as follows:

1. A perpetual easement and right of way is conveyed and established as shown on Exhibit "A" attached hereto for the following:

(a) a perpetual easement for installation, maintenance, repair, replacement and for access to septic collection tanks to be located as shown on Exhibit "A";

(b) A perpetual easement for installation, maintenance, repair, replacement and for access to septic supply lines running from the collection tanks as shown on Exhibit "A" along and with the easement areas shown on Exhibit "A", including utility easements designated as "drain field easement;"

(c) A perpetual easement for installation, maintenance, repair, replacement and for access to the "septic drainfield easement" shown on Exhibit "A" for the purposes of installation, maintenance, repair, and operation of a fully permitted common septic absorption system to be used exclusively by Declarant and maintained with consent of the POA;

(d) A perpetual easement on and over each of the well sites designated on Exhibit "A" for the installation, maintenance, repair, replacement and for access to wells to be installed on such easements, including pumps and other apparatus sufficient to provide water service for the Earth to Sky Park; and

(e) A perpetual easement for installation, maintenance and water supply lines running from the well sites as referenced on Exhibit "A" along and with the easement areas shown there to and for the Earth to Sky Park.

2. The easements and rights of way set forth in paragraph 1:

(a) are appurtenant to specifically described property and runs with the land and is not affected by change of ownership or control;

(b) are valid for as long as the wastewater system is required for the Earth to Sky Park that it is designed to serve;

(c) describe and specify the uses being granted and include ingress and egress, system installation, operation, maintenance, monitoring, and repair;

(d) specifies by plat within Exhibit "A" attached the area or site required for the wastewater system and appurtenances including a site for any required system replacement; and

(e) shall be recorded with the register of deeds in Yancey County where the system and facility is located by recordation of this Agreement.

TO HAVE AND TO HOLD the aforesaid easement and agreement to the parties hereto, their successors, heirs and assigns, to their use and behoof forever, according to the terms set forth herein and on Exhibit "A" attached hereto.

The Toe River Health Department executes this agreement and easement in accordance with the provision of the North Carolina Administrative Code hereinabove referenced.

WHEREFORE, the parties have executed this agreement the day and year first above written pursuant to authority duly given.

THE TRUSTEES OF MAYLAND COMMUNITY COLLEGE

By \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

YANCEY COUNTY

By \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

MITCHELL COUNTY

By \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

TOE RIVER DISTRICT HEALTH DEPARTMENT

By \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

STATE OF NORTH CAROLINA

County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he executed the foregoing as \_\_\_\_\_ of The Trustees of Mayland Community College, a body corporate on behalf of the corporation pursuant to authority duly given.

Witness my hand and official seal or stamp this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

STATE OF NORTH CAROLINA

County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he executed the foregoing as \_\_\_\_\_ of Yancey County, a body politic and corporate on behalf of the corporation pursuant to authority duly given.

Witness my hand and official seal or stamp this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

STATE OF NORTH CAROLINA

County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he executed the foregoing as \_\_\_\_\_ of Mitchell County, a body politic and corporate on behalf of the corporation pursuant to authority duly given.

Witness my hand and official seal or stamp this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

STATE OF NORTH CAROLINA

County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he executed the foregoing as \_\_\_\_\_ of Toe River District Health Department on behalf of the department pursuant to authority duly given.

Witness my hand and official seal or stamp this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

EXHIBIT "A" to Triparty Agreement and Easement  
(seven sheets)

MAYLAND COMMUNITY COLLEGE - EARTH TO SKY PARK  
ONSITE WASTEWATER SYSTEM  
YANCEY COUNTY

NOTES

GENERAL CONSTRUCTION NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CONSTRUCTION AND BUILDING CODES.
2. ALL WORK SHALL BE SUBJECT TO THE DESIGN SET FORTH IN THE LATEST EDITIONS OF THE CONSTRUCTION AND BUILDING CODES.
3. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
4. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
5. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
6. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
7. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
8. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
9. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.
10. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO CONSTRUCTION.

PROJECT SCOPE NOTES

1. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
2. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
3. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
4. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
5. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.

GENERAL SURVEY NOTES

1. THE SURVEY WAS CONDUCTED BY BROOKS ENGINEERING ASSOCIATES, PA.
2. THE SURVEY WAS CONDUCTED BY BROOKS ENGINEERING ASSOCIATES, PA.
3. THE SURVEY WAS CONDUCTED BY BROOKS ENGINEERING ASSOCIATES, PA.
4. THE SURVEY WAS CONDUCTED BY BROOKS ENGINEERING ASSOCIATES, PA.
5. THE SURVEY WAS CONDUCTED BY BROOKS ENGINEERING ASSOCIATES, PA.

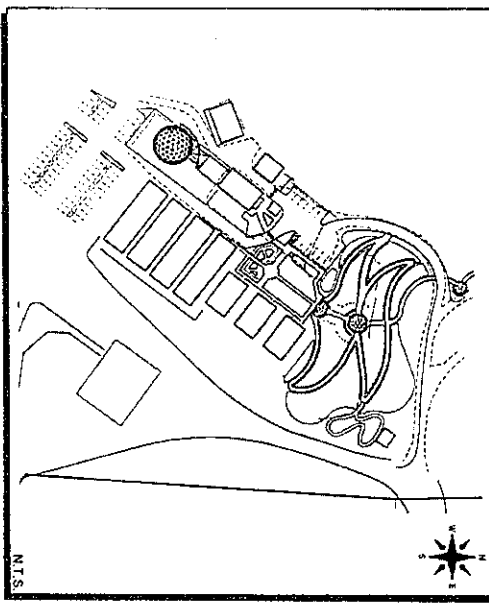
REQUIRED INSPECTION SCHEDULE  
BY PROJECT ENGINEER

1. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
2. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
3. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
4. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.
5. THE PROJECT IS TO BE A PLANETARIUM EXPANSION AT MAYLAND COMMUNITY COLLEGE.

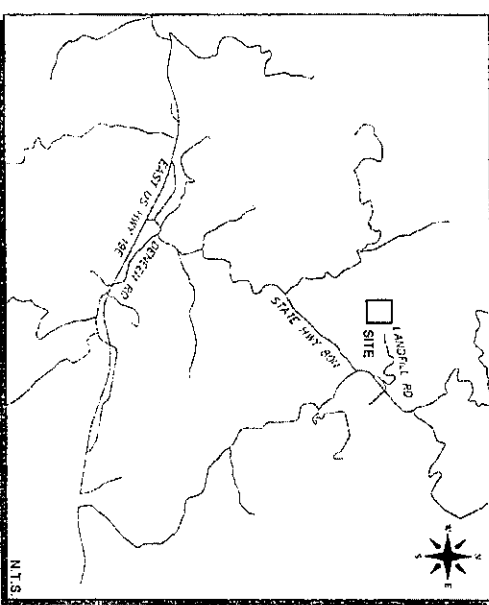


REPORT FOR: 10/10/11  
M.C. OFFICE CENTER

PROJECT MAP



VICINITY MAP



CONTACTS

**CLIENT:** MAYLAND COMMUNITY COLLEGE  
**CONTACT INFO:** DR. JOHN BOYD  
PO BOX 540  
SPRING HILL, NC 28777  
jboyd@mayland.edu

**SOIL SCIENTIST:** LAND RESOURCE MANAGEMENT  
**CONTACT INFO:** WALTER FERGUSON  
PO BOX 9251  
ASHEVILLE, NC 28815  
wfer@ncdhs.gov

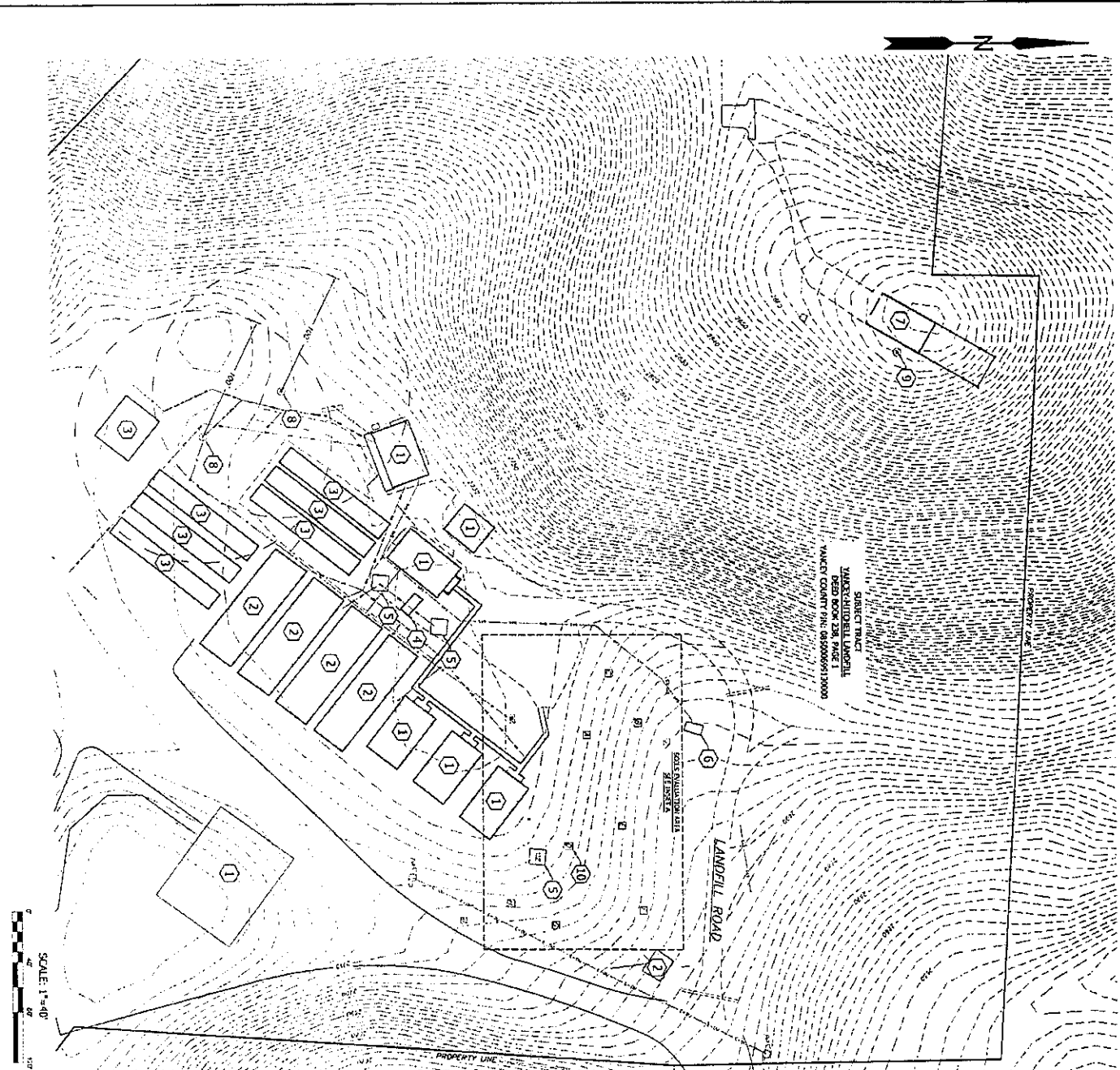
**ENGINEER:** BROOKS ENGINEERING ASSOCIATES, PA  
**CONTACT INFO:** MARK BROOKS  
17 ARLINGTON STREET  
ASHEVILLE, NC 28801  
585-232-4100  
mbrooks@brookseng.com

**SURVEYOR:** MOABEE AND ASSOC., PA  
**CONTACT INFO:** 3 MOABEE TOWER  
FAIRVIEW, NC 28730  
828-928-1235

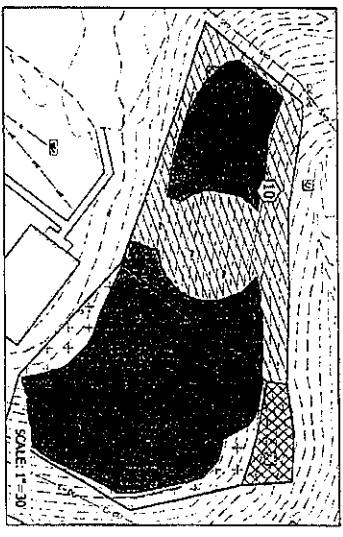
SHEET INDEX

NO.	TITLE	NO.	TITLE
N1	PLANNING CONDITIONS & DESIGN PLAN		
N2	SITE OVERVIEW		
N3	PRELIMINARY LAYOUT		
N4	CONCEPTUAL LAYOUT		
N5	PRELIMINARY DETAILS		
N6	SYSTEM DETAILS		

Project No 494319	MAYLAND COMMUNITY COLLEGE PLANETARIUM EXPANSION ONSITE WASTEWATER SYSTEM	<b>BROOKS</b> ENGINEERING ASSOCIATES	17 Arlington Street Asheville, N.C. 28801 Phone: 1-828-232-4100 Fax: 1-828-232-1331 www.brookseng.com		<table border="1"> <thead> <tr> <th>No.</th> <th>REVISIONS/SUBMISSIONS</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>INITIAL SUBMITTAL</td> <td>11/2/19</td> </tr> </tbody> </table>	No.	REVISIONS/SUBMISSIONS	Date	1	INITIAL SUBMITTAL	11/2/19
No.	REVISIONS/SUBMISSIONS	Date									
1	INITIAL SUBMITTAL	11/2/19									
Drawing Title COVER SHEET		Planning • Engineering • Surveying • Environmental Services •	FINAL DRAWING - NOT FOR CONSTRUCTION								



- KEYNOTES:**
- 1 EXISTING BUILDING TO REMAIN
  - 2 EXISTING GREENHOUSE TO REMAIN
  - 3 EXISTING GREENHOUSE TO BE REMOVED
  - 4 EXISTING SEED TO BE REMOVED
  - 5 EXISTING SOAK PANS TO BE REMOVED
  - 6 EXISTING UTILITY STATION TO BE REMOVED
  - 7 EXISTING ORGANITARY AND ASSOCIATED PARKING
  - 8 EXISTING WELL
  - 9 EXISTING MOUNTAIN WELL
  - 10 EXISTING SOIL TEST PIT



- DIMP FIELD NOTES:**
- 1. FOR USE IN THE FIELD TO IDENTIFY THE LOCATION OF THE REMOVED BUILDING FOOTPRINTS.
  - 2. FOR USE IN THE FIELD TO IDENTIFY THE LOCATION OF THE REMOVED UTILITY STATION.
  - 3. FOR USE IN THE FIELD TO IDENTIFY THE LOCATION OF THE REMOVED SOAK PANS.
  - 4. FOR USE IN THE FIELD TO IDENTIFY THE LOCATION OF THE REMOVED SEED.
  - 5. FOR USE IN THE FIELD TO IDENTIFY THE LOCATION OF THE REMOVED MOUNTAIN WELL.
  - 6. FOR USE IN THE FIELD TO IDENTIFY THE LOCATION OF THE REMOVED SOIL TEST PIT.

**SITE PREPARATION:**

NO CLEANING OR GRUBBING IS NECESSARY FOR THE PROJECT. THE DEMO FIELD AREA IS TO BE PLANTED AS A PERMANENT COVER AS AN EXHIBIT FOR THE PLANETARIUM. THE FOLLOWING IS THE VEGEATION CONSTRUCTION SEQUENCE FOR THE PROJECT:

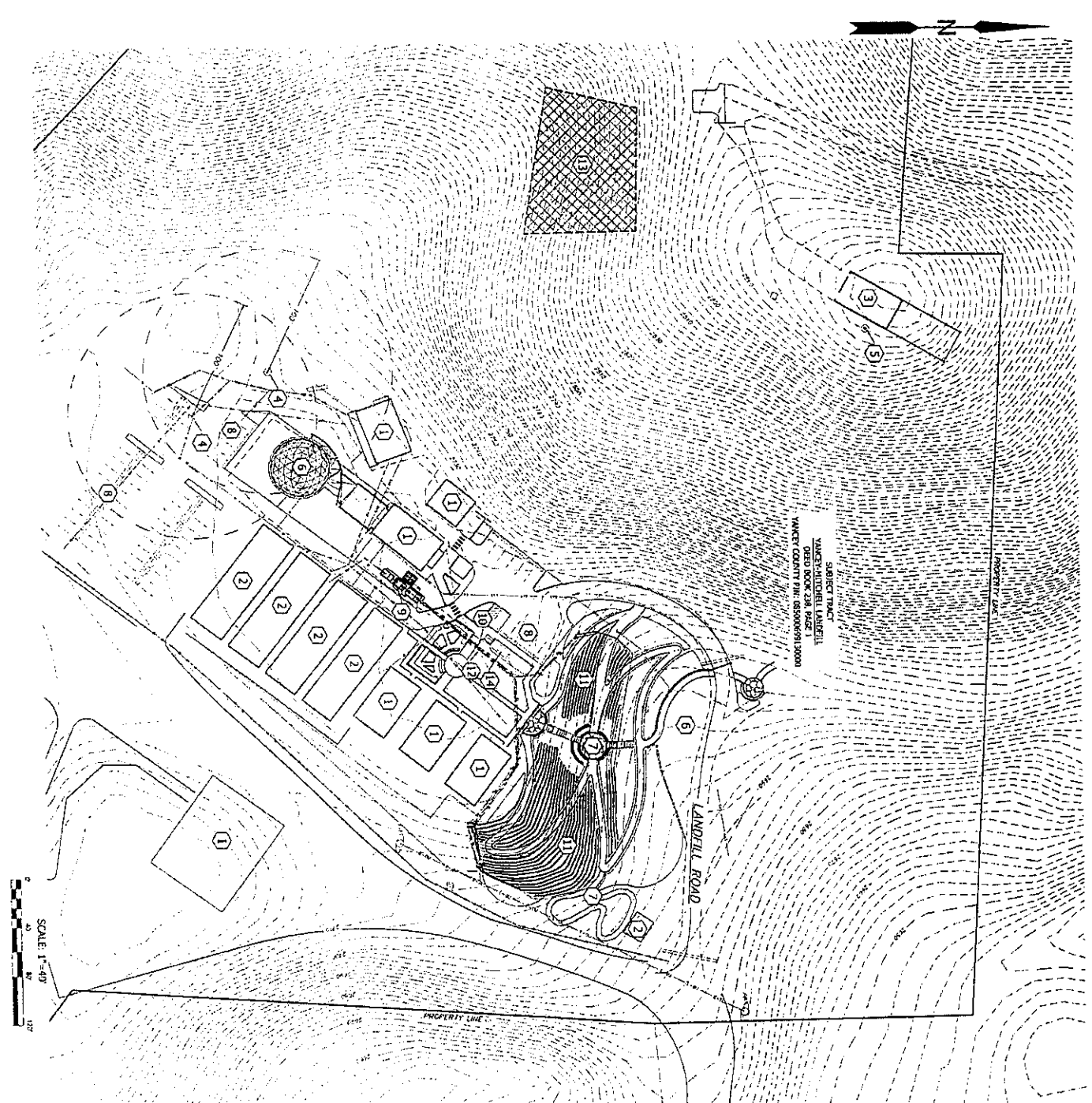
1. THE DEMO FIELD AREA IS TO BE REMOVED UNDER THE DIRECT SUPERVISION OF THE PROJECT ENGINEER.
2. THE DEMO FIELD AREA IS TO BE REVEALED TO THE ORIGINAL GRADE AND TO BE PLANTED WITH VEGETATION.
3. THE DEMO FIELD AREA IS TO BE REVEALED TO THE ORIGINAL GRADE AND TO BE PLANTED WITH VEGETATION.
4. THE DEMO FIELD AREA IS TO BE REVEALED TO THE ORIGINAL GRADE AND TO BE PLANTED WITH VEGETATION.
5. THE DEMO FIELD AREA IS TO BE REVEALED TO THE ORIGINAL GRADE AND TO BE PLANTED WITH VEGETATION.
6. THE DEMO FIELD AREA IS TO BE REVEALED TO THE ORIGINAL GRADE AND TO BE PLANTED WITH VEGETATION.

**LEGEND**

EXISTING BUILDING TO REMAIN	EXISTING GREENHOUSE TO REMAIN
EXISTING GREENHOUSE TO BE REMOVED	EXISTING SEED TO BE REMOVED
EXISTING SOAK PANS TO BE REMOVED	EXISTING UTILITY STATION TO BE REMOVED
EXISTING ORGANITARY AND ASSOCIATED PARKING	EXISTING WELL
EXISTING MOUNTAIN WELL	EXISTING SOIL TEST PIT

Project No. <b>494319</b>	<b>MAYLAND COMMUNITY COLLEGE PLANETARIUM EXPANSION ONSITE WASTEWATER SYSTEM</b>	<b>BROOKS</b> ENGINEERING ASSOCIATES	Designer: MCB Checker: TAS Date: 11-4-19	Revised: MCB Date: AS NOTED Date: 11-4-19			No. 1 REVISIONS/SUBMISSIONS INITIAL SUBMITTAL	Date 11/4/19
N-1	YANCEY COUNTY NORTH CAROLINA	Planning • Engineering • Surveying • Environmental Services •	17 Arlington Street Asheville, N.C. 28801 Phone: 1-828-252-4700 Fax: 1-828-252-1331 www.brooksaa.com		<b>FINAL DRAWING - NOT FOR CONSTRUCTION</b>			

Copyright © 2019 Brooks Engineering Associates, Inc. All rights reserved. This drawing is the property of Brooks Engineering Associates, Inc. and is not to be reproduced without written permission.



- KEYNOTES:**
- ① EXISTING BUILDING TO REMAIN.
  - ② EXISTING GREENHOUSE TO REMAIN.
  - ③ EXISTING OBSERVATORY AND ASSOCIATED PARKING.
  - ④ EXISTING WELL.
  - ⑤ EXISTING HORIZONTAL WELL.
  - ⑥ PROPOSED PLANTATION (BY OTHERS).
  - ⑦ PROPOSED BUTTERNUT GARDEN AREA (BY OTHERS).
  - ⑧ PROPOSED PARKING AREA (BY OTHERS).
  - ⑨ PROPOSED EDGEWATER TREATMENT SYSTEM. SEE SHEET N-2 FOR LAYOUT.
  - ⑩ THREE (3) PROPOSED 1.5' DIA. PVC SURVEY LINE FROM TREATMENT SYSTEM TO PRIMARY DRAINFIELD.
  - ⑪ PROPOSED PRIMARY DRAINFIELD. SEE SHEET N-2 FOR LAYOUT.
  - ⑫ PROPOSED 1.5' DIA. PVC RETURN LINE FROM TREATMENT SYSTEM TO PRIMARY DRAINFIELD.
  - ⑬ PROPOSED REPAIR AREA PER SOILS REPORT.
  - ⑭ PROPOSED STORMWATER PAINT GARDEN (BY OTHERS).

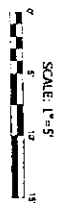
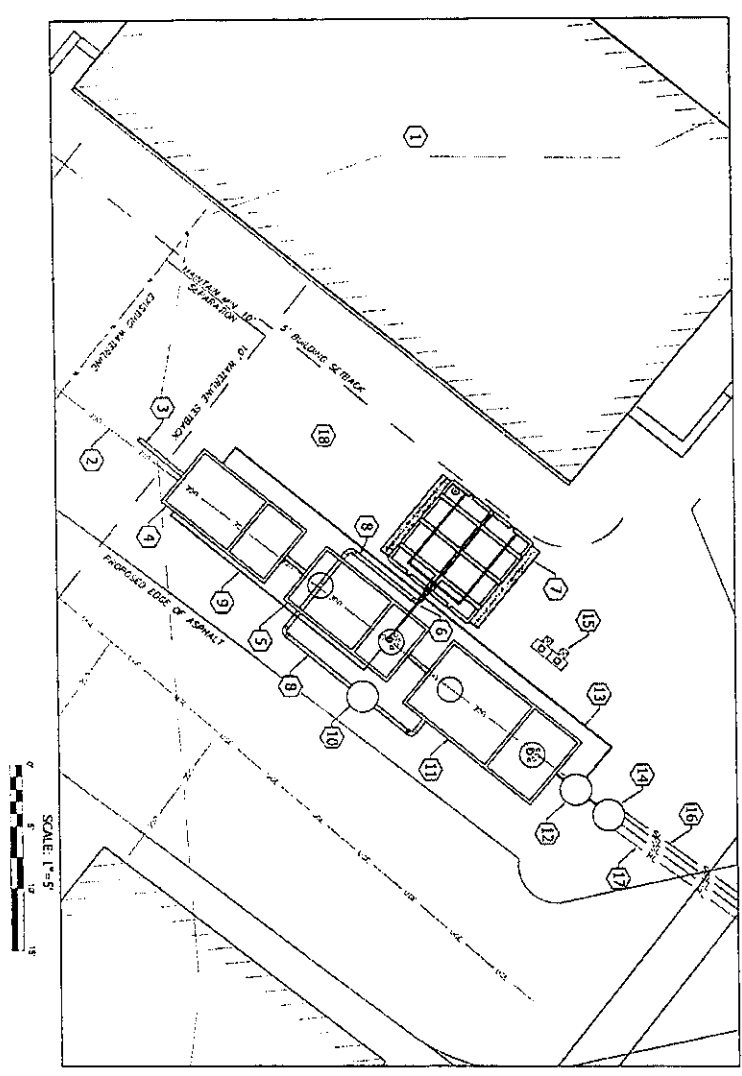
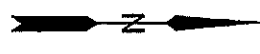
- INSTALLATION NOTES:**
1. Maintain minimum 12" free board above all ground lines.
  2. Obtain minimum 30' of cover over all pipes.
  3. Obtain minimum 30' of cover over all manholes, vaults, and structures. The cover for all PVC should be 18" and for all cast iron should be 24".
  4. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  5. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  6. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  7. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  8. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  9. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  10. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  11. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  12. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  13. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  14. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.
  15. All pipe shall be installed in a trench. The trench shall be 18" wide and 30" deep. The trench shall be backfilled with 3/4" clean sand.

LEGEND	
	EXISTING BUILDING
	EXISTING GREENHOUSE
	EXISTING OBSERVATORY AND ASSOCIATED PARKING
	EXISTING WELL
	EXISTING HORIZONTAL WELL
	PROPOSED PLANTATION
	PROPOSED BUTTERNUT GARDEN AREA
	PROPOSED PARKING AREA
	PROPOSED EDGEWATER TREATMENT SYSTEM
	PROPOSED PRIMARY DRAINFIELD
	PROPOSED 1.5' DIA. PVC SURVEY LINE
	PROPOSED REPAIR AREA
	PROPOSED STORMWATER PAINT GARDEN

Project No. 494319	MAYLAND COMMUNITY COLLEGE PLANETARIUM EXPANSION ONSITE WASTEWATER SYSTEM YANCEY COUNTY NORTH CAROLINA	 <b>BROOKS</b> ENGINEERING ASSOCIATES Planning • Engineering • Surveying • Environmental Services •	Drawn: MCB Date: 11-4-19 Checked: MCB Scale: AS NOTED Title: 11-4-19	 17 Arlington Street Asheville, N.C. 28801 Phone: 1-828-238-4700 Fax: 1-828-232-1331 www.brooksae.com	 <b>FINAL DRAWING - NOT FOR CONSTRUCTION</b>	No. 1 REVISIONS/SUBMISSIONS INITIAL SUBMITTAL Date: 11/4/19
N-2			Drawing Title <b>SITE OVERVIEW</b>			

11/4/19 11:45 AM Project: 494319 - MAYLAND COMMUNITY COLLEGE PLANETARIUM EXPANSION ONSITE WASTEWATER SYSTEM





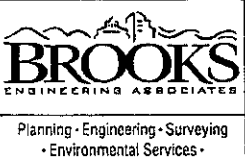
- KEYNOTES:**
- 1 EXISTING BUILDING TO BE PART OF PROPOSED PLANETARIUM. SEE SHEET N-3 FOR DETAILS FROM SHEET N-3.
  - 2 EXISTING UNDERGROUND ELECTRICAL LINE TO BE FIELD VERIFIED AND RELOCATED BY CONTRACTOR.
  - 3 PROPOSED 4" SCH 40 PVC GALLEY SEWER LINE FROM PROPOSED BUILDING TO PROPOSED SEPTIC TANK. ALIGNMENT SUBJECT TO CHANGE BASED ON BUILDING PLUMBING PLAN. SEE SHEET N-5 FOR TRENCH DETAIL.
  - 4 PROPOSED 1,500 GALLON SEPTIC TANK. SEE SHEET N-4.1 FOR DETAIL.
  - 5 PROPOSED 1,500 RECYCLATION TANK. SEE SHEET N-4.1 FOR DETAIL.
  - 6 PROPOSED 1.0" SCH 40 EZ TREAT ROD DOSSING LINE.
  - 7 EZ-TREAT MODEL 1200 FILTER MEDIA ROD. SEE SHEET N-4.1 FOR DETAILS.
  - 8 PROPOSED 4" SCH 40 PVC GALLEY PNE FROM ROD TO RECYCLATION TANK BRASS VALVE TO 0.1 UNIT.
  - 9 PROPOSED 3/4" RECYCLATION LINE FROM RECYC. TANK TO SEPTIC TANK WITH GATE VALVE TO THROTTLE FLOW.
  - 10 PROPOSED UV UNIT. SEE SHEET N-4.2 FOR DETAIL.
  - 11 PROPOSED 2,500 GALLON DOSE TANK. SEE SHEET N-4.1 FOR DETAIL.
  - 12 PROPOSED 02 TREAT DAP# HEADWORKS UNIT. SEE SHEET N-4.2 FOR DETAIL.
  - 13 PROPOSED 1.5" SCH 40 PVC RETURN FRESH LINE FROM HEADWORKS BOX TO SEPTIC TANK.
  - 14 PROPOSED 3-ZONE VALVE BOX. SEE SHEET N-4.2 FOR DETAIL.
  - 15 PROPOSED CONTROL PANELS, MOUNTED ON TREATED WOOD SUPPORTS, FOR PUMP DOSSING EZ TREAT FILTER MEDIA ROD AND UV UNIT DOSSING ROD FIELD.
  - 16 THREE (3) PROPOSED 1.5" SCH 40 PVC SPWNT LIE TO DIRFIELD. SEE SHEET N-5 FOR TRENCH DETAIL.
  - 17 PROPOSED 1.5" SCH 40 PVC RETURN LINE TO HEADWORKS BOX. SEE SHEET N-4.2 FOR TRENCH DETAIL.
  - 18 AREA AROUND PNE TREATMENT SYSTEM TO BE GRADED AS PERIOD. WATER SHALL BE DIVERTED AWAY FROM TANKS.

Project No:  
494319

**N-3.1**

MAYLAND COMMUNITY COLLEGE  
PLANETARIUM EXPANSION  
ONSITE WASTEWATER SYSTEM

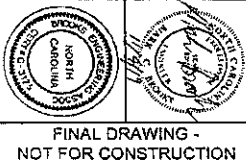
YANCEY COUNTY NORTH CAROLINA



Designed by: MCB  
Checked by: TAS  
Date: 11-4-19

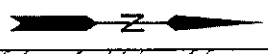
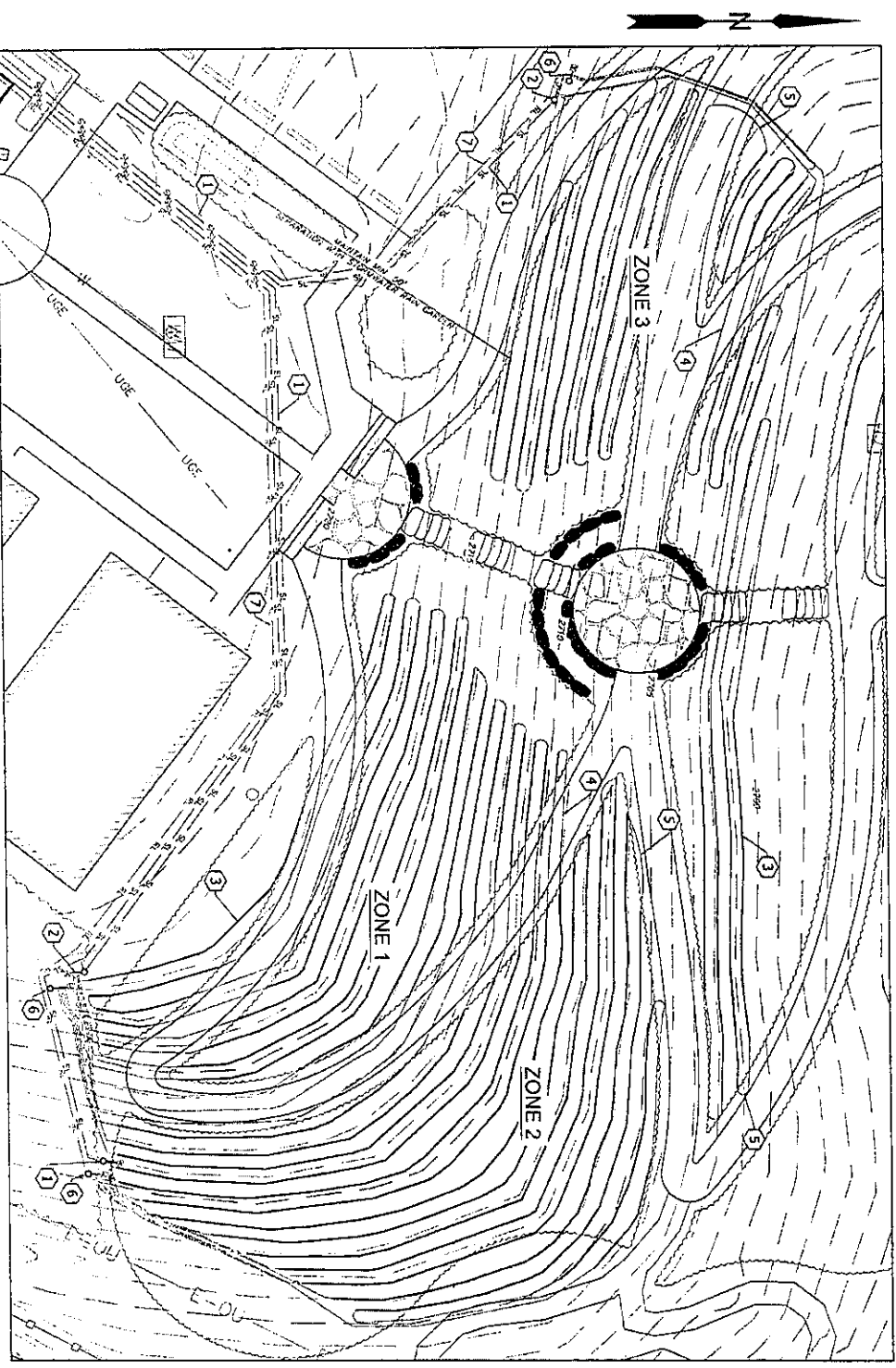
Reviewed by: MCB  
AS NOTED  
Date: 11-4-19

17 Arlington Street  
Asheville, N.C. 28801  
Phone: 1-828-232-4700  
Fax: 1-828-232-1331  
www.brooksek.com



**FINAL DRAWING - NOT FOR CONSTRUCTION**

No.	REVISIONS/SUBMISSIONS	Date
1	INITIAL SUBMITTAL	11/4/19

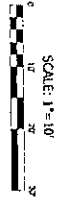


**KEYNOTES:**

1. THESE ARE PROPOSED 1" SDR 40 PNC SUPPLY LINE TO DRIFFIELD. SEE SHEET N-4.2 FOR TUBING DETAIL.
2. PROPOSED 1" SDR 40 PNC SUPPLY MAINLINE & CONNECTIONS. SEE DETAILS ON N-4.2.
3. PROPOSED PRIMARY DRIFFIELD. EACH SET DRIFFIELD SYSTEM GEOMETRY W/PC 0.5" GAUGELINE WITH BUTTERS INSTALLED 2" ON CENTER. SEE DETAIL SHEET N-4.2.
4. PROPOSED MINOR DRIFFIELD. EACH SET DRIFFIELD SYSTEM GEOMETRY W/PC 0.5" GAUGELINE WITH BUTTERS INSTALLED 2" ON CENTER. SEE DETAIL SHEET N-4.2.
5. PROPOSED DRIFFIELD. SEE SHEET N-4.2 FOR DETAIL.
6. PROPOSED 1.5" RETURN MAINLINE & CONNECTIONS. SEE DETAILS ON N-4.2.
7. PROPOSED 1.5" SDR 40 PNC RETURN LINE TO REWORKERS BOX. SEE SHEET N-4.2 FOR TUBING DETAIL.

**DRIFFIELD NOTES:**

1. RADIANT DRIFTFIELD: 750 GPD / 0.2 GPD/SF / 2" SPACING - 1013 L.F.
2. RADIANT IS 3 ZONES WITH A TOTAL OF 3185 L.F. OF ACTIVE DRIFFIELD (WITH BUTTERS).
3. FILL MATERIAL TO BE COVERED PRIOR TO THE INSTALLATION OF DRIFFIELD.
4. SEE SHEET N-4.1 FOR PROPOSED DRIFFIELD DETAIL AS PROVIDED IN THE SOILS REPORT.
5. FILL MATERIAL BEHIND DRIFFIELD CHANGES CONTIGUOUS ALIGNMENTS AS SHOWN HEREON. ADJUST PRIMARY DRIFFIELD TUBING AS NEEDED TO MAINTAIN A MINIMUM OF 2" HORIZONTAL SEPARATION ON CENTERLINE.
6. SEE SHEET N-4.2 FOR FILL REMOVAL AND TOP SOIL ADDITION DETAIL.



**GRIP FIELD DETAILS**

**ZONE 1**

Station	Length (ft)	Flow Rate (GPD)	Flow Rate (GPD/SF)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)
1+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
2+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
3+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
4+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
5+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
6+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
7+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
8+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
9+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
10+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15

**ZONE 2**

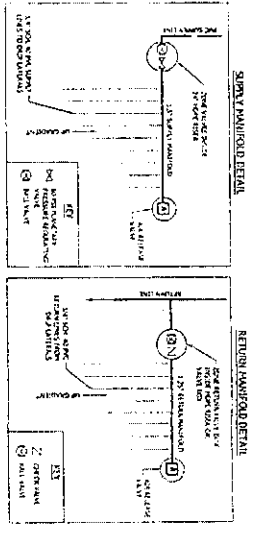
Station	Length (ft)	Flow Rate (GPD)	Flow Rate (GPD/SF)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)
1+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
2+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
3+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
4+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
5+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
6+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
7+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
8+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
9+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
10+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15

**ZONE 3**

Station	Length (ft)	Flow Rate (GPD)	Flow Rate (GPD/SF)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)
1+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
2+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
3+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
4+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
5+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
6+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
7+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
8+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
9+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15
10+00	100	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15

**DOSE SCHEDULE**

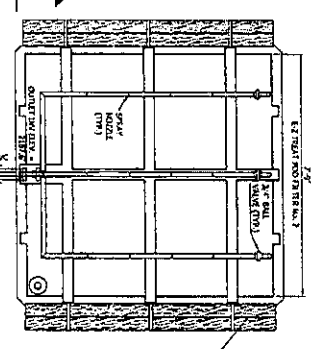
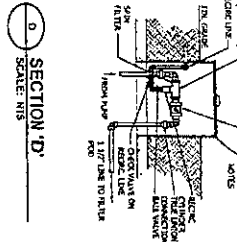
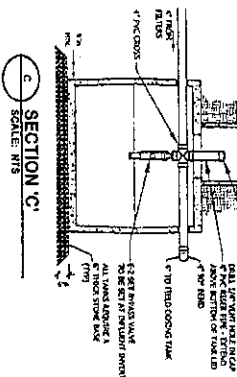
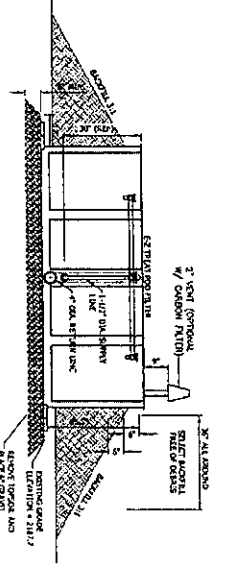
Day	Flow Rate (GPD)	Flow Rate (GPD/SF)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)	Flow Rate (GPD/IN)
1	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
2	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
3	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
4	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
5	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
6	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
7	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
8	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
9	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15
10	750	7.5	0.15	0.15	0.15	0.15	0.15	0.15	0.15



Project No <b>494319</b>	<b>MAYLAND COMMUNITY COLLEGE PLANETARIUM EXPANSION ONSITE WASTEWATER SYSTEM</b>	<p><b>BROOKS</b> ENGINEERING ASSOCIATES</p>	Designed MCB	Reviewed MCB		No.	REVISIONS/SUBMISSIONS	Date
<b>N-3.2</b>	YANCEY COUNTY NORTH CAROLINA		Checked TAS	AS NOTED		1	INITIAL SUBMITTAL	11/4/19
Drawing Title <b>DRIP FIELD LAYOUT</b>		Planning • Engineering • Surveying • Environmental Services •	17 Aragon Street Asheville, N.C. 28801 Phone 1-828-232-4700 Fax 1-828-232-1331 www.brooksa.com		<b>FINAL DRAWING - NOT FOR CONSTRUCTION</b>			

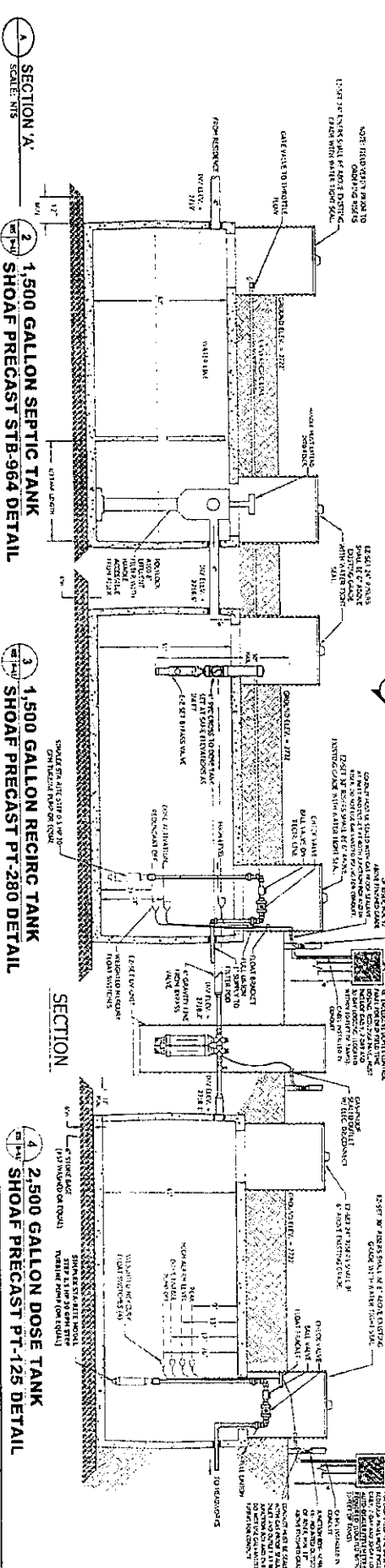
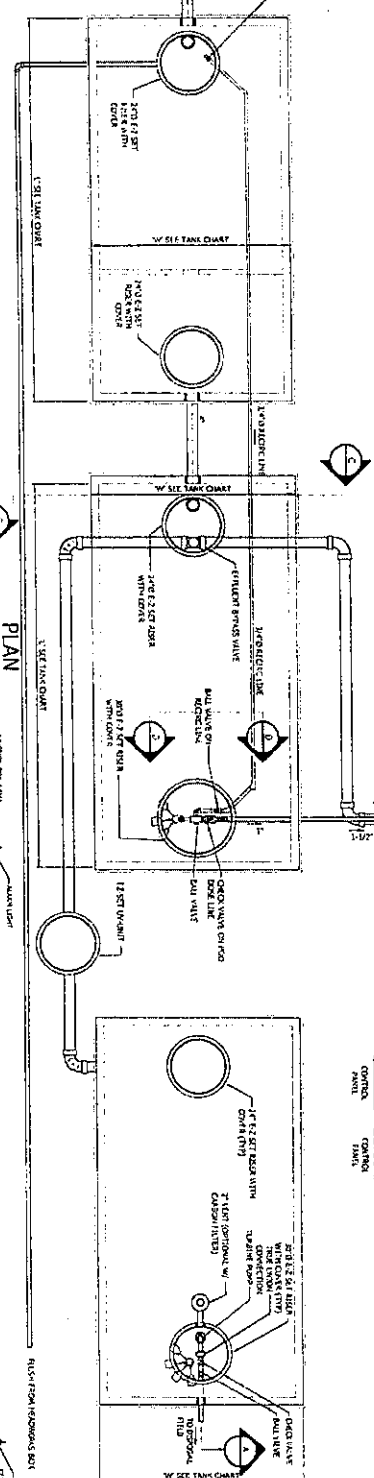
**MANUFACTURER NOTES:**

1. VERIFY MANUFACTURER'S INSTALLATION INSTRUCTIONS WITH THE LOCAL HEALTH DEPARTMENT AND LOCAL ENGINEER. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
2. ALL PRECAST TANKS SHALL BE SET ON A CONCRETE FOUNDATION. THE FOUNDATION SHALL BE SET ON A CONCRETE PAD. THE FOUNDATION SHALL BE SET ON A CONCRETE PAD. THE FOUNDATION SHALL BE SET ON A CONCRETE PAD.
3. ALL PRECAST TANKS SHALL BE SET ON A CONCRETE FOUNDATION. THE FOUNDATION SHALL BE SET ON A CONCRETE PAD. THE FOUNDATION SHALL BE SET ON A CONCRETE PAD.
4. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
5. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
6. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
7. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
8. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
9. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
10. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
11. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
12. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
13. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
14. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
15. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
16. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
17. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
18. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
19. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.
20. VERIFY ALL LOCAL REGULATIONS AND REQUIREMENTS. CONSULT WITH THE MANUFACTURER FOR ANY SPECIAL REQUIREMENTS.



**1.500 GALLON SEPTIC TANK**

ITEM	DESCRIPTION	QTY	UNIT
1	1.500 GALLON SEPTIC TANK	1	EA
2	1.500 GALLON RECIRC TANK	1	EA
3	2.500 GALLON DOSE TANK	1	EA



Project No: 494319  
 N-4.1  
 MAYLAND COMMUNITY COLLEGE  
 PLANETARIUM EXPANSION  
 ONSITE WASTEWATER SYSTEM  
 YANCEY COUNTY NORTH CAROLINA

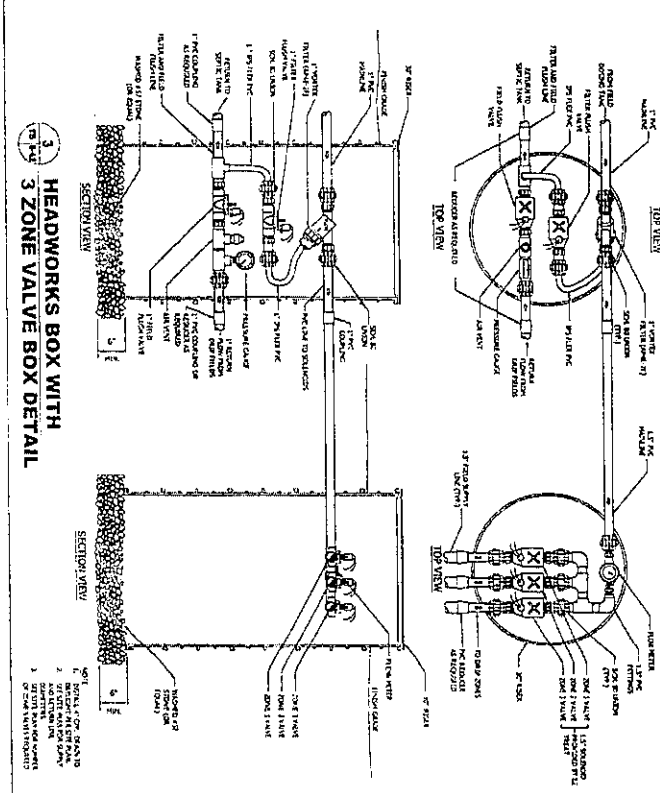
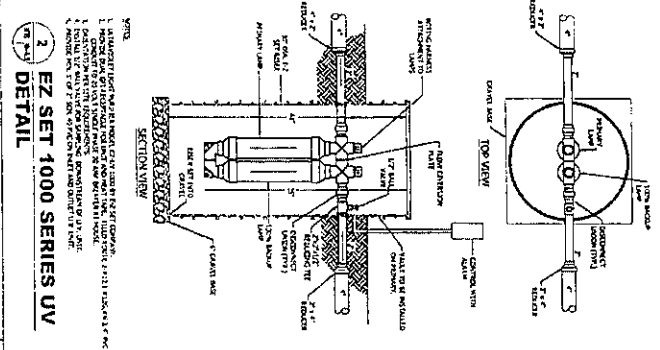
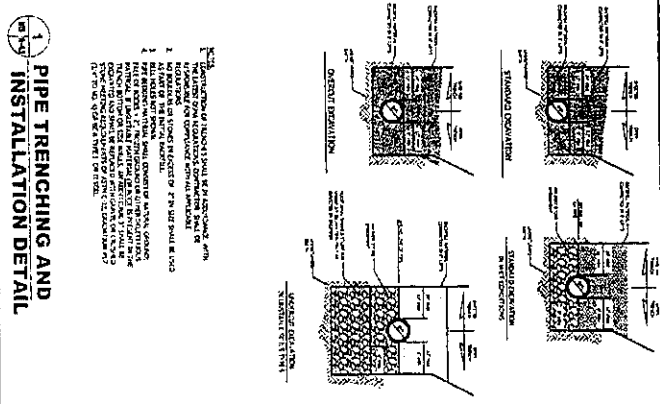
**BROOKS**  
 ENGINEERING ASSOCIATES  
 Planning • Engineering • Surveying  
 • Environmental Services •

17 Arington Street  
 Asheville, N.C. 28801  
 Phone: 1-828-232-4700  
 Fax: 1-828-232-1331  
 www.brooksen.com

**FINAL DRAWING - NOT FOR CONSTRUCTION**

No.	REVISIONS/SUBMISSIONS	Date
1	INITIAL SUBMITTAL	11/4/19

- INSTALLATION NOTES:**
1. Subcontractor shall be made in accordance with the manufacturer for use in rigid systems. See specifications.
  2. Locations of all lines and hardware shall be marked under the conditions and elevations specified herein for installation.
  3. All lines shall be installed in accordance with the manufacturer's instructions. A minimum of 2" of gravel cover shall be provided above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  4. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  5. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  6. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  7. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  8. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  9. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  10. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  11. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  12. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  13. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  14. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  15. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  16. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  17. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  18. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  19. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  20. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.



No.	REVISIONS/SUBMISSIONS	Date
1	INITIAL SUBMITTAL	11/14/19

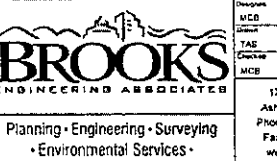
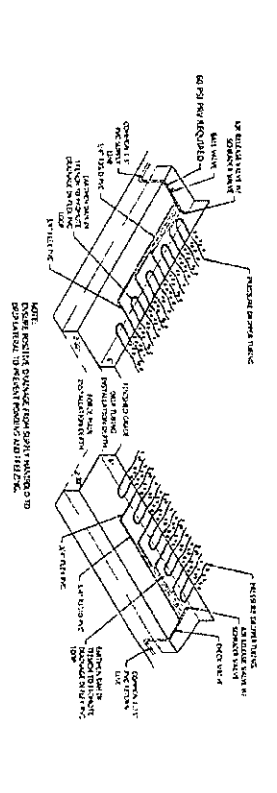
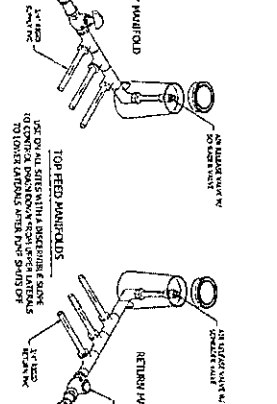
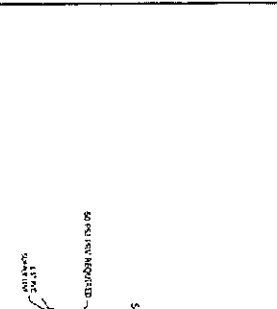
DESIGNED BY: MCB  
 CHECKED BY: MCB  
 DATE: 11-14-19

17 Arlington Street  
 Asheville, N.C. 28801  
 Phone: 1-828-232-4700  
 Fax: 1-828-232-1331  
 www.brooksae.com

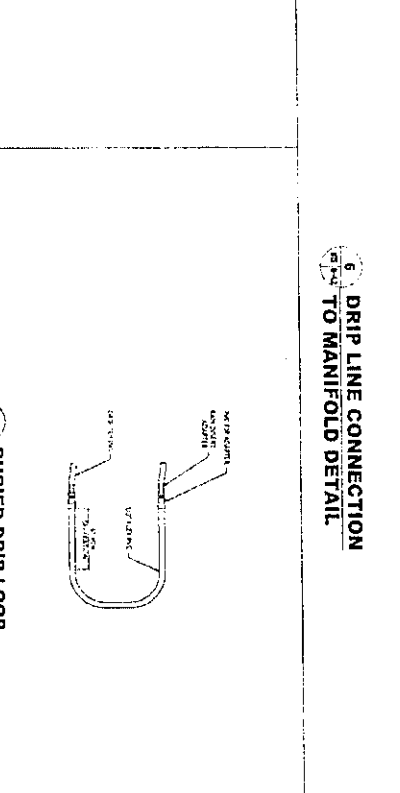
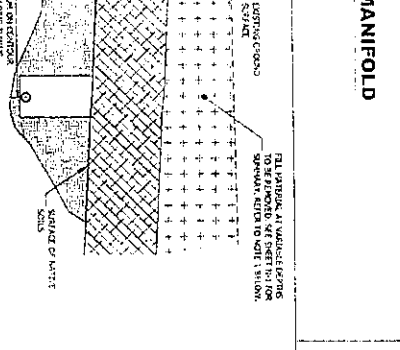
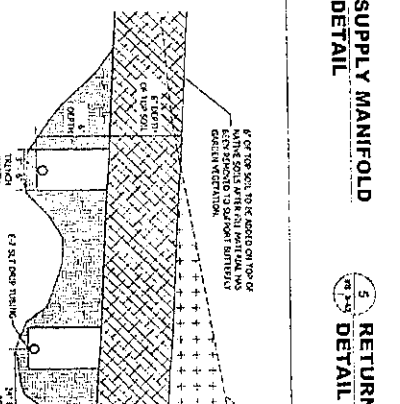
**BROOKS ENGINEERING ASSOCIATES**

Planning • Engineering • Surveying  
 • Environmental Services •

FINAL DRAWING - NOT FOR CONSTRUCTION



- INSTALLATION NOTES:**
1. Subcontractor shall be made in accordance with the manufacturer for use in rigid systems. See specifications.
  2. Locations of all lines and hardware shall be marked under the conditions and elevations specified herein for installation.
  3. All lines shall be installed in accordance with the manufacturer's instructions. A minimum of 2" of gravel cover shall be provided above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  4. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  5. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  6. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  7. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  8. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  9. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  10. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  11. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  12. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  13. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  14. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  15. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  16. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  17. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  18. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  19. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.
  20. Subcontractor shall provide a minimum of 2" of gravel cover above and below the lines, as well as a minimum of 1" of gravel cover between the lines.



No.	REVISIONS/SUBMISSIONS	Date
1	INITIAL SUBMITTAL	11/14/19

DESIGNED BY: MCB  
 CHECKED BY: MCB  
 DATE: 11-14-19

17 Arlington Street  
 Asheville, N.C. 28801  
 Phone: 1-828-232-4700  
 Fax: 1-828-232-1331  
 www.brooksae.com

**BROOKS ENGINEERING ASSOCIATES**

Planning • Engineering • Surveying  
 • Environmental Services •

FINAL DRAWING - NOT FOR CONSTRUCTION

Project No: 494319  
 MAYLAND COMMUNITY COLLEGE PLANETARIUM EXPANSION ONSITE WASTEWATER SYSTEM  
 YANCEY COUNTY NORTH CAROLINA  
 Drawing Title: SYSTEM DETAILS

**15A NCAC 18A .1938 RESPONSIBILITIES**

(a) The permitting of a wastewater system shall be the responsibility of agents authorized by the State in accordance with G.S. 130A-40, 130A-50, and registered with the State of North Carolina Board of Sanitarian Examiners if required in G.S. 90A Article 4.

(b) The person owning or controlling the system shall be responsible for assuring compliance with the laws, rules, and permit conditions regarding system location, installation, operation, maintenance, monitoring, reporting, and repair.

(c) Prior to the issuance of an Improvement Permit or Construction Authorization, plans and specifications may be required by the local health department where there is an unsuitable soil or unsuitable characteristic and shall be required for drainage systems serving two or more lots. These plans and specifications shall be required to be prepared by a person or persons who are licensed or registered to consult, investigate, evaluate, plan or design wastewater systems, soil and rock characteristics, ground water hydrology, or drainage systems if required in G.S. 89C, 89E, 89F, and 90A Article 4.

(d) Any wastewater system which meets one or more of the following conditions shall be designed by a registered professional engineer if required by G.S. 89C:

- (1) The system is designed to handle over 3,000 gallons per day, as determined in Rule .1949(a) or (b) of this Section, except where the system is limited to an individual septic tank system serving an individual dwelling unit or several individual septic tank systems, each serving an individual dwelling unit.
- (2) The system requires pretreatment before disposal, other than by a conventional septic or other system approved under Rule .1957 or .1969 of this Section.
- (3) The system requires use of sewage pumps prior to the septic tank or other pretreatment system, except for systems subject to the North Carolina Plumbing code or which consist of grinder pumps and associated pump basins that are approved and listed in accordance with standards adopted by the National Sanitation Foundation.
- (4) The individual system is required by Rule .1952 of this Section to use more than one pump or siphon in a single pump tank.
- (5) The system includes a collection sewer, prior to the septic tank or other pretreatment system, which serves two or more buildings, except for systems subject to the North Carolina Plumbing Code.
- (6) The system includes structures which have not been pre-engineered.
- (7) The system is designed for the collection, treatment and disposal of industrial process wastewater, except under the following circumstances:
  - (A) the State has determined that the wastewater generated by the proposed facility has a pollutant strength which is lower than or equal to domestic sewage, and does not require specialized pretreatment or management, or
  - (B) the State has pre-approved a predesigned pretreatment system or process and management method proposed by the facility owner which shall enable the industrial process wastewater to have a pollutant strength which is lower than or equal to domestic sewage.
- (8) Any other system serving a business or multi-family dwelling so specified by the local health department.

(e) The State shall review and approve the system layout on a site plan or plat, plans and specifications for all systems serving a design unit with a design flow greater than 3,000 gallons per day, as determined in Rule .1949(a) or (b) of this Section, except:

- (1) where the system is limited to an individual septic tank system serving an individual dwelling unit or several individual septic tank systems, each serving an individual dwelling unit, or
- (2) where the system consists of individual septic tank systems, each serving an individual facility, and which meets all of the following criteria:
  - (A) each individual system's design flow does not exceed 1500 gallons per day, as determined in Rule .1949(a) or (b) of this Section,
  - (B) the site for the nitrification field and repair area for each individual system is at least 20 feet from any other individual system site, and
  - (C) the design wastewater loading on the lot or tract of land containing the design unit is less than 1,500 gallons per day per acre for new or expanded systems and 3,000 gallons per day/acre for malfunctioning systems.

(f) The state shall also review and approve plans and specifications for any industrial process wastewater system required by this Section to be designed by a registered professional engineer and any other system so specified by the local health department.

(g) For systems that require State review and approval, an improvement permit shall not be issued unless the site plan or plat and system layout, including details for any proposed site modifications, are approved. A Construction Authorization shall not be issued unless plans and specifications, including methods of operation and maintenance, are approved.

(h) Prior to issuance of the operation permit for a system required to be designed by a registered professional engineer, the owner shall submit to the local health department a statement signed by a registered professional engineer stating that construction is complete and in accordance with approved plans and specifications and approved modifications. Periodic observations of construction and a final inspection for design compliance by the certifying registered professional engineer or his representative shall be required for this statement. The statement shall be affixed with the registered professional engineer's seal.

(i) Plans and specifications required to be prepared by a registered professional engineer shall contain the information necessary for construction of the system in accordance with applicable rules and laws and shall include any of the following, determined to be applicable by the local health department or the State:

- (1) the seal, signature, and the date on all plans and the first sheet of specifications; specifications and reports prepared by the design engineer and licensed or registered professionals who contributed to the plans, specifications, or reports;
- (2) a description of the facilities served and the calculations and basis for the design flow proposed;
- (3) a site plan based on a surveyed plat showing all system components, public water supply sources within 500 feet, private water supplies and surface water supplies within 200 feet, water lines serving the project and within 10 feet of all components, building foundations, basements, property lines, embankments or cuts of two feet or more in vertical height, swimming pools, storm sewers, interceptor drains, surface drainage ditches, and adjacent nitrification fields;
- (4) specifications describing all materials to be used, methods of construction, means for assuring the quality and integrity of the finished product, and operation and maintenance procedures addressing requirements for the system operator, inspection schedules, residuals management provisions, process and performance monitoring schedules, and provisions for maintaining mechanical components and nitrification field vegetative cover;
- (5) plan and profile drawings for collection sewers, force mains and supply lines, showing pipe diameter, depth of cover, cleanout and manhole locations, invert and ground surface elevations, valves and other appurtenances, lateral connections, proximity to utilities and pertinent features such as wells, water lines, storm drains, surface waters, structures, roads, and other trafficked areas;
- (6) plans for all tanks, showing capacity, invert and ground elevations, access manholes, inlet and outlet details, and plans for built-in-place or nonstate-approved, precast tanks, also showing dimensions, reinforcement details, liquid depth, and other pertinent construction features;
- (7) calculations for pump or siphon sizing, pump curves, and plan and profile drawings for lift stations and effluent dosing tanks, showing anti-buoyancy provisions, pump or siphon locations, discharge piping, valves, vents, pump controls, pump removal system, electrical connection details, and activation levels for pumps or siphons and high-water alarms;
- (8) plan and profile drawings for wastewater treatment plants and other pretreatment systems, including cross-section views of all relevant system components, and data and contact lists from comparable facilities for any non-standard systems;
- (9) plans for nitrification field and repair area, based on an evaluation and report prepared by a person licensed or registered to practice soil science, if required in G.S. 89F showing the following:
  - (A) field locations with existing and final relative contour lines based on field measurements at intervals not exceeding two feet or spot elevations if field areas are essentially flat or of uniform grade;
  - (B) field layout, pipe sizes, length, spacing, connection and clean out details, invert elevations of flow distribution devices and laterals, valves, and appurtenances;
  - (C) trench plan and profile drawings and flow distribution device details; and
  - (D) location and design of associated surface and groundwater drainage systems; and
- (10) any other information required by the local health department or the State.

(j) The entire wastewater sewage system shall be on property owned or controlled by the person owning or controlling the system. Necessary easements, right of ways, or encroachment agreements, as applicable, shall be obtained prior to the issuance of a Construction Authorization for the system installation or repair. Terms of the easement, right-of-way or encroachment agreement shall provide that the easement, right-of-way, or encroachment agreement:

#### 15A NCAC 18A .1937 PERMITS

(a) Any person owning or controlling a residence, place of business, or place of public assembly containing water-using fixtures connected to a water supply source shall discharge all wastewater directly to an approved wastewater system permitted for that specific use.

(b) An Improvement Permit, Authorization for Wastewater System Construction (Construction Authorization) and Operation Permit, shall be required in accordance with G.S. 130A-336, G.S. 130A-337 and G.S. 130A-338. Rule .1949 of this Section shall be used to determine whether subsequent additions, modifications, or change in the type of facility increase wastewater flow or alter wastewater characteristics.

(c) An application for an Improvement Permit or Construction Authorization, as applicable, shall be submitted to the local health department for each site prior to the construction, location, or relocation of a residence, place of business, or place of public assembly. Applications for systems required to be designed by a professional engineer and applications for industrial process wastewater systems shall meet the provisions of Rule .1938 of this Section.

(d) The application for an Improvement Permit shall contain at least the following information: owner's name, mailing address, and phone number, location of property, plat of property or site plan, description of existing and proposed facilities or structures, number of bedrooms, or number of persons served, or other factors required to determine wastewater system design flow or wastewater characteristics, type of water supply including the location of proposed or existing well(s), and signature of owner or owner's legal representative. The applicant shall identify property lines and fixed reference points in the field. The applicant shall make the site accessible for an evaluation as required in Rule .1939 of this Section. The applicant shall notify the local health department on the application of the following:

- (1) the property contains previously identified jurisdictional wetlands;
- (2) wastewater other than sewage will be generated; or
- (3) the site is subject to approval by other public agencies.

(e) The application for a Construction Authorization shall contain:

- (1) the information required in Paragraph (d) of this Rule; however, a plat or site plan shall not be required with the application for a Construction Authorization to repair a previously permitted system when the repairs will be accomplished on property owned and controlled by the applicant and for which the property lines are readily identifiable in the field;
- (2) the locations of the proposed facility, appurtenances, and the site for the system showing setbacks to property line(s) or other fixed reference point(s); and
- (3) the proposed system type as specified by the owner or owner's legal representative and that meets the conditions of the Improvement Permit, the provisions of these Rules, and G.S. 130A, Article 11.

(f) An authorized agent of DENR shall issue an Improvement Permit after determining that the site is suitable or provisionally suitable and that a system can be installed so as to meet the provisions of these Rules. The Improvement Permit shall include those items required in G.S. 130A-336(a). An Improvement Permit for which a plat is provided shall be valid without expiration and an Improvement Permit for which a site plan is provided shall be valid for 60 months from the date of issue as provided in G.S. 130A-335(f) and G.S. 130A-336(a). The Improvement Permit is transferable to subsequent owners except as provided in G.S. 130A-335(f) and G.S. 130A-336(a).

(g) The Construction Authorization as provided in G.S. 130A-335(f) and G.S. 130A-336(b) shall be valid for a period equal to the period of validity of the Improvement Permit, not to exceed 60 months. Site modifications required as conditions of an Improvement Permit shall be completed prior to the issuance of a Construction Authorization. The Construction Authorization shall be issued by an authorized agent for the installation of a wastewater system when it is found that the Improvement Permit conditions and rules of this Section are met. The Construction Authorization shall contain conditions regarding system type, system layout, location, and installation requirements. The property owner shall ensure that a Construction Authorization is obtained and is valid prior to the construction or repair of a system. The property owner shall obtain a Construction Authorization prior to the construction, location, or relocation of a residence, place of business, or place of public assembly. If the installation has not been completed during the period of validity of the Construction Authorization, the information submitted in the application for a Permit or Construction Authorization is found to have been incorrect, falsified or changed, or the site is altered, the Permit or Construction Authorization shall become invalid, and may be suspended or revoked. When a Permit or Construction Authorization has become invalid, expired, suspended, or revoked, the installation shall not be commenced or completed until a new Permit or Construction Authorization has been obtained. Revised Construction Authorizations shall be issued for sites where Improvement Permits are valid without expiration in compliance with G.S. 130A-335(f1).

(h) Prior to the issuance of a Construction Authorization for a wastewater system to serve a condominium or other multiple-ownership development where the system will be under common or joint control, a draft agreement (tri-party) among the local health department, developer, and a proposed non-profit, incorporated owners association shall be submitted to the

local health department for approval. Prior to the issuance of an Operation Permit for a system requiring a tri-party agreement, the agreement shall be executed among the local health department, developer, and a non-profit, incorporated owners association and filed with the local register of deeds. The tri-party agreement shall address ownership transfer of ownership, maintenance, repairs, operation, and the necessary funds for the continued satisfactory performance of the wastewater system, including collection, treatment, disposal, and other appurtenances.

(i) No residence, place of business, or place of public assembly shall be occupied nor shall any wastewater system be covered or placed into use until an authorized agent issues an Operation Permit. The Operation Permit shall not be issued or reissued until the authorized agent finds that the system is in compliance with Article 11 of G.S. Chapter 130A, these Rules, and all conditions prescribed by the Improvement Permit, and Construction Authorization. The Operation Permit shall specify the system type in accordance with Table V(a) of Rule .1961 of this Section, and shall include conditions for system performance, operation, maintenance, monitoring and reporting. At the review frequency specified in Rule .1961, Table V(a) of this Section, an authorized agent shall determine whether a system is in compliance with the conditions of the Operation Permit, these Rules, and Article 11 of G.S. Chapter 130A. An authorized agent may modify, suspend or revoke the Operation Permit or seek other remedies under Article 2, Chapter 130A, if the system is not in compliance with Article 11 of G.S. Chapter 130A, these Rules, and all conditions imposed by the Operation Permit.

(j) For a Type V or VI system as specified in Rule .1961, Table V(a) of Paragraph (b)(9) of this Section, the Operation Permit shall expire either;

- (1) 60 months after the Operation Permit is issued for any system installed on or after the effective date of these Rules, or
- (2) 60 months after the effective date of these Rules for any system with a valid Operation Permit issued prior to the effective date of these Rules.

(k) Upon determining that an existing wastewater system including all subsystems and system components in a manufactured home park has a valid Operation Permit and is in compliance with Article 11 of G.S. Chapter 130A, these Rules, and permit conditions, an authorized agent shall issue a written authorization for a manufactured home to be connected to the existing system.

(l) Any person other than the owner or controller of a residence, place of business, or place of public assembly, who engages in the business of constructing, installing, or repairing wastewater systems shall register with the local health department in each county where he operates before constructing, installing, or repairing wastewater systems.

(m) An authorized agent shall prepare a written report with reference to the site and soil conditions required to be evaluated pursuant to this Section. When a permit is denied, the report shall be provided to the applicant. If modifications or alternatives are available, information shall be provided to the applicant. The report shall be signed and dated by an authorized agent of the State.

*History Note: Authority G.S. 130A-335(e),(f);  
Eff. July 1, 1982;  
Amended Eff. August 1, 1991; January 1, 1990; January 1, 1984;  
Temporary Amendment Eff. January 20, 1997;  
Amended Eff. August 1, 1998.*





## County Manager's Report

### Description

The County Manager as part of her report will present the following items to the Board.

- Request from the Burnsville Chamber of Commerce asking that the Board to present a request to local legislative members to increase the occupancy tax in Yancey County to 6%. A copy of the request follows.
- Update on projects and upcoming events

### Item Presenter

County Manager Lynn Austin

### Board Action Requested

HOME OF MT MITCHELL  
  
**BURNSVILLE \* YANCEY**  
CHAMBER of COMMERCE

November 15, 2019

Yancey County Commission  
Yancey County Courthouse  
110 Town Square  
Burnsville, North Carolina 28714

RE: Occupancy Tax

Dear Commissioners:

I take this opportunity, on behalf of the Yancey County / Burnsville Chamber of Commerce, to ask that you, as the Board of Commissioners of Yancey County, present to our local Legislative members a request to increase the occupancy tax in Yancey County to a 6% level. A recent Strategic Economic Development Plan conducted on behalf of Yancey County by the High Country Council of Government will have as one of it's recommendations that the occupancy tax be increased to a level compatible with other area counties. As the recipient of the occupancy tax proceeds, the Chamber of Commerce has long had the responsibility of promoting the county for tourism purposes. Through the Travel & Tourism Committee, we have engaged the services of a local marketing firm and will be conducting a marketing plan to further the positive tourism and economic impact on Yancey County. With an increase in the occupancy tax, we will be able to improve our efforts to increase the number of visitors to our county. We hope that you will agree that these efforts are very important to the business community of Yancey County. We will be happy to answer any questions you may have in connection with this request.

With best wishes, I am

Sincerely,

  
GINGER JOHNSON  
Executive Director